

ARRA FAQ

[FAQ n. A list of frequently asked questions and their answers about a given subject.]

MARCH 2010 ARRA FULL & UPDATE TRAINING FAQ

Q: What is the definition of work complete for ARRA project?

A: Work Complete – contract time is no longer being assessed; work on all contract bid items and contract change orders is complete; punch list and clean-up work is complete; all contract labor is done (e.g. no remaining payroll submissions are necessary).

Q: What is the finals timeline for ARRA projects?

A: Timeline for finals – 6 months after work complete date:

1. Punch-list should be generated and given to contractor within 1 week after time has been stopped
2. Contractor completes punch-list and clean-up work within 1 week following receipt of punch-list
3. Final records submitted to region 2 months after work complete date
4. Semi-final estimate sent to contractor 4 months after work complete date
5. Contractor returns semi-final estimate within 30 days
6. WisDOT makes final payment to contractor 6 months after work complete date

There may be exceptions to this timeline for the following: late paving, proving periods, plant establishment periods, and/or spring erosion issues. While these issues may prevent final payment, project teams should still proceed with finalizing all contract documents, quantities, material issues, and other contractor related coordination items. If all other items have been finalized except, for example, the plant establishment period for a tree/shrub and agreement with the contractor for all other items has been received, final acceptance and final payment can then be processed very quickly once the period has expired. This would also permit the transfer of excess funds for use on another ARRA project at senior management's discretion.

Q: What is the Notice to Proceed Directive?

A: One of the intents of ARRA is to expend the funds made available as quickly as possible with prudent management. WisDOT has placed a special provision in all ARRA contracts stating its intent to have contractors start work as quickly as possible. For ARRA projects, the NTP should be issued as soon as the contractual obligations and season allow. This date should be when the project work dictates being started, and not when the contractor prefers to start. Conditional NTPs can be used as needed to start the contract time even if certain pre-construction items are still pending.

Q: What guidelines have been established for work commencement on 2010 ARRA Projects?

A: January and February Let projects should strive to start work by late April or early May depending on weather and/or contractual constraints. March and April Let projects should strive to start work as quickly as possible after execution depending upon contractual constraints.

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- Q: Where in the WisDOT Specification is the Notice to Proceed Directive?
A: Specification Sec. 108.2, CMM Sec. 2.22.1; The Notice to Proceed (NTP) can only be issued after the contractor contract has been fully executed, but may be issued before the pre-construction meeting.
- Q: What is the procedure for reporting media requests, visits by outside agencies, and open record requests?
A: For local projects: These requests should be reported to the Managing Consultant (who will report them to the Local Program Project Manager) and Region's Communication Manager (include Region Open Records Coordinator for open record requests).
For state projects: These requests should be reported to the Project Manager and Region's Communication Manager (include Region Open Records Coordinator for open record requests).
- Q: Can you print the Data Collection Form from FIT?
A: Currently each tab is printable by selecting the "Print" button. Future enhancements will include a report that could be generated to view the entire form.
- Q: How will the PM/MC/Sups review the data collection form as we do not have access to FIT?
A: When a PL completes the "Send Data" process from FIT, a download will be created and delivered to the ARRA PPA team. This team will work with the PM/MC/Sups to make any modifications to the report. In the fall of 2010, the monthly data collection will be viewable in Project Tracking to allow PM/MC/Sups changes to be made if necessary. Please note: During the first couple of months please complete both the Excel and FIT versions of the data collection form.
- Q: I didn't attend the construction conference, do you have procedures for entering the data collection form in FIT?
A: Yes, please review the document named Updating the Monthly Data Collection form contained in the Procedures section of the following website:
<http://roadwaystandards.dot.wi.gov/standards/arra/index.htm>
(Keep in mind this procedure guide does not include the changes that recently occurred within the Dollars Over/Under and DBE tabs.)
- Q: When do I start reporting on the Data Collection Form?
A: Once construction has begun. The Data Collection form is due by the end of the month to allow enough time for WisDOT to review and make edits before the 5th business day of the month.

