



St. Louis District

Missouri's Local Program

Missouri's Local Program for Community Development

Local Public Agency Workshop

Federal-Aid Construction Process

May 2021



Special Thanks To:





St. Louis District Staff

Missouri's Local Program

Missouri's Local Program for Community Development

Cindy Simmons, P.E.
LPA Program Manager
Traditional LPA Project Process

Justin Wagner, P.E.
LPA Program Manager
Non-Traditional LPA Project Process*

Tom McCloskey
LPA Design Liaison

Bill Gabler
LPA Design Liaison

Chris Caldwell
LPA Design Liaison

Gregg Wilhelm, P.E.
LPA Design Liaison (Part-Time)

Russ Klein
LPA Construction Liaison

Jill Steiger
LPA Construction Liaison

Brandon Barke
LPA Construction Liaison

John Brendel, P.E.
LPA Construction Liaison (Part-Time)

Teresa Howard
LPA Design Liaison

Mitch Huskey
LPA Construction Liaison

*Projects with identified risk and/or impacts to MoDOT ROW,
Projects with complex/innovative funding or administration

Carol Kliethermes
Administrative Professional
(Part-Time)

LPA ROW Contact:
Vacant (Nicole Kreisel)

January 2021 (CRMS)

LPA:136.11 Local Public Agency Construction

Local Public Agency



Information covered by this presentation can be found at the following link:
http://epg.modot.org/index.php?title=136.11_Local_Public_Agency_Construction

Person in “Responsible Charge” (Section 136.11.1)

- Required to be a full-time public employee or elected official of LPA. Need not be an engineer.
- On-line course for certification available 24/7 at <https://www.modot.org/lpa-basic-training-class-link>
- Virtual meeting training certification class available as requested through Missouri LTAP – Missouri Local Training and Resource Center | Missouri S&T (mst.edu)
- Review attendance roster to ensure status has not expired. Certification is good for 2 years. Course is required for LPA and Engineering Consultants

Person in “Responsible Charge,” Cont.

Responsibilities:

- Aware of day-to-day operations on the project
- Aware of and involved in decisions about changed conditions that require change orders
- Aware of qualifications, assignments, performance of consultant staff at all stages of the project
- Visits the project on a frequency that is commensurate with the magnitude & complexity of the project

Preconstruction Meeting

(Section 136.11.4)

- MUST BE HELD PRIOR TO WORK STARTING ON THE PROJECT. IF NOT, THE WORK WILL BE CONSIDERED NONPARTICIPATING.
- LPA, Prime Contractor, and MoDOT district contact shall attend at minimum. Other attendees can include, but not limited to: Local City or County Officials, Emergency Response (Police, Fire, etc.), and Utility Companies
- Meeting agenda should include major items of the contract, JSP's and setting a NTP date.
- Additional submittals to MoDOT district contact.
(project schedule, proposed tester list & C-220 Forms)

Construction Phase Documentation

The following slides touch on items that are required for federal aid projects.

Initial Data Letter (Section 136.11.4)

1. Project Identification
2. Contractor's name and address
3. Construction Inspector's name, address and phone number.
4. Name of Person in "Responsible Charge"
5. Name, address, and telephone number of local agency's consultant, if applicable;
6. Date of construction engineering contract approval; if applicable;
7. Date of notice to proceed;
8. Completion date or working days;
9. Amount of contract;
10. Location and description of work;
11. Date of letting;
12. Date of award;
13. Date of preconstruction conference;
14. Date on which work actually started; and
15. Summary of Disadvantaged Business Enterprise (DBE) intent.

Request to Subcontract Work (C-220) (Section 136.11.5)

- LPA shall approve subcontractors before they start completing work onsite.
- C-220 forms shall be collected for all subcontractors except: Professional Services, Hauling, Suppliers and Manufacturers.
- No minimum dollar amount to require a C-220.
- Prime contractor must retain 30% of the contract.
- **FHWA 1273 MUST PHYSICALLY BE INSERTED INTO THE SUBCONTRACTS.**

REQUEST FOR APPROVAL OF SUBCONTRACT

Federal Project Number: _____
Route _____
County/City _____
TO: _____
(County/City Representative)

We request County/City approval to sublet the items of work listed on the back of this form to:

Subcontractor: _____ The Subcontractor is classified:
Address: _____ Non-DBE
Telephone: _____ DBE

By signing below, I certify that the subcontract agreement with the proposed subcontractor includes provisions to comply with all requirements of the contract identified above, and for Federal-aid projects, Form FHWA-1273 has been physically inserted into the subcontract agreement. This request must include a completed DBE Subcontractor Worksheet (Fig 136.11.5), Subcontractor Certification Regarding Affirmative Action form (Fig 136.11.6) and the name, address, and telephone number of the subcontractor's EEO Officer on the subcontractor's letterhead.

Respectfully submitted,

(Contractor)

By _____ Date _____

This portion to be completed by County/City

PREVIOUSLY APPROVED SUBCONTRACTORS	TYPE OF WORK
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____

COUNTY/CITY APPROVAL

Approval - County/City Representative _____ Date _____

Distribution after approval:
Contractor, County/City Rep. _____ Subcontractor Number: _____

Fig. 136.11.4

Source Documentation

(Section 136.11.13.1 & 11.13.2)

Daily Field Diary & Payment Diary:

- Handwritten (ink not pencil) in a bound field book or
- Electronic and part of electronic construction management software system. (not Excel sheets saved as PDF's)

EPG Section 136.11.13.1:

"If electronic systems are used, a secure back up shall be maintained. Any electronically generated diaries must be kept in a software system which meets the following criteria:

1. Contract administrator(s) shall not have the capability of deleting any diary information
2. Any changes to diary entries shall be documented with
 - a. Previous entry
 - b. Corrected entry
 - c. Name or initials of person making the correction
 - d. Date of correction
 - e. Reason for correction.

