

# Checklist: Locally Administered Project

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Municipality: \_\_\_\_\_ Project Location: \_\_\_\_\_

MaineDOT WIN: \_\_\_\_\_ Local Administrator: \_\_\_\_\_

Total Funding: \_\_\_\_\_ Federal Share: \_\_\_\_\_ Local Match: \_\_\_\_\_

## PROJECT ADMINISTRATION

- Local Project Administration approved (Communication 1)**
- Kickoff meeting held with MaineDOT (Communication 2)**
- Project agreement signed by municipality**
  - Signed agreement mailed to MaineDOT (Communication 3)
  - “Notice to Proceed” and executed Agreement received from MaineDOT
- Billing system created, as follows:**
  - Invoices submitted to MaineDOT project manager on municipal letterhead (Communication 4)
  - Progress report submitted with each invoice
  - Invoices contain accumulative total of all costs per category
  - Invoices identify both MaineDOT and municipal cost share, if any

## CONSULTANT SELECTION

- Services valued at less than \$25,000:**
  - Obtain MaineDOT project manager’s approval for simplified acquisition (Communication 5)
  - Develop a scope of work and independent cost estimate
  - Send scope/estimate to MaineDOT project manager for review/approval
  - Request/receive proposal from consultant
  - Negotiate scope, schedule & cost with consultant, based on independent estimate
  - Receive completed Disadvantaged Business Enterprise (DBE) use form from consultant
  - Verify and document that a selected consultant is not debarred
  - Send proposal and draft contract to MaineDOT for approval (Communication 7)
  - Once contract is approved, execute document and send consultant notice to proceed
  - Provide copy of signed contract to MaineDOT project manager
- Services valued at \$25,000 to \$150,000**
  - Develop a scope of work and an independent estimate
  - Submit draft RFP to MaineDOT project manager for approval (Communication 6)
  - Send RFP to 3-5 pre-qualified firms, seeking technical and sealed cost proposals
  - Develop selection criteria and percentages for scoring
  - Review and rank technical proposals, from highest to lowest
  - Open the sealed price proposal from the best-qualified (No. 1) consultant and negotiate
  - If negotiations with No. 1 are successful, draft a contract for MaineDOT review
  - If negotiations with No. 1 are unsuccessful, request a “Best and Final Offer.”
  - If terms cannot be reached, begin negotiations with to No. 2 consultant
  - Upon reaching terms, obtain completed Disadvantaged Business Enterprise form from consultant

- Verify and document that selected consultant is not debarred
  - Send unsigned contract and price to MaineDOT for approval (*Communication 7*)
  - Once MaineDOT approves contract, execute document and send consultant notice to proceed
  - Provide MaineDOT project manager a copy of signed contract
  - Sent regret letters and unopened cost proposals to unsuccessful proposers
- Services valued at greater than \$150,000**
- Develop a scope of work and an independent estimate
  - Submit draft RFP to MaineDOT project manager for approval (*Communication 6*)
  - Advertise the RFP, requesting technical proposal and sealed cost proposal
  - Develop consultant selection criteria and percentages for scoring
  - Review and rank technical proposals, from highest to lowest
  - Invite the top three firms for interviews
  - Send written notification to firms not chosen for interviews and return sealed price proposals
  - Select the best-qualified (No. 1) consultant and open its sealed price proposal
  - Negotiate the scope, schedule and cost with the No. 1 consultant
  - If negotiations with No. 1 are successful, draft a contract for MaineDOT review
  - If negotiations with No. 1 are unsuccessful, request a “Best and Final Offer.”
  - If terms still cannot be reached, end negotiations and move on to No. 2 consultant
  - Obtain completed Disadvantaged Business Enterprise utilization form from successful consultant
  - Verify and document that selected consultant is not debarred
  - Send unsigned contract and price to MaineDOT for approval (*Communication 7*)
  - Once MaineDOT approves contract, execute document and send consultant notice to proceed
  - Send copy of signed contract to MaineDOT project manager
  - Sent regret letters and unopened cost proposals to unsuccessful proposers
- Consultant Administration**
- Oversee consultant’s work and billings to ensure contract compliance
  - Obtain MaineDOT project manager’s approval of contract modifications **before** they are signed
  - Final DBE certification of sub-consultant payments made, if applicable
  - Evaluate consultant upon completion of contract, and share evaluation with MaineDOT

