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DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

November 23, 2022

Board of County Commissioners
Clackamas County

Approval of Amendment #5 to Contract #1831 with CONSOR North America, Inc. (formerly Murraysmith, Inc.) for the Jennings Ave: OR99E to Oatfield Rd Project. Total amendment value is \$188,189.87. Total Project Value: \$1,280,660.62. Funding through Federal Surface Transportation Program and County Road Funds. County General Funds are not involved.

Purpose/Outcome	Execution of Contract #1831 Amendment #5 allows Clackamas County and CONSOR North America, Inc. to proceed with construction contract administration and construction engineering and inspection (CA-CEI) services of the sidewalk and bicycle improvements to Jennings Avenue between OR99E and Oatfield Rd.
Dollar Amount and Fiscal Impact	The original contract and amendments #1thru #4 value for design services was \$1,092,410.75. Amendment #5 for CA-CEI services adds \$188,189.87 for a new combined value totaling \$1,280,600.62.
Funding Source	Federal Surface Transportation Program (STP): \$168,862.77 County Road Fund match (10.27 percent): \$19,327.10
Duration	Amendment execution through June 30, 2024.
Previous Board Action/Review	11/22/22: Discussion item at issues 01/21/21: BCC Approval of Amendment #1 to Contract with Murraysmith, Inc. for the Jennings Ave: OR99E to Oatfield Rd Project. 10/17/19: BCC Approval of a Contract with Murraysmith, Inc. for the Jennings Ave: OR 99E to Oatfield Rd Project. 10/11/18: BCC Approval of an Intergovernmental Agreement for Right-of-Way Services with Oregon Department of Transportation for the Jennings Ave: OR99E to Oatfield Rd Project 06/29/17: BCC Approval of Supplemental Project Agreement No. 31035 with Oregon Department of Transportation for the Jennings Ave: OR 99E to Oatfield Road Project. 01/01/17: BCC Approval of Master Certification Agreement No. 30923 for County implementation of federally funded projects.
Strategic Plan Alignment	1. This item supports the DTD Strategic Focus on Safe Roads and Strategic Result of providing safe roads for the “users of the transportation system so they can travel safely and efficiently in Clackamas County.” 2. This item aligns with “Build a Strong Infrastructure” and “Ensure safe, healthy and secure communities” by constructing bicycle lanes and sidewalks.
Counsel Review	Date of Counsel review: Monday, November 7, 2022

	Andrew R. Naylor, Asst. County Counsel
Procurement Review	1. Was this item processed through Procurement? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no 2. If no, provide a brief explanation:
Contact Person	Joel Howie, Civil Engineering Supervisor 503-742-4658
Contract No.	Contract #1831

BACKGROUND:

The County obtained Federal Surface Transportation Program funding to construct improvements along Jennings Avenue from OR99E (McLoughlin Blvd) to Oatfield Road. The improvements include constructing a curb tight sidewalk on the north side of the road and constructing bike lanes on both sides of the road for enhanced bicycle and pedestrian connectivity. The total length of improvements is approximately three quarters of a mile (approximately 3860 feet).

The design of the project is nearly complete and the project will be advertised for bids once the construction phase is approved by ODOT and FHWA. DTD desires assistance from the design consultant to perform construction contract administration and construction engineering and inspection (CA-CEI) services. The CA-CEI services will supplement DTD's construction administration and inspection work. The services include project management of CA-CEI services, construction contract administration assistance, attendance at project progress meetings, review of working drawings and shop drawings, consultation during construction, environmental compliance and mitigation monitoring, and a contingency task for right of way monumentation.

PROCUREMENT PROCESS:

This Amendment is in accordance with LCRB C-047-0800(a) for an anticipated amendment to include CA-CEI Services per the original statement of work. Amendment #5 is a 17 percent increase to the original contract.

RECOMMENDATION:

Staff respectfully recommends that the Board approve and execute Amendment #5 for the contract with CONSOR North America, Inc. for the Jennings Ave: OR 99E to Oatfield Rd Project, and authorizes the Chair to sign on behalf of the County.

Respectfully submitted,

Dan Johnson

Dan Johnson- Director
Transportation & Development

**AMENDMENT #5
TO THE CONTRACT DOCUMENTS WITH MURRAYSMITH, INC. FOR JENNINGS AVE. OR99E TO OATFIELD
ROAD (RFP# 2019-14)
Contract #1831**

This Amendment #5 is entered into between Murraysmith, Inc. (“Consultant”) and Clackamas County (“Agency”) and shall become part of the contract documents entered into between both parties on **October 17, 2019** (“Contract”).

The Purpose of this Amendment #5 is to make the following changes to the Contract:

1. Section 1, Effective October 3, 2022, Consultant formally changed its name from Murraysmith, Inc. to **CONSOR North America, Inc.** By execution of this Amendment #5, the parties hereby acknowledge the name change. All references to “Consultant” in the Contract shall also refer to CONSOR North America, Inc.
2. Section 2, **Contract Effective Date and Term** is hereby amended as follows:
Contract termination date is hereby changed from December 31, 2022 to **June 30, 2024**.
3. Section 3, **Statement of Work** is hereby amended as follows:
County has requested additional Services to be performed by Consultant. The additional Services are described in **Exhibit A.1, Statement of Work and Delivery Schedule for Construction Contract Administration and Construction Engineering & Inspection (“CA/CEI”)**, attached hereto and hereby incorporated by this reference herein.
4. Section 4, **Compensation** is hereby amended as follows:
In consideration for Consultant performing the additional Services described in Exhibit A.1, County will pay Consultant an amount not to exceed **\$188,189.87**. The associated fees to complete the additional Services are set forth at the end of Exhibit B. The total Contract compensation shall not exceed \$1,280,600.62.

ORIGINAL CONTRACT	\$ 848,665.07
AMENDMENT #1	\$ 150,927.63
AMENDMENT #2	\$ 76,928.23
AMENDMENT #3	\$ 10,183.40
AMENDMENT #4	\$ 5,706.42 and Time Extension
AMENDMENT #5	\$ 188,189.87 + Name Change + Time + Scope
TOTAL AMENDED CONTRACT	\$ 1,280,600.62

Except as expressly amended above, all other terms and conditions of the Contract shall remain in full force and effect. By signature below, the parties agree to this Amendment #5, effective upon the date of the last signature below.

CONSOR North America, Inc

DIGITALLY SIGNED 2022.11.07
11:06:32-08'00' November 7, 2022

Authorized Signature Date

Nicholas McMurtrey


Printed Name

Clackamas County

Chair Date

Recording Secretary Date

Approved as to form:



County Counsel 11/14/2022
Date

EXHIBIT A.1
Statement of Work

EXHIBIT A.1 -

Statement of Work and Delivery Schedule for Construction Contract Administration and Construction Engineering & Inspection (“CA/CEI”)

Construction Project Name: JENNINGS AVE: OR99E TO OATFIELD RD (the “Project”)
Project Location: Jennings Avenue between OR99E (McLoughlin Blvd.) and Oatfield Road
Local Public Agency: Clackamas County
Contract No.: 1831; Amendment No.: 5
Key No.: 19276

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A. PROJECT DESCRIPTION AND OVERVIEW OF SERVICES

This Exhibit A.1 includes the statement of work for CA/CEI Services (CA/CEI SOW) required for the Project. The delivery schedule is provided in the “Deliverables and Schedule” section of each task in section E.2.

The CA/CEI Services will culminate when Agency issues Final Acceptance of the Project and Consultant has completed all tasks and provided all deliverables as required.

Note: Reference to “Contract” in this CA/CEI SOW is applicable if this is a Contract or Contract Amendment.

Background

The background for the Project is unchanged.

