2018 TEAM Conference

LPA Workshop
TOPICS

• Prequalification – Jeff Cremer
• Contract Management – Llans Taylor
• Cost Estimating – Patrick Hake
• Letting a Project – Llans Taylor
• Concurrence and Award – Llans Taylor
• Construction Inspection – David Drake
• Project Closeout – Jeff Cremer
• Common Errors – Jeff Cremer
• Questions
CONSULTANT FINANCIAL PRE-QUALIFICATION
Prequalification - Purpose

Provide reasonable assurance a consultants annual overhead rate is prepared in accordance to the Federal Acquisition Regulation (FAR).

- Federal Acquisition Regulation (FAR)
  - Identifies the approved Accounting Structure for federal contracts
  - Regulates allowable & unallowable costs
  - Defines reasonable, allocable, & allowable Costs

- Mandatory Annual Submittal
  - Annual prequalification should be submitted within 6 months of the fiscal year end
  - If Annual Prequalification is not approved before the fiscal year end, consultant will not be eligible to contract with MoDOT or LPA

- Does not have to be an Audited Overhead Rate
  - Audited overhead rates are usually a much quicker review process.

- 4 Step Process
  - 1. Annual Statement of Qualifications
  - 2. A. Secretary of State Certificate of Good Standing
  - 2. B. Missouri Division of Professional Registration
    - For all employees who are a professional engineer, architect, or land surveyor
  - 4. Financial Documents
Step 1 – Statement of Qualifications

The Annual Statement of Qualifications:
- Outlines qualifications & experience of the consultants staff; much like a RESUME

• 3 Options:
  – Internal Document
  – Form 254
  – Form 330

• Statement of Qualifications might be required as part of an RFQ solicitation by MoDOT or LPA

• Internal Document
  – Customized for marketing purposes & solicitation processes

• Form 254
  – Outdated but still being accepted by MoDOT
  – Includes work history

• Form 330
  – Current Form
  – Part 1
    • Staff qualifications / experience (Resume)
  – Part 2
    • Profile of firms staff
  – Does not include work history
Step 2 – Certificate of Good Standing

• **Part 1:**
  – Must be registered with the Missouri Secretary of State to conduct business
  – Must be in good standing with the Secretary of State
  – Contact Secretary of State to obtain a copy of your Certificate of Good Standing:
    • (866) 223-6535

• **Part 2**
  – Missouri Division of Professional Registration
    • For all Professional Engineers, Architects, & Land Surveyors
  – Corporations & LLC’s
    • Must provide a Certificate of Authority
  – Sole Proprietorships
    • Must submit individual license certificates for each staff engineering, surveying, or architect staff
Step 3 – E-Verify

• Memorandum of Understanding (MOU)
  – With the Department of Homeland Security
  – Signed by both parties – Homeland Security & the Consulting Firm
  – Does not change year to year

• Worker Eligibility Affidavit
  – New affidavit every year
  – Re-affirms firm is still following the terms of the MOU
  – Must be signed & notarized

• 1st page & the signature page of MOU is OK
Step 4 – Financial Documentation

• **1 year Lag**
  – 2018 Annual Overhead Rate is based on 2017 financial documents
  – Documents should be submitted no more than 6 months after the end of your fiscal year
  – 45-60 day review period

• **5 Required Documents**
  – 1. Financial Prequalification Cover Page
    • Profile of the firm
    • Staff, revenues, expenses, & organizational structure
  – 2. Indirect Cost Rate Schedule (Overhead Rate Schedule)
    • Fringe benefits for the year
    • Indirect cost’s
    • Direct labor cost’s
    • Overhead rate = indirect cost / direct labor cost
    • Complete audit report required – if O/R is audited
    • If O/R is not Audited we’ll need:
      – Supporting financial statements
      – Tax return for the given year
      – Must match Contract, Financial Statements, & Invoices
  – 3. National Compensation Matrix
    • Shows allowable compensation expense for all executives
    • Must report actual compensation to executives
  – 4. Certificate of Final Indirect Cost’s
    • Certifies that all indirect costs have been removed from overhead rate
  – 5. Internal Control Questionnaire
    • Description of accounting practices
MoDOT Financial Prequalification Cover Sheet

