

DISTRICT THREE DESIGN NEWSLETTER



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From the Editor's Desk - Right of Way Requirements

Scott Golden, District Design Engineer



District 3 Quarterly Design Newsletter

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I have been involved in a relatively large number of orders of taking over the last several years. For the most part, our engineers are doing a good job of establishing right of way requirements. However, I have had three different occasions in the last few months where the “required right of way” was wrong and was not needed for the project, which leads me to believe the right of way acquisition process is probably not well understood by many of our consultants. Since this is something that happens behind the scenes and is primarily accomplished by FDOT staff, I feel this issue needs discussion.

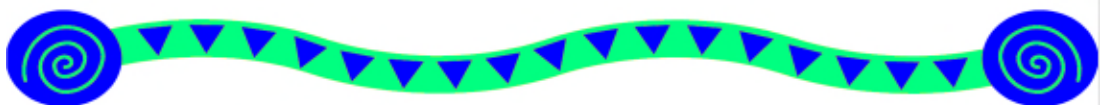
In general, here is what happens. The Engineer submits right of way requirements. Those requirements are used to develop the right of way maps. . From the maps, title searches are performed for each parcel being effected, deeds are written and the actual documents package is created. This documents package is then sent to the Right of Way Administration Office where they begin the process of acquisition.

The acquisition process begins with the Department obtaining appraisals to establish fair market value in order to make offers to purchase the property from the owner. Once contact is made with the the property owner they are informed of their rights under Federal and State laws. . In most cases, the property owners have been previously contacted by private attorneys wishing to represent them in the eminent domain case that is pending. Florida Statute requires that FDOT pay reasonable appraisal, engineering, attorney and CPA fees. If FDOT and the property owner can reach a reasonable settlement, the property is acquired and the process stops. However, this does not always happen. If a settlement is not reached, then FDOT moves to establish an Order of Taking (OT) hearing. This is where I come into the picture. Once the Order of Taking hearing date is established, I review the plans and right of way maps associated with the particular parcels. The purpose of my review is to be able to testify to the judge that the FDOT requires the property to build the project.

Prior to the Order of Taking is the *wrong* time to find out that FDOT does not really need the property. The three instances that have occurred were not on the “big” jobs but on small intersection projects and one (1) off-system bridge replacement project.

All projects require a practical design approach, but projects requiring right of way are even more critical! For example, the project may consist of adding a rural turn lane in one or two directions. The standard approach might be to shift everything to one side, purchase the required right of way, construct the turn lanes and relocate the roadside ditch. However, did the Engineer consider piping the ditch or centering the widening? Granted, the cost of construction just increased. However, how does that increase compare with the cost of the property? What if the cost of appraisals and attorney’s fees are added? Other hidden costs include title searches, mapping and document preparation. If it goes to an OT, you will have to add the cost of expert witnesses and additional attorney fees (both FDOT and property owner). Furthermore, if right of way acquisition is avoided and the existing project can be completed within the existing right of way, the project can be delivered 18 months to 24 months sooner. Many times our scopes are written and schedules are established based on “worst case scenarios.” However, the FDOT wants our Consultant partners to bring practical design to the table on all aspects of our projects.

These are valuable lessons learned and very expensive mistakes. Establishing accurate right of way requirements is very important. Please see also the April-June 2013 newsletter.



Top Ten Quality Control Comments Jan. – Mar., 2014

1. Designers should evaluate limits of clearing and grubbing being sensitive to the environment and attempt to preserve as many trees as possible.
2. The summary boxes used in the plans are to correspond with the summary boxes indicated by the Basis of Estimates Manual for Pay Item(s).
3. Any Pay Item Notes should be placed under the summary box which contains the associated Pay Item.
4. Pay Item 0102-1 should be placed in the Summary of Traffic Control Plan Items. (This will be updated in the Basis of Estimates Manual.)
5. When Temporary Rumble Stripes are indicated in the plans, the Pay Item for Temporary Rumble Stripes should be entered in Trns*port.
6. For Pay Item 0102-1, the Number of Days for the Secondary Unit of Measure in Trns*port should match the Number of Days for Contract Time from the Construction Memorandum.
7. When designers are proposing irrigation to be bored under the existing roadway, they need to provide a minimum depth for boring. (Note or Detail)
8. When there is significant evidence that pedestrians are utilizing portions of the shoulder as travel routes, designers should evaluate the possible need to provide pedestrian features. (examples : sidewalk, curb ramp, detectable warnings)
9. Ensure that all existing underground gasoline storage tanks within the topographical survey are located and referenced. Ref: P.P.M , Vol. II, 10.2.3
10. On resurfacing only projects, where no widening or earthwork activities are being proposed, evaluate the need to replace existing mail boxes.

Design Spotlight

Jason Crenshaw, P.E.

