

A USER'S GUIDE TO PS&E DELIVERY



Prepared by:
Office of Project Letting

The information, documents, samples, web links, contacts, addresses, etc. referenced in this guide were correct at the time this document was created. The user is advised to obtain working copies of any referenced documents directly from the ODOT web site to assure having the most current versions.

July, 2008

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GOAL OF THE USER'S GUIDE

The goal of this document is to clearly define the deliverable items required for an ODOT construction project before advertisement and competitive bid. The forms, lists, procedures and other documents referenced will continually evolve as our processes develop, refine and mature. Consequently, the user is advised to obtain all the forms, lists and other information directly from the ODOT web sites listed to assure that they are using the most current versions.

The following questions are answered:

- What does ODOT mean by *Plans, Specifications, and Estimate* aka: "PS&E"?
- What manuals, guides, forms, and publications are available and where can you get them? (Internet links to referenced documents are provided in this guide.)
- When is the PS&E submittal due?
- What are the required deliverables at the PS&E milestone?
- Who can help me and who is responsible for doing what?

Delivery dates and times mentioned throughout this guide are meant to be the delivery dates and times to ODOT's Office of Project Letting (OPL). Do not confuse these with delivery dates established by Region offices or FHWA.

The Office of Project Letting staff is available to meet and discuss projects prior to PS&E submittal. Pre-PS&E meetings typically go over the [Final PS&E Submittal Checklist](#) and discuss any open issues on a project. These meetings are highly recommended, especially for new providers and/or complex projects, and help make the PS&E process go quicker and smoother for everyone involved. To schedule a pre-PS&E meeting, contact the Quality Engineer assigned to the project. The [Bid Date Planning & Status Report](#) (ODOT Only) shows who the QA Engineer assigned to the project; or you can call (see staff resources below) to find out who is assigned to your project.

AVAILABLE OPL STAFF RESOURCES

Pre-Letting submittals:

Karen Scott, P.E.
Quality Engineer
Karen.N.Scott@odot.state.or.us
503-986-4347

Kevin Thiel, PLS
Quality Engineer
Kevin.A.Thiel@odot.state.or.us
503-986-3351

Bid Date changes and scheduling:

Colleen Hunter
Pre-Letting Specialist
Colleen.P.Hunter@odot.state.or.us
503-986-3754

Specifications technical support:

Dale Deatherage, P.E.
ODOT Specifications Engineer
Dale.Deatherage@odot.state.or.us
503-986-3777

Estimates and construction scheduling support:

John Riedl, P.E.
Senior Cost Engineer
John.J.Riedl@odot.state.or.us
503-986-3886

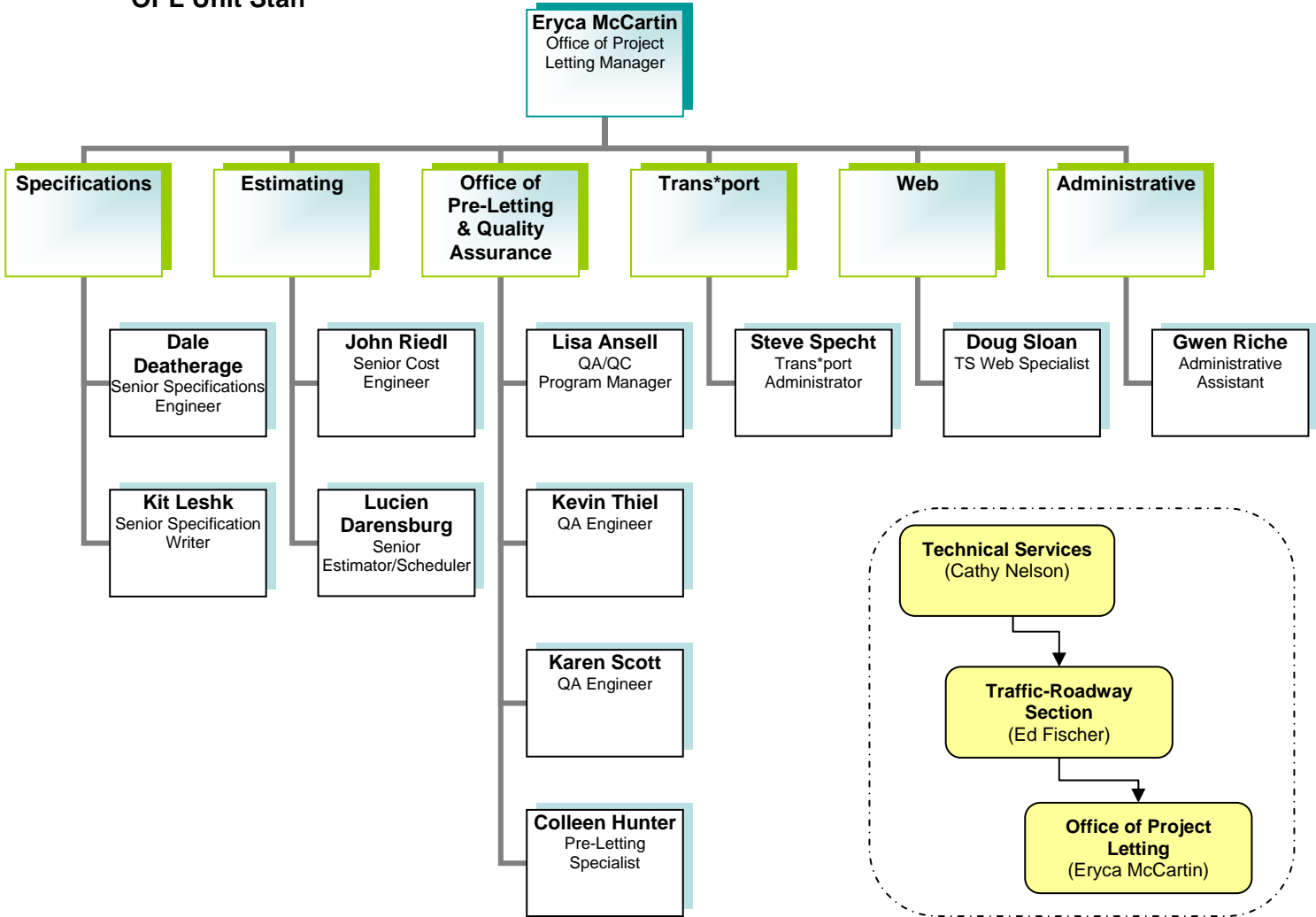
Quality Assurance:

Lisa Ansell
Roadway Design Quality Assurance Program Manager
Lisa.M.Ansell@odot.state.or.us
503-986-3751

Policy and procedural inquiries:

Eryca McCartin
ODOT Office of Project Letting Unit Manager
Eryca.S.McCartin@odot.state.or.us
503-986-3796

OPL Unit Staff



MANUALS, GUIDES, FORMS, AND PUBLICATIONS

Manuals, guides, forms, and publications related to preparing a PS&E submittal are available on ODOT's [Office of Pre-Letting](#) web site.