Phases of Services The Services are divided into the following phase:

- CA/CEI

Definitions and Acronyms

DEFINED TERMS	
Acceptance	In this CA/CEI SOW, “Acceptance” or “Accept” means that Agency has reviewed the deliverable(s) submitted by Consultant and finds the deliverable(s) submitted in reasonable compliance with applicable requirements. Agency Acceptance does not release Consultant from liabilities due to any Errors or Omissions with respect to Consultant’s Services and deliverables.
ASSUMPTIONS FOR BUDGETING PURPOSES	In order to remain within the Agency’s available project budget, the Consultant will make a good faith effort to provide the services identified for each task, up to the level of effort, or hours, defined in this CA/CEI and associated Basis of Cost. Support requested by the Agency exceeding these budgeted hours will accompany the project with a contract amendment, or by reducing scope and budget from other tasks to remain within the overall budget amount.
Change Orders	Include Contract Change Order (CCO), Extra Work Order (EWO), and Agency Force Order (AFO)
Inspector	Representative of Consultant, with appropriate certifications, authorized to inspect and report on construction contract performance.
Standard Specifications	Oregon Standard Specifications for Construction (“OSSC”)- current version in effect during CA/CEI phase for this Project

Specifications	Includes both the Oregon Standard Specifications for Construction and the Project Specific Special Provisions, collectively referred to as the “Specifications”.
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ACRONYMS			
AASHTO	American Association of State Highway and Transportation Officials	OCR	ODOT Office of Civil Rights
ODOT	Oregon Department of Transportation	OJT	On-the-Job Training
APM	Agency’s Project Manager for CA/CEI Phase	ORS	Oregon Revised Statutes
CA	Contract Administrator	OSSC	Oregon Standard Specifications for Construction
CA/CEI	Contract Administration, Construction Engineering and Inspection	PA	Price Agreement
CC	Construction Contractor	PE	Preliminary Engineering
CCO	Contract Change Order	PM	Consultant’s Project Manager for CA/CEI Phase
CE	Construction Engineering	POR	Professional of Record
CECI	Certified Environmental Construction Inspector	PS&E	Plans, Specifications and Estimates
CPS	ODOT Contract Payment System	QA	Quality Assurance
DBE	Disadvantaged Business Enterprises	QAC	Quality Assurance Coordinator
EEO	Equal Employment Opportunity	QA/CA Plan	Quality Assurance & Contract Administration Plan
EDMS	ODOT’s Electronic Document Management System	QC	Quality Control
EWO	Extra Work Order	QCCS	Quality Control Compliance Specialist
FHWA	Federal Highway Administration	RAS	Region Assurance Specialist
FIR	Field Inspection Report	RFI	Request for Information
IA	Independent Assurance	RFP	Request for Proposal
IGA	Intergovernmental Agreement	ROW	Right of Way
IQAP	Inspection Quality Assurance Program	SFM	Survey Filing Map
LAPM	Local agency project manager	AFO	Agency Force Order
LPA	Local Public Agency	SOW	Statement of Work
LRFD	Load and Resistance Factor Design	WOC	Work Order Contract
NTE	Not to Exceed		
NTP	Notice to Proceed		

B. STANDARDS and GENERAL REQUIREMENTS

1. Standards applicable to CA/CEI Services

Consultant shall perform all Services in accordance with the professional standard of care set forth in the Contract.

Consultant shall complete the CA/CEI Services in accordance with the current version in effect of the [ODOT Construction Manual](#), the [Quality Control Compliance Specialist \("QCCS"\) Handbook](#), the [Manual of Field Test Procedures](#), the [ODOT Inspector's Manual](#), and the Contract.

The standards, manuals, directives and other procedural guidance identified are not exhaustive and may not include all applicable standards for a given project. Consultant shall be responsible for determining all applicable practices and standards to be used in performing Professional Services and Related Services. Consultant shall inform and demonstrate to Agency if standards, directives or practices required by Agency in performance of the work are insufficient, in conflict with applicable standards, or otherwise create a problem for the design or construction. Should the requirements of any reference, standard, manual or policy referenced conflict with another, Consultant shall request Agency in writing to resolve the conflict.

ADA Compliance – Assessment, Design, Inspection. When the Services under a Contract include **assessment or design (or both)** for curb ramps, sidewalks or pedestrian-activated signals (new, modifications or upgrades), Consultant shall:

- a. Utilize ODOT standards to assess and ensure Project compliance with the Americans with Disabilities Act of 1990 ("ADA"), including ensuring that all sidewalks, curb ramps, and pedestrian-activated signals meet current ODOT Highway Design Manual standards; and
- b. Follow Agency's processes for design, modification, upgrade, or construction of sidewalks, curb ramps, and pedestrian-activated signals, including using the ODOT Highway Design Manual, Agency Design Exception process, Agency and relevant ODOT Standard Drawings, Agency Construction Specifications, providing a temporary pedestrian accessible route plan and current ODOT Curb Ramp Inspection form.

When the Services under a Contract include **inspection** of curb ramps, sidewalks or pedestrian-activated signals (new, modifications or upgrades), all such inspections shall include inspection for compliance with the standards and requirements in a. and b. above. Inspections must be performed by ODOT certified inspectors (which must include certified environmental inspectors when appropriate). In addition, at Project completion, Consultant shall complete the applicable ramp-specific ODOT Curb Ramp Inspection Form 734-5020(A-G) for each curb ramp constructed, modified, upgraded, or improved as part of the Project. Each completed form must be submitted electronically by clicking the "Submit by E-mail" button on the form (and cc APM). The forms are documentation required to show that each curb ramp meets ODOT standards and is ADA compliant. ODOT's fillable Curb Ramp Inspection Forms and instructions are available at the following address:

<https://www.oregon.gov/ODOT/Engineering/Pages/Accessibility.aspx>

Above references to curb ramps, sidewalks or pedestrian-activated signals also include, when applicable, shared use paths, transit stops, park-and-rides and on-street parking.

Unless otherwise specified in a Contract, the most current version of applicable standards, manuals, directives and other procedural guidance shall apply. Unless otherwise specified, the system of measurement and language used in all deliverables will be English.

2. General Requirements

As required in **ORS 672.002 to 672.325**, Consultant shall provide appropriate supervision and control with a licensed Professional Engineer in responsible charge of the CA/CEI Services.

All Inspection work must be performed by Agency-certified Inspectors as required by the Agency's Inspection Quality Assurance Program ("IQAP"). Consultant's Agency-certified Inspectors shall diligently monitor the work of the Construction Contractor ("CC") in order to determine whether the Project is constructed in compliance with the construction contract documents and any applicable current standards and Agency manuals or procedures, including but not limited to those listed in the Contract. All Quality Control ("QC") monitoring tasks must be performed by individual(s) certified by the Agency's Technician Certification Program.

Consultant shall immediately advise Agency of any construction or planned construction which fails to conform to the construction contract requirements applicable to the Project. Consultant shall also immediately advise Agency of any design errors or deficiencies or other problems that could have a negative impact on the Project construction schedule or construction cost. In addition, Consultant shall immediately advise Agency of any construction which Consultant knows, or with the exercise of professional care should know, fails to conform to the federal or state standards applicable to construction of the project.

3. Communication

Communication is an important element to the successful completion of the Project and CA/CEI Services. All communication and deliverables covered under this CA/CEI SOW shall be directed to the APM (or such other individual as designated in writing to Consultant). In addition, Consultant shall submit deliverables specific to the administration of the construction contract, excluding claims to the APM for construction, as described within the ODOT Construction Manual. To the extent possible, all transmittals from Consultant to Agency must include the Contract#, Project name, the Agency project number and the ODOT key number. The key number must be used as part of the document control system established by Agency and Consultant. For submittals, Consultant shall comply with naming conventions, drawer structure, and other instructions as specified by the APM. Formats for the document control system shall be discussed at the initial meeting between Agency and Consultant pertaining to the CA/CEI Services.

The CC for the Project will be determined through the competitive bidding or proposal process. When the CC has been determined, Consultant shall establish appropriate contacts with that firm prior to the Pre-Construction Conference.

4. Roles and Responsibilities

Agency

The APM is Agency's primary point of contact for Consultant. The APM has the authority to review and accept, or recommend Acceptance of, all Consultant deliverables. The APM may distribute deliverables to appropriate Agency personnel for review and approval.

Agency has overall authority in scope, schedule and budget of the Project. All construction Change Orders [Contract Change Orders (“CCO”), Extra Work Orders (“EWO”) and Agency Force Orders (“AFO”)] prepared by Consultant are subject to Agency review and approval prior to implementation by the CC. Authority to approve all CCOs, EWOs and AFOs shall be as outlined in the ODOT Construction Manual, Chapter 3 - Delegated Authority and in Delegation Letters.