It is the LPA's responsibility to ensure electronic diary system meets these requirements. MoDOT / FHWA may review electronic diaries during any project review or site visit. If it is determined changes to diary entries were deleted or in any other way compromised, the LPA will be at risk of losing all federal funding for the project."

Source Documentation, Cont.

Information Included in Daily Diary:

- Includes facts; not opinions
- Date
- Weather
- Running total of contract time
- Contractor forces and work completed (provide details, be specific)
- Notes from the day (visitors, accidents etc.)
- Signature of Inspector

Source Documentation, Cont.

Information Included in Payment Diary:

- Date
- Location of the installed work
- Quantity of work installed on that day
- Running total
- Pertinent calculations or measurements
- Notes (certifications received, material testing accepted/rejected)

Field/Payment Book Example

FRI 11/17/17 CLOUDY 60°-31°

Contractor

1-FORM.	1-RCA TRP. EXCAV
2-OPR	3-SKID LOADERS
3-FIN.	2-RENT TAND. DUMP TRKS
7-LAB.	1-BACKHOE
1-APPR LAB	

POURED 8" N.R. CONC. BASE IN FRONT OF SOUTH HALF OF MILLER DRIVE FROM STA. 20+70± TO STA 22+12± RT.

TYPE "S" AGGR. BASE, 4"
31.3 SY
CONC. BASE, 8" N.R.
31.3 SY

POURED CONC. SIDEWALK AT THE FOLLOWING LOCATIONS: STA 41+29± TO 41+86± RT. (38.5 SY) STA 42+25± TO 42+87± RT. (37.3 SY) STA. 51+93± TO 52+12± RT. (12.3 SY) STA 52+46± TO 52+76± RT. (21.2 SY) STA 52+91± TO 53+36± RT. (29.9 SY) (TRUNC. DOMES = 2.4 SY) STA 80+106±
WORK DAY
YES *197

PAY ITEMS

304-05.04	TYPE "S" AGGR. BASE, 4"	150.6 SY
509-11.08	8" N.R. CONC. BASE	78.9 SY
608-50.07	7" PAVED APPROACH	66.1 SY
608-60.00	CONCRETE SIDEWALK	159.6 SY
608-60.98	TRUNC. DOMES, NEW CONST.	2.4 S.F.
609-20.21	INT. CURB, OVER 6"	50.8 L.F.
611-50.30	HEAVY STONE REVEALMENT	30.0 SY

TO STA 80+113± LT. ON MULLANPHY LN. (20.4 SY)

CONCRETE SIDEWALK
159.6 SY.
TRUNC. DOMES, NEW CONST.
2.4 S.F.

POURED 8" BASE CONC. FROM STA 29+33± TO 29+94± RT. PAY ROCK BASE = 28.0 SY 8" BASE = 24.6 SY; INT. CURB, 76" = 31.0 L.F. AND FROM STA 30+77± TO 31+41± RT. (BASE ROCK = 25.2 SY; 8" BASE CONC. = 23.0 SY INT. CURB, 76" = 19.8 L.F.)

TYPE "S" AGGR. BASE, 4"
53.2 SY

Field/Payment Book Example

FRI, 11/17/17 (CONT)

BASE CONC., 8" N.R.

47.6 S.Y.

INT CURB, (OVER 6")

50.8 L.F.

FORMED AND POURED NORTH HALF OF 7"
PAVED APPR AT STA 30+76¹ IRT. ROCK BASE
= 30.4 S.Y. } 7" APPR = 30.4 S.Y.

POURED SOUTH HALF OF 7" APPR AT STA
29+93⁶ IRT (7-11 ENTR). ROCK BASE = 35.7
7" APPR = 35.7 S.Y.

TYPE "5" AGGR BASE, 4"

66.1 S.Y.

PAVED APPROACH, 7"

66.1 S.Y.

PLACED ADDITIONAL HEAVY STONE
REVENEMENT AT TOP OF DRAINWALLS
AND BEHIND BARRIER WALL FOOTING ON
NORTH SIDE OF BOX CULVERT. ALSO
PLACED SMALLER GABION STONE ON
SOUTH SIDE OF BOX WHERE CONTRACTOR
HAD CUT IN ACCESS ROAD TO CHANNEL

HEAVY STONE REVENEMENT

30.0 S.Y.

REMOVED CONSTRUCTION DEBRIS AND
CLEANED PAVEMENT ACROSS BOX CULVERT
IN PREPARATION TO OPEN 2 ADDITIONAL
LANES ON MONDAY

BACKFILLED SIDEWALKS AND CURBS ALONG
EAST SIDE OF SHACKELFORD BETWEEN
SWALLOW LN. AND MCLLANTHAY LN.

NOTE: AMEREN OE CAME IN AM AND
REMOVED THEIR BOOM TRUCK FROM
POLE ON S.E. COR. OF LINDSAY LN

COVERED ALL CONC. POURED TODAY AND
THURS. DUE TO COLD TEMPS. FORECAST

ALL TRAFFIC CONTROL IN PLACE AT 7 AM
AND 3:30 P.M.