## PROJECT DESIGN

- Preliminary Design Report (PDR) Completed – 50% plans, typically**
- Quality-control design checks completed by municipality or contracted consultant
  - PDR submitted to MaineDOT project manager (*Communication 8*)
  - MaineDOT comments addressed, if any
  - PDR accepted and filed by MaineDOT project manager
  - Request for Traffic Analysis and Movement Evaluation (TAME) sent to State Traffic Engineer
- Design Plan Impacts Completed (75-80% plans, typically)**
- Quality-control design checks completed by municipality or contracted consultant
  - Plan impacts submitted to MaineDOT project manager (*Communication 9*)
  - MaineDOT comments addressed, if any
  - Plan impacts accepted as complete by MaineDOT project manager

- Public Process Completed (Communication 10)**
  - General public notified of meeting
  - Abutters and potentially affected businesses notified by registered mail
  - Meeting minutes provided to MaineDOT

## ENVIRONMENTAL REVIEW

- National Environmental Policy Act** (federal funds)
  - Provide MaineDOT with the completed NEPA Documentation Checklist (Communication 11) and public process certification (Communication 10)
- Environmental Permits**
  - Contact appropriate state and federal agencies for permitting requirements and approval
    - Maine Department of Environmental Protection: [www.maine.gov/dep/blwq/stand.htm](http://www.maine.gov/dep/blwq/stand.htm)
      - Augusta (Central Maine): 207-287-3901; 800-452-1942
      - Bangor (Eastern Maine): 207-941-4570; 888-769-1137
      - Portland (Southern Maine): 207-822-6300; 888-769-1036
      - Presque Isle (Northern Maine): 207-764-0477; 888-769-1053
    - U.S. Army Corp of Engineers: (207) 623-8367: <http://www.naeusacearmymil/>
  - Contact appropriate state agencies for their comments and concerns about the project:
    - Maine Department of Inland Fisheries and Wildlife, contact
      - Fisheries Division: (207) 287-8000
      - Wildlife Division: (207) 287-8000
    - Maine Department of Marine Resources, Wetlands and Permit Section
      - Sea-run fisheries, coastal resources and fish passage issues: <http://www.maine.gov/dmr/crd/hmo/Wetlands0.htm>
    - Maine Atlantic Salmon Commission
      - Timing approval, salmon habitat and fish passage issues: <http://www.maine.gov/dmr/searunfish/salmonframework.shtml>
- Complete appropriate state and federal permit applications**
- Send environmental certification (Communication 12) and copies of permits to MaineDOT**

## UTILITY COORDINATION

- Utilities Identified**
  - Determine utility contacts for utilities on the project
  - Obtain existing right-of-way information
  - Review existing site conditions to assess potential conflicts
  - Send survey plan to utilities and railroads (if involved) for review
- Prelim Utility Comments, Conflicts, and Relocation Strategy Completed**
  - Develop preliminary utility relocation strategy
  - Discuss right-of-way needs with utilities
  - Distribute alignment plans to utilities and railroads (if involved) for review
  - Determine the need for agreements with utilities or railroads

- Specific Underground Facility Locations Identified**
  - Review general plan and proposed drainage for potential underground utility conflicts
  - Arrange for test pits to determine specific location of existing utilities
- Final Facility Impacts, Relocation Strategy and Agreements Completed**
  - Distribute PDR plans to utilities & railroads for review and comment
  - Hold utility pre-coordination meeting to finalize necessary relocations or other work
  - Distribute written minutes from the pre-coordination meeting
  - Distribute draft railroad and utility Special Provisions
  - Prepare utility agreements and Protection of Railroad Traffic and Structures, if applicable
  - Initiate agreement approval process
- Utility Specification and Certification Completed (*Communication 13*)**
  - Complete final utility & railroad specification for contract documents
  - Determine if any utility work is to be bid with the contract, if applicable
  - If so, determine whether such work will be part of the Basis of Award or bid as “opt-out”
  - Document legal location of any relocated utilities