Agency is responsible for the following:

- Execution of Intergovernmental Agreements (“IGAs”) related to the Project
- Prepare Agenda, notes and otherwise lead the Pre-Construction Conference
- Contracting for material verification sampling and testing
- Concrete and Asphalt mix design review
- Maintain the Test Summary for Non-Field Tested Materials and Field-Tested Materials (Test Summary “A”)
- Providing access to construction related forms referenced in this CA/CEI SOW, Agency’s construction forms website, and hardcopy forms as needed
- Approving construction CCOs, EWOs and AFOs
- Approving requests for overrun or increase in Project authorization
- All contact with ODOT/Federal Highway Administration (“FHWA”) or other federal agencies
- All contact with ODOT for consultation with Native American Tribes (i.e. [government-to-government discussions](#))
- Reviewing and processing monthly pay estimates for construction contract
- Final Project Acceptance
- Performing periodic quality, quantity and labor compliance documentation reviews
- Inspecting Project specific fabricated items

Consultant:

Unless specifically stated otherwise in a particular task, Consultant shall provide all labor, equipment and materials to manage, coordinate and complete all tasks and provide all deliverables as set forth in this CA/CEI SOW (collectively, the “CA/CEI Services”) in accordance with the delivery schedules identified.

- Changes to Consultant’s Project Manager are subject to Agency approval and will require written notice to Agency prior to the change.
- If Consultant is performing the Construction Inspection, Quality Control Manager and Quality Control Compliance Specialist functions, then Consultant’s Key Persons (as identified on the approved QA/CA Plan) may not be substituted or replaced unless approved in writing by Agency.
- Consultant is not responsible for the means, methods, operating procedures or safety precautions of any CC or other entity.
- Providing survey package to Agency and CC
- Attend Project meetings when requested by Agency
- Review and comment on progress submittals when requested
- Coordination with Agency related to performing environmental compliance inspection
- Assist Agency with public outreach on the Project

C. REVIEW, COMMENT and SCHEDULE REQUIREMENTS

Consultant shall complete all CA/CEI tasks and deliverables in a timely manner to avoid unnecessary delays in the construction Project. Consultant shall provide written notice to Agency at the first sign of delays caused by Agency, Consultant, CC, or any other entity that may delay completion of the Project or otherwise have a negative impact on the construction schedule.

- Consultant shall notify APM immediately (within 2 business days) upon discovery of any changes in the Project that may impact scope, schedule or budget of the Project or CA/CEI Services.
- Consultant shall submit to Agency all construction contract administration deliverables, excluding claims. Consultant shall submit all deliverables to APM or designee unless otherwise stated in specific tasks.
- All deliverables are considered draft until reviewed and accepted by Agency. Consultant shall make revisions to address Agency comments and submit revised deliverable(s) to APM within 3 business days of receipt of Agency review comments, unless a different timeframe is stated in specific tasks or otherwise agreed to in writing by Agency. If no revisions are necessary, the submittal will be considered final.

D. FORMAT REQUIREMENTS

- Deliverables shall be submitted to Agency in the format described in the ODOT Construction Manual and individual tasks. Following NTP, Consultant shall submit all construction contract deliverables, excluding claims, to the APM as described within the ODOT Construction Manual. Claims must be submitted according to Section 00199. For budgeting purposes, all deliverables are assumed to include electronic format and no printing expenses are included.
- The time zone is Pacific Standard Time (PST) to determine time of receipt of notices and other documents. Non-business days are Saturdays, Sundays and legal holidays as defined by ORS 187.010 and 187.020. PST on a business day, it shall be considered as received at 8:00 a.m. PST on the next business day.
- **Agency and ODOT Forms** – Consultant shall use Agency Forms supplied by the APM. Utilize ODOT forms where required. ODOT Construction related forms referenced in this CA/CEI SOW are available on line at: <https://www.oregon.gov/ODOT/Construction/Pages/Forms.aspx>
- Each draft and final text-based or spreadsheet-based deliverable shall be provided in MS Office file formats (i.e., Word, Excel, MS Project, etc.) and must be fully compatible with version used by Agency.
- Additional format requirements may be listed with specific tasks or deliverables throughout the CA/CEI SOW or in the Contract.

E.1 TASKS, DELIVERABLES and SCHEDULE

Task Numbering: For purposes of standardization, task numbers in this SOW may be non-sequential due to deletion of unneeded tasks from Agency’s CA/CEI SOW template. For convenience to the reader, the task numbering for the CA/CEI phase will use the standard task number prefaced with “CE” (CE-1, CE-2).

TASK CE-1 PROJECT MANAGEMENT OF CA/CEI SERVICES

This activity is continuous throughout the duration of these CA/CEI Services. Consultant shall guide and direct the CA/CEI Services and Consultant's team in conformance with all applicable requirements of the CA/CEI Services and the Project's goals and objectives. Consultant shall monitor progress of the Project and CA/CEI Services

Task CE-1.1 Coordination

Consultant and subconsultant team shall provide leadership, direction and control of these CA/CEI Services.

Consultant shall:

- Direct Consultant's team with regard to overall CA/CEI activities and team meetings.
- Maintain liaison, communication and coordination between Consultant and subconsultant staff, APM, if applicable, CC and Agency staff to facilitate timely, efficient operations for all involved.

ASSUMPTIONS FOR BUDGETING PURPOSES: This task provides up to 38 hours to support the Agency's lead role, averaging approximately 1 hours/week for 26 weeks for 1 staff member(s) plus 1 hours/month for 12 months for a second staff member.

Deliverables and Schedule:

- On-going coordination and communication as needed to appropriately manage the CA/CEI Services (no tangible deliverables for this task).

Task CE-1.2 Status Reports and Invoices

Consultant shall prepare up to 12 Monthly Status Reports throughout the duration of the CA/CEI Services. See Section E.2, Project Schedule.

The Monthly Status Report must:

- Describe the previous month's Consultant activities. Describe the planned activities for the next month.
- Identify any issues or concerns that may affect the CA/CEI Services and budget or the Project schedule and Project budget.

If the construction Project schedule milestones are significantly revised, Consultant shall attach the updated Project schedule and submit with Monthly Status Report. Consultant shall submit the Monthly Status Reports to APM with the monthly Consultant invoice.

ASSUMPTIONS FOR BUDGETING PURPOSES: This task provides up to 60 hours to support the Agency's lead role, averaging approximately 1 hours/month for 12 months for 2 staff member(s). Subconsultant support is reduced to 6 months to accompany active construction periods. This task excludes furnishing invoices and status reports using a cost-plus-fixed-fee format.

Deliverables and Schedule:

Monthly Status Report - Submitted to APM with the monthly invoice no later than the 5th calendar day of the month following the reporting month.

TASK CE-2 CONSTRUCTION CONTRACT ADMINISTRATION/CONSTRUCTION ENGINEERING and INSPECTION (CA/CEI)

Consultant shall support the Project's needs by providing CA/CEI Services required for the Agency to certify, at Second Notification and Third Notification that the Project was completed according to the Plans and Specifications for the Project. Consultant shall engage the Professional of Record ("POR") as required to provide engineering Services required to administer design changes that may become necessary during the construction phase of the work.

Task CE-2.1 Pre-Construction Conference

Consultant shall attend the Pre-Construction Conference, led by the APM, and referenced in the Specifications in 00180.42, and the ODOT Construction Manual, Chapter 11 – Before On-Site Work Begins. Attendees will include the Consultant, CC, APM, permitting agencies, local officials and others as may be appropriate to discuss the construction schedule, utility involvement, permit concerns, required documentation submittals, materials, and other items relevant to the construction of the Project.

APM will consult with the CC, and the Consultant to determine participants and schedule the Pre-Construction Conference at an agreed upon time and place.

Consultant shall:

- Attend and participate in Pre-Construction Conference.

Task CE-2.4 Construction Contract Administration

Agency will provide day-to-day administration of the construction contract. For items listed in this SOW Consultant shall complete contract administration tasks as outlined in the ODOT Construction Manual, the Manual of Field Test Procedures, the Non-Field-Tested Materials Accepted Guide, the ODOT Inspector's Manual, QCCS Handbook, Qualified Products List ("QPL"), the Contract Plans and Specifications, and this CA/CEI SOW.

Consultant shall assist Agency to prepare for up to two periodic reviews on all Project quality, quantity, labor compliance and Civil Rights documentation. The reviews will be performed by the ODOT Region Assurance Specialist ("RAS") per the ODOT Construction Manual, Chapter 12B - Quality, Section 12B-3(b), and the Office of Civil Rights ("OCR") per the ODOT Construction Manual, Chapter 18 – Workforce and Small Business Equity Programs. Agency shall resolve all documentation deficiencies noted during the periodic reviews prior to the next scheduled review. Final documentation reviews by the RAS and OCR Field Coordinator will be performed as directed in the ODOT Construction Manual.