Inspector's Signature

Field/Payment Book Example

Master Index			
Item # 903-12.70A ✓	Line # 1460 ✓	Item # 903-50.04 ✓	Line # 1480 ✓
PERFORATED SQUARE STEEL		TYPE SHR2L - 1 SIGN ✓	
TUBE POST, 2 IN., 12 GA ✓			
Plan Quantity = 451 LF ✓		Plan Quantity = 473 SQFT ✓	
Change Order # 6 ✓		Change Order # 6, 16 ✓	
Final Pay = 424 ✓ LF ✓		Final Pay = 483 ✓ SQFT ✓	
Book # 12 ✓	Page # 18-22 ✓	Book # 12 ✓	Page # 30-36 ✓
Comp. By: <u>Jason Ambush</u>	Date: <u>4/14/11</u>	Comp. By: <u>Kevin Parris</u>	Date: <u>8/26/11</u>
Chkd. By: <u>Mindy Lawrence</u>	Date: <u>8/26/11</u>	Chkd. By: <u>Mindy Lawrence</u>	Date: <u>8/26/11</u>
Doc. Record # <u>N/A</u>	2B Sheet # <u>60</u>	Doc. Record # <u>N/A</u>	2B Sheet # <u>61</u>
Item # 903-12.71 ✓	Line # 1470 ✓	Item # 903-50.11 ✓	Line # 1490 ✓

Pay Diary																																																																										
<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>(A)</p> </div> <div style="text-align: center;"> <p>(B)</p> </div> <div style="text-align: center;"> <p>(C)</p> </div> </div>																																																																										
<p>MISC. SPECIAL SIGNING ALTERNATE ROUTE SIGNS 12 SIGNS @ 19.50 SF/EA P.Q. = 234 SF.</p>																																																																										
DATE	QTY	PLACED	36"	SF	TODAY	TODATE	36"	SF																																																																		
4/08/10	1			19.5	19.5	✓		19.5	B																																																																	
4/08/10	1			19.5	19.5	✓		39.0	A																																																																	
4/08/10	1			19.5	19.5	✓		58.5	B																																																																	
4/08/10	1			19.5	19.5	✓		78.0	B																																																																	
4/08/10	1			19.5	19.5	✓		97.5	B																																																																	
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4/08/10	1			19.5	19.5	✓		156.0	B																																																																	
4/08/10	1			19.5	19.5	✓		175.5	B																																																																	
4/08/10	1			19.5	19.5	✓		195.0	B																																																																	
4/08/10	1			19.5	19.5	✓		214.5	A																																																																	
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NHI (National Highway Institute) website has a web-based training for improving daily diaries. MoDOT recommends taking that free course for tips.

Other Federal Documentation

- Required to be kept with the project file.
- Available for review by MoDOT or FHWA at any point during the project and up to three years after final voucher.

Documentation Includes:

- Information Poster (Section 136.11.6)
- Disadvantaged Business Enterprise (DBE) (Section 136.11.8)
- Commercially Useful Function (CUF) (Section 136.11.9)
- On-the-job Training (OJT) (Section 136.11.10)
- Erosion Control (Section 136.11.13.4)
- Labor Records (Section 136.11.14.1)
- Labor Interviews (Section 136.11.14.2)
- Change Orders (Section 136.11.15)
- Buy America Certification (Section 136.11.17)

Information Poster (Section 136.11.6)

- Completed by the LPA at the beginning of the project and every other month until the project is accepted.
- Make sure the board is within the project limits, visible and accessible 24/7.
- All documents can be found in EPG Section 110.2