## RIGHT OF WAY

- Limits of existing public right of way confirmed:**
  - Survey data
  - County layout records
  - Municipal “road book”
  - Plans from previously completed MaineDOT projects
- Property Owner Reports completed**
- Design plan impacts completed**
  - Plans show all impacts to abutting properties, outside the existing right of way
  - Plan impacts reviewed and accepted by MaineDOT
- Parcel summary completed, including:**
  - Listing of owners impacted
  - Description of type of rights to be acquired from each owner
  - Donations, if any
- Title examinations conducted** (*See MaineDOT R/W Manual §8-201*)
- Right of Way mapping complete** (*See MaineDOT R/W Manual §8-202*)
  - Listing of abutters by name and address
  - Existing right-of-way limits shown
  - Property pins listed
  - Abutting ownerships shown, from title abstracts
  - New rights to be acquired shown, with area calculated (MaineDOT Standards)
  - Plan title block included, with MaineDOT file number if applicable
  - Right-of-way maps reviewed by MaineDOT Property Office (if state highway)
  - Maps approved by MaineDOT Property Office (if state highway)

- Notice of Intent to Acquire sent to the owner of each impacted parcel**
- Determination of Just Compensation made** (*See MaineDOT R/W Manual §8-2.03*)
  - Necessary information provided to appraiser
  - Property owner provided an opportunity to accompany the appraiser
  - Appraisal format eligibility determined parcel by parcel
  - Appraisals reviewed where required
  - Written statement of Just Compensation prepared

**→ Federal NEPA process must be completed before negotiations begin**

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- Negotiations initiated with owners – after NEPA process completed**
  - Offers presented; impacts discussed with all owners
  - Each owner given reasonable period to consider offer (MaineDOT provides 28 days)
  - Negotiations Completed / Negotiations at Impasse
- Property Donations**, if applicable (*See MaineDOT R/W Manual §8-2.07*)
  - Owner informed of right to have appraisal done and to receive just compensation
  - Owner signs form acknowledging rights and releasing municipality from obligation.
- Title and Rights Perfected**
  - Title Acquired by Negotiations
  - Title Acquired by Eminent Domain (*See MaineDOT R/W Manual §8-2.08*)
- Right of Way Certified (Communication 14)** [*See MaineDOT R/W Manual §2-2.02(b)*]
  - All Right of Way Acquired
  - Rights to Occupy All Right of Way Acquired (*if applicable*)
- Parcel and Project Files**
  - Parcel Files Complete (*See MaineDOT R/W Manual §8-4.01*)
  - Project Summary Records (*See MaineDOT R/W Manual §8-4.02*)
- Title and Rights Acquired by State of Maine (state or state-aid road)**
- Title and Rights Acquired by Municipality** (local road or off-system trail)

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## FINAL PLANS, SPECIFICATIONS AND ESTIMATE

- PS&E package completed**, as follows:
  - Engineer's estimate of construction cost is completed, using MaineDOT item numbers
  - Each item in engineer's estimate is shown on the plans
  - Estimate of quantities matches Schedule of Items in contract book
  - All work is covered by a pay item or a general note
  - Approval of design exceptions is documented
  - Quality-control design checks are documented
  - Design plans have the following, as applicable:**
    - Title sheet
    - Profiles
    - Cross-sections
    - Typical sections
    - Earthwork summary (*if applicable*)
    - General notes
    - All supplemental sheets (drainage, geometric, grading, striping, etc.)
  - Plans stamped by engineer of record, as warranted and required by law
  - Bid book includes the following:**
    - Notice to Contractors
    - Contract Agreement, Offer and Award form
    - Contract bonds
    - Davis-Bacon wage rates (*federally funded projects*)
    - Electronic payroll special provision (*federally funded projects*)
    - Buy America special provision (*federally funded projects*)
    - 105 special provision – Limitation of Operations (*if applicable*)
    - 403 special provision (Hot Mix Asphalt) prepared by MaineDOT (*if applicable*)
    - 652 special provision – Traffic control
    - Form FHWA-1273 (*federally funded projects*)
    - Signed Title VI Assurances (*federally funded projects*)
- PS&E package approved by MaineDOT project manager**

*The numbering on the letters below has changed from previous editions of this manual.*

- Public Process Certification attached (**Communication 10**)
- Environmental Certification attached (**Communication 12**)
- Utilities Certification attached (**Communication 13**)
- Right-of-Way Certification attached (**Communication 14**)
- Traffic Analysis and Movement Evaluation (TAME) Certification attached
  - MaineDOT will prepare TAME certification*
- Construction authorization requested from MaineDOT (**Communication 15**)**
- Construction authorization given in writing by the MaineDOT project manager**
- Minimum materials testing requirements obtained from MaineDOT project manager:**
  - PM sends plans, specifications and estimated quantities to technician Jean Tukey: 624-3543