In addition to any other requirements identified in the reference standards identified above, Consultant shall:

- When requested prepare up to three (3) CCO, EWO, and/or AFO as outlined in the ODOT Construction Manual, Chapter 15 – Change Orders, Force Account, Work by Public Forces, and Chapter 12G – Extra Work Performed on a Force Account Basis. Change Orders may include, but are not limited to, modification to the plans, specifications, and contract time. Consultant may be liable for payment of the cost for any CCOs, EWOs and AFOs authorized without obtaining prior review and approval by Agency. Only the Agency has the authority to approve and authorize changes to the construction contract including CCOs, EWOs, or AFOs.

- When requested review up to five (5) Force Account billings from CC.

ASSUMPTIONS FOR BUDGETING PURPOSES: This task provides up to 100 hours to support the Agency's lead role, consisting of:

- 50 hours for one staff member to review up to five (5) force account billings at 10 hours each review.
- 20 hours for one staff member to participate in up to two (2) RAS reviews of project quality, quantity, labor compliance and Civil Rights documentation, at 10 hours each review.
- 30 hours to furnish up to three (3) CCOs, EWOs and/or AFOs deliverables, at 10 hours per deliverable.

Deliverables and Schedule:

- Summary report of any documentation deficiencies as noted on the Documentation Review Report per the RAS review. Deficiencies must be resolved prior to next review.
- Draft CCOs, EWOs, and/or SFOs with supporting documents (cost estimate and justification) - Submit to APM by date agreed to when work was requested.

Task CE-2.6 Project Progress Meetings

Consultant shall attend periodic Project Progress Meetings with the CC and others as needed, including but not limited to, APM, permitting agencies, and local officials if required. The Project Progress Meetings are intended to promote Project progress, proper communications, effective working relationships and timely issue resolution.

Consultant shall attend additional activity-specific technical kick-off meetings for various activities required by the construction contract. These activities may include, but are not limited to:

- Asphalt Concrete Pavement
- Hazardous Materials Handling
- ADA Curb Ramp Pre-Construction Planning
- Water Quality Facility Construction

ASSUMPTIONS FOR BUDGETING PURPOSES: This task provides up to 112 hours to support the Agency's lead role, averaging approximately 4 hours/meeting for each staff to facilitate travel, preparation and attendance. Budget provides for up to approximately 14 meetings supported by an average of two (2) consultant staff.

Deliverables and Schedule:

- Attendance and participation at Project Progress Meetings

Task CE-2.7 Working Drawings, Shop Drawings, and other Submittal Reviews

Agency will coordinate and review construction Working Drawings, shop drawings, and other submittals submitted electronically by the CC. Consultant shall assist Agency with review of specific drawings and submittals when requested. When electronic Working Drawings, shop drawings, and other submittals are received, according to 00150.35(c)(2), 00150.37, & 00170.08, When requested Consultant shall ensure the review is complete and the Working Drawings, shop drawings, and other submittals are returned to the Agency within the timeframes specified in the construction contract. Consultant shall log in the submittal

when it arrives, track the submittal to ensure timely response, and log out the reviewed submittal when it is returned to the Agency. Consultant shall conduct submittal review in accordance with the Specifications in 00150.35, 00150.37, 00170.08, and the ODOT Construction Manual, Chapter 16 – Working Drawings and Submittals.

Consultant shall:

- Maintain 1 of the as-submitted copies in the Project files
- Review specific drawings and submittals when requested by the Agency. Consultant shall review and prepare mark-up/comment copies of the Working Drawings, shop drawings, and other submittals. Stamped Drawings must be signed and dated by the POR and marked as either RV = Reviewed, or RVC = Reviewed with Comment. Unstamped Drawings shall be marked as either AP = Approved, AX = Approved as Noted, or RC = Returned for Correction.
- Include construction contract number on all Working Drawings, shop drawings, and other submittals.

Consultant shall review the following submittals as required using the guidelines in ODOT's Construction Manual, Chapter 16 – Working Drawings and Submittals, and the Specifications in 00150.35, 00150.37, & 00170.08:

- Traffic control plans
- Erosion control plans
- Construction baseline schedule
- Machine control survey submittals
- Drainage structures (manholes and inlets) Working Drawings, shop drawings, and other submittals
- Retaining wall calculations and drawings
- Lighting pole and traffic signal submittals
- Blue or green sheet submittals for traffic signal or electrical equipment and materials
- Others as required by the Agency and construction contract specifications

CC shall prepare Working Drawings, shop drawings, and other submittals for non-standard permanent signs in accordance with the Specifications in 00940.03, and for steel sign supports in accordance with the Specifications in 00930.02. Based on field survey information, Consultant shall review and verify all new sign post lengths.

ASSUMPTIONS FOR BUDGETING PURPOSES: This task provides up to 96 hours to support the Agency's lead role, averaging approximately 8 hours/submittal for twelve (12) submittals.

Deliverables and Schedule:

- Return approved Working Drawings, shop drawings, and other submittals with comments (within time frame established in construction contract specified requirements):
 - 1 copy maintained in Project files
 - Electronic Submittals
 - Submit 1 electronic PDF mark-up/comment to the APM as required by the construction contract.
- CC-provided Working Drawings, shop drawings, and other submittals for non-standard signs and steel sign supports (due within 5 business days of request):

- 1 copy maintained in Project files
- Electronic Submittals
- Submit 1 electronic PDF mark-up/comment to the APM as required by the construction contract.

Consultant shall also ensure notification of approved Working Drawings, shop drawings and other submittals is provided to the Agency when applicable.

Files Retained by Consultant:

Consultant shall maintain files of all reviewed Working Drawings, shop drawings, and other submittals according to the retention period set forth in the terms and conditions of the Contract. Agency may request these files at any time during the retention period. Consultant shall provide the files to Agency within 14 calendar days of the request.

Task CE-2.8 Consultation During Construction

Consultant shall provide consultation and technical Services regarding design issues raised during construction of the Project. Consultant shall clarify construction contract documents and provide written responses to Requests for Information (“RFIs”). The design consultation will occur only as required and may be ongoing throughout the CA/CEI Services and the Project.

Upon request of the CC or Agency during construction, Consultant shall:

- Clarify construction contract documents.
- Respond to field inquiries.
- Engage the services of the POR on all matters involving design changes under task CE-2.9.

NOTE: Design requests must be initiated by either Agency or Consultant using a Change Request Form or a RFI. A response to a RFI may also initiate a Change Request or a formal contract amendment for Consultant or CC. No work shall be conducted on a Change Request until the APM approves the request and the appropriate change order document is approved. The Change Request must clearly outline Consultant’s cost, the estimated construction cost, and the cause of the change.

ASSUMPTIONS FOR BUDGETING PURPOSES: This task assumes up to 25 RFIs, each requiring up to 4 hours of staff time for preparation and documentation of each response.

- A total of 100 hours has been budgeted for this task to clarify the design during construction.

Deliverables and Schedule:

- Written documentation of responses to CC or Agency inquiries. Submit 1 electronic copy to APM within 2 business days of inquiry, unless other delivery date is agreed to by APM.

Task CE-2.9 Design Modifications [CONTINGENCY TASK, See CA/CEI SOW Section F]

If Consultant or CC determines that design modifications may be necessary, Consultant shall discuss potential changes with APM, LAPM and POR prior to verbally agreeing on changes with CC or preparing the appropriate Change Order documents, depending upon the type of work (changed work, extra work, or force account work). Upon request of the APM, Consultant shall work with the POR to prepare detailed engineering design revisions necessitated by conditions encountered during construction. These design revisions must be accompanied by the necessary Change Order documents (CCO, EWO and/or SFO) to make them a part of the construction contract.

ASSUMPTIONS FOR BUDGETING PURPOSES:

- A total of 90 hours has been budgeted for this task to respond to prepare minor changes to the design during construction. Up to three (3) Charge Order documents are provided, at 10 hours each.

Deliverables and Schedule:

- Design details for modifications (prepared or approved by the POR for appropriate changes to Project design) - Submit to APM at date agreed to when work was requested.
- Draft CCO and EWO or SFO documents with supporting documents (cost estimate and justification) - Submit to APM at date agreed to when work was requested.