<table>
<thead>
<tr>
<th>Name of Company:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Person Name:</td>
<td></td>
</tr>
<tr>
<td>Contact Person Email Address:</td>
<td></td>
</tr>
<tr>
<td>Company Address:</td>
<td></td>
</tr>
<tr>
<td>Phone Number:</td>
<td></td>
</tr>
<tr>
<td>Top Executive Name &amp; Title:</td>
<td></td>
</tr>
<tr>
<td>Top Executive Email Address:</td>
<td></td>
</tr>
<tr>
<td>Top Executive Phone Number:</td>
<td></td>
</tr>
</tbody>
</table>

| Company's Fiscal Year End (mm/dd/yyyy): |  |
| Annual Gross Revenues (most recent completed Fiscal Year): |  |
| Annual Gross Expenditures (most recent completed Fiscal Year): |  |
| Company's Home State: |  |
| Number of Full Time (FTE) employees: |  |
| Number of states company operates in: |  |
| Changes to organizational structure (if yes, please explain): |  |
| Explain your firm's depreciation method. (Bonus and Section 179 depreciation is unallowable and must be removed from the overhead): |  |

Financial Prequalification Required Documentations

Forms are on the MoDOT - Consultant Services - Consultant Prequalification Requirements

http://commerce.mobot.missouri.gov/business/consultant_resources/consultant_prequalification_requirements.htm

1) Overhead rate is audited by a state DOT, federal agency or an independent CPA

   PROVIDE:
   Overhead rate audit report
   If applicable, a copy of the state DOT or federal agency cognizant letter

   OR

1) Overhead rate is not audited -

   PROVIDE the following financial statements:
   Amounts listed on the overhead must be traceable to the financial statements,
   a) Detailed overhead rate schedule to include FAR references to define unallowable costs
   b) Income Statement
   c) General Ledger or Trial Balance
   d) Tax Return
   e) Any additional financial documents used to prepare the overhead rate schedule
   If a related party rent situation exists
   PROVIDE:
   f) Related Party Rent worksheet
   g) Related Party's tax return - depreciation amortization schedule

2) Executive Compensation
3) Contractor Cost Certification
4) Internal Control Questionnaire (ICQ) - include all documents requested in the ICQ
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    • Shows allowable compensation expense for all executives
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  – 5. Internal Control Questionnaire
    • Description of accounting practices
### SAMPLE FORMAT