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2009 ARRA TRAINING FAQ

BACKGROUND

- Q: What are the main objectives of the American Recovery and Reinvestment Act of 2009 (ARRA)?
- A: Job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and state and local fiscal stabilization.
- Q: What is the dollar impact on highway and bridge program in Wisconsin?
- A: As of March 22, 2010 the program established \$354 million for state highways and bridges, \$158 million for local highways and bridges, and \$15 million for enhancements.
- Q: How will WisDOT manage the ARRA program?
- A: WisDOT will use program management techniques that were successfully used on recent “mega” projects. Each project will be responsible for its own budget and the department will manage all the ARRA projects as a program.
- Q: What is change management?
- A: Change management is the proactive monitoring and management of project issues or risks that have the possibility of affecting the project scope, safety, schedule, and budget.
- Q: How will information about the status of ARRA projects be communicated?
- A: To meet public expectations about transparency and accountability, monthly reports on the status of all active projects will be prepared. All layers of the organization will use the monthly reports to answer requests for information. In addition, project and program information will be available for viewing at a variety of Internet websites.
- Q: What Internet websites are available to the public?
- A: National website: <http://www.recovery.gov/>
Wisconsin website: <http://www.recovery.wisconsin.gov/>
FHWA website: <http://www.fhwa.dot.gov/economicrecovery/index.htm>
WIS DOT website: <http://roadwaystandards.dot.wi.gov/standards/arra/index.htm>

CHANGE MANAGEMENT

GENERAL

- Q: Who should be contacted when scheduling the pre-construction meeting and when issuing the start work order?
- A: For all projects, the project leader and the contractor agree on several possible dates. The project leader discusses the tentative dates with the project manager and the region Communications Manager. When the date is decided, the project leader should send an informational email with relevant information about the project (preconstruction meeting date, time and location; when the start work order will be issued and when the actual work is anticipated to start) to the project manager, project supervisor or LPPM, RCM,

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and contract specialist. The email should be CC:ed to region/bureau chief, region/bureau director and OPA.

Q: Should requests for information by the public or governmental agencies be documented in project diary?

A: Yes.

Q: What is the timing of approval decisions?

A: Generally decisions will follow the monthly meeting schedule. However, if a decision is needed quicker than that, appropriate approval levels can meet on a faster schedule.

Q: Is there a place that I can get the handouts and spreadsheets discussed in the ARRA training?

A: WisDOT has placed training handouts and spreadsheets on its Internet website. The site link is <http://roadwaystandards.dot.wi.gov/standards/arra/index.htm>.

Q: Is there a manual that has all of this information in it?

A: WisDOT has placed the Change Management report on its Internet website. The site link is <http://roadwaystandards.dot.wi.gov/standards/arra/index.htm>.

BUDGET

Q: Do local program projects have a budget separate from the state projects?

A: Yes.

Q: Can the reserve savings on one project be used to offset overruns on another project?

A: For state projects: Yes, if approved by the appropriate oversight level (either region CM team or Division CM team).

For local projects: No, projects must live within the agreement amount.

Q: Can savings on local projects in a region be used to offset overruns on region state projects?

A: No. The local projects are considered separately.

Q: Some Stage 2 local program projects have a budget based on the estimated amount that was submitted with the application, not let amount. How will that be handled?

A: Delivery and Reserve that are calculated from the application amount for Stage Two local projects will remain fixed and will not be influenced by the let amount. Funding may come from different sources, but the change management delivery and reserve budget will remain constant.

Q: What is the reserve amount on each project?

A: The reserve amount will be shown on the monthly DOT report. The Monthly Report contains two parts, the main part and the appendix. The main part shows the reserve amount on the Program Financial Summary. The appendix has two reports showing the reserve amount.

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Q: Does the project reserve amount consider that for warranty asphalt paving projects the contractor is allowed to place 5% over the plan quantity?

A: Yes

Q: What happens if there are mistakes on the plan that impact the plan quantities?

A: These will be handled on a case-by-case basis.

Q: If my project is within a municipality and the municipality is doing some utility work as part of the contract, will changes in the utility work impact the contract cost?

A: Yes, if the utility work is funded with ARRA dollars.

Q: How is the impact of contract claims handled?

