

Construction Administration

Construction typically follows a contract award to the successful bidder. Once the job begins, the agency administering a project must document and inspect the work. Most of the time, this is a full-time responsibility.

This Chapter 11 provides guidance on the topics listed below:

- Oversight Responsibilities (page 11-1);
- Preconstruction Meeting (page 11-2);
- Contractor Payrolls (page 11-3);
- Contract Modifications (page 11-4);
- Construction Documents (page 11-5);
- Materials Testing (page 11-7);
- Buy America (page 11-8);
- Commercial Useful Function (page 11-10);
- Bulletin Board / Retainage (*new section*) / Final Inspection (page 11-11);
- Final Contractor Payment / Closeout with MaineDOT / As-Built Plans (page 11-12);
- Appendix 11A: Administrative Checklist (page 11-13);
- Appendix 11B: Letters to MaineDOT – Construction (page 11-16); and
- Appendix 11C: Sample Field Report Entries (page 11-23).



11.1 Oversight Responsibilities

During construction, a local public agency must assign an appropriately qualified staff member or a consultant with pre-qualification status from MaineDOT to document and inspect the work. This person – known as the resident inspector – enforces the plans and specifications, logs the daily construction activities, checks contractor payrolls for wage-rate compliance, and verifies quantities of materials for payment. Additionally:

- If a project involves paving or concrete work, a local agency must arrange for a paving inspector and concrete technician, with required certifications, to be on site for that work.
- A resident inspector must have taken Documentation Training within the previous year before starting on a MaineDOT-funded project. If the training isn't offered, LPA Training or Construction Training may be substituted. Contact: www.maine.gov/dot/lpa/contact/.
- If the resident inspector will be a consultant, a local public agency must go by the hiring procedures in Chapter 2 (Hiring Consultants) and seek proposals from firms pre-qualified under MaineDOT service number 601.00: www.mainedot.gov/cpo/prequal/.
- The project manager and construction manager from MaineDOT's Multimodal Program must be notified of the selection of a resident inspector before a contract is signed.

The resident inspector – or a different, approved inspector – must be present for all work on major pay items such as excavation, drainage installation, paving, and concrete placement. This work typically will be **full time** to be sure the following tasks are performed:

- Inspecting the work, documenting quantities, and checking lines and grades.
- Reviewing certified contractor payrolls, as covered in section 11.3 (Contractor Payrolls).
- Coordinating contract modifications. MaineDOT must concur with modifications before they are signed, as covered in section 11.4 (Contract Modifications).
- Keeping a detailed daily log and other field records, as covered in section 11.5 (Construction Documents).
- Arranging for testing of aggregates, pavement and concrete – and rejecting failing materials.
- Monitoring the contractor’s traffic control plan to ensure safe work-zone travel for motorists and **pedestrians**.
- Checking compliance with environmental commitments and permit requirements.
- Approving contractor payments for satisfactory work, after verifying quantities.



11.2 Preconstruction Meeting

The primary event before work begins is a preconstruction meeting, involving at a minimum the contractor, local project administrator, resident inspector, utility representatives, and MaineDOT Multimodal construction manager. A sample agenda is attached to [Letter 17](#) (page 11-17).

- Refer to the MaineDOT [Standard Specifications](#), 104.4.2 (Preconstruction Meeting).

The preconstruction meeting should be held at least one week before the scheduled start of work. It should cover the requirements for the prime contractor, go over the schedule, and establish the frequency of progress meetings. Before the meeting, the prime **contractor** must submit a schedule in critical path method, a traffic control plan, an emergency contacts list, and a soil erosion and water pollution control plan.

The **local project administrator** should prepare an agenda and invite participants. Afterward, minutes should be distributed to participants and other parties, including emergency response agencies if there will be lane closures or detours. Additionally:

- If the work requires multiple or complicated utility relocations, a separate **pre-utility meeting** may be held. Refer to the [Standard Specifications](#), 104.4.6 (Utility Coordination).
- A **pre-paving meeting** must take place before paving starts. It should involve the local project administrator, paving contractor, resident inspector, MaineDOT Multimodal construction manager, and other appropriate personnel. It may take up to two weeks to schedule such a meeting. Refer to the [Standard Specifications](#), 401.18 (Prepave Meeting).