**XYZ CORPORATION**

**OVERHEAD SCHEDULE**  
December 31, 2008

<table>
<thead>
<tr>
<th>Description</th>
<th>Financial Stmt Expense</th>
<th>Unallowable Expense</th>
<th>FAR Reference</th>
<th>Total Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Labor</td>
<td>$12,500,000</td>
<td>$12,000</td>
<td>(1)</td>
<td>$12,512,000</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vacation/Holiday/Paid Leave</td>
<td>$1,700,000</td>
<td></td>
<td></td>
<td>$1,700,000</td>
</tr>
<tr>
<td>Payroll Taxes</td>
<td>1,550,000</td>
<td></td>
<td></td>
<td>1,550,000</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>1,100,000</td>
<td></td>
<td></td>
<td>1,100,000</td>
</tr>
<tr>
<td>Profit Sharing</td>
<td>1,016,000</td>
<td>(500,000)</td>
<td>(2)</td>
<td>516,000</td>
</tr>
<tr>
<td>Incentive Payments</td>
<td>1,550,000</td>
<td></td>
<td></td>
<td>1,550,000</td>
</tr>
<tr>
<td>Seminars/Education</td>
<td>400,000</td>
<td></td>
<td></td>
<td>400,000</td>
</tr>
<tr>
<td>Employee Welfare</td>
<td>10,000</td>
<td>(4,000)</td>
<td>(3)</td>
<td>6,000</td>
</tr>
<tr>
<td><strong>Total Fringe Benefits</strong></td>
<td>7,326,000</td>
<td>(504,000)</td>
<td></td>
<td>6,822,000</td>
</tr>
<tr>
<td>General Overhead</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Project Labor</td>
<td>$4,900,000</td>
<td>(12,000)</td>
<td>(1)</td>
<td>4,888,000</td>
</tr>
<tr>
<td>Recruiting</td>
<td>190,000</td>
<td></td>
<td></td>
<td>190,000</td>
</tr>
<tr>
<td>Building Cost (Rent)</td>
<td>1,400,000</td>
<td>(20,000)</td>
<td>(4)</td>
<td>1,380,000</td>
</tr>
<tr>
<td>Other Occupancy Cost</td>
<td>464,000</td>
<td></td>
<td></td>
<td>464,000</td>
</tr>
<tr>
<td>Supplies</td>
<td>380,000</td>
<td></td>
<td></td>
<td>380,000</td>
</tr>
<tr>
<td>Field Supplies &amp; Equipment</td>
<td>100,000</td>
<td></td>
<td></td>
<td>100,000</td>
</tr>
<tr>
<td>Postage &amp; Shipping</td>
<td>78,000</td>
<td></td>
<td></td>
<td>78,000</td>
</tr>
<tr>
<td>Equipment Rent/Maintenance</td>
<td>386,000</td>
<td></td>
<td></td>
<td>386,000</td>
</tr>
<tr>
<td>Interest</td>
<td>20,000</td>
<td>(20,000)</td>
<td>(5)</td>
<td>--</td>
</tr>
<tr>
<td>Telephone</td>
<td>290,000</td>
<td></td>
<td></td>
<td>290,000</td>
</tr>
<tr>
<td>Business Insurance</td>
<td>194,000</td>
<td></td>
<td></td>
<td>194,000</td>
</tr>
<tr>
<td>Legal &amp; Other Professional Fees</td>
<td>376,000</td>
<td>(25,000)</td>
<td>(6)</td>
<td>351,000</td>
</tr>
<tr>
<td>Administrative Travel</td>
<td>597,000</td>
<td>(30,000)</td>
<td>(7)</td>
<td>567,000</td>
</tr>
<tr>
<td>Duas, Memberships &amp; Reg.</td>
<td>173,000</td>
<td></td>
<td></td>
<td>173,000</td>
</tr>
<tr>
<td>Subscriptions &amp; Publications</td>
<td>41,000</td>
<td></td>
<td></td>
<td>41,000</td>
</tr>
<tr>
<td>Depreciation &amp; Amortization</td>
<td>628,000</td>
<td>(10,000)</td>
<td>(8)</td>
<td>618,000</td>
</tr>
<tr>
<td>Outside Payroll Service</td>
<td>45,000</td>
<td></td>
<td></td>
<td>45,000</td>
</tr>
<tr>
<td>State Income/Personal Prop Tax</td>
<td>27,000</td>
<td></td>
<td></td>
<td>27,000</td>
</tr>
<tr>
<td>Direct Cost Credit</td>
<td>$(833,000)</td>
<td></td>
<td></td>
<td>$(833,000)</td>
</tr>
<tr>
<td><strong>Total General Overhead</strong></td>
<td>$9,456,000</td>
<td>(117,000)</td>
<td></td>
<td>9,339,000</td>
</tr>
<tr>
<td>Total Indirect Cost</td>
<td></td>
<td></td>
<td></td>
<td>$16,161,000</td>
</tr>
<tr>
<td>Facilities Capital Cost of Money (FCCM)</td>
<td></td>
<td></td>
<td></td>
<td>$625,050</td>
</tr>
<tr>
<td>Total Indirect Cost &amp; FCCM</td>
<td></td>
<td></td>
<td></td>
<td>$16,223,550</td>
</tr>
<tr>
<td>Percent of Direct Labor</td>
<td></td>
<td></td>
<td></td>
<td>129.7%</td>
</tr>
</tbody>
</table>

See Next Page for Notes:

Source: AASHTO Uniform Audit & Accounting Guide for Transportation Consultants (2009 Update)
Step 4 – Financial Documentation

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    • Shows allowable compensation expense for all executives
    • Must report actual compensation to executives
  
  – 4. Certificate of Final Indirect Cost’s
    • Certifies that all indirect costs have been removed from overhead rate
  
  – 5. Internal Control Questionnaire
    • Description of accounting practices
Figure 1: Sample NCM Compliance Schedule