Revised 04/2018		REPORT OF ON-SITE BULLETIN BOARD INSPECTION										
Date :		Prime Contractor:										
Job Number:		Route:								County:		
BULLETIN BOARD REQUIREMENTS												
		N/A	Y	N					N/A	Y	N	
Was bulletin board clearly accessible?					Are documents water stained/faded?							
Was bulletin board at eye level?					Can documents be clearly read?							
Was bulletin board within job limits?					*Binder style bulletin boards are NOT acceptable							
Was bulletin board covered with: <i>Plexiglass</i> <i>Plastic</i> <i>Glass</i>					Are Documents <i>Stacked</i> OR <i>Spread Out</i> ?							
POSTERS REQUIRED ON BULLETIN BOARD • Federal Aid Projects												
										Y	N	
(1) Equal Employment Opportunity (EEO) Policy (Current) prime/subs over \$10,000 posted individually (8 ½ x 11)												
(2) Letter Appointing EEO Officer (Current) (8 ½ x 11)												
(3) Equal Employment is the Law (English) (rev. 11-09) (8 ½ x 11)												
(4) Equal Employment is the Law (Spanish) (rev. 11-09) (8 ½ x 11)												
(5) Employee Rights Under the Davis-Bacon Act • WH-1321 (English) (rev. 04-09) (11 x 17)												
(6) Employee Rights Under the Davis-Bacon Act • WH-1321 (Spanish) (rev. 04-09) (11 x 17)												
(7) Job Safety & Health Protection • OSHA 3165 (English) (rev. 04-15) (8 ½ x 11)												
(8) Job Safety & Health Protection • OSHA 3167 (Spanish) (rev. 04-15) (8 ½ x 11)												
(9) Notice to Workers with Disabilities Paid at Special Minimum Wages • WH-1284 (rev. 07-09) (8 ½ x 11)												
(10) Your Rights - Federal Minimum Wage • WH-1088 (English) (rev. 07-16) (8 ½ x 11)												
(11) Your Rights - Federal Minimum Wage • WH-1088 (Spanish) (rev. 07-16) (8 ½ x 11)												
(12) Notice to Employee Polygraph Protection Act • WH-1462 (English) (rev. 07-16) (11 x 17)												
(13) Notice to Employee Polygraph Protection Act • WH-1462 (Spanish) (rev. 07-16) (11 x 17)												
(14) Your Rights Under Family & Medical Leave Act of 1993 • WH-1420 (English) (rev. 04-16) (8 ½ x 11)												
(15) Your Rights Under Family & Medical Leave Act of 1993 • WH-1420SP (Spanish) (rev. 04-16) (8 ½ x 11)												
(16) NOTICE - FHWA 1022 Title 18 (English) (rev. 05-15) (8 ½ x 14)												
(17) Federal Wage Rate (Order/Determination) MO Wage Order No. ____ (RSMO 290.290)												
Complete wage order shall be on bulletin board or located in the trailer. If the complete order is located in the trailer, a copy of the page listing the crafts for the county shall be posted on the board as well as reference to the complete order being located in the trailer. (8 ½ x 11)												
(27) The Uniformed Services Employment and Reemployment Rights Act (USERRA) (rev. 4/17)												
(28e) Pay Transparency Nondiscrimination Provision (English) (rev. 12/16) (8 ½" x 11)												
(29s) Pay Transparency Nondiscrimination Provision (Spanish) (rev. 12/16) (8 ½" x 11)												
POSTERS REQUIRED ON BULLETIN BOARD • State Aid Projects (Must also be included on Federal Aid Projects)												
(18e) Discrimination in Employment is Prohibited by Law In Missouri • MCHR-9 (English) (rev. 04-16) (8 ½ x 11)												
(19s) Discrimination in Employment is Prohibited by Law In Missouri • MCHR-9 (Spanish) (rev. 04-16) (8 ½ x 11)												
(20e) Worker's Compensation Law • WC 106 (English) (rev. 04-17) (8 ½ x 11)												
(21s) Worker's Compensation Law • WC 106 (Spanish) (rev. 04-17) (8 ½ x 11)												
(22) Storm Water Permit Sign (8 ½ x 11)												
(23e) Discrimination in Public Accommodation • MCHR-07 (English) (rev. 04-16) (8 ½ x 11)												
(24s) Discrimination in Public Accommodation • MCHR-07 (Spanish) (rev. 04-16) (8 ½ x 11)												
(25e) Unemployment Benefit Law • MODES - B-2 (English) (rev. 3-18) (8 ½ x 11)												
(26s) Unemployment Benefit Law • MODES - B-2 (Spanish) (rev. 3-18) (8 ½ x 11)												
Findings												
			Y	N						Y	N	
Was the Bulletin Board in compliance?							If negative, was the contractor notified? (See Below)					
Individual Notified (Contractor Staff)					Comments/Remarks:							
Inspector Name												
Distribution: File eProjects External Civil Rights												

Information Poster (Section 136.11.6)

Common Errors or Questions:

- Using MoDOT's Storm Water Permit and not the LPA's
- Not providing the most current version of the posters.
- Bulletin Board does not include EEO Policy for the subcontractors

(1) Equal Employment Opportunity (EEO) Policy
(Current) prime/subs over \$10,000 posted individually (8 ½ x 11)

- FULL Wage Order not provided

(17) Federal Wage Rate (Order/Determination)
MO Wage Order No. ____ (RSMO.290.290)

Complete wage order shall be on bulletin board or located in trailer. If complete order located in the trailer, a copy of the page listing the crafts for the county shall be posted on the board as well as reference to the complete order being located in the trailer. (8 ½ x 11)

Information Poster (Section 136.11.6)

Common Errors or Questions:

Blank FHWA 1022 form.
Need to provide MoDOT
and FHWA contact
information to the form.



NOTICE

The highway construction underway at this location is a Federal or Federal-aid project and is subject to applicable State and Federal laws, including Title 18, United States Code, Section 1020, which reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or any State or Territory, or whoever, whether a person, association, firm or corporation, knowingly makes any false statement, false representation or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction of any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever, knowingly makes any false statement, false representation, false report, or false claim with respect to the character, quality, quantity or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to a material fact in any statement, certificate, or report submitted pursuant to the provision of the Federal Aid Road Act approved July 11, 1916 (39 Stat. 355) as amended and supplemented,

Shall be fined under this title or imprisoned not more than five years, or both."

Any person having reason to believe this statute is being violated should report the same to the agency representative(s) named below.

State Transportation Agency	U.S. Department of Transportation Hotline for Fraud, Waste, & Abuse 1-800-424-9071	Federal Highway Administration Division Administrator
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DBE Information (Section 136.11.8)

- DBE percentage goals are determined by MoDOT ECR in the PS&E process.
- DBE compliance consists of ensuring that the prime contractors utilize DBEs as indicated in the contract submittal.
- DBE vendors must be on the MoDOT approved MRCC (Missouri Regional Certification Committee) listing at the bid opening.
- Substituting or adding a DBE subcontractor must be approved by MoDOT ECR before the substitution takes place. Complete the DBE substitution form and submit to the MoDOT local construction contact for further processing.