11.3 Contractor Payrolls

□ 11.3.1: Elation System

The prime contractor and subcontractors on federal projects must submit payrolls electronically in the online Elation system to verify Davis-Bacon wage compliance. Upon awarding a contract, the local public agency managing a project should email the information below to MaineDOT's Contracts Section, which will set up a project in the system:

- Work Identification Number (WIN);
- Name and email of the resident inspector;
- Name and address of the prime contractor;
- Amount of the contract award;
- Dates of advertise, bid opening and award;
- Construction start date;
- Contract completion date stipulated in the contract;
- Subcontractor information, with the service provided and subcontract amount;
- County in which the work will take place;
- Wage Rate General Decision and modification numbers, such as ME100011-Mod-0.

MaineDOT Contact:
Angela Latno: 207-624-3519
angela.latno@maine.gov

An Elation user manual is online: www.mainedot.gov/contractors/publications/

□ 11.3.2: Payroll Verification

The resident inspector must make sure that contractors on federal-aid projects comply with the Davis-Bacon wage decision. Typical responsibilities consist of the following:

- Checking contractor payrolls for completeness, accuracy, and compliance issues; and
- Ensuring that the duties performed and hours put in by workers covered by Davis-Bacon are consistent with what contractors are reporting in the Elation system.

After the contract award, the resident inspector must check for missing classifications and rates. If the federal wage decision is incomplete, the **prime contractor** must request missing classifications and rates through the Elation system.

Requests must be coordinated with MaineDOT's Civil Rights Office, which may be reached by phone at 207-624-3066 or online at www.mainedot.gov/civilrights/contact/.

□ 11.3.3: Payroll Interviews

Every 90 days, the resident inspector must interview **two covered workers** from the prime contractor and all subcontractors that were on site at least five days during a 90-day period. Interviews should be voluntary and confidential. Standard Form 1445 (Labor Standards Interview) is available in the Elation payroll system.

The resident inspector will compare information from the interviews against a contractor's certified payroll report for a given period. The resident must address any discrepancies.

❑ 11.3.4: State Payrolls

Contractors on state-only projects – such as through the Small Harbor Improvement Program, the Heads Up pedestrian safety program and the Municipal Partnership Initiative – should submit certified payrolls verifying that they are paying at least the Maine Department of Labor’s prevailing wage rates. Each submittal should include a “Statement of Compliance” that the payrolls are correct and complete.

- ➡ The Certified Payroll Form from the Maine Department of Labor should be used: www.maine.gov/labor/labor_stats/publications/wagerateconst/index.shtml

11.4 Contract Modifications

Occasionally, the local public agency managing a project and its contractor will need to change the terms of the construction contract, which requires a contract modification.

A contract modification (change order) must be prepared by the resident inspector or local project administrator – NOT the contractor. If an agency expects MaineDOT to participate financially in a modification, the Multimodal construction manager must review and concur with the change before any associated work begins. Otherwise, MaineDOT may deny reimbursement for work covered by a modification that has not undergone such review.

A detailed, draft contract modification must be sent to the Multimodal construction manager for review and concurrence in the format of Letter 18 (pages 11-19 and 11-20) with the following:

- An independent cost estimate for the additional work; and
- A statement addressing the associated time. If there is no change, write **0 days**.

The **contract modification form** is kept in the “Construction Field Documents” section of MaineDOT’s LPA website: www.mainedot.gov/lpa/lpadocuments/

A contract modification is necessary for any of the following:

- A change of 25 percent or more in a major item, defined as 10 percent or more of the contract amount.
- A change or extra work within the scope of the contract;
- A substitution of materials;
- A change in the specifications;
- A change in the testing requirements;
- A design change beyond the scope of the contract;
- Adding payment or credit for incentives/disincentives;
- An adjustment in the contract completion date.

11.5 Construction Documents

Keeping accurate, detailed field records is vital. Briefly covered in 11.5.1 through 11.5.5 below are the standard field documents, with an explanation of how to fill them out.

☞ For detailed information on construction documentation, refer to two MaineDOT references:

- Record Keeping Manual: www.mainedot.gov/contractors/support/
- Construction Manual: www.mainedot.gov/contractors/publications/

☐ 11.5.1: Project Diary

The resident inspector on a project must keep a field book or an electronic log, using a program such as Field Manager, to record the daily activities of the prime contractor and subcontractors. (An electronic report is preferred, for backup purposes.)