<table>
<thead>
<tr>
<th>Position (Match to NCM Job Descriptions)</th>
<th>Salary</th>
<th>Bonus</th>
<th>Deferred Compensation</th>
<th>Other Compensation</th>
<th>Total Compensation</th>
<th>Adjustment for Unallowable Activities</th>
<th>Adjustment for Unallowable Forms of Compensation</th>
<th>Compensati on Subject to Reasonableness Test</th>
<th>NCM Amount</th>
<th>Adjustment Amount in Excess of NCM</th>
<th>Total Required Adjustment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Executive Officer</td>
<td>$255,000</td>
<td>$55,000</td>
<td>$32,000</td>
<td>$23,000</td>
<td>$365,000</td>
<td>$(18,000)</td>
<td>$(500)</td>
<td></td>
<td>$339,051</td>
<td>$(7,449)</td>
<td>$(25,949)</td>
</tr>
<tr>
<td>Chief Financial Officer</td>
<td>$204,000</td>
<td>$22,000</td>
<td>$18,000</td>
<td>$28,000</td>
<td>$272,000</td>
<td>$(17,000)</td>
<td>$(500)</td>
<td></td>
<td>$254,500</td>
<td>$193,449</td>
<td>$(78,551)</td>
</tr>
<tr>
<td>Senior Vice President</td>
<td>$195,840</td>
<td>$29,376</td>
<td>$17,000</td>
<td>$2,584</td>
<td>$244,800</td>
<td>$(10,000)</td>
<td>$(500)</td>
<td></td>
<td>$234,300</td>
<td>$230,591</td>
<td>$(14,209)</td>
</tr>
<tr>
<td>Vice President</td>
<td>$146,250</td>
<td>$35,100</td>
<td>$12,000</td>
<td>$1,650</td>
<td>$195,000</td>
<td>$(6,900)</td>
<td>$(200)</td>
<td></td>
<td>$187,900</td>
<td>$204,011</td>
<td>$(7,100)</td>
</tr>
<tr>
<td>Vice President</td>
<td>$146,250</td>
<td>$38,500</td>
<td>$9,000</td>
<td>$1,250</td>
<td>$195,000</td>
<td>$(6,900)</td>
<td>$(200)</td>
<td></td>
<td>$187,900</td>
<td>$204,011</td>
<td>$(7,100)</td>
</tr>
<tr>
<td>Human Resource Director</td>
<td>$165,000</td>
<td>$8,000</td>
<td>$10,000</td>
<td>$5,000</td>
<td>$188,000</td>
<td>$(8,400)</td>
<td>$(100)</td>
<td></td>
<td>$179,500</td>
<td>$177,264</td>
<td>$(12,736)</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>$1,112,340</td>
<td>$187,976</td>
<td>$98,000</td>
<td>$61,484</td>
<td>$1,459,800</td>
<td>$(67,200)</td>
<td>$(2,000)</td>
<td></td>
<td>$1,390,600</td>
<td>$1,298,378</td>
<td>$(124,444)</td>
</tr>
</tbody>
</table>

hereby certify that, to the best of my knowledge, this schedule is complete and accurate:

[Signature]

Date

Note: This schedule should be certified by a Company officer/executive.)
Step 4 – Financial Documentation

• **1 year Lag**
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• **5 Required Documents**
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  – **3. National Compensation Matrix**
    • Shows allowable compensation expense for all executives
    • Must report actual compensation to executives

  – **4. Certificate of Final Indirect Cost’s**
    • Certifies that all indirect costs have been removed from overhead rate

  – **5. Internal Control Questionnaire**
    • Description of accounting practices
Certificate of Final Indirect Costs

Firm: 

Indirect Cost Rate Proposal: 
(Include Home & Field Office overhead rate(s) and if applicable, FCCM)

Date of Proposal Preparation (mm/dd/yyyy): 

Fiscal Period Covered (mm/dd/yyyy to mm/dd/yyyy): 

This is to certify that I have reviewed this proposal to establish final indirect cost rates and to the best of my knowledge and belief:

1. All costs included in this proposal to establish final indirect cost rates are allowable in accordance with the cost principles of the Federal Acquisition Regulation (FAR) of title 48, Code of Federal Regulations (CFR), part 31; and

2. This proposal does not include any costs which are expressly unallowable under applicable cost principles of the FAR of 48 CFR part 31.

Signature:

Name of Certifying Official (Print): 

Title: 

Date of Execution (mm/dd/yyyy): 

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Internal Control Questionnaire (ICQ) for Consulting Engineers

Name of Engineering Consultant ("the Company"): _______________________

TIN (Taxpayer Identification Number): _______________________

Headquarters Address: _______________________

Company Website: _______________________

Fiscal Year End: _______________________

This ICQ was prepared for (DOT/agency name): _______________________

Time Period Covered: _______________________

Location of Accounting Records: _______________________

- Please include the following items as attachments to this ICQ:

  - FAR Part 31 Overhead Audit Report for most recent fiscal year, including audited Statement of Direct Labor, Fringe Benefits, and General Overhead (hereinafter "Indirect Cost Rate Schedule") and related reconciliation to the financial statements.
  - Cognizant audit report or cognizant letter of concurrence from the cognizant Government agency. Check here [ ] not applicable.
  - Post-closing trial balance and financial statements (balance sheet, income statement, and statement of cash flows) for most recent fiscal year. (Note: If the indirect cost rate schedule does not directly tie to trial balance, then please provide a supplemental reconciliation schedule.)
  - Current chart of accounts that ties to financial statements and indirect cost rate schedule.
  - Independent Auditor's Report on financial statements and accompanying management letter. Check here [ ] not applicable.
  - Sample timesheet.
  - The Company's policies for vacation and sick leave.
  - The Company's bonus policy.
  - Other written policies, as requested throughout this ICQ.

Note. Throughout this ICQ, all references to "AASHTO Guide" pertain to the 2015 Edition of the AASHTO Uniform Audit & Accounting Guide.