<https://www.modot.org/welcome-external-civil-rights>

CUF Form (Section 136.11.9)

- Completed by the LPA or their delegated representative for each DBE subcontractor on the project.
- If the prime contractor is a DBE then a CUF form shall be completed for them as well.
- LPA shall sign the form in the “MoDOT Representative” space.
- New form for projects let after 3/1/21.

CR-2 Rev. April 2020

MoDOT Disadvantaged Business Enterprise (DBE) Job-Site Review
Commercially Useful Function (CUF) Determination
ONLY TO BE USED FOR PROJECTS LET IN FEB. 2021 AND PRIOR

Contract ID	Job No.	DBE Start Date		
Prime Contractor		DBE Subcontractor Approval Date		
DBE Contractor		Estimated DBE Completion Date		
DBE Owners Name				
DBE Representative				
DBE Is Performing As	Prime Contractor	Subcontractor	Another Tier Subcontractor	Broker
	Material Supplier	Manufacturer	Regular Dealer	
DBE Type (mark one)	Contractor	Trucker	Supplier	Broker
Description of recent type of work observed				
Review of On-site DBE Contractor				
PERFORMANCE				
1. Does the DBE have its own employees on the job to perform the work?		Yes	No	N/A
If NO, explain:				
2. Does the DBE own the equipment being utilized to perform its work?		Yes	No	N/A
Are the DBE's markings/emblems on the equipment?				
If NO, attach equipment list, ownership documents and rental/lease agreements				
3. Is the DBE self-performing the subcontract defined task for a specific item of work (distinct element) on the contract?		Yes	No	N/A
Does the DBE to 100% of their work?		Yes	No	N/A
Does the DBE schedule work, material deliveries and other actions required for prosecution of work?		Yes	No	N/A
4. Is the operator of the equipment a DBE employee?		Yes	No	N/A
5. Does the DBE maintain its own payroll?		Yes	No	N/A
HAULING FIRMS				
6. Does the DBE hauling firm own and/or lease their trucks? (Review ownership/registration and/or lease documents to verify)		Yes	No	N/A
7. Does the DBE employ drivers for truck owned by the company?		Yes	No	N/A
(if leased trucks, include operators, this should be indicated in the agreement/purchase order)				
8. Do the haul tickets and/or bills of lading associated with the project confirm that hauling is being performed by the DBE?		Yes	No	N/A
MATERIAL SUPPLIERS OR MANUFACTURES / FABRICATORS				
9. Does the DBE's name appear on all applicable invoices, haul tickets and/or bills of lading?		Yes	No	N/A
If NO, explain:				
10. Does the DBE furnish and install, if applicable, the materials? Did the DBE deliver materials to the site with their own and / or leased trucks?		Yes	No	N/A
11. If the DBE has any materials drop shipped to the project site, was the invoice addressed to the DBE?		Yes	No	N/A
If NO, explain:				
12. Does the dealer have an established storage facility and inventory?		Yes	No	N/A
If NO, explain:				
SUPERVISION				
13. Is the DBE self-performing work without assistance from the prime or another subcontractor?		Yes	No	N/A
14. Is the DBE providing supervision of its employees and their work?		Yes	No	N/A
If NO, explain:				
15. Is the supervisor a full-time employee of the DBE?		Yes	No	N/A
If NO, explain:				
COMMERCIALLY USEFUL FUNCTION DETERMINATION				
16. Does the DBE contractor appear to have control over methods of work on its contract items?		Yes	No	N/A
If NO, explain:				
17. Is the DBE an independent business, executing a distinct element of work, performing, managing, and supervising the work?		Yes	No	N/A
If NO, explain:				
18. Describe what actions are taken to correct any deficiencies found during the review:				N/A
Type or print the following:				
LPA Representative		Title		Date

On-the-job Training (Section 136.11.10)

- Projects are selected based on the total estimated cost of the project and the amount of labor hours expected to be needed to construct the project.
- Trainee costs are reimbursable with federal funds if funding is available. Contract change order needs to document the payment. Current reimbursable rate is \$10.00 per eligible hour.
- All training goals are established by the MoDOT External Civil Rights Division prior to letting.
- Trainee information must be documented on OJT-1, OJT-2, OJT-3 and OJT-6 forms. These forms and additional information can be found at the following link:

http://www.modot.org/business/contractor_resources/External_Civil_Rights/jobtraining.htm

Erosion Control (Section 136.11.13.4)

- What does your SWPPP say?
- Completed by the LPA or their delegated representative once every 7 days unless a rain event occurs
 - Rain Event = Any event that causes runoff to occur (rainfall or snow/ice melt).
- Deficiencies noted shall be fixed by the contractor within 7 calendar days of receiving the report.
- Report should include:
 - Date
 - Observations relative to effectiveness
 - Actions taken or necessary to correct deficiencies
 - Areas where land disturbance operations have stopped.
 - Name and signature of the inspector.

Labor Records (Section 136.11.14.1)

Certified Payrolls:

- A certified copy of each weekly payroll must be submitted by the prime contractor within 7 days of the payment date of the payroll. Certification can be attached or on the payroll itself.
- The prime contractor is responsible for submittal of payrolls for all their subcontractors.
- The LPA is responsible for reviewing and checking the submitted payrolls. Rule of thumb is 50%.
- Payrolls shall be stored in the project file and be available if requested by MoDOT or FHWA.
- The certified payrolls will be utilized to check the Wage Interview form.