☞ *If you advertise your project **before** receiving authorization, you will jeopardize **ALL** the money from MaineDOT for the project.*

## ADVERTISE AND AWARD

- Receive authorization to advertise from MaineDOT project manager**
- Advertise the Notice to Contractors** (3 week minimum advertise period)
  - Advertising in regional or statewide newspaper is traditional practice
  - Notice can be posted to municipal website and MaineDOT contractors website
  - Notice must have date and location of the opening of sealed bids
  - Basis of Award must be clearly defined, so low bidder is apparent after bids are opened
- If a bidder submits a question:**
  - Distribute the same answer to all bidders in writing, with the question repeated
- Determine contractor qualifications:**
  - For contracts of \$300,000 or more, low bidder must be pre-qualified by MaineDOT
  - For contracts of less than \$300,000, low bidder must demonstrate “successful completion of projects with a similar size and scope”
- Issue addendum, if documents are modified or if answering a Request for Information**
  - If there is not enough time for bidders to make changes, then delay the opening
- Open and publicly read aloud all bids at the designated time**
  - Prepare bid tabulation sheet
  - Check submitted bids for tabulation errors
  - Complete bid and bidders’ tabulation sheet
  - Determine the lowest responsive bid
- Review all bids for bid defects**
  - Go by the curable/non-curable language in MaineDOT Standard Specification 102.11
  - If a defect is not specifically listed as non-curable in the bid documents, it is curable
  - Verify that contractors are licensed as legally required by the State of Maine
- Determine the apparent successful bidder**
  - Return bid securities to everyone except for the two lowest bidders
  - Notify the second bidder that securities will be held until contract execution
- Send award recommendation to MaineDOT project manager (Communication 16)**
  - Tabulation of bids
  - Engineer’s estimate
  - Completed Contractor DBE Utilization Form (*federally funded projects*)
- Receive MaineDOT approval in writing of recommended award**
- Award contract**, in accordance with Section 103 of MaineDOT’s Standard Specifications:
  - Send Notice of Intent to Award to apparent successful bidder
    - If contract cost exceeds \$125,000, bidder has 14 days in which to deliver required payment bond and performance bond
    - Bidder also must provide certificate of insurance, which applies to all projects
  - Sign contract
  - Notify all unsuccessful bidders
- Send copy of signed contract to MaineDOT project manager**
  - Return bid securities to the first and second bidders

## CONSTRUCTION ADMINISTRATION

- Electronic Payroll** (*Federally funded projects only*)
  - Send information to MaineDOT for the Elation payroll system**
    - Sonya Everett: 624-3519 or [Sonya.Everett@maine.gov](mailto:Sonya.Everett@maine.gov)
  - MaineDOT will require the following information**
    - Work Identification Number (WIN);
    - Project resident's name and email address (person approving payrolls);
    - Prime Contractor;
    - Award amount;
    - Subcontractors, with item numbers and subcontract amounts;
    - Dates for project advertise, bid opening, and contract award;
    - Construction start date and completion date stipulated in the contract;
    - County in which the work will take place; and
    - Wage rate General Decision number and dates of any modifications.
- Pre-Construction / Pre-Utility / Pre-Pave Meeting**
  - Send notice of meeting and agenda** (*Communication 17*) **to the following:**
    - Contractor
    - Affected utilities
    - Public safety agencies (if lane closures or detours involved)
    - Project resident
    - MaineDOT project manager and construction manager, who will invite others as appropriate
  - Receive Quality Control (QC) Plan and Mix Designs from Contractor**
    - Contractor must submit them at least 30 days before the work is scheduled to begin
    - Review and approve/reject the contractor's QC Plan and mix designs
    - Submit to MaineDOT construction manager for review and approval
  - Provide meeting minutes to project file, and:**
    - Contractor, subcontractors, attendees and groups invited but not represented
  - Contractor Traffic Control Plan:**
    - Reviewed by project resident
    - Submitted to MaineDOT Traffic Section for review/approval (Dana Hanks)
    - Approved by MaineDOT Traffic Section
  - Soil Erosion Water Pollution Control Plan approved by project resident**
  - Spill Prevention Plan approved by project resident**
  - Contractor Schedule of Work received**
- Construction Testing & Documentation**
  - Minimum Materials Testing Requirements determined**
  - Testing File created for:**
    - Concrete
    - Pavement
    - Aggregate
    - Other required documents for minimum testing