- Please identify the Company's primary contact for accounting questions:

  Name: _______________________

  Title: _______________________

  Phone Number: _______________________

  Email Address: _______________________

  Mailing address (if different than headquarters address listed above): _______________________

A. Background Information
A.1. Year Established. What was the Company format? _______________________

A.2. Business Form. What form of business entity is the Company?

  - [ ] Sole Proprietorship
  - [ ] Partnership
  - [ ] C Corporation
  - [ ] S Corporation
  - [ ] Other ________

Internal Control Questionnaire for Consulting Engineers (Version: 2016-01)
AASHTO Internal Control Questionnaire for Consulting Engineers

A.3. Parent/Subsidiary. Is the Company a subsidiary of any other company?
   - Yes
   - No

A.4. Common Ownership. Does the Company own or control any other company or legal entity (e.g., trust or foundation) through common ownership? (See AASHTO Guide Section 8.23 B for details.)
   - Yes
   - No

A.5. Ownership. Please list the stockholders, partners, or other owners with greater than five percent ownership of the Company and their respective percentages of ownership.

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Ownership Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

A.6. Services Provided. What types of services does the Company provide? (e.g., consultant—Architectural and Engineering Design)
   a. 
   b. 
   c. 
   d. 

A.7. Locations. How many offices does the Company operate, and where are these offices located?
   a. Number: 
   b. Locations: 

Internal Control Questionnaire for Consulting Engineers (Version: 2016-01)
CONTRACT MANAGEMENT
Contract Management

• Items of interest?
Contract Management

Items to Cover:

• Review of Contract Types

• Required Bid Documents
  EPG 136.9.4 Bid Documents

• PE/CE related tasks
COST ESTIMATING
Cost Estimating

• Items of interest?
Cost Estimating

Items to Cover

• Walk through of Oman BidTabs.Net

• Overview of Bid Item Listing and Unit Prices

• Other available Information

• Discussion of RS Means and other strategies for cost development
Cost Estimating

• Itemized Bid Forms
  – EPG 136.9.4.1.1.20 Itemized Bid Form
  – Must include:
    • Itemized listing of all pay items
    • Quantities of each individual pay item
    • Blanks to submit a unit price and extension
  – Should include:
    • Pay item categories
      – Roadway
      – Bridge
      – Signing/striping/signal
      – Landscaping/streetscaping
      – Utilities
      – Bicycle/pedestrian facilities
LETTING A PROJECT
Letting a project

• Items of interest?
Letting a project

• Letting Process
  – EPG 136.9.1 PS&E Submittal Checklist
  • List of items that should be addressed or submitted for PS&E approval and construction authorization

  – EPG 136.10 Advertisement for Bid
Letting a project

• Letting Process
  – EPG 136.10 Advertisement for Bid and Award
    – You must have Construction Authorization
    – You must advertise for at least the minimum time line of 3 weeks
      » Advertise in a paper in the county/area
      » Advertise on MoDOT’s website
      » Should indicate where and when bids will be accepted and opened
    – Must make the Plans, Specs and bidding requirements available
      » Other info may be necessary
      » Provide contact info for questions or comments
      » Distribute addendum
    – If held, you must advertise the availability of a Pre-Bid and whether required
      » Pre-bid meetings are not required
      » Should overview project and any unique items allow for comments
    – Bids should be opened at the appointed date and time
      » Addendum should be acknowledged
      » Bids not meeting requirements should not be read
      » Bids from other than prequalified contracts should not be read
    – Should validate all bidding requirements are met at the time they are opened
      » Bids should be compared to the engineers estimate
      » Issues should be investigated
Letting a project

• Letting Process
  – District/Consultant versus Central Office Duties
    • MoDOT District Staff/Consultant develop Plans, JSP’s and Pay Items
      – They provide Signed and Sealed drawings and the pay item/quantities spreadsheet (including district estimate)
    • The rest is handled by BCS
      – Reviewing submit plans, addressing issues
      – Verifying
        » RW is clear
        » Environmental is clear and permits are obtained
        » Utilities are addressed
        » Necessary agreements are executed
      – Requesting obligation of funds
      – Generating the Electronic Bid documents including the EBSx file
      – Advertising the project
      – Publishing addendums
      – Receiving and reviewing bids
        » Validating required documentation
        » Reviewing required submittals
      – Analyzing bids
      – Recommending disposition
      – Executing awarded contracts
CONCURRENCE AND AWARD
Concurrence and award