This document, traditionally called a project diary, should record the following at a minimum:

- ☐ Weather, since rain or cold could affect the work;
- ☐ Pay items worked on each day, by project stationing;
- ☐ The number of workers on site, with their job classifications, to be checked against contractor payrolls;
- ☐ Major pieces of equipment on site such as excavators, loaders, compactors, bulldozers, graders, pavers, and rollers;
- ☐ Field measurements by pay item number, with quantities of materials, to be checked against contractor requests for payment;
- ☐ Grade checks for items such as subgrade, top of gravel (fine-grading), ditches, and backslopes to ensure that the work meets the plans and specifications for the project;
- ☐ Drainage measurements by stationing for items such as catch basins and pipes, with computations from outlet to inlet;
- ☐ Source and disposition of excavation, borrow, gravel and pavement grindings; and
- ☐ Noteworthy events, such as:
 - Traffic accidents, which also require an accident report or near-miss form;
 - Contractor adherence to the traffic control and erosion control plans;
 - Directives given to the contractor by the resident inspector;
 - Discussions with property owners and other abutters; and
 - Disputes with the contractor or issues with quality that could lead to a claim.



Refer to **Appendix 11C**, starting on page 11-23, for examples of daily report entries.

11.5.2: Drainage Book

A separate drainage book may be needed for large, complex projects. Such supplemental documentation should be kept at the discretion of the resident inspector.

Each run of pipe and catch basin should have a separate page in a drainage book. The resident inspector should note items such as lengths of pipe installed, catch basins placed, gravel used for traffic maintenance, undercutting and bedding material used, ledge removed (if applicable), and riprap at pipe inlets and outlets.

11.5.3: Final Quantity Book

All pay items in the contract and all work orders involving additional payment must be entered in a final quantity book. This book maintains a reference trail leading from the final pay quantity for an item to the original documentation, such as notes of inspection and acceptance, measurements, or calculations made in a daily report. Entries must be signed and dated.

The final quantity book should have one item per page, as follows:

- Item number description and quantity should be at the top of the page;
- The final quantity should be entered at the bottom and so labeled;
- Pages should be set up for original measurements or computations;
- Pages set up with a total-to-date column;
- Entries and computations initialed and dated;
- Calculation of the final quantity must be shown, after an item is completed.

11.5.4: Testing File

Before construction, MaineDOT establishes mandatory Minimum Testing Requirements for aggregates, pavement, concrete and other materials. They establish the frequencies and types of materials tests to be performed.

The resident inspector should set up a testing file for all test reports and other data that document the quality of materials installed on a project. The file should be set up by material and based on the Minimum Testing Requirements, which should be kept at the front of the testing file and used as a guide.

In the file, the resident or other designated inspector should explain how a failing test result was resolved, such as whether a failing material was removed and replaced. Results of failing tests should be sent to the MaineDOT Multimodal construction manager, who may be able to help resolve an issue.

When MaineDOT administers a project, a testing file typically is bound by a black pressboard binder with a white label marked “Testing File” – with location and WIN. Tabs are used to identify and separate the items. Local agencies may follow this model.

❑ 11.5.5: Submittals and Submittal Log

The resident inspector is responsible for receiving, reviewing, distributing, and tracking construction submittals. Such submittals are the Working Drawings as defined in the MaineDOT Standard Specifications, subsections 101.2 (Definitions) and 105.7 (Working Drawings).

Each submittal carries a specific review period, as follows:

- First submission – 21 days / one day per drawing, whichever is greater.
- Subsequent submissions – 10 days / one-half day per drawing, whichever is greater.
- Note: Review times are doubled for submittals that include design computations.

The resident inspector must track all submittals through a submittal log to ensure that they are returned to the contractor within the allowed review time. A copy of the log must be included in the progress meeting agenda and minutes.

MaineDOT, through the Multimodal construction manager, must review submittals for items such as hot-mix asphalt pavement, concrete quality-control plans, and shop drawings for traffic mast arms and poles.

- ➔ Check the **Submittal Review and Approval Matrix** for the applicable submittals and levels of approval: <https://www.maine.gov/dot/contractors/support/>

11.6 Materials Testing

Construction materials must meet MaineDOT’s specifications. Proper testing of items such as gravel, pavement and concrete will help to ensure their performance and durability. After accepting final Plans, Specifications and Estimate (PS&E) for a project, MaineDOT will prepare Minimum Testing Requirements.

Before construction, the resident inspector may request a meeting with MaineDOT personnel – including the Multimodal construction manager and quality-assurance engineer – to go over the timing of tests, testing procedures and documentation.

Each test result must be logged in a testing file, as covered in 11.5.4. The Multimodal construction manager should be notified of a failing test. Sample tags must be filled out in accordance with the **Sample Tag Instructions**, online under “Construction Field Documents” – <https://www.maine.gov/dot/lpa/lpadocuments/>.

- ➔ **Note:** MaineDOT testing staff will reject samples with tags that are filled out incorrectly. If tag errors cannot be corrected, a sample will not be tested.

