PLANS, SPECIFICATIONS, AND ESTIMATES

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20.1 OVERVIEW

The final engineering design process produces the contract PS&E package. These documents contain all the construction details, contract provisions, permits, agreements, and certifications required to advertise, award, and administer a construction contract. A Florida Licensed Professional must prepare, sign, and seal the final PS&E according to *Florida Statutes and Rules*, including but not limited to, *Chapter 471, F.S., Chapter 481 Part II, F.S.,* and Rules 61G10 and 61G15, F.A.C..

The LA and the District are responsible for the completeness of the contract plans package and the Contract File Index of documentation [23 C.F.R. 635.309(a)]. If the project is a PODI or another category of FHWA oversight, FHWA may review and approve the PS&E before authorizing Federal funds (per the project-specific oversight plan). For transportation projects on, under, or over Department-owned right of way, Florida law, s. 334.175 (2), F.S. requires the Department to review the project's design plans for compliance with Department design standards. In its sole discretion, the Department may reject designs which do not meet Department standards. The Department may also, in its sole discretion, allocate Department-managed resources, including structures engineers and/or project managers to projects involving complex design structures and other design structures not commonly used by the Department. In addition, all complex bridges and bridge types not commonly used by the Department constructed via the LAP delivery method will be monitored and inspected by Department personnel.

As discussed in *Chapter 17* of the *LPM*, the application of appropriate design criteria is dependent upon the LAP Project Classification, which are determined by three primary factors: 1) highway system location, 2) total project cost, and 3) bridge/structures scope components. In this *Chapter*, we will further define how the LAP Project Classifications, A, B, C, and D, also determine construction specifications, including materials testing requirements.

20.2 CONTRACT PLANS

For LA ad-and-award projects, the LA is responsible for the requirements for plan sheet size, guidelines for preparing contract plans, and review of the PS&E package. See *Chapter 17* for additional information on design criteria, standards, and minimum requirements. A record set of plans shall carry the seal, date, and signature of a licensed Professional consistent with Florida Statutes and Rules.

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20.3 SPECIFICATIONS

The specifications section of the PS&E includes all the general directions, provisions, and requirements for the construction of the project. These requirements state the minimum standards of performance for materials and workmanship executed under the contract. The specifications will also outline how the in-place work performance will be measured for subsequent payment.

20.3.1 Specifications for Local Agencies

LAs develop and prepare construction specifications, as required by the LAP project classification.

 Class A and B projects, and the structures component(s) of Class C projects require use of the FDOT Standard Specifications for Road and Bridge Construction. FDOT Standard Specifications are required for use on all SHS and NHS projects, and are recommended for use on all FAHP projects.

FDOT Standard Specifications are reviewed and approved bi-annually by the FHWA, Florida Division Office which designates its application for NHS projects per **23 C.F.R. 637.201-205**. NHS projects must meet FHWA's quality assurance criteria as defined in CFR. Since the State's process is the only process "approved" by FHWA, all NHS projects must use the FDOT's approved design criteria, specifications, and quality assurance program (**CPAM**).

FDOT Standard Specifications and modifications that change the **Standard Specifications** such as Special Provisions and Supplemental Specifications are available as electronic data files through the State Program Management Office, Specs on the Web application. Modifications to specifications are further defined in **Section 20.3.3**.

- For the Class C non-structural components and Class D construction projects, LAs may use the LAP Big Three specifications (concrete, asphalt, earthwork). The LAP Big Three specifications are made available to LAs via Specs on the Web.
- For the Class C non-structural components and Class D construction projects, LAs may also develop their own construction specifications for use on LAP projects, subject to the approval of the Districts Specifications Engineers. Contact the District LP Administrator for additional information on LA specifications for use on Class D projects.

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20.3.2 Federal and State Requirements General to Specifications Development

The following items highlight important aspects of specifications development. Each item listed is supported by either a Federal or State requirement.