- Items of interest?
Concurrence and award

• Concurrence
  – EPG 136.10.4 Concurrence in Award
  – Concurrence Submittal Checklist
    • Letter and request information is submitted to MoDOT
    • Bidding and Contract Services and ECR concur in the award
    • If concurrence is provided, and automated email is sent to the requesting entity.
    • If not, an email with the concerns will be sent by the reviewer.
Concurrence and award

• Award
  – EPG 136.10.8 Award

• After receiving concurrence in award, the LPA and the awarded contractor noted in the concurrence letter should execute a contract in the amount specified. After executing the contract, the LPA should submit an electronic copy of the following to the District Contact specified in the award letter:
  – Final Plans Package given to Bidders (include all addenda that were issued)
  – Fully Executed Contract (can use Federal Project Bid Proposal Boilerplate WITH the following to make it an actual contract):
    • Fig 136.10.3 Sample Contract Agreement
    • Performance/Contract Bond (see Fig 136.10.4 Sample Contract Bond), and
    • Fig 136.10.5 Sample Contractor's Acknowledgement Certification Regarding Affirmative Action signed by prime contractor (only if NOT utilizing MoDOT's Federal Project Bid Proposal Boilerplate)
  – Insurance Certificate
  – E-verify MOU & Affidavit

• Please contact your local MoDOT district representative to determine how many copies are needed and if these can be submitted electronically.

• The LPA will coordinate with the local MoDOT district contact to schedule a pre-construction meeting prior to giving Notice to Proceed as described in EPG 136.11 Local Public Agency Construction.

• No work is to be initiated on any part of the project until MoDOT gives the LPA the notice to proceed.
CONSTRUCTION INSPECTION
What is red and smells like blue paint?
What does LPA stand for?
Licensed Public Accountant

Little People of America

Limited Partnership Agreement
LPA

NO
LPA
Local Public Agency
YES
GUIDENCE FOR MODOT OVERSIGHT

• EPG 136.11.21 Guidance for MoDOT Oversight

  The **MoDOT district representative** shall periodically review the local project to verify that project administration procedures are adequate. A [LPA Site Visit Checklist](http://epg.modot.org/index.php?title=136.11_Local_Public_Agency_Construction) has been formulated to be used as a guide when visiting a LPA Site. The checklist covers a wide range of details related to project administration and should be used as a guide by the LPA. The MoDOT review shall cover as many of the areas as possible and notations made regarding the project visits. A diary entry shall be made by the MoDOT reviewer to document the project visit. Observations from the project and noted items from the LPA Site Visit Checklist should be included in the diary entry. Any actual documents used or obtained during a site visit shall also be retained by the MoDOT district representative for three (3) years past the final reimbursement for the project by FHWA.

  The frequency of the site visits will be at the discretion of the MoDOT district representative and the adequacy of the LPA’s administration. At least one visit and review at the beginning of the project and near the end of the project shall be conducted. If any deficiencies are sited or further assistance is required by the LPA more visits are warranted.


• **Category:** [136 Local Public Agency (LPA) Policy](http://epg.modot.org/index.php?title=136.11_Local_Public_Agency_Construction)
# LPA CHECKLIST

## PROJECT DATA

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Federal Project Number</td>
<td></td>
</tr>
<tr>
<td>Project Name/Route Number</td>
<td></td>
</tr>
<tr>
<td>County</td>
<td></td>
</tr>
<tr>
<td>Project Description</td>
<td></td>
</tr>
<tr>
<td>Percent Work Complete</td>
<td></td>
</tr>
<tr>
<td>Percent Time Elapsed</td>
<td></td>
</tr>
<tr>
<td>Original Contract Completion Date</td>
<td></td>
</tr>
<tr>
<td>Current Contract Completion Date</td>
<td></td>
</tr>
<tr>
<td>Award Amount</td>
<td></td>
</tr>
<tr>
<td>Current Contract Estimate</td>
<td></td>
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</tbody>
</table>
## LPA CHECKLIST

### STAFFING

<table>
<thead>
<tr>
<th>Reference</th>
<th>Item</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>635.105</td>
<td>Staffing is adequate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>635.105</td>
<td>LPA has provided a full-time employee of the local agency to be in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>“responsible charge” of the project (Name: ________________________)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>637.209</td>
<td>Personnel performing inspection work are qualified per the</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>approved qualification program, or otherwise suitably experienced</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>to perform successfully</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>635.105</td>
<td>Field staff has all equipment required to perform necessary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>inspections and materials tests</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>637.209</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136.11.9</td>
<td>Material testers are certified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments:**

...
## Workmanship

<table>
<thead>
<tr>
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<th>Item</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
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<tbody>
<tr>
<td></td>
<td>Environmental</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Erosion and sediment control devices are installed properly and are</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>well maintained</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Contract specific environmental requirements are in compliance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Inspections are conducted in accordance with contract requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Environmental permits are available onsite</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# LPA CHECKLIST