11.6.1: Testing of Aggregates

A local agency must use an **independent, accredited laboratory** to test all aggregates installed on a project, such as gravels, underdrain sand, crushed stone and granular borrow. A certified inspector must obtain samples and conduct any required on-site tests for compaction and other properties, as set out in the Minimum Testing Requirements.

***Note:** The agency overseeing a project cannot use the same testing laboratory as the lab doing the contractor’s quality-control work. This should be covered at the pre-construction meeting.*

❑ 11.6.2: Pavement Testing

An inspector certified by the Northeast Transportation Technician Certification Program (NTTCP) must be present for paving work. The inspector will perform tasks such as checking that hot-mix asphalt pavement is placed at the proper temperature (275° to 325° F) and preparing core samples for testing.

Core samples with ID tags filled out in accordance with the MaineDOT **Sample Tag Instructions** must be taken to a MaineDOT testing laboratory, either in Freeport or Bangor, where MaineDOT staff will perform the tests. *Note that testing costs will be charged to the project.*



Pavement testing must be covered at a pre-paving meeting. Additionally, MaineDOT Independent Assurance staff must be notified when paving work is scheduled; such notification may be coordinated through the Multimodal construction manager.

❑ 11.6.3: Concrete Testing

Someone certified by the American Concrete Institute (ACI) must be on site for concrete placements to test mix properties such as air content, temperature, and water/cement ratio. The certified person will document the mixtures and prepare the sample cylinders that will be used to measure compressive strength and permeability at a testing lab.

Three concrete cylinders must be taken for compression testing. Cylinders with ID tags filled out in accordance with the MaineDOT **Sample Tag Instructions** must be taken to a MaineDOT testing laboratory, either in Freeport or Bangor. Cylinders should be kept in an on-site cure box for one day before going to a lab. *Note that testing costs will be charged to the project.*

Additionally, MaineDOT Independent Assurance staff must be notified when concrete work is scheduled; such notification may be coordinated through the Multimodal construction manager.

11.7 Buy America

For decades, the Federal Highway Administration (FHWA) has required steel and iron products permanently incorporated into federally funded projects to be produced in the United States. Failing to comply with “Buy America” jeopardizes federal funding.



Under Buy America, the manufacturing processes for steel and iron products, including the application of coatings, must occur domestically. Raw materials, however, may be sourced from other countries. (Refer to the regulations in 23 CFR part 635.410 for more information.)

Below are examples of products traditionally covered by FHWA Buy America requirements:

- Steel guardrail, steel piles, steel culverts, and structural and reinforcing steel;
- Structural plates and steel supports for highway signs, luminaries and signals; and
- Cast iron frames and grates, as well as detectable warning fields.

❑ 11.7.1 Build America, Buy America

In late 2022, a new federal law broadened the Buy America requirements. The Build America Buy America (BABA) Act expanded the list of items that must be produced in the United States.

As of November 10, 2022, construction materials permanently incorporated into projects funded by the FHWA must comply with Buy America, meaning that manufacturing must take place domestically. A new “construction materials” category consists primarily of the following:

- Non-ferrous metals – such as aluminum rail and zinc anodes;
- Plastic and polymer-based products – such as PVC pipe, composite building materials, polymers used in fiber-optic cables, non-metallic conduit and non-metallic drainage pipe;
- Glass, including optical glass;
- Fiber-optic cable, including drop cable;
- Optical fiber;
- Lumber;
- Engineered wood; and
- Drywall.



Exclusions: The Buy America requirement does not apply if the Federal funds amount for the project is less than \$500,000.00.

Waiver: Beginning October 1, 2026, the temporary waiver for FHWA funded projects will cease. BABA will cover any manufactured products, defined as two or more of the materials listed above that are produced and combined through fabrication (55% of the product by cost element **must** be produced from materials obtained in and assembled in America). Such products also include items with at least one of the listed materials combined with a material not listed (including steel/iron) through a manufacturing process.

❑ 11.7.2: Buy America Certifications

The prime contractor must provide mill certifications for steel and iron products, along with manufacturer certifications for product coatings. The contractor also must certify that all products and construction materials subject to Buy America and BABA comply with the law.

The resident inspector must verify the submitted certifications before the contractor may install permanent products subject to Buy America and BABA.

❑ 11.7.3: Local / Other Work on Federal Contracts

Buy America applies to **all** work under a federally funded contract, including local work paid for with local funds. If local utility work is added to a federal-aid project, for example, Buy America requirements still apply – even if non-federal funds are used. It is advisable, therefore, to perform any such additional work under a separate contract, outside of the main federally funded project, if there are concerns about meeting Buy America.

