



Montana Department of Transportation Contract Final Process

❑ Acronyms

CAS, Contract Administration Section
CASB, Construction Administration Services Bureau
CASS, Contract Administration Section Supervisor
CC, Certificate of Completion
CRB, Civil Rights Bureau
DCE, District Construction Engineer
DEES, District Environmental Engineering Specialist
DEO, District Engineering Officer
DMS, Document Management System
EPM, Engineering Project Manager
FHWA, Federal Highway Administration

❑ Process

A. 90% Complete Memo

When the contract time has reached 90% or the contractor payments have reached 90% of the contract amount, an email is sent to the EPM notifying them of this.

1. The 90% Complete Memo is completed
 - The EPM estimates their remaining contract costs and emails the 90% Complete Memo to the DEO.
 - The DEO adds their costs and saves the file to the SiteManager_Contracts share drive.
 - The DEO enters the key date.

B. Preliminary Field Walk-through

The EPM conducts a preliminary walk-through of the project site. There is no set timeframe, but this would most commonly occur between the completion of the seal coat and the final striping.

1. The EPM conducts a preliminary walk-through and identifies:
 - Contract items that will need to be completed
 - Other site work that will be required
 - Material items that are deficient or missing
 - Civil Rights deficiencies (primarily payrolls)
2. The EPM gives the list of deficiencies to the Contractor for informational purposes. The Contractor has the choice of resolving the items then or with the final punch-list.
3. The EPM starts filling out the Final Walk-through Checklist.

C. Preliminary MPDES/NPDES Permit Walk-through

1. The DEES conducts a preliminary walk-through and identifies:
 - Existing BMPs that will need to be repaired or corrected
 - BMPs that will need to be removed
 - BMPs that will need to be changed, replaced or added
 - ❖ This is for information purposes only. MDT will not direct the addition or removal of temporary devices at this time. Those items will be identified during the final MPDES/NPDES permit walk-through.
 - Deficient paper work for the MPDES/NPDES permit
2. The EPM gives the list of deficiencies to the Contractor for informational purposes. The Contractor has the choice of resolving the items then or with the final punch-list.



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D. Time Assessment Suspension

The EPM suspends time assessment when the site work is complete (just have punch-list items and need to do a final walk-through) and enters the Time Assessment Suspension key date.

- ❖ This date documents the necessity of liquidated damages and ends checklist events associated with active construction (e.g. bulletin board, schedule, etc.).
- ❖ This date is required regardless of the type of contract time.

E. Final Walk-through Process

If project conditions exist that do not allow complete inspection of the work, the final walk-through may be postponed. For example, snow covered conditions.

1. Final Walk-through Request

When all physical work is complete, the Contractor requests the final walk-through. The EPM enters the key date.

2. Final Walk-through Inspection

The project site is inspected by the EPM, DCE and Contractor. A list of deficiencies (punch-list) is developed, including the following items:

- Contract items not completed
- Site work deficiencies
- Materials deficiencies
 - ❖ Useful tools to identify material deficiencies are the Sampling Checklist and Deficiency Report in Oracle.
- Civil Rights deficiencies (primarily payrolls)
 - ❖ The EPM fills in the first three columns of the Final Payroll Audit form.
- Outstanding claims

Permit compliance issues are identified at this same time but on a separate form.

3. Final MPDES/NPDES Permit Walk-through

The EPM, DEES and Contractor conduct a final walk-through and identify:

- Existing BMPs that need to be repaired or corrected
 - BMPs that need to be removed
 - BMPs that need to be changed, replaced or added
 - Deficient paper work required for the storm water permit to be terminated or transferred
- Invite the Maintenance Superintendent, District Biologist, Agronomist, and county or city personnel, if applicable

4. Punch-list Developed/Submitted

- a. The EPM completes the punch-list, identifying all of the deficiencies.
- b. The EPM submits the final punch-list and the environmental checklist assembled by the DEES to the Contractor.
- c. The EPM enters the checklist event

The EPM has 30 days to submit this to the Contractor from the date the final walk-through was requested by the Contractor.