A comprehensive list of ODOT Technical Manuals can be found at: <http://www.oregon.gov/ODOT/HWY/TECHSERV/alphamanuals.shtml>

ABBREVIATIONS & DEFINITIONS

- FFO** - Full Federal Oversight. These are non-exempt projects that require Federal review and approval of all PS&E documents.
- FHWA** - Federal Highway Administration
- OPL** - ODOT Office of Project Letting (includes Specifications, Estimating, and Office of Pre-Letting)
- POR** - Professional of Record. Licensed Professionals that, by the conditions of their professional license, are required to sign and seal their final professional work products. The final work product may include, but is not limited to, final design plans, technical reports, and specifications.
- PS&E** - Plans, Specifications, and Estimate. A scheduled milestone event wherein all elements of a project are complete for ODOT to advertise for competitive low bid process through ODOT Procurement Office – Construction Contracting.
- PS&E Acceptance Date** - The date all complete deliverables are submitted to OPL.
- PS&E Due Date** - The date PS&E is due to OPL. This date is based on the bid date (see “Time Table for ODOT PS&E Submittals”) and is assigned by OPL. Submittals are due at 8:00 am on the PS&E due date.
- PS&E Provider** -The organization or business entity providing the complete PS&E package. This may be an ODOT Region, a Local Agency, or private consulting firm.
- PL** - ODOT Region Project Leader. Within this document PL is used synonymously to represent the ODOT Design Project Manager, which could be a Project Leader, Consultant Project Manager, or Local Agency Liaison.
- Trns•port Estimator®** - Trns•port Estimator® is a proprietary software product that is used by ODOT, Consultants, and Local Agencies to prepare project estimates.

TIME TABLE FOR ODOT PS&E SUBMITTALS

PS&E submittals are due at OPL NO LATER THAN 24 calendar days prior to the planned start of the advertisement length. The 24 calendar days considers time needed for the following:

1. Ten calendar days for submittal completeness, quality review, and for approval/certification/concurrence signatures (PL will be liaison as needed).
2. Fourteen calendar days allowance for printing and binding of bid documents.

For Full Federal Oversight (non-exempt) projects, add 3 weeks to the PS&E submittal due date to allow for FHWA review.

PS&E due dates are assigned by OPL at the time the project bid date is scheduled. Submittals are due by 8:00 am on the PS&E due date.

ADVERTISEMENT LENGTH

For most projects, a 3 week advertisement period is reasonable. Longer advertisement periods (4 or 5 weeks) for larger or complex projects and during “busy” bidding seasons provide contractors adequate time to compile a bid. Feedback from the contracting community has been supportive of longer advertisements for large projects.

Standard advertisement lengths are as follows:

Approximate total biddable item estimate	Standard advertisement lengths
< \$7,500,000	3 weeks
\$7,500,000 to \$15,000,000	4 weeks
>\$15,000,000	5 weeks

Additional considerations:

- Size of project (typically measured by estimated cost),
- Complexity of project,
- Requirement for a mandatory pre-bid meeting (an automatic ad increase of 1 week),
- Special bidding requirements (ie. A+B, A+C, pre-qualification requirements),
- General level of overall ODOT and other bidding activity,
- Contractors / subcontractors capacity to estimate many and/or similar projects at one time,
- Political importance / liability of project (risk of not having project awarded).

Note that very large, complex projects may require advertisement periods longer than 5 weeks. The project team should consider the need for a longer advertisement period early in the development process.

See Technical Bulletin RD07-06(B) [“Project Bid Advertisement Period”](#):

BID DATE SELECTION

Many factors go into selecting a bid date for a project including technical resource availability, local government politics, construction staging, economics, funding timeframes, STIP Planning, and environmental constraints. OPL owns and manages the bid schedule, and may move projects forward or back when necessary. These accommodations will be made as early as possible. The project team can also be proactive. Below are some guidelines:

- At project initiation and up to the 13 month lock-in, OPL recommends you **target the first day of the month in which the project is desired to be bid**. Be sure to account for the PS&E submittal/advertisement lead time (plus FFO time if needed), up to 80 calendar days prior to bid opening.
- During the 13th month lock-in process, OPL will work to balance projects within the month. In general larger projects (> \$10 million) are separated to “solo” bid dates as one tool to maintain competition.
- Bid dates are published for the public and Contractors 6 months prior to the bid let date. Any changes to the bid date for a project should be made 7 months in advance or as soon as changes are known. The 6 month letting schedule pulls project information from PDWP and PCS, is posted on the 1st of the month, and is available on the ODOT website
http://www.oregon.gov/ODOT/CS/CONSTRUCTION/Letting_Schedules.shtml#Six_Month_Tentative_Schedule
- OPL is available to discuss other factors that may impact your project bid date.

PS&E DELIVERABLES

The following is a list of required PS&E deliverables, with discussion of the items in the subsequent pages.

- Plans (mylar and paper copy of signed mylars). Two paper copies when Full Federal Oversight (non-exempt) projects.
- Special Provisions (electronic and signed paper copy). Two paper copies when Full Federal Oversight (non-exempt) projects.
- Signed Special Provision Integrity Certification Letter
- Estimate (*Trns·port Estimator*® paper copy and electronic files)
- Project Construction Schedule
- Signed Right of Way Certification
- Final PS&E Submittal Checklist (Signed)
- Signed PD-02 Exception Letter (when applicable)
- Project Risk Assessment Summary
- Class 2 Categorical Exclusion Documentation (aka CE Minimums)
- Final Special Provisions with Addenda (Post-Bid Deliverable)

PLANS

1. Plan sets required:
 - a. Provide a complete set of black lined 11"x17" mylar plan sheets with full size bridge mylars.
 - b. Provide one set of 11" x 17" paper prints, including 11x17 paper bridge drawings.
 - c. For Full Federal Oversight (non-exempt) projects, provide two paper copies of the plans.
 - d. Gray scale mylars and color mylars are not acceptable
 - e. Copies of ODOT/APWA Standard Drawings are not required. (see #9 below)

Plan set copies are used in the following manner:

	Disciplines	Size	Format	OPL Review	Scan for Printing	Archiving	FHWA review (FFO)
1 set	All but bridge	11"x17"	Mylar		X	X	
1 set	Bridge	Full Size	Mylar			X*	
1 set	All but bridge	11"x17"	Paper	X			
1 set	Bridge	11"x17"	Paper	X	X		
1 set	ALL	11" x 17"	Paper				X

*ODOT Bridge Section scans the full size bridge mylar for use in the Bridge Drawing System Database and archives the originals. For more information on bridge mylars, please contact ODOT Bridge Section at (503) 986-4200.