❑ 11.7.4: Exceptions

MaineDOT expects that applicable products installed on federally funded projects will comply with Buy America. If a local agency, during design, believes that Buy America cannot be met – or if a contractor contends that certain items subject to Buy America cannot be acquired – the MaineDOT project manager and Multimodal construction manager should be contacted immediately to discuss the concerns.

➡ **Bottom line:** Projects funded through the FHWA must comply with Buy America.

❑ 11.7.5: Federal Transit Administration (FTA) Projects

Buy America also applies to projects funded by the Federal Transit Administration (FTA), which has requirements for contracts and purchases greater than \$150,000.

FTA Buy America requirements generally cover the following:

- Iron and steel used in construction;
- Manufactured products used in construction; and
- Mass transit vehicles, commonly called rolling stock.

As with FHWA projects, the FTA requires a contractor certification. If an FTA project will have steel, iron or manufactured products covered by Buy America, each bidder must complete and submit an appropriate Buy America certification. Similarly, requests for waivers must be submitted to the FTA, through MaineDOT, for consideration.

Build America, Buy America (BABA) also applies to FTA projects. For grants obligated on or after November 10, 2022, the FTA will add construction materials to the categories of products on federally funded transit projects that must be manufactured in the United States. Additional information about FTA requirements under BABA is available at the link cited below.

The FTA website provides general guidance: <https://www.transit.dot.gov/buyamerica>

11.8 Commercially Useful Function

The resident inspector on a federal project must verify that a Disadvantaged Business Enterprise (DBE) firm hired as a subcontractor is performing the services in its subcontract with its own equipment and workers. This is the “Commercially Useful Function” (CUF) of the DBE.

The resident inspector must verify that the employees on site are listed on the DBE company’s payrolls and not on the payroll of a different company, such as the prime contractor. A CUF review must be performed:

- When a DBE initially shows up and during the peak period of the DBE’s work; and
- When an on-site DBE is not listed on the prime contractor’s DBE Utilization Form.

The Commercially Useful Function Form is online: www.mainedot.gov/civilrights/dbe/

11.9 Bulletin Board

The prime contractor by law must display a series of posters on a bulletin board informing employees of their rights. The board must be set up by the first day of construction and stay in place until completion.

The bulletin board must be placed where it will be easily accessible to employees and the public, commonly outside the field office used by the contractor or resident inspector. It must be sealed or otherwise protected from bad weather and remain readable for the duration of a project.



A list of required state and federal posters is online: www.mainedot.gov/civilrights/sfp/

11.10 Retainage - New

During construction, the local agency managing a project should pay 100 percent of each approved progress payment to the contractor until the work is about 50 percent complete. After that point, the agency should deduct 5 percent of each progress payment as retainage.

If a local agency believes that the standard amount of retainage will fall short of covering a contractor's obligations, a greater percentage may be withheld. An agency also may hold retainage to ensure timely completion of the work and payment of all subcontractors and suppliers.

Upon final acceptance of a project, the contractor may request that the retainage be reduced, which an agency may grant or deny at its discretion. Otherwise, the agency may hold retainage until the receipt of all closeout documentation from the contractor. (*See section 11.12 Final Contractor Payment.*)

Retainage is covered in Section 108.3 of the [Standard Specifications](#).

11.11 Final Inspection

Upon finishing a project, the prime contractor sends the local agency managing the project a written notification that it considers the work to be complete. At this point, the local administrator sets up a walk-through inspection involving the resident inspector, the contractor, MaineDOT's project manager and MaineDOT's Multimodal construction manager. (Use Letter 19, on page 11-21.)

Meeting on site, the parties inspect the project for incomplete or unsatisfactory work. Afterward, they develop a "punch list" of items that must be addressed before the local agency will accept the project as complete.

Once a final inspection determines that the contractor has addressed all punch-list items, the local agency notifies the contractor in writing that physical work is complete and in compliance with the contract, through a Completion of Physical Work Notification.

Forms and other documents are online: www.maine.gov/dot/contractors/support/

11.12 Final Contractor Payment

When the work is completed and a successful final inspection has been held, the local agency managing a project sends the prime contractor a **Completion of Physical Work Notification**. At that point, the agency may make final payment to the contractor under the following conditions:

- Final quantities have been determined, with no claims or disagreements;
- There are no liquidated damages against the contractor;
- There is no remaining work to be done in the field; and
- The contractor has submitted the final closeout documents listed below, as applicable:
 - Request for final payment, with statement that all bills have been paid;
 - Agreement with final quantities;
 - Buy America certifications (federal projects);
 - Materials certifications (all projects); and
 - Quality-control certification under section 106.4.3 of the Standard Specifications (Testing).

