



Florida Department of Transportation

JEB BUSH
GOVERNOR

605 Suwannee Street
Tallahassee, Florida 32399-0450

THOMAS F. BARRY, JR.
SECRETARY

THIS MEMO HAS EXPIRED

October 7, 2002

MEMORANDUM NO: 21-02

TO: DISTRICT CONSTRUCTION ENGINEERS

FROM: Ananth Prasad, State Construction Engineer *Ananth Prasad*
William Nickas, State Structures Engineer
Brian Blanchard, State Roadway Design Engineer
Duane Brautigam, State Specifications Engineer

COPIES: FTBA, Ken Morefield, Freddie Simmons, Bob Greer, Bill Albaugh,
Tom Malerk, Directors of Operations, Structures Engineers,
Specification Engineers, Design Engineers

**SUBJECT: DESIGN-BUILD, TECHNICAL PROPOSALS, PLANS,
SPECIFICATIONS, SHOP DRAWINGS, DEFECTIVE
MATERIALS, CONSTRUCTION REPAIRS AND SPECIALTY
ENGINEER**

This memo is being issued for statewide consistency in the above subject areas. The following policies shall apply to on-going Design-Build contracts and will subsequently be included in the appropriate documents, including the Standard Specifications and Standardized Request For Proposal (RFP) that are currently under development.

Technical Proposals

All innovative aspects shall be identified separately as such in the Technical Proposal.

An innovative aspect does not include revisions to specifications or established Department policies. Innovation should be limited to Contractor's means and methods, roadway alignments, approach to project, use of new products, new uses for established products, etc.

Plans

The Design-Build Firm shall be responsible for: detailed plan checking as outlined in the Plans Preparation Manual (PPM); as described in the RFP; and the Design and Construction criteria package. This includes a checklist of the items listed in the PPM for each completed phase submittal. Bridge submittals may be broken into foundation, substructure, superstructure, approach spans and main channel spans. Roadway submittals may be broken down into grading, drainage, walls, ITS, signing & pavement marking, signalization, landscaping and final geometry components. The component design must be in conformity with the Design and Construction Criteria requirements, approved preliminary layout and concept as provided in the Technical Proposal.

Before construction activities can begin for a specific component, signed and sealed design plans and calculations supporting the design for that component must be reviewed by the Department. Component submittals shall be complete submittals along with all the supporting information necessary for review. The work must represent logical work activities and must show impacts on subsequent work on this project. Any modification to the component construction due to subsequent design changes as the result of design development is solely the Design-Build Firm's risk. Upon review by the Department, the plans will be stamped "Released for Construction" and initialed and dated by the reviewer.

Specifications

Note to Districts: As part of the RFP for all Design-Build projects, Districts must include the Division I (General Requirements and Covenants) Specification language developed by Central Office as the standard boiler plate for Design-Build Contracts. This language may not be modified.

As part of their Technical Proposal, the Design-Build Firm shall use the current Florida Department of Transportation Standard Specifications for Road and Bridge Construction, and the implemented modifications for Divisions II and III contained in the Specifications Workbook in effect at the time of the proposal due date. The Design-Build firm shall identify, on a marked up copy of the applicable Specifications Workbook, all Division II and III Special Provisions and Supplemental Specifications which will apply to the work in the proposal. Department Specifications may not be modified or revised. The Design-Build Firm shall also include all Technical Special Provisions, which will apply to the work in the proposal. Technical Special Provisions may be written only for items not addressed by Department Specifications, and may not be used as a means of changing Department Specifications.

Before construction activities can begin, the Design-Build Firm shall prepare and submit a signed and sealed Construction Specifications Package for the project, containing all applicable Division II and III Special Provisions and Supplement Specifications from the applicable Specifications Workbook, Macro and Electronic Specification Files supplied by

the District Specifications Office. The signed and sealed Specifications Package shall also include individually signed and sealed Technical Special Provisions for any and all work not addressed by Department Specifications. Any Technical Special Provisions included in the signed and sealed Construction Specifications Package which had not been included in the proposal phase, may require a contract cost modification as a condition of approval.

The Design-Build Firm must account for this review time in its schedule. Upon review by the Department, the Construction Specifications Package will be stamped "Released for Construction" and initialed and dated by the reviewer.

Any subsequent modifications to the Construction Specifications Package shall be prepared, signed and sealed as a Supplemental Specifications Package, subject to the same process for submittal, review, and, release for construction, as described above, for the original Construction Specifications Package. Construction work affected by Supplemental Specifications Packages shall not begin until stamped "Released for Construction" Supplemental Specification Package is obtained.

Shop Drawings

The Design-Build Firm shall be responsible for the preparation and approval of all Shop Drawings. Shop Drawings shall be submitted to the Department and shall bear the stamp and signature of the Design-Build Firm's Contractor and signed and sealed by the Engineer of Record (EOR) or the Specialty Engineer. (It shall be signed & sealed by the originator and stamped by the reviewer.) The Department shall review the Shop Drawing(s) to evaluate compliance with project requirements and provide any findings to the Design-Build Firm. The Department's procedural review of shop drawings is to assure that the Contractor and the EOR have both accepted and signed the drawing, the drawing has been independently reviewed and is in general conformance with the plans. The Department's review is not meant to be a complete and detailed review. Upon review of the shop drawing, the Department will stamp the drawings as "Released for Construction" or "Released for Construction as noted" and initialed and dated by the reviewer.

Component submittals must be accompanied by sufficient information for adjoining components or areas or work to allow for proper evaluation of the component submitted for review.

Defective Materials and Repair Proposals

Submittals such as Engineering Analysis Report from the Contractor requesting acceptance for defective materials or repairs shall be submitted to the Department and shall bear the stamp and signature of the Design-Build Firm's Contractor and signed and sealed by the EOR or the Specialty Engineer. (It shall be signed and sealed by the originator and stamped by the reviewer). Repair materials and procedures shall address

all structural concerns including an analysis of the products ability to perform it's intended function, strength, durability, approved materials, etc. Corrective measures shall be identified by the Contractor to eliminate the further continuance of practices leading to the defective materials.

Specialty Engineer versus Engineer of Record

The current specifications require the Specialty Engineer to be totally independent from the Engineer of Record.

On Design-Bid-Build, this requirement was to clearly delineate the duties assigned to the Department (design) and the Contractor (construction) and to eliminate a conflict of interest on the part of the EOR.

In a Design-Build project, the Design-Build Team has both; design and construction responsibilities and therefore the Specialty Engineer may be the EOR for performing most engineering services. The Specialty Engineer shall be employed by a firm separate from the EOR for items, including but not limited to, engineering analysis of defective work, request for acceptance for non-complying work, repair procedures, shop drawing review, or review of activities directly affecting public safety. Either party, Specialty Engineer or the EOR, may initiate the action and the other shall check and certify the work as being complete and correct prior to submittal to the Engineer.

If you have further questions, please contact David Sumner at sc 994-4198.

PNBB/ww