Drafting Standards - Follow the [Contract Plans Development Guide \(CPDG\)](#), [ODOT Bridge Design & Drafting Manual](#), [ODOT Signal Design Manual](#), and [ODOT Geo-Environmental Drafting Standards](#). The newest templates from [ODOT's CAD workspace](#) must be used in developing plans.

2. Professional certification is required on ALL plan sheets **except** ODOT/APWA Standard Drawings, Title Sheet, and Index of Drawings Sheet.
3. Format title sheet according to Volume 1, Chapter 4 of the CPDG and [Technical Bulletin RD08-02\(B\) "Update Signature Block on Title Sheet"](#). Include the following:
 - a. Current Signature Block from the [ODOT CAD Workspace](#).
 - b. ODOT Federal Aid number (FA#), for Federally Funded Projects - Federal Aid numbers are assigned to a project by ODOT's Highway Program Office. Federal Aid numbers are obtained for ODOT's web site at [Trns-port Estimator®](#).
 - c. Type of Work – The Type of Work (CPDG refers to this as “Scope of Work”) is NOT the same as the Class of Work used in the Special Provisions. There are 8 major types of work (see CPDG, Vol. 1, Page 4-8): Grading, Drainage, Structures, Paving, Signing, Illumination, Signals, and Roadside Development. Other listings can be found in the CPDG.
4. Roadway “V” Numbers – Roadway “V” numbers are established approximately 90 days before bid opening. “V” numbers are obtained from ODOT's web site at [ODOT's "V" Number Request](#). NOTE: Roadway “V” numbers are reassigned every November 1. If a “V” number is assigned to a project for any bid opening through October but the project is delayed beyond the October bid opening date, a new “V” number will be required and a new request must be made.
5. ODOT Bridge Drawing Numbers - Bridge drawing numbers are assigned automatically by an automated system available within the Bridge Section (see [Bridge Design and Drafting Manual](#) Section 2.4.1). For consultants, when numbers are needed, contact the PM identified within your work agreement and they will obtain the numbers for you or put you in contact with appropriate ODOT staff.
6. ODOT Traffic Assigned Drawing Numbers - Traffic drawing numbers are available from Traffic Standards and Asset Management Unit (TSAMU), (503) 986-3568. Contact TSAMU to see if numbers are needed.
7. All Traffic Signal drawings require approval of the Traffic Engineering Section. See ODOT's web at <http://www.oregon.gov/ODOT/HWY/TRAFFIC-ROADWAY/signals.shtml> for additional details.
8. Do not include specification language on Plan sheets.
9. Include a list of all required Standard Drawings in the "Index of Sheets". The final contract plans are compiled with Standard Drawings on this list only. Standard drawings not listed on the Index of Sheets will not be included in the final contract plans for construction.

SPECIAL PROVISIONS

1. Provide one paper copy and one electronic copy (MS Word format with track changes shown in accordance with "[Bid Booklet/Special Provisions Document Assembly](#)" SPLIST), by e-mail or on CD, of the project special provisions. Include the Bid Booklet cover and Description of Work page. The electronic copy is used for printing bidding and contract documents.

For Full Federal Oversight (non-exempt) projects, provide two paper copies of the special provisions.

2. POR Signature Sheets: Provide an Adobe Acrobat (.pdf) copy of the original signed POR Signature Sheets with the electronic special provisions submittal. The original, signed POR sheets should be kept with the provider's project file for archiving.
3. All project special provisions MUST be based on the 2008 Oregon Standard Specifications for Construction and the current Boilerplate Special Provisions available at ODOT's [Specifications](#) web site for ALL projects submitted for PS&E beginning September 1, 2008.

(Use "[ODOT's Bid Booklet/Special Provisions Document Assembly](#)" form (SPLIST) to assemble the project special provisions. The use of this form will better assure all needed sections will be incorporated.)

4. Follow the requirements of ODOT's "[Specification Manual](#)."
5. Electronic file name should match the document footer. Standard format:
"SPS_(Key No.)_, _____(Project Name)_____ Section, Final, ___(Date)___"
6. Make all edits to the project special provisions using Microsoft Word. Edit with "Track Changes" turned on. **To correctly use track changes, follow the General Instructions in "[ODOT's Bid Booklet/Special Provisions Document Assembly](#)" (SPLIST).**
7. Fundamental requirement -

EVERY work item identified on the project plans MUST have a corresponding specification that states the method of measurement and payment. NO EXCEPTIONS

8. The project completion date, based on the project construction schedule, is shown on the Description of Work pages and in subsection 00180.50(h). Also, any applicable intermediate completion dates are to be included. The contract times in the Description of Work pages and subsection 00180.50(h) must match verbatim.
9. Civil Rights Requirements:

On-the-Job-Training and Apprenticeship Training:

The On-the-Job Training or the Reimbursable On-the-Job and Apprenticeship Training are included in project specifications when required by the Office of Civil Rights. They are applicable to State and Federally funded projects.

Contact:

Betty Huskey

ODOT Office of Civil Rights

Ph: 503-986-3299

Fax: 503-986-6382

betty.g.huskey@odot.state.or.us

DBE goals and DBE/MWESB Aspirational targets:

DBE goals and DBE/MWESB Aspirational targets are included in project special provisions when required by the Office of Civil Rights. They are applicable **ONLY** to projects that include Federal funds, regardless of amount.

NOTE: The DBE goal and the assigned targets page in the special provisions is required even when the DBE goal and targets are zero.

Contact:

Jill Miller

ODOT Office of Civil Rights

Ph: 503-986-4355

Fax: 503-986-6382

jill.miller@odot.state.or.us

When requesting information, provide the following information:

- Completed "[DBE/OJT Civil Rights Sheet](#)" (yellow sheet)
- Completed copy of the project cost estimate
- If finished, a copy of the project construction schedule

Send the information by FAX or by e-mail. If sent by FAX, send it to the Fax number indicated above (be sure to mark the cover sheet "CONFIDENTIAL"). Follow up with an email indicating a Fax has been sent requesting DBE / OJT numbers. If sent by email, be sure to mark the email "CONFIDENTIAL".

OJT, Reimbursable OJT/Apprenticeship, DBE, and DBE/MWESB Aspirational requirements will be returned to you via e-mail.

