

Before You Advertise

If your agency is like most, by the time you are ready to advertise, everyone is champing at the bit and wondering why the project is not completed already. The last thing you want to hear is a suggestion that you stop and make one last check on everything before you advertise. But, that's exactly what this section is all about. Even a 'California'-style rolling stop, where you never lose momentum, will be helpful.

In larger agencies, there may be a completely different group that awards and administers the contract. In smaller jurisdictions, award and construction management is likely to be accomplished by the same people who managed the design. Even if your agency uses checklists faithfully, a final check of potential pitfalls and fatal flaws may prevent confusion and claims for delay. Have someone relatively unfamiliar with the project go through the contract documents and files and answer these questions:

- Have all required permits and approvals been obtained? Of those permits and approvals not yet obtained, are there any which will prevent the contractor from beginning work on the contract soon after the probable notice of award date?
- Has all required right-of-way been purchased? Have all permanent and/or temporary construction easements been obtained? If not, is there a danger that the contractor may not be able to construct a critical portion of the project within the anticipated schedule?
- Has the project design incorporated ADA requirements? A requirement for handicapped ramps at intersections and other ADA requirements may be triggered even if the project is an overlay of existing streets or otherwise seemingly innocuous.
- Have all potentially affected utilities been contacted? Is there evidence that the project designers went the proverbial 'extra mile' to identify and resolve potential conflicts between existing utilities and those to be constructed as part of the project? Are there any potential 'fatal flaw' conflicts in the overall project design that could lead to redesign and claims for delay?
- Are federal funds being used for the project? While I-600 has eliminated M/W/DBE requirements in state and locally funded projects, these requirements may still exist for projects receiving direct federal funding. Similarly, federal prevailing wage requirements are different than state requirements. Both sets of requirements have to be followed on the project. Do the contract documents include these?
- Are the quantities and construction cost estimates reasonable? Have they been independently calculated and/or reviewed by someone other than the person who did the original calculations. Experienced estimators know that there are some quantity takeoffs, such as paving materials that defy exact and neat calculations and may need a certain amount of contingency for realistic estimates.
- Are there any obvious errors, inconsistencies or confusing details on the plans or in other contract documents?

In addition you need policy and procedure documents that:

- identify needs and allocate resources for administering construction contracts
- identify agency and consultant construction administration team members
- establish the relative authority and responsibilities of team members
- provide for delegation of authority and responsibilities to the construction administration team by elected officials, including levels of commitment authority
- establish procedures and processes for timely review and disposition of change orders, claims and field adjustments
- provide for decision making at the lowest level possible for change orders, claims and field changes
- establish timely and routine meetings with elected officials and/or oversight committees during construction
- establish timely and routine meetings between the Contractor and the construction administration team during construction
- provide for 'partnering' concept with the Contractor
- provide guidance for public relations efforts
- provide guidance for risk management issues
- establish report requirements, including frequency and formats