Project closeout is covered in section 107.9 of the [Standard Specifications](#).

11.13 Closeout with MaineDOT

Once a local agency has made final payment to its contractor, the project administrator should ask MaineDOT’s project manager for an accounting of MaineDOT’s charges to a project. Upon receiving the documentation, the local administrator should calculate the matching share and send MaineDOT’s project manager a final invoice formatted after Letter 20. The letter must be accompanied by a completed consultant evaluation, contractor evaluation and as-build plans, if applicable.

The local share of MaineDOT’s charges will be deducted from the final reimbursement payment to the local agency managing a project. Upon paying the final invoice, MaineDOT will terminate the local project agreement with the sponsoring agency and then close out the project.

11.14 As-Built Plans

As-built plans are the original design plans that have been revised in the field to document a project as constructed. They are used as a reference for future design and maintenance efforts. As-built plans for locally administered projects on state highways must be sent to MaineDOT’s project manager as .pdf files with the final invoice submittal (Letter 20).



“As-builts” typically consist of full-sized plans marked up either electronically or by hand using a red, medium felt-tip marker or a blue/black medium ballpoint pen. They may include alignment modifications, substitutions of materials, and additions or deletions of items.

On each revised sheet, the reviser should write in the lower right corner “Revised As-Built” and initial; on unchanged plan sheets, the reviser should write “As-Built” and initial. Upon completion of all changes, the reviser should sign and date the title sheet of the marked-up plans.

Appendix 11A:

Administrative Checklist

(Construction Administration)

(Updated in 2023)



CHECKLIST: CONSTRUCTION ADMINISTRATION

- Obtain Minimum Testing Requirements from MaineDOT's project manager (PM).
- Send award information to MaineDOT to enter project in the Elation payroll system.
 - MaineDOT contact is Angela Latno: (207) 624-3519 or Angela.Latno@maine.gov
 - Prime contractor and all subcontractors must be set up in the Elation system.

Pre-Construction Tasks

- Send preconstruction meeting notice and agenda (Letter 17) to the following:
 - Contractor;
 - Utilities;
 - Resident Inspector;
 - MaineDOT's PM and Multimodal construction manager.

Note: A separate *pre-paving meeting* must be held before any paving work may take place.

- Preconstruction meeting held on: _____
 - Pre-paving meeting held on: _____
- Contractor schedule received on: _____
- Quality Control (QC) Plan and Mix Designs received from Contractor on: _____
 - Contractor must submit them at least 30 days before the work is scheduled to begin.
- Contractor Traffic Control Plan submitted to MaineDOT for review.
 - Must address safe work-zone passage for motorists and pedestrians.
 - MaineDOT Approval Date:* _____.
- Contractor Soil Erosion Water Pollution Control Plan approved by resident inspector.

Testing & Documentation

- Field Book created to record the following information:
 - Weather, crew & equipment on site, hours worked, and contractor activities;
 - Field measurements to document materials quantities for payment to the contractor;
 - Noteworthy events (accidents, discussions with owners, disputes with contractor).
- Pit authorizations completed.
- Waste area agreements completed.
- Project bulletin board erected: <https://www.mainedot.gov/civilrights/sfp/>
 - Condition of signs must be noted weekly in a project field book.
- Testing file set up for each item in Minimum Testing Requirements.
 - Check with MaineDOT to learn if Hot Mix Asphalt Pavement / Portland Cement Concrete plant has been inspected recently or needs to be inspected: Kevin.cummings@maine.gov
- Materials Tests:
 - Aggregates must be tested at an independent, accredited laboratory.
 - Hot-mix asphalt pavement and concrete are tested at MaineDOT lab in Bangor or Freeport.
- Subcontractor Approvals: <https://www.mainedot.gov/contractors/publications/>
 - Send copies of approved subcontractor packages to MaineDOT's PM.

- Federal projects: Weekly certified payrolls received electronically from all contractors.**
 - Certified payroll checked in Elation system for compliance with Davis-Bacon wage rates.
- Federal projects: Employees interviewed to verify Davis-Bacon wage rate compliance.**
 - Voluntary interviews held every 90 days with 2 covered workers from the following:
 - Prime contractor;
 - All subcontractors on site 5 or more days during a 90-day period.
- Federal Projects: Commercially Useful Function Form sent to MaineDOT, if applicable.**
- Federal Projects: “Build America, Buy America” (Special Provision 105).**
 - Buy America certifications must be received before steel iron products – as well as construction materials covered by new Build America, Buy America requirements – are installed.
- Progress payments to contractor:**
 - Prepare estimate and review with contractor, or receive and check estimate from contractor.
 - Once approved, process estimate and send payment to contractor.
- Final Quantity Book created:**
 - Book set up by item numbers;
 - Pages set up for original measurements (or computations from plan dimensions);
 - Pages set up with a total-to-date column;
 - Entries and computations initialed and dated;
 - After item is completed, compute final quantity.