Task 2.12 –Construction Survey Handoff

Consultant shall prepare a draft and a final Construction Survey handoff package to include those deliverables, as Agency determines, and correspondence with awarded construction contractor, as further described in Appendix M and Chapter 16 of the Highway Design Manual (see Section B list).

Consultant shall participate in roadway digital data quality control review of draft Construction Survey handoff package in accordance with guidelines provided in Appendix N of the Highway Design Manual (see Section B list).

Consultant shall submit the draft Construction Survey handoff package for Agency review and comment. Agency will consolidate comments and submit to Consultant. Consultant shall address and incorporate Agency comments and suggested revisions, then deliver the final Construction Survey handoff package to Agency for approval.

Deliverables and Schedule:

- Draft Construction Survey handoff package submittal, due to APM no later than 30 business days after bid opening.
- Final Construction Survey handoff package submittal, due to APM at Agency’s issuance of NTP to construction contractor or 30 business days after bid opening, whichever occurs first.

TASK CE-3 CONSTRUCTION, ENVIRONMENTAL COMPLIANCE AND WORK ZONE MONITORING AND INSPECTION

Consultant shall provide on-site monitoring and inspection of construction for conformance with, and shall enforce compliance with, construction contract documents. APM shall coordinate and schedule Consultant’s on-site monitoring and inspections so they do not cause unnecessary adverse impacts to the construction schedule. On-site monitoring and inspections must occur at critical times during the construction process based on Consultant’s evaluation of the CC’s schedule, construction contract documents and as outlined in the ODOT Construction Manual, the Manual of Field Test Procedures and the ODOT Inspectors Manual.

Consultant shall have certified Inspector(s) on site during all critical times during the construction process. Consultant shall monitor the CC’s quality control process for compliance with the construction contract requirements. All persons involved in performing inspection duties must be certified through the ODOT Inspection Quality Assurance Program (“IQAP”) in the discipline for the work they will be

inspecting. Consultant's Inspectors must be certified prior to commencement of any on-site work by the CC.

If circumstances occur that prevent the use of a Certified Inspector, Consultant may assign specific tasks to a non-certified individual. Refer to the IQAP for a list of limited duties that may be performed by non-certified personnel.

The following are the approved ODOT Inspector Certifications currently in place in the Inspection Quality Assurance Program:

- Certified Environmental Construction Inspector ("CECI")
- Certified Traffic Signal Inspector ("CTSI")
- Certified General Inspector ("CGI")
- Certified Asphalt Concrete Pavement Inspector ("ACP")

Consultant shall perform work zone monitoring as required by the ODOT Construction Manual, ODOT Inspectors Manual and the construction contract documents. Accordingly, Consultant shall monitor and enforce the following for compliance to construction contract requirements:

- Permit compliance during construction
- Temporary Traffic Control measures
- Erosion Control installation and maintenance
- Turbidity Monitoring (if required)

Consultant shall monitor the CC to verify the following deliverables are completed and submitted (to the extent the deliverables are required by the construction contract documents). If the documents are not submitted to the Consultant, then the Consultant shall take appropriate action to require compliance by the CC:

- Temporary Protection and Direction of Traffic Reports
- Erosion Control Monitoring Reports
- Turbidity Monitoring Reports (if required)

Task CE-3.1 Environmental Compliance and Mitigation Monitoring

This task involves conducting environmental inspection site visits during the construction phase of the Project, typically to document compliance with the environmental permits, including effectiveness of best management practices, avoidance and minimization measures, challenges encountered and corrective actions.

Consultant shall:

- Perform compliance and mitigation monitoring related to environmental conservation measures agreed upon with State and Federal regulatory agencies through permit conditions and as included in the construction contract.
- Conduct site environmental inspections site visits to assist CC and Agency in maintaining compliance with issued regulatory permits and the special provisions.
- Provide documentation of the construction process relative to this environmental compliance.
- Complete monitoring visits when requested by the APM to observe activities that have significant environmental components.

- Evaluate onsite conditions and construction techniques during environmental inspections site visits to assess compliance with Project permits, the Pollution Control Plan, the Erosion and Sediment Control Plan, proposed site rehabilitation measures, and general environmental conservation measures.
- Identify deficiencies and potential permit compliance issues and provide guidance to Agency and CC to aid in avoiding potential regulatory agency involvement or violations.
- Provide input and clarifications during construction activities to facilitate biological functioning as outlined in Project permits, based on the Project’s significant site rehabilitation measures (to offset Project impacts)

In the event that deficiencies are noted, Consultant’s Environmental Specialist shall immediately bring the deficiency to the attention of the CC, APM and ODOT Environmental and recommend a corrective course of action to comply with environmental regulations, performance standards, and permit conditions.

Consultant shall review the CC’s following submittals for compliance with the construction contract and permits:

- Erosion and Sediment Control Plan (“ESCP”),
- Pollution Control Plan (“PCP”), and
- Weed Control Work Plan (“WCWP”).

Consultant shall conduct up to three (3) environmental inspection site visits and prepare brief construction environmental inspection report or monitoring memorandums summarizing site conditions and providing recommended measures to facilitate permit compliance and correct deficiencies.

Deliverables and Schedule:

- Reviewed CC-submitted Erosion Control Monitoring Reports (Form 734-2361) for compliance no later than 14 calendar days after each inspection site visit. Submit to APM as Project work progresses along with following protocol provided in Task 5.4 – Submittal of Final Project Documentation.
- Completed Consultant construction monitoring memorandums– If compliance issues are noted, document the deficiencies, recommendations and corrective action taken to correct deficiencies. Submit 1 electronic copy each to APM within 5 business days after the monitoring site visit.
- General Daily Progress Reports / Project Diary – Complete daily when performing onsite visits. Submit to APM as Project work progresses along with following protocol provided in Task 5.4 – Submittal of Final Project Documentation.
- Project Photography / Photo Logs – Submit with reports (when applicable) along with following protocol provided in Task 5.4 – Submittal of Final Project Documentation.

Task CE 3.1.1 Endangered Species Consultation for the Federal-Aid Highway Program (“FAHP”)

This task involves conducting FAHP Programmatic environmental inspection site visits during the construction phase of the Project and post construction phase.

If the project utilized the FHWA Programmatic Endangered Species Consultation for the FAHP Environmental Inspections shall conform to the [FAHP User’s Guide](#).

FAHP Environmental inspections site visits are required of all projects implemented under the FAHP Programmatic Biological opinion.

For the FAHP, this includes at least one (1) FAHP environmental inspection site visit and environmental inspection report for the Project for each construction year, and one (1) FAHP environmental completion inspection site visit at Project completion and a Project Completion Report, and As-Built Report. FAHP environmental inspections by Consultant shall be completed by a qualified Biologist or when approved by the ODOT Region Environmental Unit, an ODOT CECl.

Professional Licenses, Registrations and Qualifications

For Services under CE Task 3.1.1, the Consultant is the Professional of Record for the work, which shall be executed by a qualified Biologist or other qualified professional meeting the following minimum qualifications: 3 full years of environmental analysis or resource project management experience and a Bachelor's degree that included 30-quarter or 20-semester hours in biology, environmental science, physical science, natural science, or closely related field. Individuals who make determinations of effect under the Endangered Species Act ("ESA") and prepare ESA documentation must also have ODOT Biologist certification (as per Technical Services Bulletin GE12-01(B) or updated). Additional qualifications may be required for certain tasks.

The number of FAHP environmental inspection site visits shall correspond with construction stages that include high risk environmental items and best management practices. The Consultant, through the Biologist or approved CECl, shall review high risk items related to the following:

- Erosion and Sediment Control
- Pollution Control/ Containment
- Sensitive Areas (No work zones)
- Site Restoration
- Fish and Wildlife Protection
- Native materials designated for avoidance
- Cleared Vegetation
- Native materials (soil, streambed substrate, logs, trees) designated for use in restoration
- Herbicide treatment buffers
- Fish screens and in-water work area isolation
- High stream flow events
- In-water work [e.g., bank stabilization, pile driving]
- ~~Containment practices and structures~~
- ~~Treated wood~~
- ~~Hydro-acoustic impact minimization measures implementation~~
- ~~Bank stabilization/site restoration implementation~~

Consultant shall conduct up to three (3) FAHP environmental inspection site visits to group high risk items bulleted above and prepare an environmental inspection reports summarizing site conditions and providing recommendations of measures to facilitate permit compliance and correct deficiencies

Consultant shall conduct one (1) FAHP environmental completion inspection site visit and prepare the final Project Completion Report summarizing site conditions and providing recommended measures to facilitate permit compliance and documentation of any corrected deficiencies

ASSUMPTIONS FOR BUDGETING PURPOSES: This task assumes no more than four (4) environmental site inspection(s) for Endangered Species Consultation for the FAHP. Assume up to 8 hours for each FAHP environmental site inspection(s) and environmental inspection report by either an ODOT certified Biologist or, if approved by a CECl.