Labor Interviews (Section 136.11.14.2)

- One wage rate interview on the project every 2 weeks.
- Select from prime contractor and subcontractor's workforce.
- Pick different workers until the end of the project if possible.
- Complete the office portion when the certified payroll is received.
- Inform prime contractor if prevailing wages are not being paid.

Employee Interview					
Labor Compliance / EEO					
<small>CONFIDENTIAL</small> <small>This document contains personal information and pursuant to Civil Code 1798.21.8 shall be kept confidential in order to protect against unauthorized disclosure.</small>					
Job Number	Contract ID	Contractor's Name	Prime Subcontractor Other :	County	
LABOR COMPLIANCE					
Employee's Name	SSN (last four digits)	Job Classification (Craft)	Pay Per Hour: \$	Are you an apprentice/trainee?	
			Base Fringe (if applicable) \$		
Work being performed at time of interview: (Offer as much clarity as possible) -->					
EEO Compliance					
Female	African American (Not of Hispanic Origin)	Hispanic American	Native American	Two or More	
Male	Caucasian (Not of Hispanic Origin)	Asian American	Native Hawaiian	races.	
Describe the type of work you have been performing this past week. -->					
Do you keep record of hours worked? Yes No		Do you work overtime? Frequently Seldom Never			
Are you paid time & half for overtime? Yes No		(If No, explain below ↓)			
Explanation:					
Has your employer directed your attention to the required wage rate posters on this project? Yes No					
Have you seen these posters? Yes No (If No, explain below ↓)					
Is anything withheld from your check (Other than Income Tax, FICA, etc.) Yes No (If Yes, explain below ↓)					
Explanation:					
Are you aware of the Contractor's Equal Employment Opportunity (EEO) and Sexual Harassment Policies? Yes No					
Does the Contractor hold regular meetings to discuss these policies? Yes No If Yes, how often:					
Who Conducts these Meetings?			Who is the EEO Officer for your employer?		
Who is the company contact if you have a complaint?					
Are you interested in, or has your employer informed you of, training possibilities? Yes No (If No, explain below ↓)					
EMPLOYEE COMMENTS					
Comments:					
INTERVIEWER COMMENTS					
Comments:					
Interviewers Name			Date of Interview:		
OFFICE REVIEW/ADMINISTRATIVE ACTION					
From Certified Payroll			Discrepancy: Yes No If Yes, What was the Discrepancy		
Job Classification					
Base Wage					
Fringe Benefits Paid in Cash Paid to Plan					
What action was taken?					
Date action taken					
Reviewed By					
Date Reviewed					
Distribution: External Civil Rights File					

Change Orders (Section 136.11.15)

- A change order is required to document contract changes such as increase/decrease of quantities, time extensions and changes in contract language.
- The MoDOT change order form should be used, but other forms are allowed. Same information is required.
- Items shall be listed in the order as they appear in the contract.
- Every item on the change order will need to be separate; no combination of items.
- A contingent item requires two estimates for approval. The contractors estimate and the independent estimate by the LPA.
- Change order reasons shall be accurate and complete. Using the Who, What, When, Where and Why process to formulate a reason when applicable. Avoid using “routine adjustment” or “reflects actual field quantity” unless it’s a small change.

Change Orders (Section 136.11.15)

- Discuss possible changes with your district contact before implementing them in the field. Allows LPA to know if the changes will be eligible for federal reimbursement.
- A Lump Sum item cannot be increased or decreased. A Lump Sum will always be the whole value of 1 LS. In order to change the Lump Sum price it will have to be zeroed out and added back to the contract at the new agreed price or a contingent item will be needed to increase or decrease that line item.
- All change orders (Level 1, 2 & 3) require a signature from MoDOT to complete the change order process. Level 2 and 3 change orders require additional MoDOT signatures.
- Only after MoDOT approves the change order will costs related to the change order be reimbursable.

Buy America (Section 136.11.17)

- Buy America applies to the federal aid highway construction program. Located in 23 CFR 635.410.
- Pertains to IRON or STEEL items and their coatings. Coatings include but not limited too epoxy and galvanization.
- All manufacturing processes must take place domestically. Manufacturing is defined as any process that modifies the chemical content; physical shape or size; or final finish of a product.
- Buy America certification should be provided by the contractor before the iron and steel products are incorporated into the Federal-aid project.
- Comply with the Buy America JSP in the contract. Collect Category 1, 2 & 3 certifications as needed.

Buy America (Section 136.11.17)

- Step Certification
 - A step certification is a process under which each handler (supplier, fabricator, manufacturer, processor, etc.) of the iron and steel products certifies that their step in the process was domestically performed.
- Buy America covers permanently incorporated iron or steel products. If the iron or steel material is temporary and will be removed before the project is accepted, then it is not subject to Buy America requirements.
- Minimal Use Criteria: cannot exceed one-tenth of one percent (0.1%) of the total contract cost or \$2,500.00, whichever is greater.
 - Minimal Usage must be requested by the contractor and approved by the LPA. The LPA must track the amount of noncompliant material to make sure it meets the criteria above.