Contract Modifications

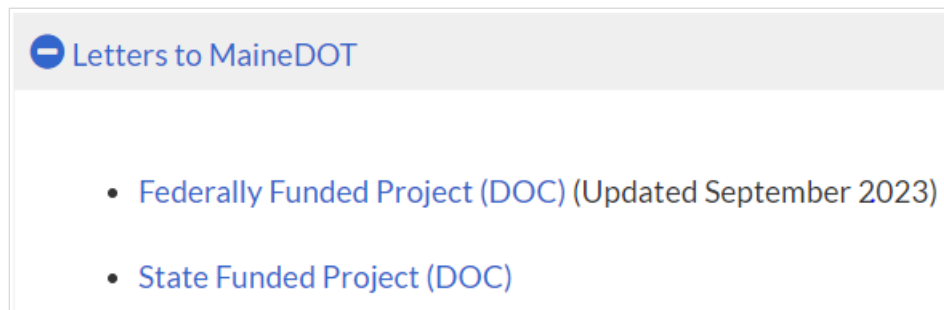
- Modifications to the construction contract are handled as follows:**
 - Prepare an independent cost estimate for the additional work.
 - Note the time associated with the change. *(If no change, note 0 additional days.)*
 - Send draft modification to MaineDOT Multimodal construction manager for review (**Letter 18**).
- Obtain MaineDOT’s written concurrence with contract modification, by email.**
- Send modification to contractor for signature.**
 - When contractor has signed, local project administrator signs and dates the modification.
 - Send copy of the executed modification to the contractor, with a copy to MaineDOT.

Completion

- Final inspection performed by Municipality, MaineDOT and contractor (Letter 19).**
 - Inspection Date: _____.
 - Final “punch list” of items completed on: _____.
- Final Quantity Book finalized by resident inspector.**
- Completion of Physical Work Notification sent to contractor.**
- Federal projects: Final DBE Form completed by the contractor, signed by each DBE.**
 - MaineDOT’s PM will forward to MaineDOT’s Civil Rights Office.
- Contractor sends in request for final payment and statement that all bills have been paid.**
- Final estimate paid and retainage released to contractor.**
- As-built plans sent to MaineDOT’s PM with final invoice (if applicable).**

Appendix 11B: Letters to MaineDOT – Construction –

- ❑ Electronic documents are found on the LPA Documents web page:
<https://www.maine.gov/dot/lpa/lpadocuments/>



[Date]

_____, Project Manager
Maine Department of Transportation
Bureau of Project Development, Multimodal Program
16 State House Station
Augusta, ME 04333-0016

Subject: Preconstruction Meeting
MaineDOT WIN _____

Dear _____:

Your attendance is requested at the preconstruction meeting for **[insert project scope]** in the Municipality of _____ on **[insert meeting date/time]**. I have attached an agenda for your convenience.

If you need additional information, please let me know.

Sincerely,

Local Project Administrator

Cc: [Insert Name], Construction Manager, MaineDOT Multimodal Program

Updated, September 2023

**AGENDA ITEMS FOR PRE-CONSTRUCTION MEETING
(Federally Funded Project – Updated, September 2023)**

1. Introductions
2. Review Scope of Project
 - a. Acknowledge Amendments
 - b. Completion Date
 - c. Liquidated Damages
3. Permits obtained (if required)
4. Construction Safety
 - a. Primary consideration during construction
 - b. Emergency contact list including 24 hour contacts
 - c. Contractor safety plan to be provided
 - d. Traffic Control Plan (TCP), which must be approved by MaineDOT
 - Plan for maintaining pedestrian access during construction
5. Schedule for the completion of work
 - a. Are there utility issues?
 - b. Update schedule as required
 - c. Daily construction activities to be recorded
 - d. Town must pay contractor first, then request reimbursement on a monthly basis
6. Labor Requirements
 - a. Davis-Bacon wage rates, which apply to prime and all subs
 - b. Certified payrolls to be submitted & reviewed in Elation System
 - c. Payroll labor interviews
 - d. DBE participation & Commercially Useful Function (CUF) form
7. Construction Control
 - a. Minimum Testing Requirements
 - b. Subcontract approval (*FHWA-1273 must be inserted in all subcontracts*)
 - c. Measurement & documentation of materials used for payment purposes
 - d. Engineering oversight of activities
 - e. Manufacturer's certification for materials
 - f. Soil Erosion and Water Pollution Plan (SEWPCP)
 - g. Quality control plans, mix design submittals, pre-pave meeting
 - h. Buy America certifications for steel, iron and construction materials
8. Communications
 - a. Requests for Information (RFIs)
 - b. Change Orders require MaineDOT review; must include detailed description of scope change, independent cost estimate & time
 - c. Notification of anticipated issues, claims or disputes