- All nonstandard pay items shall be covered in the special provisions.
- As defined in *Chapter 12*, include a Value Engineering incentive clause in the specifications. This clause encourages the contractor to propose changes in contract requirements to accomplish the project's functional requirements at less cost.
- A schedule of liquidated damages shall be included in the specifications.
- Traffic control design must comply with the *MUTCD*. Therefore, the requirements shall not be reduced by Special Provisions. A Special Provision may be prepared outlining traffic control requirements and including any pay items.
- Devices used on SHS and NHS in the State of Florida need to comply with the Department's <u>APL</u>. If the device is not part of the APL, then the applicant must use the New Product Application Submittal. (316.0745, F.S.)
- Proprietary specifications of national, regional, or local trade associations should not be included in specifications.
- Specifications should be formulated to allow full opportunity for competition among equivalent materials, equipment, and methods. References in specifications and on plans to single trade-name materials, sole-source processes, or if a project calls for a proprietary product, the Department's FDM 110.4.1 must be followed.
- Projects that are on the NHS are limited to warranty provisions for specific products or features and shall be approved by FHWA. Items of maintenance, including warranty bonds are not eligible for Federal-aid participation on all projects. Warranties off the NHS may not place an undue burden on the contractor and may not be substituted for adequate project inspections.
- Form FHWA-1273. Each set of specifications shall include Form FHWA-1273, Required Contract Provisions, Federal-Aid Construction.
- Commitments. When applicable, the LA must have a commitment file containing a summary of commitments made during the development of the project. The file must be reviewed to ensure that the commitments are incorporated in the PS&E. These commitments typically involve right of way or environmental considerations. If or when project commitments are identified for a LAP project by either the LA, the District (i.e. project manager, Environmental Management Office), or the Department, FDOT Form No. 650-000-01 PCR must be generated per the process identified in the Chapter 18 and provided to the LA and/or District LP Administrator

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for the project file. The PCR must be included in the LA's construction and CEI contracts if commitments have been identified prior to advertisement.

20.3.3 Modifications to Specifications

Project specific Modified Special Provisions that revise implemented specifications to address project specific needs may be required:

- For the control of work, measurement, payment, and materials of features on a project not covered by the Standard Specifications or other general contract provisions.
- Where the FDOT Specifications are being amended or for a deviation from FDOT Specifications with regard to materials, construction details, measurement, and payment.

Technical Special Provisions address project specific needs and are used to specify something technical in nature not covered by the approved standard specifications. They are included as an attachment to the Specification Package. A Professional Engineer must also prepare, sign, and seal the Technical Special Provisions.

20.4 ESTIMATES

The LA includes the engineer's estimate in the PS&E and prepares it using the pay items list and quantities as shown in the plans. Estimates of project costs are required under **216.3475**, **F.S**. and **2 C.F.R. 200.110**. he engineer's estimate must be one of the last activities performed, as each component set of construction plans is reviewed along with the applicable specifications to develop the project estimate. The pay item list is compiled to cover all proposed contract work. LA staff or consultants may develop project estimates utilizing the Department's Long-Range Estimating (LRE) tool. Access information is found here:

https://www.fdot.gov/programmanagement/Estimates/LRE/Default.shtm.

Multi-funded projects must identify quantities proportionate to the fund participation. In addition, participating (Federal funds) and non-participating (State/Local funds) may be split on each pay item with a running total of participating and non-participating funds. The Project Total is located on the last sheet of the Estimate and has a separate total for participating and non-participating costs.

20.5 FEDERAL CONSTRUCTION CONTRACTING REQUIREMENTS

In order to receive Federal authorization for project construction phases, the PS&E package must be reviewed and approved by the Department and the *Local Agency Program Checklist for Construction Contracts Form No. 525-010-44* must be submitted to the Federal-Aid Office with the authorization request from the District LP Administrator. The Department cannot submit the authorization request unless the LA verifies that it has coordinated all potential permits and cleared or coordinated railroad, utilities, and right of way within the project limits (*23 C.F.R. 635.307-309*).

FHWA posts a matrix of contract provisions relevant to both Federally funded construction and service contracts located here:

http://www.fhwa.dot.gov/construction/contracts/provisions.cfm.

See Chapter 22 Local Advertising and Award Procedures and Chapter 23 Construction Administration for additional explanations, processes and requirements related to the advertisement, award, and administration of LAP construction contracts.

20.6 RESOURCES

FDOT Standard Specifications

<u>FDOT Florida Greenbook</u> or the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Topic No. 625-000-015)

FDOT Design Manual (Topic No. 625-000-007; Topic No. 625-000-008)

FDOT PD&E Manual Chapter 22

FDOT Procedure No. 650-000-003 Project Commitment Tracking

FDOT Standard Plans (Topic No. 625-010-003)

MUTCD or the Manual on Uniform Traffic Control Devices

APL or the FDOT Approved Products List

LAP Big Three Specifications

LAP Construction Checklist (Topic No. 525-010-44)

Project Commitments Record (PCR) FDOT Form No. 650-000-01(form may only be

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generated by FDOT staff)

FHWA Form-1273

FHWA Construction Contracting Provisions Matrix