Deliverables and Schedule:

- A draft and final Environmental Inspection Report for each inspection site visit using ODOT’s template report 734-2902 (for the FAHP, it is available on the [FAHP website](#) – and submitted to the Agency and the ODOT Region Environmental Unit (“REU”). The draft Environmental Inspection Report due no later than 14 calendar days after each inspection. Final Environmental Inspection Report due no later than 14 calendar days after receiving final comments from Agency.
- Final Project Completion Report - Summarizing site conditions, recommended measures to facilitate permit compliance and documentation of any corrected deficiencies. Submitted to the REU within 60 calendar days of Second Notification.
- As-Built Report – Submit 1 electronic (PDF copy) each to APM within 30 calendar days of conducting the final site visit. The As-Built drawings can be handwritten markups of the plan sheets.

Task CE 3.1.3 Biology Restoration Monitoring Report.

After the first year of site visits, Consultant shall prepare the first annual [Biology Restoration Monitoring Report](#) to document compliance with the permits issued for the Project, following ODOT standards. (Additional annual monitoring reports will be prepared by Agency or LPA if required.)

Consultant shall utilize Agency’s template reports and shall document the condition of mitigation or enhancement, features, and the restoration of the site including planting survival estimates, any deficiencies noted during the monitoring period, and recommendations to facilitate permit compliance.

Deliverables and Schedule:

- First Annual Restoration Monitoring Report – Submit 1 electronic (PDF copy) each to APM, REU (and LAPM on LPA projects) within 30 calendar days of conducting the site visit.

Task CE-3.2 Construction Activity Monitoring (Reserved)

Task CE-3.3 Quality Control Monitoring (Non-Field Tested and Field-Tested Materials)

Consultant shall document the work and Non-Field-tested materials incorporated into the Project by reviewing the Agency’s Field Inspection Reports (FIRs) as required by the ODOT Construction Manual, Chapter 12C – Quality and the Non-Field-Tested Materials Acceptance Guide. Consultant shall log the Agency’s FIRs and other supporting quality documentation into the applicable Test Summary and keep up to date and available for review by Agency. Agency shall maintain the Non-Field-Tested Materials Test Summary (Test Summary “A”) as detailed in the ODOT Construction Manual.

Agency shall monitor the CC's Quality Control ("QC") program for conformance with requirements of the ODOT Manual of Field Test Procedures and the construction contract documents. Agency shall coordinate with the ODOT Region Quality Assurance Coordinator ("QAC") to confirm that adequate verification and independent assurance ("IA") testing is performed.

Agency staff will perform the verification and IA testing; it is **not** a Consultant task under this CA/CEI SOW.

Agency shall monitor the CC's QC Program. Oversight of the QC Program is conducted by the Consultant's QCCS who is experienced and certified in all areas of field material testing and documentation. According to the Agency's Technician Certification Program, the QCCS is required to maintain certification in at least the following disciplines: CAgt, CEBT, CAT 1, CDT and QCT. The QCCS is required to maintain certification in these material testing disciplines throughout the duration of all the CA/CEI Services. The QCCS shall follow the requirements of the Quality Assurance Program located in Section 2 of the ODOT Manual of Field Test Procedures and the roles and responsibilities outlined in the QCCS Handbook.

The following are the approved Technician Certifications currently in place in the Technician Certification Program:

- Certified Aggregate Technician ("CAgT")
- Certified Embankment and Base Technician ("CEBT")
- Certified Density Technician ("CDT")
- Certified Asphalt Technician I ("CAT-I")
- Certified Asphalt Technician II ("CAT-II")
- Certified Mix Design Technician ("CMDT")
- Quality Control Technician ("QCT")
- Concrete Control Technician ("CCT")
- Concrete Strength Testing Technician ("CSTT")

Consultant shall:

- Review and monitor the CC's documentation for the quality of all materials incorporated into the Project.
- Verify that all materials furnished and placed on the Project comply with the approved specifications.
- Certify that the documentation confirms that all materials comply with construction contract requirements.
- Maintain the Test Summary for Non-Field Tested Materials and Field-Tested Materials (Test Summary "B") as detailed in the ODOT Construction Manual, Chapter 12B Quality.
- Identify and monitor CC's quality control technicians and require proper and current certification(s), and require that proper testing frequencies and procedures are being followed. Monitoring must be done by Consultant staff experienced in all areas of field testing and documentation and certified by ODOT's Technician Certification Program for the specific tests being monitored.
- Notify the APM to take appropriate action if CC's quality contract technicians do not have proper or current certifications or if proper testing frequencies and procedures are not being followed.

- Notify the APM to obtain, review and compile all required Project quality documentation in accordance with the ODOT Construction Manual and the construction contract documents.
- Notify the APM to communicate with Agency’s QAC to facilitate timeliness and efficiency in the verification and IA testing work and compliance with all requirements of the ODOT Manual of Field Test Procedures and contract documents.
- Compare CC’s QC test results to ODOT’s verification test results to verify they are within IA parameters.
- Take appropriate action and work with APM to resolve any discrepancies between CC’s QC test results and the ODOT verification test results.
- Notify the APM to prepare quality price adjustments as necessary for materials.

ASSUMPTIONS FOR BUDGETING PURPOSES: This task assumes up to:

- 75 hours for geotechnical support, averaging approximately 4 hours/day for 3 weeks to observe subgrade, plus administrative support.
- 64 hours for administrative support to review and archive test results, averaging 8 hours/month for 8 months for one staff member.

Deliverables and Schedule:

- Field Inspection Reports (“FIRs”) and Non-Field-Test Summaries – Receive from APM as Project work progresses along with following protocol provided in Task 5.4 – Submittal of Final Project Documentation.
- Field-Test Summaries and other Project field-tested materials quality documentation – Receive from APM as Project work progresses along with following protocol provided in Task 5.4 – Submittal of Final Project Documentation.

Task CE 3.4 ADA Ramp Inspection (RESERVED)

TASK CE-4 CONSTRUCTION SURVEYING

CC licensed Land Surveyor shall provide land surveying Services and deliverables that conform to all state statutes pertaining to survey and land boundary laws. These include, but are not limited to, the following Oregon Revised Statutes (ORS):

- ORS Chapter 92 - Subdivisions and Partitions
- ORS Chapter 93 - Conveyancing and Recording
- ORS Chapter 209 - County Surveyors
- ORS Chapter 672 - Professional Engineers; Land Surveyors; Photogrammetrists; Geologists

CC survey personnel shall perform all construction surveying tasks in accordance with the most recent version of the [ODOT Construction Surveying Manual for Contractors](#), as required to ensure conformance of the Project construction with the approved plans and specifications. CC shall provide qualified personnel to verify the Project is constructed to the lines and grades as shown, specified, or established.

Task CE-4.1 Coordination, Calculations and Quality Assurance (QA) of Construction Contractor’s Survey Work [RESERVED]

Task CE-4.2 Construction Survey and Staking [RESERVED]

Task CE-4.3 Locate, Recover and Reference Monuments [CONTINGENCY TASK, See CA/CEI SOW Section F]

Consultant shall recover and reference monuments (as indicated below) in the location of the ROW identified in the control, recovery and retracement survey. Consultant shall document in field notes the monuments either found, or not found during the search phase. Consultant shall ensure compliance with the requirements of ORS 209.155.

For all monuments not destroyed during construction activities, Consultant shall note in the field notes that:

- All monuments were recovered (include date),
- All monuments exist per the control, recovery and retracement survey, or
- All monuments are within the new ROW and do not need to be reset.

The monuments may or may not be retied to confirm their original surveyed positions. This decision will be made based on Consultant surveyor’s professional judgment.

Consultant shall:

- Recover monuments shown on the control, recovery and retracement survey to confirm they either still exist or were destroyed during construction. Consultant shall note destroyed monuments that are within the Project limits.
- Locate and recover any new monumentation within the Project work zone which were placed after the original field search and survey ties, which may include research of Agency records as appropriate. Agency may provide monuments tied prior to construction not filed with the control, recovery and retracement survey.
- Use Agency point number range for control points and monuments.