10. SPECIAL PROVISION CERTIFICATION: Oregon State Statute requires that the Department of Justice (DOJ) review all State contracts for legal compliance. Since specifications and special provisions become part of a binding project construction contract, they must adhere to this requirement. Fortunately, because of the volume of projects, ODOT has been given an exemption provided the following requirements are strictly adhered to:

- a. "Other than the fill-in-the-blank portions of the Part 00100 series of Specifications, ODOT and its contractors shall not add to, delete from or otherwise modify Part 00100 preprinted Specifications relating to general legal requirements without first obtaining DOJ approval"

- b. "...ODOT shall not add any general legal requirements to the Part 00200 and forward series of Specifications (including warranties, surety bonds, liquidated damages, penalties, bonuses, incentives, disincentives or general legal requirements of the type addressed in the Part 00100 series of Specifications) without first obtaining DOJ Approval."
- c. A copy of the [DOJ Exemption letter](#) is available at ODOT's Specifications web site.

ALL needed DOJ communication must be done through the PL **and** the ODOT Specifications Engineer. Because the OPL staff will not typically perform a detailed review on all submitted project special provisions, the following Special Provision Integrity Certification, on Region/Agency/Company letterhead, is required with the final PS&E submittal ([Special Provision Integrity Certification](#) template is available on Specifications Manuals, Guides, Forms, and Publications site):

1. *"All required special provision updates (aka "boiler plate updates"), as listed on the ODOT Specifications web site, have been incorporated into the consolidated special provisions for the subject project,"*

And that

2. (Select the appropriate paragraph):

"No changes have been made to this set of project special provisions, other than those fill-in-the-blank fields allowed and identified in the Department of Justice (DOJ) exemption letter to ODOT dated 11/25/2002".

or

"Specification modifications requiring Department of Justice (DOJ) review and acceptance have been included in these project special provisions. All modified Sections are listed below. Each exception has been reviewed and accepted by appropriate ODOT specification personnel and/or DOJ legal staff."

In the latter case, documentation is required to validate the DOJ concurrence with the submitted special provisions.

11. Class of Work – The Class of Work is an important portion of the procurement process. Contractors bidding on a project must complete at least 30% of the work themselves. Contractors must be pre-qualified in the Class of Work prior to bidding on a project. The [Class of Work spreadsheet \(aka "Blue Sheet"\)](#) must be used to determine the appropriate Class of Work, even if the Class of Work appears obvious. If the Class of Work is determined initially at Advanced Plans, it should be recalculated using the PS&E Estimate prior to submitting to OPL. Changes between Advanced and Final plans may also change the Class of Work. Also, how Classes of Work are combined may cause procurement problems. Contact the QA Engineer or Specifications Engineer if there are questions regarding the Class of Work for a project.

ESTIMATE

1. The *Trns-port Estimator*® PS&E Estimate submittal is required in two formats: a paper copy and the electronic files (either CD, e-mail, or Region Estimate share drive). For the electronic files, both the .EST and the .DAT files are required. The Region share drives are located on a restricted access server. Contact Steve Specht at (503) 986-4217 regarding access permissions.
2. Incidental items are considered minor work items necessary to complete an individual Pay Item or, if no Pay Item is included in the project, (specifically identified in the Standard Specifications) incidentals are minor work items necessary to complete a specific task. If the incidental work items or tasks are more than 3% of the total cost of a primary Pay Item, a separate bid item is required for the work item. Combining work items or tasks, and making them incidental to other work is not appropriate and is not recommended.
3. Combining two or more existing Pay Items into one Pay Item is not recommended. Combining Pay Items creates a flawed bid history for the particular Pay Item that is used and it leads to highly inaccurate costs and misinterpretation by contractors.
4. The use of Lump Sum items are not recommended and lump sum bid items identified as "Miscellaneous LS" are not allowed. Lump sum items can be divided into two categories:
 - a. Standard Lump Sum Items - Standard lump sum items are identified in the Standard Specifications book and boiler plate special provisions. Use these standard lump sum items as appropriate according to the Standard Specifications and boiler plate special provisions.
 - b. New Lump Sum Items - New lump sum items, those that are not in the Standard Specifications or boiler plate special provisions, are sometimes included in project specific specifications. If new lump sum items are used, a cost basis (estimated quantities with unit costs) is required. The use of new lump sum items are discouraged because of higher costs to the Agency when, under contract, adjustments need to be made to the bid item. FHWA encourages the use of separate, non-lump sum bid items.

Hybrid lump sum items are items the Contractor will bid on as a lump sum, but are entered into *Trns-port Estimator*® with a quantity and unit price. Quantities and unit prices must be included in the estimate.

5. Anticipated Items . - Do not include any project work items that can be identified, quantified, designed and bid as an anticipated item. For the occasional special item that might need to be fixed, rebuilt or modified [not due to any Contractor negligence] during the progress of the work to complete the project, include extra dollars as an Anticipated Item

Non-standard anticipated items must have additional approval and secured funding before being added to the project cost. These items must be approved by the Area Manager, the OPL Manager, and FHWA (for FFO projects). Items not requiring approval are asphalt/fuel/steel escalation, HMA statistical bonus, HMA / PCC smoothness bonus,

and railroad flagging costs. Any item beyond this list requires approval. See [Operational Notice PD-07](#) for additional information.

6. A contingency amount of 3.5% is automatically included in the final project funding budget.
7. Refer to [Operational Notice PD-08](#) for information on estimating and establishing the Construction Engineering (CE) budget.
8. To manage and maintain pay items, all project estimates are produced in *Trns·port Estimator*®, a proprietary software product. The estimates are then loaded into the larger *Trns·port Database System* by OPL.

ODOT staff use *Trns·port Estimator*® at their workstation. Consultants and Local Agencies may purchase the *Trns·port Estimator*® software and use it on their business/agency computers, or may use ODOT facilities to use *Trns·port Estimator*®. For additional information to purchase the software, go to [ODOT's Trns·port Software Vendors](#) web site.

Training - *Trns·port Estimator*® users must have training before permissions are granted to use the *Trns·port Estimator*® software. *Trns·port Estimator*® training must be completed prior to any data entry work on files to be submitted to ODOT. Special training is required on the use of *Trns·port Estimator*® to ensure the data files do not corrupt the client/server systems. *(To request training, contact ODOT Human Resources Training, Lorrie Schaeffer at (503) 986-3840)*

Permissions - All *Trns·port Estimator*® users must have permission to use it. *(Contact Steve Specht, Trns·port Administrator, at 503-986-4217 for permissions.)* Consultants and Local Agencies that want to use ODOT facilities must also have ODOT login permissions. To obtain login permissions, go to [ODOT's Trns·port Estimator](#)® web site.