A: Project leader should estimate the potential future costs of a resolved claim and report it as an issue.

Q: Would it make sense for a project leader to check the plan quantity of every bid item early in the project?

A: It probably is not feasible to check all the plan computation, but each item should be reviewed for “reasonableness”.

Q: Does project cost include delivery and non-delivery items?

A: Yes.

Q: Does “delivery” cover “WisDOT delivery”?

A: Yes.

CONTRACT MODIFICATIONS

Q: Can construction project leaders still approve contract modifications up to \$10,000?

A: No. Project Manager should be consulted on all contract modifications.

Q: Who will sign contract modifications over \$100,000?

A: PD Chief will sign them after higher authority levels agree.

CHANGE MANAGEMENT REQUESTS

Q: What is the difference in timing between the contract modification request and the Change Management request?

A: Project leader should submit the Change Management request first. If it is approved, then submit the contract modification request.

Q: Should the Change Management request be submitted if the change is over either 1/2 the reserve amount or \$50,000?

A: Yes.

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- Q: Does the Change Management Request form replace the normal contract modification process?
- A: No. The Change Management process is used when the project cost is expected to change more than ½ the reserve amount or \$50,000 (whichever is less). If the change is approved by the appropriate level, then the contract modification process can proceed.

OVERRUNS/UNDERRUNS

- Q: Is the overrun/underrun spreadsheet available?
- A: WisDOT has placed spreadsheets on its Internet website. The site link is <http://roadwaystandards.dot.wi.gov/standards/arra/index.htm>.
- Q: Do project leaders have to track every item to monitor overruns/underruns?
- A: You must track enough of the items so you know when a “significant” change is occurring. Also, project will need to monthly provide “anticipated final cost”, which implies every item is considered but not necessarily individually tracked.
- Q: Who handles communication issues on region ARRA projects that are being “work-shared” to another region?
- A: The Region Communication Manager of the region receiving the “shared work”.
- Q: Who will do the CM on “work share” projects – the original region or the region with the “shared work”?
- A: Project level CM will be handled by the region that has the project supervision (the one with the “shared work”). Region level CM will be handled by the region that “shared” the project.

FHWA

- Q: Will the FHWA be following the normal contract modification procedures?
- A: Yes, for projects with federal oversight. However, the FHWA may be reviewing any of the ARRA projects, even those that are not oversight projects.
- Q: Will the FHWA field inspection checklists be available to project leaders?
- A: WisDOT has placed FHWA field inspection checklists on its Internet website. The site link is <http://roadwaystandards.dot.wi.gov/standards/arra/index.htm>.
- Q: Will FHWA call ahead before visiting my project?
- A: Usually. However some visits might be unannounced.
- Q: Will OIG call ahead before visiting my project?
- A: No. Visits will generally be unannounced.

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- Q: When my project is visited by FHWA, OIG or other agencies, are they allowed to look at my computer files?
- A: You should not expect anyone from FHWA, and probably not any of the other federal agencies to ask for access to your computer. They will ask for information and expect you to retrieve it. Some project leaders keep a paper copy of their diary (in a binder) to facilitate reviews.
- Q: How will the fraud “red card” brochure be distributed?
- A: WisDOT has placed the brochure on its Internet website. The site link is <http://roadwaystandards.dot.wi.gov/standards/arra/index.htm>. Note, these cards were also provided during the March 2010 ARRA Update and Full Training.

ARRA REPORTS FOR WISDOT

- Q: How will the Monthly Data Collection form be distributed?
- A: WisDOT has placed the form on its Internet website. Project leaders will also get a monthly email reminder from the project manager. The site link is <http://roadwaystandards.dot.wi.gov/standards/arra/index.htm>.
- Q: Where do I send monthly data collection form?
- A: Send it to the project manager.
- Q: Do I need to submit the monthly data collection form when there is no activity on the project (say during a shutdown for the winter).
- A: Yes. In the “Recent Accomplishment” or “Key Work Scheduled” areas, provide a brief statement why there was no activity or why there will be no activity.
- Q: How do I report a contract modification with several project I.D.s?
- A: Each I.D. should be tracked separately and reported on monthly data collection form.
- Q: How will the request for additional information on a particular project be transmitted to the project leader?
- A: Requests will come by phone or by email. A timely response is essential.
- Q: Will there be a separate monthly report for the local program projects?
- A: Yes, but the report follows the same format as the state report and the uses the same data collection processes.
- Q: Can a pressing issue be submitted outside of the monthly reporting process?
- A: Yes. Significant issues should be submitted to the project manager at any time.
- Q: Who decides what goes on the Region/Bureau Issues list?
- A: The project leader should submit all issues for the project. Ultimately, the Region/Bureau CM team will decide what issues are listed on the monthly report.