5. Contractor submits MPDES/NPDES package

When the contractor has completed any required and/or requested modifications to the BMPs and has all necessary paperwork correct and up-to-date, they submit the MPDES/NPDES permit package to the EPM. The EPM sends the package to the DEES.

6. Final Walk-through Verification Request



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When all punch-list work is complete, all paperwork submitted, the MPDES/NPDES permit package has been submitted and claims have been closed, the Contractor requests a verification of the punch-list to verify that all deficiencies have been corrected. The EPM enters the key date.

7. Punch-list work verified

- a. The EPM reviews the list of deficiencies to ensure that everything is complete and submitted.
- b. The DEES reviews the site to ensure all site work modifications have been completed. The DEES reviews the MPDES/NPDES permit package to verify that it is complete and up-to-date.

8. Conditional Final Acceptance

The EPM has 30 days to grant a Conditional Final Inspection from the day the Contractor requested the punch-list verification. It is called "conditional" at this time because the Final Acceptance will not be granted until all contract-specific warranties and corrective actions, if required, are resolved.

- If all items are corrected to the EPM's satisfaction, there is no further action needed.
- If there are deficiencies that were not resolved by the end of the 30 days, Conditional Final Acceptance is given and the EPM deducts money from the estimate as appropriate.

The EPM enters the checklist event when the deficiencies are resolved, but no later than 30 days.

A trigger copies the information from the checklist event to the corresponding key date. This sends an email notification to other areas involved in the finalization process.

F. Seal Coat Warranty Inspection

The EPM completes the seal coat inspection after the warranty has expired and enters the appropriate key date.

- ❖ If there are warranty issues, the contractor performs any corrective actions and requests a verification of the warranty work. The EPM enters the "Seal Coat Warranty Inspection (issues exist)" key date, which sends an email to the DEO, CAS, Civil Rights, Materials Bureau and DEES so they can determine if any changes are required in their respective areas.
- ❖ If there are warranty issues, the EPM contacts the Help Desk or CAS, who will move out the projected date of the final acceptance.
- ❖ If there are no warranty issues, the EPM enters the "Seal Coat Warranty Inspection (no issues)" key date.

G. Final Acceptance

When there has been a Conditional Final Acceptance, all contract-specific warranties have expired and any corrective actions, if required, have been resolved, the contractor completes and submits the Contractor's Certificate of Work Complete.

1. The contractor submits the completed form to the EPM.
2. The EPM signs the form, if approved, and enters the Final Acceptance checklist event. Contract time is formally discontinued.
3. The EPM sends the form to the DEO, who obtains the DCE signature.
4. The DEO scans the form and saves it on the SiteManager_Contracts share drive as a backup.
5. The DEO sends the original form to the CASB.
6. The CAS scans the form and saves it on the HQ SiteManager_Contracts share drive.

H. Liquidated Damages

The CASB processes liquidated damages, if applicable.



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1. If the liquidated damages are not disputed, they are submitted to the Transportation Commission.
 2. If the liquidated damages are disputed, the CASB performs a final review, and submits a recommendation to the Transportation Commission.
- I. Contract Final
1. Final Due to District
 - a. The EPM checks the project quantities and assembles all documents external to SiteManager. This includes:
 - Surfacing history report (required on projects that have more than a half mile (continuous) of pavement or significant seal and cover)
 - Mileage comparison memo
 - Any plan comments (good or bad) and quantity changes not covered by a change order in the plan discrepancies window
 - b. The EPM generates a progress estimate. The estimate is typically processed if it is greater than \$500 or less than -\$500.
 - c. The EPM enters the Final Due to District checklist event.
 2. Final Due to Helena
 - The DEO checks the project final.
 - If corrections are required, the DEO works with the EPM to resolve them. When complete, the DEO notifies the EPM.
 - The EPM generates a progress estimate. The estimate is typically processed if it is greater than \$500 or less than -\$500.
 - The EPM generates the final estimate before sending the final to Helena.
 - The DEO enters the Final Due to Helena checklist event
 3. Final Checked by CAS
 - The CAS checks the project final.
 - If corrections are required, the CAS works with the EPM to resolve them.
 - The CAS enters the Final Checked by CAS checklist event.
- J. Final Labor Certification
- The CRB generates the Final Labor Certificate, if applicable, and enters the Final Labor Certification checklist event.
- K. Final Material Certification
- The Materials Bureau generates the Final Materials Certificate and enters the Final Materials Certification checklist event.
- L. MPDES/NPDES Permit
- The MPDES/NPDES permit is transferred or terminated. The MPDES package is submitted during the final walk-through process.
1. The DEES reviews the package and site conditions.
 2. Action is taken depending on whether the request is to terminate or transfer the permit.