Guidance - A [Trns·port Estimator Data Entry Guideline](#) is available at ODOT's *Estimating Manuals, Guides, Forms, and Publications* web site.

CONSTRUCTION SCHEDULE

The construction schedule is required as a legal document used in developing the contract completion date. It may also be used in construction if claims associated to contract timing arise.

1. Submit a legible paper copy (11"x17"), in color, of the construction schedule using the Critical Path Scheduling Methodology based on all identified types of work. For large projects and/or multi-season projects, this will likely require multiple pages.
2. The construction production rate data used for development of the construction schedule is expected to be available if requested by the OPL staff.
3. When preparing the construction schedule events, the contract award schedule elements need to be included (i.e. activities post bid opening through official "Notice to Proceed"). See Specification Section 00130 for legal time limits for the contract award period.

4. The construction schedule must also show any time restrictions, such as in water work periods or migratory bird (clearing and grubbing) restrictions.

RIGHT-OF-WAY CERTIFICATION

The completed [right-of-way certification](#) signed by the Region Right-of-Way Manager (or delegated signatory) must be included with the PS&E submittal. PS&E submittals without a right-of-way certification will not be accepted and the project will be delayed.

If there are Right-of-Way hold outs marked in Box 4 of the ROW Certification, these areas must be shown on the plans and listed in Special Provision Section 00180.65. Hold-outs in Box 4 also require a Letter of Public Interest Finding completed and approved by the Area Manager (see [ODOT ROW Manual](#), Section 3.685). Hold-outs marked in Box 4 of the right-of-way certification do not require a PD-02 exception letter.

FINAL PS&E SUBMITTAL CHECKLIST

The Final PS&E Submittal Checklist is the certification from the Region that all items on the project are complete (or proper exceptions granted) and that adequate funding exists to proceed with bid advertisement. If the Project Team is unsure about a particular checklist item they should consult with the ODOT expert (ie unsure of the Insurance Risk Assessment should consult with Rhonda Hollis) or the assigned OPL QA Engineer if the technical expert is not available. The Region is responsible to assure all items are completed and noted correctly. OPL does not specifically verify each item, but errors found after PS&E submittal will likely delay the bid opening date.

The completed form must be signed by the PL, the Area or BDU Manager, and ODOT Region Technical Center Manager. Technical Center Managers are required to sign the PS&E Submittal Checklist assuring completeness and technical sufficiency of the project prior to bid. Area Managers are required to sign the PS&E Submittal Checklist assuring completeness of the project prior to bid as well as funding sufficiency. The Region is responsible for completeness for all STIP projects in their Region in accordance with their QC Plan.

PD-02 EXCEPTION LETTER

A PD-02 exception letter is required for any item that is not complete at PS&E (marked "NO" on the PS&E Submittal Checklist). When a PD-02 Exception letter is required, the signed, approved letter must accompany the PS&E submittal. The approval process should be completed prior to PS&E submittal. The PS&E review will not begin until all items are complete or a signed PD-02 exception letter is submitted. Not having this completed at the beginning of the PS&E timeframe will likely delay the bid date.

A PD-02 Exception letter is **not** required for right-of-way holdouts provided they are properly listed and certified by the responsible manager with the delegated authority (see previous Right-Of-Way Certification Section).

PROJECT RISK ASSESSMENT SUMMARY

The PDWP Risk Assessment should be completed by the PL on-line at: <http://intranet.odot.state.or.us/cf/pdwp/risk/index.cfm> (internal ODOT only). The printed "Project Risk Assessment Summary" should accompany the PS&E submittal. This information is used to fill out the insurance amounts in Special Provision Section 00170.70(a).

Concurrence from the ODOT Procurement Risk Manager is required when additional pollution liability coverage is included. This includes pollution, asbestos, and / or lead liability coverage. For questions contact Ronda Hollis at (503) 986-2825.

For subsection 00170.70 required special provision insurance, go to ODOT's [Risk Assessment Tool](#) web site and follow the instruction on that site. For questions on filling out the form, contact Ronda Hollis, ODOT Procurement Risk Manager, (503) 986-2825. Do not make guesses. For projects requiring Pollution liability coverage (with or without Lead or Asbestos riders), concurrence from Ronda Hollis is required.

CLASS 2 CATEGORICAL EXCLUSION DOCUMENTATION

The majority of ODOT projects fall into the Categorical Exclusion (CE) Class 2 of the National Environmental Protection Act (NEPA). For these projects, the [CE Minimums](#) documentation must be completed by the Region Environmental Coordinator and submitted to FHWA for approval. The fully signed CE Minimums must be submitted with the PS&E package. For questions regarding the Environmental documentation, contact the Region Environmental Coordinator or the Region Environmental Manager.

FINAL SPECIAL PROVISIONS with ADDENDA

1. The PS&E Provider is required to submit an electronic copy of the project special provisions updated with all changes made by addenda to the Office of Pre-Letting by the close of business the day of the bid opening. This document becomes the project Contract.
2. This update may be provided via e-mail or CD.
3. The final special provisions with addenda is to include a footer on each page with the following information:

"SPS_(Key No.) , _____(Project Name)_____ Section, Final with Addenda, _____(Date)_____ "

PS&E TASKS COMPLETED BY OFFICE OF PRE-LETTING

1. Import PS&E Estimate into *Trns.port*® database and generate Bid Sheets.
2. Obtain Chief Engineer Signature on Plans Title Sheet.
3. Conduct a “fatal flaw” review of the PS&E package.
4. Prepare advertisement and submit to ODOT Contractor Plans for publishing.
5. Coordinate with FHWA during PS&E to obtain approval to advertise all projects with Federal funds.
6. Process electronic addenda for publishing on the internet. The QA Engineer will prepare the new bid schedule for the addenda based on items identified in the addenda letter.
7. Review the PS&E Estimate and prepare the Engineer’s Estimate.
8. Archive final special provisions with addenda.

ENGINEER’S ESTIMATE

The Engineer’s Estimate is prepared by the OPL Cost Estimating Group. After the OPL has received the PS&E Estimate from the PS&E provider, a review of the final estimate will be performed. The review of the final estimate is to focus primarily on the unit prices for bid items. The reviewer will make adjustments to unit costs where appropriate and this document will become the *Engineer’s Estimate*. In the event that the review results in the discovery of an error or omission, the Cost Estimator will contact and work with the PS&E provider resolve the problem.