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- Q: If the project is awarded in May but doesn't start work until September, when does the project leader start reporting?
- A: Submit the first report by the end of September. The monthly report will show zeros until then.
- Q: How will the consultant invoices (which come on a variable schedule) impact the monthly DOT report?
- A: It is understood that reporting of delivery costs may not be up to date. Please do your part in processing and coding invoices timely.
- Q: Will the final monthly reports (especially the Appendix, which has specific project information) be available to the project leaders?
- A: The final monthly reports (including Appendix) will be available through the project manager or other means yet to be determined.

ARRA REPORTS FOR OTHERS

- Q: How will contractor and consultant hours worked and payments made be tracked?
- A: The Civil Rights Compliance System (CRCS) will be used to record hours by both the contractor's staff and consultant project oversight staff.
- Q: When should a consultant begin reporting their hours in CRCS?
- A: Any time after the contract award that anyone of the consultant's staff works hours on a project.
- Q: Are suppliers who deliver materials to a contractor required to report their hours in CRCS?
- A: See exemptions to reporting in the April 29, 2009 "Guidance to contractor payroll personnel providing reports". The issue with suppliers is dependent on their status or contract relationship with the prime contractor. If the supplier is a sub-contractor the time must be reported. Material suppliers who are not sub-contractors do not report time.
- Q: Are truckers who deliver miscellaneous materials to a contractor required to report their hours in CRCS?
- A: See exemptions to reporting in the April 29, 2009 "Guidance to contractor payroll personnel providing reports". The issue with truckers is dependent on their status or contract relationship with the prime contractor. If the trucker is a sub-contractor the time must be reported. Material suppliers who are not sub-contractors do not report time. For example, if a prime contractor orders material from a quarry and contracts with some trucking firms to haul the material, these trucking firms are sub-contractors. Their time must be reported.

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If the prime contractor orders material from a quarry and the quarry has it delivered (and pays for the delivery), this time is not reported. The truckers are not sub-contractors to the prime.

- Q: Sometimes trucks will be working two shifts and the project field staff are not on the project. How do I account for that?
- A: The information entered in FieldManager by the project leader is used to check on the information entered in CRCS by the contractor. Communicate with the contractor's superintendent/foreman. Do the best you can to get the hours information "as accurate as possible".
- Q: How do I verify contractor hours when the contractor works overtime or Saturday and the consultant field staff is not allowed overtime?
- A: The information entered in FieldManager by the project leader is used to check on the information entered in CRCS by the contractor. Communicate with the contractor's superintendent/foreman. Do the best you can to get the hours information "as accurate as possible".
- Q: Why not put more responsibility on prime contractor for reporting trucking firms and hours?
- A: Most contracts have requirements in them (ASP 9) but some reporting requirements were added after contracts were in place.
- Q: What are repercussions if contractor is not following the contract?
- A: Inform contractor early (possibly at preconstruction meeting) of your expectations. Inform PM and Supervisor of your intended actions. The contractor's failure to comply with all the contract provisions is one reason to consider a suspension of the contract. The failure to comply may also result in a breach of contract leading to a contract default.
- Q: Where does project manager check that consultant project leader is entering consultant hours?
- A: The project leader should enter their employment data and notify their project manager that this has been done. Notification can be through email.
- Q: CRCS/OCIP is used to enter consultant hours for work in the field. How are hours entered for office staff?
- A: Contact Tess Mulroony (608-267-4489) or the region Equal Rights Officer for information on how to enter hours for office staff.