Reimbursements (Section 136.13.3)

- Submit to the MoDOT district contact electronically monthly but can be as often as once every two weeks. Progress invoices should be submitted routinely for the project to remain financially active. No financial activity for 6 months puts the project on the FHWA financial inactive list.
- Provide all backup documents to support the request.
 - Construction Estimates
 - Invoices for stockpiled materials
 - Payroll information for wages (CE consultant or In-House CE)
 - Invoices for Direct Costs (CE Engineering Service Contract)
- PLEASE review for accuracy prior to submitting.
- Process CE Consultant, CE In-House and Construction related costs.

Summary Of Estimated Costs

Reimbursable Categories

Left side of Cost Summary under
Proposed Work

SUMMARY OF ESTIMATED COST			FEDERAL I.D. NO.: STP 5408606		TIP No: 5612-12	
Job No.	Exempt		Date Submitted: 09/10/2015		Date Approved: 09/14/2015	
Consultant:	Contractor: RV WAGNER CONTRACTING		PE Auth: 06/28/2012		ROW Auth: 04/15/2013	
NBI Number:	Program Type: Surface Transportation Program - GT Const. Auth: 05/27/2015				Bid Award: 09/14/2015	
	200K					
DBE Number: 12	Std Place Code: 31276C		Other Auth:		NEPA: 11/10/2011	
MPO: EWG	PER Agreement: 80% NTE \$1,603,200.00		12641: 08/29/2012		ROW Clearance: 09/02/2014	
					End Date: 01/31/2017	
Oblig Reason: BID AWARD			County: ST. LOUIS		Local Agency: EWG STP - MoDOT IOU	
Project Description: HAZELWOOD; ROAD RECONSTRUCTION ON FEE FEE RD FROM MCDONNELL BLVD 0.3 MILES SOUTH; 5619-12						
Proposed Work	Total Cost	Imp. Type	M24E(80%)	H230(80%)	L230(80%)	LO
R/W	28,000.00	10	0.00 (0.00%)	0.00 (0.00%)	22,400.00 (80.00%)	
PRELIMINARY ENGINEERING	163,723.79	15	0.00 (0.00%)	130,979.03 (80.00%)	0.00 (0.00%)	
ROADWAY	775,338.10	04	620,270.48 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	
SAFETY ITEMS	87,417.20	21	69,933.76 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	
BIKE/PED	27,861.80	28	22,289.44 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	
CE - CONSULTANT	78,651.29	17	62,921.03 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	
LANDSCAPING	124,444.40	31	99,555.52 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	
UTILITIES	33,005.92	43	26,404.74 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	
TOTAL FOR AGREEMENT	1,318,442.50		901,374.97	130,979.03	22,400.00	
TOTAL FEDERAL: 1,054,754.00						

Proposed Work

R/W

PRELIMINARY
ENGINEERING

ROADWAY

SAFETY ITEMS

BIKE/PED

CE - CONSULTANT

LANDSCAPING

UTILITIES

Summary Of Estimated Costs, Cont.

Reimbursable Percentage

SUMMARY OF ESTIMATED COST			FEDERAL I.D. NO.: STP 5408606		TIP No: 5612-12	
Job No.	Exempt		Date Submitted: 09/10/2015		Date Approved: 09/14/2015	
Consultant:	Contractor: RV WAGNER CONTRACTING		PE Auth: 06/28/2012		ROW Auth: 04/15/2013	
NBI Number:	Program Type: Surface Transportation Program - GT Const. Auth: 05/27/2015				Bid Award: 09/14/2015	
	200K					
DBE Number: 12	Std Place Code: 31276C		Other Auth.:		NEPA: 11/10/2011	
MPO: EWG	PER Agreement: 80% NTE \$1,603,200.00		106/4ff: 08/29/2012		ROW Clearance: 09/02/2014	
					End Date: 01/31/2017	
Oblig Reason: BID AWARD			County: ST. LOUIS		Local Agency: EWG STP - MoDOT IOU	
Project Description: HAZELWOOD; ROAD RECONSTRUCTION ON FEE FEE RD FROM MCDONNELL BLVD 0.3 MILES SOUTH; 5619-12						
Proposed Work	Total Cost	Imp. Type	M24E(80%)	H230(80%)	L230(80%)	LOCAL FUNDS
R/W	28,000.00	16	0.00 (0.00%)	0.00 (0.00%)	22,400.00 (80.00%)	5,600.00
PRELIMINARY ENGINEERING	163,723.79	15	0.00 (0.00%)	130,979.03 (80.00%)	0.00 (0.00%)	32,744.76
ROADWAY	775,338.10	04	620,270.48 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	155,067.62
SAFETY ITEMS	87,417.20	21	69,933.76 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	17,483.44
BIKE/PED	27,861.80	28	22,289.44 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	5,572.36
CE - CONSULTANT	78,651.29	17	62,921.03 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	15,730.26
LANDSCAPING	124,444.40	31	99,555.52 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	24,888.88
UTILITIES	33,005.92	43	26,404.74 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	6,601.18

This percentage shall be used for reimbursement requests per FHWA.

Adjustment can be made on final invoice.

M24E(80%)

0.00 (0.00%)

0.00 (0.00%)

H230(80%)

0.00 (0.00%)

130,979.03 (80.00%)

L230(80%)

22,400.00 (80.00%)

0.00 (0.00%)

Summary Of Estimated Costs

Reimbursable Federal Funds

PER Agreement: 80% NTE \$1,603,200.00

NTE (Not to Exceed) is the maximum amount of federal funding per the Project Agreement.