<table>
<thead>
<tr>
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<th>Item</th>
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<th>No</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthwork</td>
<td>Fill placement complies with contract requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Earthwork</td>
<td>Compaction test results are satisfactory</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Earthwork</td>
<td>Sampling and testing (frequency/location) are conducted in accordance with contract requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
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</table>
# LPA CHECKLIST

<table>
<thead>
<tr>
<th>Reference</th>
<th>Item</th>
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<th>No</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structures</td>
<td>Pile Driving records are on file (including welder certifications and procedures)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Placement, tying, and cover of reinforcing steel comply with contract requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bolt certifications are on file along with test results</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Curing process complies with specifications</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sampling and testing (frequency/location) are conducted in accordance with contract requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## LPA CHECKLIST

<table>
<thead>
<tr>
<th>Reference</th>
<th>Item</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asphalt</td>
<td>Base is in good condition</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mix is delivered at proper temperature</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tack inc complies with specifications</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mix is spread properly (thickness, crown, joints, uniform texture,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>continuous operation of paver)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Proper density is being obtained</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ride quality is in conformance with specifications</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sampling and testing (frequency/location) are conducted in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>accordance with contract requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# LPA CHECKLIST

<table>
<thead>
<tr>
<th>Reference</th>
<th>Item</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
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</thead>
<tbody>
<tr>
<td>PCC</td>
<td>Mix spread to correct thickness</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Curing and tining applied in timely manner</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dowel baskets properly installed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ride quality is in conformance with specifications</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sampling and testing (frequency/location) are conducted in accordance with contract requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# LPA CHECKLIST

<table>
<thead>
<tr>
<th>Reference</th>
<th>Item</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work Zone</td>
<td>Traffic control devices installed in accordance with Traffic Control Plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Traffic control devices are clean and well maintained</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Travel way is well delineated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Work zone inspections are completed in accordance with contract requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments:**
# LPA CHECKLIST

## DOCUMENTATION AND RECORD KEEPING

<table>
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<th>Reference</th>
<th>Item</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>635.123</td>
<td>Project field records adequately maintained to support quantities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>submitted for payment (Note in Comments specific pay items checked)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136.11.7</td>
<td>Inspector Daily Reports and Project Diary adequately support work</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>progress, time charges, day’s operations, contractors’ and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>subcontractors’ personnel and equipment, DBE activities, quantities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>placed, traffic control plan compliance, erosion control plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>compliance, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136.11.7</td>
<td>Material tickets and receipts are properly identified</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136.11.4</td>
<td>Contract change documentation is adequately maintained</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136.11.7</td>
<td>Acceptance sampling and testing reports are on file</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136.11.9</td>
<td>Materials sampling and testing conducted as required</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136.11.9</td>
<td>Failed tests are documented with cross-references to re-tests</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136.11.7</td>
<td>Materials Certifications are on file</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>635.410</td>
<td>Buy America requirements included on invoices and certifications for</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>all iron and steel products</td>
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Comments:
**LPA CHECKLIST**

**Bulletin Board Inspection**

<table>
<thead>
<tr>
<th>BULLETIN BOARD REQUIREMENTS</th>
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</thead>
<tbody>
<tr>
<td>N/A</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>Was bulletin board clearly accessible?</td>
</tr>
<tr>
<td>Was bulletin board at eye level?</td>
</tr>
<tr>
<td>Was bulletin board within job limits?</td>
</tr>
<tr>
<td>Was bulletin board covered with?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>POSTERS REQUIRED ON BULLETIN BOARD - Federal Aid Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>(1)</td>
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<td>(2)</td>
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<td>(21)</td>
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<tr>
<td>(22)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>POSTERS REQUIRED ON BULLETIN BOARD - State Aid Projects (Must also be included on Federal Aid Projects)</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.</td>
</tr>
<tr>
<td>---</td>
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<tr>
<td>(23)</td>
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<td>(24)</td>
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<td>(26)</td>
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</table>

<table>
<thead>
<tr>
<th>FINDINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Was the Bulletin Board in compliance?</td>
</tr>
</tbody>
</table>

Inspector Name: Name of Individuals Notified (Contractor, State): Date Notified: Comments/Remarks:

**Distribution:** Electronic _D_ File _V_ Drive _E_ Electronic Outright Rights
**Wage Rate Interview**

**EMPLOYEE INTERVIEW**

**Labor Compliance/EEO**

<table>
<thead>
<tr>
<th>Job Number</th>
<th>Contact ID</th>
<th>Contractor Name</th>
<th>Prime</th>
<th>Sub-contractor</th>
</tr>
</thead>
</table>

