

**LOW RISK PILOT LOCAL BRIDGE PROGRAM
(STATE FUNDED, NON-NHS)
OVERSIGHT MODEL
July 16, 2019**

General Expectations

- All project costs are 80% state funds, 20% local funds up to approved state funding level
- Delegation of tasks to Local to maximum extent outlined in the latest version of the **Low Risk Pilot – Local Bridge Program (State Funded, non-NHS) Document Approval Designation**
- Applicable state and federal statutes and regulations regulate the engineering processes used to design and construct the project
- Projects follow the Department of Natural Resources (DNR) Cooperative Agreement
- WisDOT Bridge Manual still applies

General Management

- Program managed by WisDOT
- Scoping and applications process managed between DTSD-Planning and DTIM-Programming & Finance
- Change management for project schedule, budget and scope changes between DTIM, DTSD and LPA
- Change management during Construction for Contract Mods, Quantity Overruns and Consultant Amendments between DTSD, LPA and DTIM
- Active monitoring and management of existing project schedule and budget are by LPA including:
 - o design costs identified in SMA
 - o design schedule identified in SMA
 - o design costs identified by consultant contract
 - o construction cost identified in SMA
 - o construction schedule identified in SMA
 - o construction cost identified by contractor low bid
 - o construction delivery cost identified by consultant contract
- LPA/Designer maintains project file/records
- WisDOT will manage the completed records and archive according to the appropriate Records Disposition Authority (RDA)

DESIGN PROCESS

Consultant Contract – Use WisDOT existing three-party contract process with LPA, Consultant & WisDOT. Unless prohibited by local ordinance, LPA may use cost proposal from the consultant as part of the selection criteria.

WisDOT

- o WisDOT will provide feedback on LPA’s proposed solicitation and selection process, including the list of consultant roster. The bridge design consultant must be on WisDOT Bureau of Structures’ (BOS) list of eligible firms to provide structural design services. If requested, WisDOT will provide the email list of the consultant roster to LPA
- o Acknowledges local selection use of WisDOT standard processes from contract negotiation through contract execution
- o WisDOT is signatory on contract and assists in contract changes and Errors and Omissions (E&O) claims

LPA

- o LPA contacts WisDOT PRIOR to solicitation if feedback on LPA proposed process is required
- o LPA solicits Request for Proposal (RFP) and selects consultants using approved SMA
- o Manages the consultant day to day
- o For Locally Funded designs, LPA can use a two-party contract (Local & Consultant)

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Environmental Document - Projects will follow the WEPA process and DNR Cooperative Agreement. Use of the existing WisDOT general construction permit.

WisDOT

- Conduct review and approval of Environmental Document Programmatic Categorical Exclusion (PCE)
- Involvement in review of Corp of Engineering (COE) permits as needed
- WisDOT is a resource in resolving complex environmental issues and agency coordination including DNR, as requested by the LPA

LPA/Designer

- LPA will obtain all Environmental approvals
- LPA/Designer leads all agency coordination - arch and history, DNR,
- LPA/Designer ensures that tribal coordination reflects current guidance preserving the existing government to government relations. Coordination should reflect:
 - Executive Order #39
 - DOA Consultation Policy
 - Federal or tribal law when applicable
 - WisDOT Partnership Agreement
 - Section 106 when federal action dictates

Design Reviews

WisDOT

- General monitoring of project progress. Available as a resource if requested
- Approval of Plan, Special & Estimate (PS&E)
- Concurrence of Design Study Report (DSR) with minimal review for conformance of project to original scope and check of cost estimate, and engineering decisions
- WisDOT official keeper of complete project files at end of design process for archiving as provided by the LPA/Designer
- Bureau of Structures (BOS) review of all preliminary designs/plans to included hydrologic & hydraulic analysis per commitment to DNR for water crossings and to confirm proper type, size and location
- Bureau of Project Development (BPD) approves bridge approach length justifications with Change Management process
- Other Bureaus could be contacted for technical support

LPA/Designer

- LPA leads and manages the designer and project design reviews
- LPA leads and manages public involvement
- LPA leads and approves engineering documents for PS&E
- LPA approval of DSR
- LPA/Designer responsible for tracking and reporting Road Builder quantities
- LPA/Designer responsible for quality of plan, specifications and estimate
- LPA retains project records during design process. LPA must provide WisDOT project records at time of completion/approval. Copies of complete project records must be transferred to WisDOT upon project completion.
- LPA leads Design Errors and Omissions process with assistance from WisDOT as needed