[Date]

_____, Construction Manager
Maine Department of Transportation
Bureau of Project Development, Multimodal Program
16 State House Station
Augusta, ME 04333-0016

Subject: Contract Modification Request
MaineDOT WIN_____

Dear _____:

Attached for your review is Contract Modification # _____ for **[insert project scope]** in the Municipality of _____. The change will consist of **[insert description of contract modification including scope change and/or extra costs]**.

An independent estimate of the cost of the additional work is attached. This modification will add **[number of days]** to the original contract.

(Instructions: The amount of time required by the modification must be noted. If there is no change in the schedule, then state "0 days" or indicate that the modification will not change the amount of time associated with the contract.)

If you need additional information, please let me know.

Sincerely,

Local Project Administrator

Cc: MaineDOT Project Manager

PROJECT DESCRIPTION:	
CONTRACT MOD. NO.:	
PROJECT WIN:	
MUNICIPALITY:	
DATE ISSUED:	

To: _____, you are hereby notified, the following work is to be accomplished in accordance with the provisions of your Contract. The work will not be considered authorized for payment without the required signatures. Payment will be made as described.

(By signing this Order, the Contractor agrees that all issues, including time, relating to the described work are satisfactorily resolved by this Order. No other compensation will be sought or made.)

DESCRIPTION:

--

REASON:

--

COST:

--

Amount of this Order: \$

Original Contract Amount	\$
Total Cost of this Contract Modification	\$
Total Cost of all Contract Modifications Including this Mod	\$
Percentage of Contract for this Mod	%
Total Percentage of Contract including all Mods	%
Total Contract Amount Including this Mod	\$

Additional Days Added (This Mod):	New Completion Date:
-----------------------------------	----------------------

TITLE:	SIGNATURE:	DATE:
Resident or Inspector		
Contractor		
Municipality		

[Date]

_____, Construction Manager
Maine Department of Transportation
Bureau of Project Development, Multimodal Program
16 State House Station
Augusta, ME 04333-0016

Subject: Final Inspection, MaineDOT WIN_____

Dear _____:

Your attendance is requested at the Final Inspection for **[insert project scope]** in the Municipality of _____ on **[insert date/time]**. At the time, we can make available all documentation and testing required for the project.

If you need additional information, please let me know.

Sincerely,

Local Project Administrator

Cc: MaineDOT Project Manager

INSTRUCTIONS: *This must be submitted on letterhead with all requested documentation.*

[Date]

_____, Project Manager
Maine Department of Transportation
Bureau of Project Development, Multimodal Program
16 State House Station
Augusta, ME 04333-0016

Subject: Final Invoice and Notification of Completion of Work

MaineDOT WIN _____; Contract # _____

This Municipality of _____ certifies that the contractor has completed all work on the project in accordance with the construction contract and approved modifications, and that:

- The Municipality has accepted the work;
- The Municipality has measured and reconciled final quantities with the contractor, with all supporting documentation of such;
- The Municipality has paid all contracted parties in full; and
- There are no outstanding claims or disputes associated with the project.

Accordingly, the Municipality submits this final invoice with supporting documentation requesting reimbursement of \$_____ as MaineDOT's _____% share of expenditures for the invoice period, _____. I understand that the Municipality's _____% share of MaineDOT's charges to the project will be reconciled and deducted from this final invoice.

The following also are attached: 1.) Consultant Evaluation; 2.) Contractor Evaluation; and 3.) As-Built Plans for the project.

By signing this invoice, I certify to the best of my knowledge and belief that the information provided is true, complete, and accurate, and the expenditures, disbursements, and cash receipts are for the purposes and objectives set forth in the terms and conditions of the federal funding award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise (U.S. Code Title 18, section 1001 and Title 31, Sections 3729-3730 and 3801-3812.)

Sincerely,

_____, Local Project Administrator

Enclosures: Final billing, Consultant Evaluation, Contractor Evaluation, and As-Built Plans

Appendix 11C: Sample Field Report Entries



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END OF CHAPTER 11