Assistant Consultant Project Management Engineer



Jason Crenshaw joined us as the new Assistant District Consultant Project Management Engineer on March 28th. Prior to joining the Department, Jason worked with Greenman-Pedersen, Inc. where he served as the Project Manager and EOR for their FDOT projects. Jason graduated from Chipley High School in 1999, attended Chipola College and Florida State University, where he earned his Bachelor of Science in Civil Engineering in 2003. Jason and his wife Jennifer have two sons (Jacob 11 and Jaxson 9). He enjoys spending time with his family and friends and coaching youth football and baseball.

"My philosophy of life is that if we make up our mind what we are going to make of our lives, then work hard toward that goal, we never lose - somehow we win out." Ronald Reagan

Supplemental Agreement Report – Dec., Jan., Feb., 2014

Keith Hinson, P.E., District Value Engineer/QA/QC Manager

Following is a sample of Supplemental Agreements for December 2013, January and February 2014. The category of Supplemental Agreements that are included in this summary are 305, 503, and 101. This summary is included in the Quarterly Design Newsletter as a tool to inform designers of errors and omissions that can lead to Supplemental Agreements and unnecessary cost to the public. Below are brief descriptions of those errors or omissions and the Department's responses.

Description Code: 305 - Cost Savings Initiative

Reason: Elimination of a portion of the Special Detour using a single lane under flagger control and a pilot truck during the reconstruction of the Roadway.

Granted Time: -7 Days

Decrease: \$145, 583.74

Response: Unavoidable; No action recommended.

Description Code: 305 - Cost Savings Initiative

Reason: Elimination of the Special Detour and using a single lane under flagger control and a pilot truck during the reconstruction of the Roadway.

Granted Time: -15 Days

Decrease: \$298, 197.60

Response: Unavoidable; No action recommended.

Response: Avoidable; Production consultant; Action closed.

Description Code: 305 – Cost Savings Initiative

Reason: Elimination of the Special Detour and using a single lane under flagger control and a pilot truck in a single day operation during the reconstruction of the Roadway.

Granted Time: -15 Days

Decrease: \$276, 734.40

Response: Unavoidable; no action recommended.

***Summary:** With consideration of the above Cost Savings Initiatives (CSI), consideration should be used before adding Special Detour(s) to the Contract Plans where a Contractor may be able to use a single day operation by reducing a roadway to a single lane under flagger control and a pilot truck. Consideration should be given to the required Production rate(s), the depth of the reconstruction up to 18 inches, and the area for reconstruction being less than 1500 SY, the ADT of the Roadway, and whether or not a single lane closure would be feasible in that particular location.

Description Code: 101 – Necessary Pay Items not included in the Contract.

Reason: This project plans included some shapes that appeared to be traffic separators; but there were no pay items for this item of work. The plans were redesigned and clarified the areas that require a Traffic Separator and Type E Curb. Clarification was provided on how to construct two median openings and associated turn lanes. These areas required significant overbuild, that was not included in the original Contract Plans, in order to bring these areas up to the correct elevation to provide positive drainage and eliminate safety issues.

Granted Time: 19 Days

Increase: \$139, 512.13

Response: Avoidable; No action recommended.

Description Code: 503 – Change resulting from an engineer decision.

Reason: Provide for an additional pay item for directional bore for the installation of PVC water line under the sidewalks and driveways in lieu of the open cut installation method indicated in the plans which requires saw cutting and removal of the sidewalk and/or driveway at the location(s) where the pipe would cross. The usage of the directional bore method would save time and be more convenient for the traveling public, pedestrians and business owners, because the sidewalks and driveways would remain functional during installation of the pipe.

Granted Time: 0 Days

Decrease: \$24, 412.45

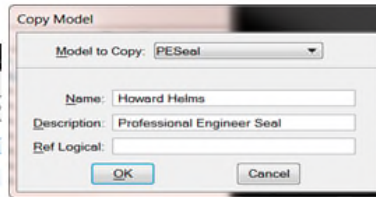
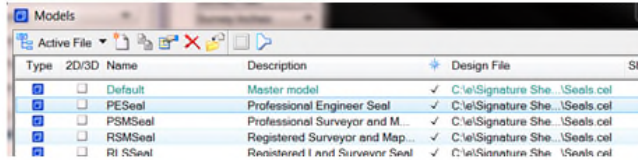
Response: Unavoidable; No action recommended.

CADD TRICKS, TIPS, UPDATES- FDOT Linked Data Manager

Howard Helms, CADD Manager ; Kenny Rudd, Senior Roadway Design CADD Specialist

How to create Seal Cell and Attach it.

- Copy the Seal.cel file from [\\FDOTSS2\Resources\Cell](#) to your local directory.
- Open the File.
- Open Models
- Right click the seal model you want to create and copy.



Name Model the same name as the Professional Engineer Seal you are creating.



Edit text in seal, **Signature Name** and **License No.** You can double click the text you want to edit. Save and close the Seals.cel file.

Open your **SignatureSheet.dgn**

Go to **Element\Cells**
File\Attach File...