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Real Estate (RE) – By pilot definition this should be minimal

WisDOT

- No State funding in RE
- Review project and parcel files for compliance upon request

LPA/Designer/RE Consultant

- LPA/Consultant to conduct real estate acquisition should be minimal
- LPA/Designer to certify right of way clearance with notification to WisDOT
- The Simplified Right of Way Certification for Low Risk Local Bridge (State Funded) created based on the DT1899 could be used as notification
- LPA/Designer/RE Consultant will manage all encroachment, hazardous waste, and right of way (including relocation and structure removal)

Right of Way, Utility and Railroad - By pilot definition this should be minimal

WisDOT

- Resource for RE and Utility certifications
- Responsible for railroad coordination

LPA/Designer

- LPA to coordinate and acquire utilities and railroad as necessary; LPA completes RE certification for PS&E
- Responsible for all utility coordination and permits
- Responsible for Utility Parcels being cleared at PS&E submittal

PS&E Review

WisDOT

- Draft PSE plan reviewed prior to ensure use of standard specs.
- Bridge plans sent to BOS prior to PS&E
- Final PS&E package reviewed primarily by PM; reviews by technical experts as needed.
- Addendums created by designer, processed by WisDOT
- PS&E processing, state let and award by standard processes by BPD

- LPA
- LPA responsible for completion of PS&E and any related issues

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CONSTRUCTION PROCESS

Consultant contract – Use existing two-party contract process with WisDOT & Consultant.
Quality Based Selection (QBS) will be used with LPA input into selections coordinated through state construction fair in September each year.

WisDOT

- Use existing WisDOT standard processes for consultant procurement: solicitation, selection, negotiation and contract execution
- WisDOT signatory on contract, lead on contract changes and will identify any construction consultant Error & Omissions (E&O)
If design E&O determined during construction, LPA will be responsible to pursue payment from their designer in accordance with the language in the SMA
- WisDOT will be a resource to provide guidance and documentation of the design E&O to the LPA

LPA

- When the LPA provides input to WisDOT's QBS process, WisDOT may consider a consultant from LPAs list of top 5 choices.

Pre-Construction Contract Administration

WisDOT

- Issues start notice
- Review of Environmental Control Implementation Plan (ECIP) for submittal to DNR approval
- Create and Issue Final Acceptance review/letter

LPA/Project Leader (Consultant)

- Uses WisDOT Automated Construction Management software for contract administration
- Coordinates review and resolves issues associated with the ECIP
- Coordinates and leads the preconstruction meeting

Construction Inspection and Contract Administration

Most projects will be done with consultant inspectors, primary oversight by Locals and support from WisDOT. In addition to primary oversight, LPA may provide inspection services if they can demonstrate adequate and qualified staff.

WisDOT

- Independent Assurance Program (IAP)
- Cost Reduction Incentive (CRI) approved by WisDOT with input from LPA
- WisDOT perform reviews as necessary of site conditions, progress of construction and status of payments (use low risk pilot construction site visit checklist - pending)
- Create and issue Final acceptance review/Letter

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LPA/Project Leader (Consultant)

- Day to day management of project, inspection of work, payment of quantities
- Enforce the Quality Management Plan (QMP) specifications
- Utility coordination before and during construction
- Routine property owner contacts
- Contract Changes and Contract Mod Justifications to be received concurrence by the LPA
- Contractor Claims review and input by LPA
- Public Involvement

Final Project Records

WisDOT

- Final review of records by WisDOT in Conjunction with LPA
 - Cursory review of finals: create awareness of major overruns/underruns
- Archive of records by WisDOT in cooperation with LPA

LPA/Project Leader

- All contracts are finalized within 6 months
 - Consultant and/or local to resolve records issues within 5 days upon notification by WisDOT
- All Invoices from WisDOT will be itemized and detailed as to the costs
- When LPA closes the project, there will be no further invoices from WisDOT

This pilot is being established to investigate the streamlining and reduction of requirements for the purpose of cost savings. Metrics will be evaluated to determine the success of the pilot and ultimately possibility of expansion of the concepts being tested.