Upon completion of the Engineer’s Estimate, the cost estimator will send the PL and the Project Manager (only on projects with Construction Engineering done by ODOT) a brief summary showing differences between the PS&E Estimate and the Engineer’s Estimate for the major components such as biddable items, contingencies, construction engineering, anticipated items and total price.

In all cases, the Engineer’s Estimate is to be kept confidential and is not to be disclosed to any potential bidder in whole or part.

FHWA PS&E APPROVAL

On all projects with Federal funds, ODOT must receive approval to advertise the project from FHWA. OPL will work with FHWA during PS&E to obtain approval to advertise. PS&E submittals that do not get FHWA approval to advertise will be delayed. Approval to advertise is needed (at the latest) by the Friday before the advertisement is set to begin.

Full Federal Oversight (Non-Exempt) Projects:

1. On full-oversight Federal aid projects, approval of all PS&E items and Addenda is required by FHWA.
2. ODOT Highway Program Office in conjunction with FHWA determine the projects for full oversight, as outlined in the Stewardship Agreement. The PL is responsible for determining if a project is exempt (non-FFO) or non-exempt (FFO) and notifying OPL of the status. Contact Brenda Zuniga, ODOT Program & Funding Services at 503-986-3928 for assistance.
3. Prior to PS&E, the PL and Region TCM are expected to work with FHWA for questions related to FHWA oversight requirements.
4. PS&E documents for FFO projects are submitted to OPL. OPL verifies completeness and enters the PS&E Estimate into the Trnsport Database. OPL will deliver PS&E documents to FHWA for review on Full Federal Oversight projects. FHWA requires an additional 3 weeks beyond ODOT's standard PS&E timing for PS&E package review. Include an extra paper copy of Plans, Special Provisions, and Estimate for Non-Exempt projects.

Federal Funded Exempt Projects:

Exempt projects are projects that do not require full Federal oversight review, but have any amount of Federal funding associated with them. These projects must still be approved by FHWA prior to advertisement. FHWA requests several documents from OPL prior to approving advertisement. The documents sent to FHWA are the Final PS&E Submittal Checklist, Right-Of-Way Certification, Estimate, CE Minimums (Environmental) Document, and PD-02 exception letter (if applicable).

ADDENDA

1. ALL unsolicited issues, questions and inquiries from Contractors and others will be directed to the Construction Project Manager.
2. Addenda on FHWA full-oversight (i.e. non-exempt) Federal Aid projects require FHWA pre-approval and addenda submissions must be accompanied by FHWA's written approval (email approval is acceptable). Addenda cannot be published until FHWA approval has been received. The PS&E Provider should account for a couple of days for FHWA approval.
3. Addenda Dates and Timing – The earliest an addendum letter can be published is the day the advertisement begins. The date on the letter should be the date of expected posting, not necessarily the date the letter was written. The latest an addendum letter can be published is typically noon on the Friday before a Thursday bid opening. ODOT standard addenda timing, as described in the "[Technical Bulletin RD07-07\(B\)](#), Rules for Posting Addenda to Projects being Advertised for Construction", must be followed. PS&E Provider needs to allow minimum of 4 hours for processing (reviewing, preparing revised bid schedule, scanning documents, and preparing electronic addenda for publishing on the web) by OPL. The time frame for processing may be greater for large projects and on large bid openings. Contacting the Quality Engineer assigned to the project ahead of time

will help with timely processing. Submitting drafts of large or complex Addenda Letters to OPL for review is encouraged.

4. Prepare the Addenda letters on the ODOT provided template (available on ODOT's web site at [Specifications Manuals, Guides, Forms, and Publications](#)) and submit to OPL as follows:

Addenda Letters - All Addenda Letters require signatures by the preparer and the POR. Email an electronic Adobe Acrobat (pdf) copy of the letter. The pdf version must be an 8.5 inch x 11 inch size signed copy of the original. The original scan must be in black and white.

Bid Schedule - OPL will make changes and generate the addendum letter bid schedule, when needed. OPL will change the bid schedule based on the changes indicated in the addendum letter. Added bid items are placed at the end of the bid schedule and should be numbered accordingly. Deleted bid items retain the original bid item number, and the bid item numbers are not renumbered. For questions regarding bid item numbers, including what numbers to use, contact the OPL Quality Engineer assigned to the project. The bid item numbers in the letter must match those on the bid sheets. Unit prices for added bid items must be sent to the OPL Quality Engineer for entry into the *Trns-port*@system.

Plan Sheets - Revised stamped and signed mylars are required to be submitted with any *Addenda* which modifies a plan sheet. For bridge plan revisions, 11x17 paper copies must also be provided for scanning. Revision triangles are required on ALL revised plan sheets – NO EXCEPTIONS. Faxed sheets are not acceptable. Plan sheets may be scanned and sent electronically for quicker publishing, with originals mailed or delivered to OPL. The mylar plans are archived with the original plans (see [PLANS section](#)).

ADDITIONAL INFORMATION

BUY AMERICA ACT

1. Applies to **ALL** Federal-aid projects.
2. Pertains to only to purchasing domestic (U.S.A.) steel and cast iron.
3. FHWA has a **VERY STRICT** interpretation. For additional information, see FHWA "[Buy America Application to Federal-aid Highway Construction Projects](#)" and "[Quick Facts About 'Buy America' Requirements for Federal-aid Highway Construction](#)" web sites.
4. A project may not include foreign steel and cast iron totaling more than \$2,500 in value or one-tenth-of-one-percent of the total contract amount, whichever is greater.

LETTERS OF PUBLIC INTEREST FINDING

Letters of Public Interest Finding (LPIF) are required to document why it is in the public's interest to not follow a Code of Federal Regulations (CFR) or Oregon Statute requirement. The OPL Manager approves the LPIF, as well as FHWA (if a FFO project). The LPIF should

be approved prior to PS&E submission and submitted with the PS&E package. The project team is encouraged to address approval early, since if the request is not approved changes to the contract documents (and potentially the schedule) will be required. For additional information on FHWA requirements for public interest findings, go to [FHWA's Contract Administration Core Curriculum](#).

A LPIF may be needed for one of several reasons:

- Proprietary or sole source equipment, materials, or firms required in the contract
- Salvaging Material
- State / Agency supplied material (VMS boards, traffic signals, mandatory borrow/disposal sources are common examples)
- State / Agency supplied equipment or labor (such as using ODOT's Zipper Barrier or local agency work force completing biddable work).
- Contractor purchased equipment for State / Agency ownership (such as Architectural Treatment forms).
- Separate contract for specialized work (clearing & grubbing for migratory birds is a common example)

Proprietary Items:

For State or Federal funded projects, the use of a proprietary product (including sole sourcing) requires a LPIF (OAR [731-005-0480](#) and [23 CFR 635.411](#)). If three or more acceptable, equivalent products are listed in the specifications, the LPIF is not required.