Deliverables and Schedule:

Submit the deliverables below to APM (required for projects on or connected to an ODOT facility).

- ASCII File of located monuments with monument point numbers and coordinates and any other electronic files (such as .fwd, .alg, ASCII, etc.) created or produced for the Project documenting Monumentation surveying - Submit within 14 calendar days after recording of the survey filing map (SFM) with the Agency Surveyor’s office.
- Original field notes and 1 electronic .pdf copy - Submit within 14 calendar days after recording of the SFM with the Agency Surveyor's office.

Task CE-4.4 Right of Way (“ROW”) Monumentation [CONTINGENCY TASK, See CA/CEI SOW Section F]

Consultant shall document the location of the ROW lines at the completion of the Project construction. Consultant shall preserve the location of the monuments found prior to construction and shall document the ROW lines for all property acquired for the Project.

Unless otherwise approved by the Agency, Consultant shall monument the new ROW using the Boundary Method in conformance with the [ODOT Monumentation Policy](#) and the [Survey Filing Map Standards](#) (available on the Internet at <http://cms.oregon.gov/ODOT/HWY/GEOMETRONICS/Pages/documents.aspx>). Consultant may be assigned the method of monumentation, which could be the Network Method, Boundary Method, or a combination of both methods which are defined in the [ODOT Monumentation Policy](#).

Consultant shall set control and ROW monuments, as applicable, within 60 calendar days after issuance of Second Notification.

Deliverables and Schedule:

Submit the deliverables below to APM (required for projects on or connected to an ODOT facility).

- AutoCAD Civil3D.DWG file displaying the control and monuments as applicable – Submit within 14 calendar days after recording of the SFM with the Agency Surveyor's office.
- AutoCAD Civil3D.DWG file with centerline(s), control and monument data, and report of alignment(s) showing coordinates, bearing, stations, etc., – Submit within 14 calendar days after recording of the SFM with the Agency Surveyor's office.
- Final report of monument station and offset relationship to the alignment(s) – Submit within 14 calendar days after recording of the SFM with the Agency Surveyor's office.
- Agency ROW files and copies of all deeds, court judgments, etc., from the Agency – Submit within 14 calendar days after recording of the SFM with the Agency Surveyor's office.
- Original field notes and 1 copy in .pdf format – Submit within 14 calendar days after recording of the SFM with the Agency Surveyor's office.
- Final ASCII file of all control and monument points set – Submit within 14 calendar days after recording of the SFM with the Agency Surveyor's office.

Task CE-4.5 Monumentation Survey Filing Map (SFM) [CONTINGENCY TASK, See CA/CEI SOW Section F]

Consultant shall create SFM in accordance with Agency and ORS 209 requirements. Consultant shall ensure preservation of existing survey markers in conformance with Chapter 6.2 of the [ODOT Construction Survey Manual for Contractors](#).

Consultant shall monument any newly acquired ROW in accordance with [Survey Filing Map Standards for Right of Way Monumentation](#).

Consultant shall submit the survey to the Agency Surveyor's Office for filing on archival Mylar or acceptable media per Agency requirements.

Deliverables and Schedule:

Submit the deliverables below to APM (required for projects on or connected to an ODOT facility).

- SFM File at the Agency Surveyor's office within 45 calendar days after setting monuments.
- Final recorded SFM and narrative regarding methodologies used – Submit within 14 calendar days after recording of the SFM with the Agency Surveyor's office.

TASK CE-5 PROJECT CLOSE-OUT

Consultant shall assist Agency to complete interim and final on-site inspections and submit all Project records required for final payment and Project Acceptance.

Task CE-5.1 Final Inspection(s) and Submittals (Reserved)

Task CE-5.2 As-Constructed Plans

Consultant shall prepare as-constructed plans in conformance with the following reference documents as applicable to the Project:

1. **Roadway Plans**, All plans with a V-number must conform to the ODOT Contract Plans Manual at <https://www.oregon.gov/ODOT/Engineering/Pages/Drafting.aspx>
2. **Traffic Plans:**
 - **Traffic Signal Plans**, [ODOT Signal Design Manual](#)
 - **Sign Plans**, [ODOT Traffic Sign Design Manual](#)
 - **Illumination Plans**, follow the same file naming conventions as Signals and Signs, except use "IL" extension: key number + TR + IL1. Example: "10104TR.IL1" would be the file name for key number 10104.)
https://www.oregon.gov/ODOT/Engineering/Documents_TrafficStandards/Lighting-Policy-Guidelines.pdf

The following clarifications or exceptions or both to the above reference documents apply to Consultant-prepared as-constructed plans:

- As-constructed plans must be reviewed and approved by the POR prior to submittal to the Agency.
- The submittal and distribution requirements are specified in the "Deliverables" section of this task.
- Following submittal to the Agency, the APM will coordinate any needed reviews by the ODOT Region Local Agency Liaison for projects on or connected to ODOT facilities.

Deliverables and Schedule:

In addition to the deliverables listed below, Consultant shall submit paper format of as-constructed mark-ups to APM (if requested) for Tech Center reviews when projects are on or connected to ODOT facilities.

1. Roadway Plans

Consultant shall submit stamped and signed as-constructed plans within 30 calendar days of issuance of Third Notification as follows:

- Electronic PDF file that includes all roadway plan sheets showing red-line as-constructed markups.
- Use file naming convention as shown in [Contract Plans Development Guide, Vol 1](#).
- Send email notification to APM.

2. Traffic Plans (Traffic Signal, Traffic Sign, or Illumination)

Consultant shall submit as-constructed plans within 90 calendar days of issuance of Second Notification as follows:

- Electronic files package: AutoCAD file and stamped and signed PDF file (11 inch x 17 inch) that shows all red-line as-constructed markups of plan sheets (and additional files listed below, if applicable to the Project).
- Follow the file naming convention required as shown in the applicable manuals referenced above.
- Provide the AutoCAD and PDF files to the APM.

Task CE-5.4 Submittal of Final Project Documentation (RESERVED)

E.2 PROJECT SCHEDULE

Schedule Assumptions

The Project is scheduled for a December 15, 2022 bid opening for the CC. It is anticipated that the CC will receive NTP no later than March 1, 2023. Agency shall issue the CC Notice of Award and NTP in accordance with the Specifications in Section 00130.

- All construction work, with the exception of plant establishment work is assumed to be completed by October 31, 2023.
- The plant establishment period is assumed to be a 1-year period.
- All work for this CA/CEI SOW is to be completed within 30 calendar days of Consultant issuing Third Notification to the CC.
- Construction Contract Completion Date as specified in the Specifications in 00180.50 of the construction contract is December 31, 2023.
- Third notification to the CC is assumed to be issued on or before December 15, 2023.

F. CONTINGENCY TASKS

The table below is a summary of contingency tasks that Agency, at its discretion, may authorize Consultant to produce. Details of the contingency tasks and associated deliverables are stated in the task section of this CA/CEI SOW. Consultant shall complete only the specific contingency task(s) identified and authorized via written (email acceptable) NTP issued by Agency's APM. If requested by Agency, Consultant shall submit a detailed cost estimate (within the NTE amount(s) in the Contingency Task Summary Table) for the agreed-to contingency Services within the scope of the contingency task.

If Agency chooses to authorize some or all of these tasks, Consultant shall complete the authorized tasks and deliverables per the schedule identified for each task. The NTP will include the contingency task name and number, due date for completion, and agreed-to NTE for the authorized contingency task.

Each contingency task is only billable (up to the NTE amount identified for the task) if specifically authorized per NTP. In the table below, the "NTE for Each" amount for a contingency task includes all labor, overhead, profit, and expenses for the task. The funds budgeted for contingency tasks may not be applied to non-contingency tasks without a fully executed amendment. The total amount for all contingency tasks authorized shall not exceed the maximum identified in the table below. Each authorized contingency task must be billed as a separate line item on Consultant's invoice.