Termination

 - If the DEES agrees, the Contractor prepares the NOT and submits it to DEQ

Transfer

 - a. The DEES prepares the PTN form and sends it to the contractor
 - b. The contractor reviews and signs the PTN and returns it to the EPM with the transfer fee



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- c. The EPM sends the form to Environmental
 - d. The bureau chief reviews it and if agrees, signs it for MDT and submits it to DEQ
 - ❖ The Contractor pays the permit fee for the termination or transfer.
 - ❖ If additional erosion control measures are necessary after the Conditional Final Acceptance while waiting for the permit to be terminated or transferred, MDT will pay the costs.
 3. When the notice of termination or transfer of the permit is received, the EPM enters the MPDES/NPDES Permit Term/Transfer checklist event (contact the DEES to get information, if needed).
- M. Final Due to Contractor
- The final estimate is processed once everything is complete, including final certifications.
1. The CAS sends the draft final estimate to the contractor.
 2. The CAS enters the Final Due to Contractor checklist event.
 3. A trigger uses this information to populate the Final Sent to Contractor key date. This sends the EPM an email that this information has been sent to the contractor.
- N. Contractor Final Estimate Concurrence
- The contractor has 10 calendar days to notify the EPM if there are any issues with the final estimate. Concurrence is assumed if there is response within that timeframe. The EPM enters the Contractor Final Est Concurrence checklist event when they receive notice from the contractor and have resolved any issues with the estimate, if applicable. If there is no response from the contractor, the EPM assumes concurrence and enters the checklist event.
- O. Final Estimate Released
- The final estimate is released to the Contractor by Accounting. This is typically done twice a month – the Friday closest to the 15th of the month and the Friday closest to the 25th of the month. The CAS can request a special release to Accounting, if necessary, to meet the required timeframe.
- P. Issuance of CC
1. The EPM initiates the CC (Certificate of Completion) and enters the Issuance of CC checklist event. The EPM scans the form and saves it on the SiteManager_Contracts share drive as a backup.
 2. The EPM sends the CC to the DEO.
 3. The DEO collects the District signatures on the CC.
 4. The DEO sends the CC to the CAS.
 5. The CAS collects the headquarters signatures on the CC and enters the Contractor Final Release Date critical date (the date the Certificate of Completion is fully signed).
 - ❖ Bid documents, if applicable to the contract, are released at this point.
 6. The CAS scans the CC and saves it on the Helena SiteManager_Contracts share drive.
 7. The CAS ends Contract Authority for everyone (making sure that the final estimate has been approved).
- Q. Accepted Date (Commission Acceptance)
- The CASB submits completed CCs for the month to the Transportation Commission. They give final acceptance at their next meeting. When accepted, the CASS enters the Accepted Date critical date.
- R. Close to Accounting
- The contract is closed to Accounting. CAS enters the Close to Accounting checklist event.
- S. The CASS enters the Physical Work Complete Date critical date when everything is complete.



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T. CAS zips the Helena and district SiteManager_Contracts share drives and loads them onto DMS.