Products listed on the ODOT Qualified Products List (QPL) can be used on projects only when the QPL is referenced in the specifications. Referencing a single product, by name, even though from the QPL will require a completed and approved Letter of Public Interest Finding. The QPL is available at ODOT's [Construction Section Qualified Products](#) web site.

Salvaging Materials

FHWA regulations do not allow materials being salvaged as part of a proposed construction contract to be given to anyone other than the construction contractor without having a Letter of Public Interest Finding. For more detailed information regarding salvaging items in a construction contract, see the [Technical Bulletin RD07-05\(B\)](#) "Salvaging Features and Excess Materials Associated with Transportation Projects by Contract Specification". This bulletin applies for when the Agency wants to salvage an item, Requiring the contractor to give salvaged materials to a third party is not allowed.

Approval for Salvaging Materials LPIF is done by the Region Roadway Engineering Manager when salvaged material is less than \$25,000. When the salvaged material totals more than \$25,000, the OPL Manager must approve the LPIF. For any amount, if the project is FFO, then FHWA must also approve the LPIF.

Special Provision Sections 00501 and 00950 have instructions regarding salvaging and stockpiling. These special provisions do not preclude the need to follow the [Technical Bulletin RD07-05\(B\)](#) or the need for a Letter of Public Interest Finding.

State/Agency Supplied Material

FHWA policy requires that the contractor must furnish all materials to be incorporated in the work, and the contractor shall be permitted to select the sources from which the materials are to be obtained. Sometimes it is advantageous for the State/Agency to supply the material – such as VMS signs, traffic signals, or specialty culverts. When the State/Agency will be supplying the materials, a letter of public interest finding is needed to justify the benefit versus allowing the Contractor to procure the material.

Mandatory borrow sources and disposal sites are considered State/Agency supplied materials. Making a borrow source mandatory may result in cost savings for a project, if otherwise haul distances would be considerable (typical for Eastern Oregon). Mandatory disposal sites are becoming more common with greater Environmental restrictions and risks. If the borrow source or disposal site are offered as optional, a LPIF is not required.

State/Agency Supplied Equipment or Labor

When the State/Agency supplies equipment or labor, that is in conflict with FHWA's policy (23 CFR 635.106) that a public entity cannot be in competition with the private entity. The public entity has the benefit of not having profit or overhead as part of their bids.

Contractor Purchased Equipment for State Ownership

The standard rule is the Contractor keeps any equipment purchased to complete the construction work. Specialty items that may be required to maintain the work in the future may be needed by the State for future maintenance. Examples of items are Architectural Treatment forms, ???

Separate Contract for Specialized Work

When a separate contract is needed for “pre-work” (ie. Clearing and grubbing, earthwork, demolition) on a project, then a letter of public interest is required. The need for pre-clearing and grubbing work prior to the main contract is becoming more common to meet Environmental permit requirements and timeframes. When the main contract funds are used for the separate contract, a LPIF is needed to justify the reimbursement funding.

PRE-BID MEETINGS

To ensure that pre-bid meetings are used appropriately and effectively, justification for pre-bid meetings require review and approval from the Area Manager or Bridge Delivery Unit (BDU) Manager (for BDU managed projects). The justification should clearly indicate the features or issues of a project that require a meeting, the proposed agenda, and a list of the expected outcomes.

To avoid multiple pre-bid meetings on the same day and to avoid scheduling a pre-bid meeting on bid opening day, all pre-bid meetings will be scheduled by OPL. Prior to PS&E, send requests to OPL, along with the approvals, justifications, and suggested date, time, and location. They will verify the availability of the date and reply with a confirmation or reply requesting another suggested date.

Unique Special Provision 00120 needs to be included in the project special provisions when a mandatory pre-bid is to be held.

For ODOT personnel, a calendar located in Outlook's "*Public Folder*" named "*Pre-Bid Meeting Schedule*" has been established to show scheduled pre-bid meetings. Check this calendar before suggesting a pre-bid meeting date. Pre-bid meetings should not be scheduled for Thursdays, which may conflict with a bid opening.

Additional PS&E Deliverables when the project includes a pre-bid meeting include the approval letter from the Area Manager or BDU Manager, proposed pre-bid meeting agenda, and a list of expected outcomes. After the pre-bid meeting, send a summary of the meeting to OPL for posting on the Contractor Plans website and for verification that the low responsive bidder attended the pre-bid meeting.

INTERGOVERNMENTAL AGREEMENTS

While Intergovernmental Agreement (IGA) documents are not a PS&E requirement, they are required to be fully executed at the time of PS&E. Final execution of an (IGA) occurs when the final signature is added to the document. Without all signatures the Agreement is not complete and therefore a PD-02 exception letter would be required to proceed to PS&E submission. To check the status of your agreements, ODOT internal staff can check the agreements database (<http://rssa.odot.state.or.us/cf/agreements/index.cfm>). Corporative Improvement Agreements fall under the same condition and also must be fully executed prior checking "yes" on the IGA line item on the PS&E Checklist.

DESIGN EXCEPTIONS

Design exceptions are explained in the ODOT Highway Design Manual, Chapter 13. At the point of PS&E submittal, Design exceptions must be approved by ODOT and FHWA (if required). Design exceptions not fully approved require a PD-02 exception letter. Typically for outstanding design exceptions, the PD-02 exception letter will only allow PS&E review to proceed, but not project advertisement.

PROJECT RECORDS

The PS&E Provider is responsible for archiving Project Documents according to the ODOT Retention Schedule. For additional information regarding Records Retention and Archiving, contact Darlene Hobson, ODOT Records Officer (503) 986-3277.