- **Project Diary created**
  - Pages set up by date and note weather, crew & equipment, hours worked, and activity
  - Field measurements
  - Drainage work measurements and computations by stationing, from outlet to inlet
  - Details of grade checks done (subgrade and/or fine-grading)
    - Stationing of the day's completed grading would be entered with a statement, "Graded according to plans and within allowable tolerances."
  - Record significant events (accidents, discussions with owners, debates with contractor)
  - Person making entries in the Project Diary should initial them daily
- **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 (makes estimates easy to compute)
  - Entries and computations initialed and dated
  - After item completed, compute final quantity
- **Pit Authorizations completed**
- **Waste area agreements completed**
- **Contractor's Bulletin Board erected:** [www.maine.gov/mdot/civilrights/posters.htm](http://www.maine.gov/mdot/civilrights/posters.htm)
- **Federal Projects: "Commercially Useful Function Form" sent to MaineDOT**, if applicable
- **Project signage monitored** (*condition must be noted weekly in a project diary*)
- **Quality Assurance (QA):**
  - Municipality may hire consultant or use MaineDOT testing labs.
    - If Municipality will use MaineDOT labs, local contact information should be shared with MaineDOT independent assurance supervisor in the Bangor office: 941-4545
  - Sampling and testing are done and documented by certified technicians, with sampling by Municipality and possible testing by MaineDOT. (Check with project manager.)
  - MaineDOT contacted to see if Hot Mix Asphalt / Portland Cement Concrete plant has been inspected recently or needs to be inspected: [Kevin.cummings@maine.gov](mailto:Kevin.cummings@maine.gov)
  - MaineDOT notified of pavement and concrete placement schedules to ensure that plant QC operations are monitored and scales checked at least twice in five days of production
- **Federal projects: Weekly certified payrolls received electronically from all contractors**
  - Certified payroll checked in "Elation" system for compliance with minimum wage rates
- **Federal projects: Employees interviewed to verify Davis-Bacon wage rate compliance**
  - Voluntary interviews with 2 covered workers from each contractor every 90 days
  - Worker must be on site 5 days or more during each 90-day period to be covered
- **Subcontractor Approvals:** [www.maine.gov/mdot/contractors/publications/](http://www.maine.gov/mdot/contractors/publications/)
  - Municipality must approve subcontracts before any subcontractor can start work
  - Send copy of approved package to the MaineDOT project manager
    - For federal projects, project manager will forward the information to MaineDOT's Civil Rights Office and arrange for the subcontractor to be added to the Elation system
- **Federal Projects: "Buy America" (Special Provision 105)**
  - "Buy America" certifications must be received before payment can be made

- Monthly progress payments:**
  - Prepare estimate and review with contractor; or receive and check estimate from contractor
  - Once approved, process estimate and send payment to contractor
  - Once payment is made, Municipality sends invoice for reimbursement to MaineDOT, with backup information to verify quantities
- Contract Modifications
  - Modifications to the construction contract are handled as follows:**
    - Identify needed change, with estimated quantities and associated additional cost
    - Prepare an independent cost estimate of the additional work
    - Note the time associated with the change. (If no change, then note 0 additional days.)
    - Prepare a formal contract modification
    - Send draft modification to MaineDOT construction manager for review (Communication 18)
  - Obtain MaineDOT's concurrence with contract modification**
  - Send the modification to the 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
  - Place original modification in Project Records
- Project Completion
  - Final inspection by Municipality, MaineDOT and contractor (Communication 19)**
    - Final "punch list" developed
    - Final "punch list" of items completed
  - Notice of completion sent to contractor with notification of any liquidated damages**
    - Copies sent to MaineDOT project manager and construction manager
  - As-built plans completed and sent to MaineDOT project manager (*if applicable*)**
  - Quality Assurance (QA) Certification completed**
    - Testing file provided to municipality's project administrator for project files.
  - Final quantity book completed by project resident**
  - Federal projects: DBE Form completed by the contractor, signed by each DBE**
    - MaineDOT project manager will forward to MaineDOT's Civil Rights Office
  - Final estimate paid and retainage released**
  - Final billing sent to MaineDOT project manager (Communication 20)**
  - MaineDOT project manager completes a project evaluation**
    - Local administrator reviews, signs and returns to project manager
    - Project manager files the completed evaluation in Tedocs electronic filing system

*Note: By regulation, records must be retained for 3 years from completion for federal projects. MaineDOT recommends keeping records for at least 5 years in case of an audit.*