Contingency Task Summary Table

CONTINGENCY TASK DESCRIPTION	(UNIT) NTE	MAX QUAN.	METHOD OF COMP.	CONTINGENCY NTE AMOUNT
Task CE-2.9 Design Modifications	LS	±	LS	\$12,172.11
Task CE-4.3 Relocate, Recover and Reference Monuments	LS	1	LS	\$7,048.34
Task CE-4.4 Right of Way Monumentation	LS	1	LS	\$9,967.70
Task CE-4.5 Monumentation Survey Filing Map (SFM)	LS	1	LS	\$7,424.70
Total NTE For All Contingency Tasks:				\$36,612.85

EXHIBIT B
Summary/Dashboard of Budgeted Costs & Profit

Summary/Dashboard of Budgeted Costs & Profit (or Fixed Fee for CPFF Compensation)

Note: CPFF compensation may not be used if prime Consultant has Negotiated Billing Rates (NBRs). Subs may use NBRs and are included in the Total Cost NTE; however, NBRs already include profit. Therefore NBR-subs are not part of the profit or Fixed-Fee calculation.

PA/ATA or Contract Number: 1831; Amd Number: 05
 WOC Number: xx; Amd Number:
 PROJECT NAME: JENNINGS AVE: OR99E TO OATFIELD RD

Section A: Total Contract/WOC or Amendment NTE Amount	
This total includes - a) Non-contingency amount [all allowable costs and expenses, NBR subconsultant costs (if applicable), profit or Fixed-Fee amount]; and b) Contingency amount, if any [the total cost, expenses and profit for contingency tasks, each of which must be authorized by Agency].	\$ 188,189.87

Section B: Non-Contingency Cost and Profit Summaries	
Non-Contingency Cost Totals (Prime & Subs)	
Total Non-Contingency Hours	918.00
Total Non-Contingency Labor Costs	\$ 141,044.03
Total Non-Contingency Direct Expenses	\$ 1,200.00
Total Non-Contingency Cost Amount:	\$ 142,244.03
Profit Total (or Fixed Fee Amount for CPFF):	\$ 9,332.99

Section B: Non-Contingency Cost and Profit Summaries					
Non-Contingency Cost Summary by Firm					
	Profit Summary by Firm				
	Total Cost & Profit by Firm				
	Firm	Firm	Profit Amount	Total Cost & Profit by Firm	
	Firm	Cost NTE Amount			
Prime	CONSOR North America Inc., dba Murraysmith	\$ 72,284.98	Prime	\$ 7,174.07	\$ 79,459.05
Sub 1	DKS Associates, Inc.	\$ 21,738.36	Sub 1	\$ 2,158.92	\$ 23,897.28
Sub 2	PBS Engineering and Environmental Inc.	\$ 25,428.70	Sub 2	\$ -	\$ 25,428.70
Sub 3	Northwest Geotech, Inc.	\$ 22,792.00	Sub 3	\$ -	\$ 22,792.00
Sub 4	[Enter Subconsultant 4's Name]	\$ -	Sub 4	\$ -	\$ -
Sub 5	[Enter Subconsultant 5's Name]	\$ -	Sub 5	\$ -	\$ -
Sub 6	[Enter Subconsultant 6's Name]	\$ -	Sub 6	\$ -	\$ -
Sub 7	[Enter Subconsultant 7's Name]	\$ -	Sub 7	\$ -	\$ -
Sub 8	[Enter Subconsultant 8's Name]	\$ -	Sub 8	\$ -	\$ -
Sub 9	[Enter Subconsultant 9's Name]	\$ -	Sub 9	\$ -	\$ -
Sub 10	[Enter Subconsultant 10's Name]	\$ -	Sub 10	\$ -	\$ -
Sub 11	[Enter Subconsultant 11's Name]	\$ -	Sub 11	\$ -	\$ -
Sub 12	[Enter Subconsultant 12's Name]	\$ -	Sub 12	\$ -	\$ -
Sub 13	[Enter Subconsultant 13's Name]	\$ -	Sub 13	\$ -	\$ -
Sub 14	[Enter Subconsultant 14's Name]	\$ -	Sub 14	\$ -	\$ -
Sub 15	[Enter Subconsultant 15's Name]	\$ -	Sub 15	\$ -	\$ -
Sub 16	[Enter Subconsultant 16's Name]	\$ -	Sub 16	\$ -	\$ -
Sub 17	[Enter Subconsultant 17's Name]	\$ -	Sub 17	\$ -	\$ -
Sub 18	[Enter Subconsultant 18's Name]	\$ -	Sub 18	\$ -	\$ -
Sub 19	[Enter Subconsultant 19's Name]	\$ -	Sub 19	\$ -	\$ -
Sub 20	[Enter Subconsultant 20's Name]	\$ -	Sub 20	\$ -	\$ -

Section C: Contingency Cost & Profit Summary	
Summary by Firm	
Prime	CONSOR North America Inc., dba Murraysmith \$ 12,856.11
Sub 1	DKS Associates, Inc. \$ -
Sub 2	PBS Engineering and Environmental Inc. \$ 23,756.74
Sub 3	Northwest Geotech, Inc. \$ -
Sub 4	[Enter Subconsultant 4's Name] \$ -
Sub 5	[Enter Subconsultant 5's Name] \$ -
Sub 6	[Enter Subconsultant 6's Name] \$ -
Sub 7	[Enter Subconsultant 7's Name] \$ -
Sub 8	[Enter Subconsultant 8's Name] \$ -
Sub 9	[Enter Subconsultant 9's Name] \$ -
Sub 10	[Enter Subconsultant 10's Name] \$ -
Sub 11	[Enter Subconsultant 11's Name] \$ -
Sub 12	[Enter Subconsultant 12's Name] \$ -
Sub 13	[Enter Subconsultant 13's Name] \$ -
Sub 14	[Enter Subconsultant 14's Name] \$ -
Sub 15	[Enter Subconsultant 15's Name] \$ -
Sub 16	[Enter Subconsultant 16's Name] \$ -
Sub 17	[Enter Subconsultant 17's Name] \$ -
Sub 18	[Enter Subconsultant 18's Name] \$ -
Sub 19	[Enter Subconsultant 19's Name] \$ -
Sub 20	[Enter Subconsultant 20's Name] \$ -
Summary of Contingency Totals	
Total Contingency Hours	243
Total Contingency Labor Costs	\$ 34,845.09
Total Contingency Direct Expenses	\$ 600.00
Total Contingency Costs	\$ 35,445.09
Total Contingency Profit	\$ 1,167.76
Total Contingency Cost + Profit	\$ 36,612.85

Section D: Total Non-Contingency + Contingency by Firm		
Summary by Firm		Certification Status
Prime	CONSOR North America Inc., dba Mu \$ 92,315.16	Not Certified
Sub 1	DKS Associates, Inc. \$ 23,897.28	Not Certified
Sub 2	PBS Engineering and Environmental \$ 49,185.44	Not Certified
Sub 3	Northwest Geotech, Inc. \$ 22,792.00	DBE
Sub 4	[Enter Subconsultant 4's Name] \$ -	Not Certified
Sub 5	[Enter Subconsultant 5's Name] \$ -	Not Certified
Sub 6	[Enter Subconsultant 6's Name] \$ -	Not Certified
Sub 7	[Enter Subconsultant 7's Name] \$ -	Not Certified
Sub 8	[Enter Subconsultant 8's Name] \$ -	Not Certified
Sub 9	[Enter Subconsultant 9's Name] \$ -	Not Certified
Sub 10	[Enter Subconsultant 10's Name] \$ -	Not Certified
Sub 11	[Enter Subconsultant 11's Name] \$ -	Not Certified
Sub 12	[Enter Subconsultant 12's Name] \$ -	Not Certified
Sub 13	[Enter Subconsultant 13's Name] \$ -	Not Certified
Sub 14	[Enter Subconsultant 14's Name] \$ -	Not Certified
Sub 15	[Enter Subconsultant 15's Name] \$ -	Not Certified
Sub 16	[Enter Subconsultant 16's Name] \$ -	Not Certified
Sub 17	[Enter Subconsultant 17's Name] \$ -	Not Certified
Sub 18	[Enter Subconsultant 18's Name] \$ -	Not Certified
Sub 19	[Enter Subconsultant 19's Name] \$ -	Not Certified
Sub 20	[Enter Subconsultant 20's Name] \$ -	Not Certified

COVER SHEET

- New Agreement/Contract
- Amendment/Change/Extension to _____
- Other _____

Originating County Department: _____

Other party to contract/agreement: _____

Description:

After recording please return to: **X** _____

County Admin

Procurement

If applicable, complete the following: _____

Board Agenda Date/Item Number: _____

Agenda Item #

filed:

File #

Commissioners Journal