OPL is responsible for archiving the following documents:

- Final PS&E Submittal Checklist

- Special Provision Integrity Certification
- Bid Sheets
- Project Advertisement
- Internal Pre-Letting Checklist
- PS&E Comments Log
- Letters of Public Interest Finding
- PD-02 Exception Letters
- Engineer's Estimate
- Bid Analysis and Recommendation

APPENDICES

APPENDIX A: OFFICE OF PRE-LETTING INTERNAL CHECKLIST

Pre-letting Checklist

General:

- _____ 1. Make initial contact with project leader.
- _____ 2. Submittal package received.
- _____ 3. Verify that the submittal package contains the required deliverables for PS&E.
 - Paper copy of mylar plans
 - Signed mylar copy of plans set
 - Signed paper copy of specs with bid booklet cover sheet
 - Electronic copy of specs
 - Signed Final PS&E Submittal Checklist
 - PS&E project estimate (paper and electronic)
 - Signed PD-02 exception letter (if applicable)
 - Right of Way certification
 - Signed Special Provision Integrity Certification statement
 - Project construction schedule
 - CE Minimums (for NEPA Class 2 Projects)
 - Project Risk Assessment Summary
- _____ 4. Upload Estimator file into PES and generate proposal.
- _____ 5. Send Brenda Zuniga email notification that the PS&E submittal is complete and has been accepted.
 - Include copy of "Work to be Done" section in email.
 - If a PD-02 letter exists, give Brenda a simple single sentence summary of outstanding issues (i.e. DSL permit pending, resolution expected on mm/dd/yy)
- _____ 6. For all Federally funded projects (exempt and non-exempt): Scan Final PS&E Submittal Checklist, ROW Cert., Estimate, and CE Minimums Form. Email to FHWA Area Engineer, Mike Morrow, and Steve Bauman. CC Tim Rogers on Bridge Projects.
- _____ 7. For Full Federal Oversight (FFO) Projects, deliver the following documents to FHWA:
 - Paper copy of plans
 - Paper copy of specs
 - Signed Final PS&E Submittal Checklist
 - Project estimate (paper)
 - Signed PD-02 exception letter (if applicable)
 - Right of Way certification

- _____ 8. Receipt of FHWA Approval to Advertise (required on ALL Federal aid projects) received. Need approval 2 weeks before advertisement, to have before sending documents to the printers. Absolute deadline before delaying project: Friday before advertisement opens.

Plans:

- _____ 1. Check title sheet for signature, correct title, bid let month, and Federal Aid project number.
- _____ 2. Make sure all plan sheets are included and have stamps and signatures.
- _____ 3. Make sure that the Traffic Section has signed off on signal sheets. If not, obtain signatures from Traffic Section.
- _____ 4. Make sure that all Standard Drawings referenced on the project plan sheets are included on the Index of Sheets.
- _____ 5. Take a general look at plans for major mistakes or omissions.
- _____ 6. Check for any open items included in the Final PS&E Submittal Checklist. Ensure that all items are covered in a PD-02 exception letter or that they are completed.
- _____ 7. Sign signature page of Final PS&E Submittal Checklist.
- _____ 8. Deliver the following along with title sheet mylar to the OPL Manager for signatures:
- Final PS&E Submittal Checklist
 - Right-of-Way Certification
 - PS&E Estimate
 - PD-02 Exception Letter (if Applicable)
- _____ 9. After the Technical Services Managing Engineer signs the title sheet, deliver signed mylars to Maps & Plans Center for printing.

Specs and Estimate:

- _____ 1. Print copy of the final project bid schedule from PES.
- _____ 2. Make sure that the title on the specs and bid booklet matches the title sheet on the plans. Make sure that the title on the plans EXACTLY matches the title in subsection 00120.05.

- _____ 3. Check completion times on "Description of Work" pages and make sure they match subsection 00180.50(h). Also make sure the completion time seems to make sense for the project, if not contact John or Lucien.
- _____ 4. Check Class of Project (State or Federal) in specs and bid booklet matches project number listed in Trnsport.
- _____ 5. Make sure that the special provisions signature pages are signed and at least one Section is stamped.
- _____ 6. Verify that all required spec Sections are included.
- _____ 7. Verify that all recent boilerplate updates have been incorporated.
- _____ 8. Check Table of Contents for Legal Requirement Sections before the "WORK TO BE DONE" page (i.e. TERO, Railroad Requirements, Equal Employment Opportunity Aspirational Targets).
- _____ 9. Check for edits to the 100's Sections that are not "fill in the blanks" or are not covered in DOJ compliance certification. Particularly Sections 00150, 00170, and 00180.
- _____ 10. Check 00170.65(b) for correct wage rates.
- _____ 11. Check 00170.70(a) Insurance Coverage for Asbestos and Pollution Liability coverage. Need for concurrence from Rhonda Hollis for any extra coverage.
- _____ 12. Make sure Measurement and Payment is covered for every bid item and that there is a bid itme for specific items in the Special Provisions and Plans.
- _____ 13. Take a general look at specs and bid items for mistakes or omissions.
- _____ 14. Send all review comments back to provider.
- _____ 15. Fill in document assembly sheet.
- _____ 16. Write advertisement.
- _____ 17. Scan the bid schedule and the signature sheet.
- _____ 18. Place a copy of the final specs, document assembly sheet, bid schedule, signature sheet, and advertisement on the PS&E Docs share drive for retrieval by Contractor Plans.
- _____ 19. Send Contractor Plans email notification that project documentation has been placed on the share drive.
- _____ 20. Place project file into filing cabinet.

- _____ 21. Obtain final specs with all addenda incorporated by 5:00 p.m. on the bid let date. Send a copy to Contractor Plans and place a copy on the Roadway share drive. Be sure to include the word "FINAL" in the name of this last copy.
- _____ 22. Complete Access Database Project Summary.
- _____ 23. Archive electronic copy of special provisions, emails, and project records.

Hot Items:

- _____ 1. For Local Program projects, verify that the pavement design was approved by the Pavements Unit.
- _____ 2. Check that Anticipated Items for AC Statistical and Smoothness bonuses are included if necessary. (Statistical bonus should be included on every job with significant amounts of paving using special provision 00745. Smoothness bonus should be included when required by special provision 00745.)
- _____ 3. Verify that Letters of Public Interest Finding are in place for all proprietary items, sole source providers, and salvaged items in the specs and on the plans.

APPENDIX B: ODOT OPL CALENDAR AND TIMEFRAMES:

Day 0 is for exempt projects. Add 3 weeks prior to this day for full federal oversight (non-exempt projects) PS&E Submittal Date.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	0 PS&E Due Date	1	2	3	4 Need Chief Engineer Signature By This day	5
6	7 Plans sent for scanning this day	8	9	10 Specs to Contractor Plans By This Day	11	12
					<div style="border: 1px solid black; padding: 2px;"> Contractor Plans Compile Specs and Plans to send to </div>	
13	14 FHWA Approval needed by this day to avoid risk to printing costs	15 Plans and Specs to DAS printer no later than this day	16	17	18 Ad Prepared this day Absolute Drop Dead for FHWA Approval	19
<div style="border: 1px solid black; padding: 2px;"> Printing, Binding, Distribution, & Stocking of Plan and Spec Sets </div>						
20	21 Ad sent to papers this day (absolute last day to pull ad - 9am!)	22	23	24 AD OPENS		
<div style="border: 1px solid black; padding: 2px;"> Printing, Binding, Distribution, & Stocking of Plan and Spec Sets </div>						