**Labor Compliance**

<table>
<thead>
<tr>
<th>Pay As</th>
<th>Rate Range</th>
<th>Notes/Comments</th>
</tr>
</thead>
</table>

- Employee Name on Payroll (Last Name, First Name, Middle Initial)
- SIN (last four digits)
- Self Classification (Code)
- Work being performed at time of interview (Office as much clearly as possible)

**EEO Compliance**

<table>
<thead>
<tr>
<th>Male</th>
<th>Female</th>
<th>Hispanic</th>
<th>Native American</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Paid: Daily, Weekly, Bi-weekly, Monthly, Other:
- How long have you worked for your present employer?
- How long have you worked on this project?

- 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? Yes [ ] No [ ]
- Are you paid time & half for overtime? Yes [ ] No [ ]

- Explain:

- Has your employer directed your attention to the required wage rate post on this project? Yes [ ] No [ ]
- Have you seen those posters? Yes [ ] No [ ]
- Is anything withheld from your check? If yes, explain below:__
- Explain:

- 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 [ ]
- Who conducts the 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 [ ]

- EMPLOYEE COMMENTS


- INTERVIEWER COMMENTS


- OFFICE REVIEW/ADMINISTRATIVE ACTION

<table>
<thead>
<tr>
<th>Payroll Entry Wages (from certified payroll)</th>
<th>Payroll Entry Labor Classification (rate from certified payroll)</th>
</tr>
</thead>
</table>

- Discrepancy: [ ]
- If yes, what is the discrepancy? ____________

- What type action taken? ____________

- Reviewed by: ____________
- Date action taken: ____________

- Discrimination: ____________
- External Civil Rights: ____________
- File: ____________
LPA Information

- MoDOT.org
- Business Page
LPA Information

Business with MoDOT

Business with MoDOT covers a wide range of topics in an effort to provide information to those wishing to do business with the agency. Included in this section are standards and specifications, various manuals, bidding lists and results, motor-carrier details and consultant services.

MoDOT now accepting credit card payment

Become a MoDOT Vendor

- Become a Prime Contractor
- Perform Subcontracting Work
- Obtain Plans
- Become a Material Provider

Contractor Resources

- Active Projects Directory
- External Civil Rights
- Disadvantaged Business Program
- MRECC Directory
- Policies, Lists and Specifications by Product Types
- Pre-Qualified and Pre-Accepted Product Listings
- Project History Maps
- New Product Qualification
- Bid Opening Info

Local Public Agency

- Local Public Agency
- Local Public Agency Manual
PROJECT CLOSEOUT
Project Closeout

- Final Inspections & Acceptance
  60 Days

- DBE Payment Verification

- Close Out Documentation Tips

- EPG 136.11
Project Reviews

Inactive Project Policy
6 Months
9 Months

Retention of Records
3 Years retention of documentation

MoDOT Reviews & Audits
Plans Review
Contract Review
Invoice Review
Construction Site Visits
Final Closeout Review
Project Audit

LPA Manual EPG 136.3
Project Reviews

FHWA Compliance Assessment Program (CAP)
Annual Reviews
Random Sampling of Projects
Risk Based Criteria Selection

LPA Tracker Measures
Statistical Measures
Reported Quarterly

IF IT IS NOT DOCUMENTED
IT DID NOT HAPPEN!

LPA Manual EPG 136.3
COMMON ERRORS
Contracting

- Not including a letter from sub-consultants listing their estimated cost.
- Modification to the boilerplate contract language may increase risk to the LPA.
- The contract amounts and fixed fees in the contract language do not match the attachment showing the costs.
- Incorrect Overhead rates
- Per Diem Rates and mileage rates exceed the General Services Administration rates
- Invoiced hourly rates and/or hours charged do not match timesheets
- General math errors on the contract, exhibits, invoices, and attachments
Project Invoices

Preliminary and Construction Engineering

• Work incurred prior to Federal Highway Administration (FHWA) authorization

• No support for direct expenses

• No support for Work by Local Forces

• Invoiced overhead rates not adjusted to the actual overhead rates

• Fixed fee amounts not paid in full to the consultant

• Progress invoices not filled out correctly

• Consultants and/or contractors not paid within the 2 business days of receipt of monies from MoDOT
Project Invoices (cont.)

Construction

Payment and Field diaries not maintained or partially completed

Not recording the some or last change order items

Not keeping a running total of quantities installed

Consultants and contractors need to maintain all records for three years after the date the LPA receives the final reimbursement from MoDOT.
QUESTIONS