Total Federal is the amount of obligated federal funds

SUMMARY OF ESTIMATED COST			FEDERAL I.D. NO.: STP 5408606		TIP No: 5612-12	
Job No.	Exempt		Date Submitted: 09/10/2015		Date Approved: 09/14/2015	
Consultant:	Contractor: RV WAGNER CONTRACTING		PE Auth: 06/28/2012		ROW Auth: 04/15/2013	
NBI Number:	Program Type: Surface Transportation Program - GT Const. Auth: 05/27/2015				Bid Award: 09/14/2015	
	200K					
DBE Number: 12	Std Place Code: 31276C		Other Auth.:		NEPA: 11/10/2011	
MPO: EWG	PER Agreement: 80% NTE \$1,603,200.00		106/4ft: 08/29/2012		ROW Clearance: 09/02/2014	
					End Date: 01/31/2017	
Oblig Reason: BID AWARD			County: ST. LOUIS		Local Agency: EWG STP - MoDOT IOU	
Project Description: HAZELWOOD; ROAD RECONSTRUCTION ON FEE FEE RD FROM MCDONNELL BLVD 0.3 MILES SOUTH; 5619-12						
Proposed Work	Total Cost	Imp. Type	M24E(80%)	H230(80%)	L230(80%)	LOCAL FUNDS
R/W	28,000.00	16	0.00 (0.00%)	0.00 (0.00%)	22,400.00 (80.00%)	5,600.00
PRELIMINARY ENGINEERING	163,723.79	15	0.00 (0.00%)	130,979.03 (80.00%)	0.00 (0.00%)	32,744.76
ROADWAY	775,338.10	04	620,270.48 (80.00%)	0.00 (0.00%)	0.00 (0.00%)	155,067.62
SAFETY ITEMS	87,417.20	21	69,933.76 (80.00%)			
BIKE/PED	27,861.80	28	22,289.44 (80.00%)			
CE - CONSULTANT	78,651.29	17	62,921.03 (80.00%)			
LANDSCAPING	124,444.40	31	99,555.52 (80.00%)			
UTILITIES	33,005.92	43	26,404.74 (80.00%)			
TOTAL FOR AGREEMENT	1,318,442.50		901,374.97			
TOTAL FEDERAL: 1,054,754.00						

TOTAL FOR AGREEMENT

1,318,442.50

TOTAL FEDERAL: 1,054,754.00

Other Topics of Discussion

Document Retention (Section 136.11.13.7)

- The LPA shall maintain all books, documents, papers, accounting records and other evidence pertaining to the costs incurred for a total of 3 years after the date of final voucher from FHWA to MoDOT. Contact MoDOT for this date.
- Audits can occur on the project by MoDOT or FHWA. These audits will review project documentation. If the documentation isn't available, then federal funding could be lost.

Other Topics of Discussion

Materials (Section 136.11.17)

- Material acceptance is based on sampling and testing. In some cases, this will include material certification from the contractor.
- All tests must be performed by a Certified Tester trained in the proper test methods (EPG 106.18 Technician Certification Program).
- Refer to the Federal Aid Sampling and Testing (FAST) Guidelines for required tests and frequencies. Frequency can be adjusted if sound engineering reasoning is provided.
- MoDOT materials department will conduct testing audits on the certified tester. This is a requirement of FHWA.
- Maintain material tickets to support quantities installed. Make sure the tickets include the federal job number.

Final Acceptance (Section 136.11.19)

- When the LPA and the prime contractor presume that the project construction is complete, a semi-final inspection is scheduled by the LPA. Representatives from the LPA, MoDOT and the prime contractor shall attend.
- If the semi-final inspection results is no additional work needed then the project is given final acceptance.
- Only when no corrections or exceptions are noted can the project be accepted and assigned a final inspection date. Project time continues until all work is complete.

Final Acceptance, Cont.

Difference between Corrections and Exceptions:

- Corrections are work items that affect the performance and serviceability of the project and impact road users until they are completed.
- Exceptions are time-dependent work items that do not directly impact road users. They generally fall into one of the three following categories:
 1. Establishment of soil stabilization through seeding/sodding/planting and maintenance of associated temporary erosion control measures
 2. Traffic signal test periods
 3. Lighting system test periods
- MoDOT and the LPA shall complete the Semi-Final Inspection Report (C-236)

Project Closeout (Section 136.11.20)

Final Closeout Certifications will need to be submitted within 60 days of the Final Inspection date.

Final Certifications Include:

- Final Invoice (LPA)
- Final Change Order (LPA)
- DBE Certification
 - LPA Recommendation Letter (LPA)
 - Prime Contractor Verification Letter (Contractor)
 - Final Lien Waiver from all DBE subcontractors (Contractor)
 - Copies of all completed CUF forms (LPA)
- Final Estimate (LPA)
- Settlement of Claims (Contractor)
- Final Lien Waiver (Contractor)
- Prevailing Wage Affidavit (Contractor)
- Final Inspection Letter (LPA)
- Final Acceptance Letter (LPA)
- Project Certification Letter (LPA)

Project Closeout (Section 136.11.20)

Additional items required:

- Completed and signed ADA Checklist
- Completed Proposed & Actual Tester List
- Completed and signed OJT Forms (if applicable)
- Completed Semi-Final Inspection Report C-236

Questions???