



Illinois Department of Transportation

Division of Highways / Bureau of Construction
2300 South Dirksen Parkway, Springfield, Illinois 62764

Subject: **CONSTRUCTION MEMORANDUM NO. 12-6**
Procedures for
Local Agency Contracts Exempt **Effective: January 1, 2012**
From Federal Oversight **Expires: Indefinite**

This memorandum supersedes Construction Memorandum No. 02-6, effective May 31, 2002.

The Illinois Department of Transportation (IDOT) entered into a Contract Oversight Agreement with the Federal Highway Administration (FHWA) on September 28, 1999.

The purpose of this memorandum is to outline the District's responsibilities for administering Federal contracts exempt from FHWA oversight.

1. Trained Technicians and Qualified Laboratories for Material Testing Requirements for trained technicians and qualified laboratories are covered in IDOT's *Project Procedures Guide*.
2. Local Agency Resident Preferably, the county engineer, municipal engineer, or a full-time publicly employed registered professional engineer should be named the resident for the project. If this is not possible, the local agency will submit to the district for approval Form BC-775 that recommends a qualified full-time publicly employed individual or consulting engineer to serve as the resident.

If a consulting engineer is requested as the resident, the local public agency will:

- provide a full-time employee of the local agency to be in responsible charge of the project;
- require the consulting engineering firm to have Construction Inspection prequalification and for the consultant employee named as resident to have Documentation of Contract Quantities certification; and
- attach approved Form BC-775 to the appropriate local agency/consultant agreement form.

The full-time public employee in responsible charge of the project should perform the following duties and functions:

- Administer inherently governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of projects;
- Maintain familiarity of day to day project operations, including project safety issues;
- Make or participate in decisions about changed conditions or scope changes that require change orders or supplemental agreements;
- Visit and review the project on a frequency that is commensurate with the magnitude and complexity of the project;
- Review financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse;

- Direct project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation; and
- Aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project.

The selection and district approval of the resident will be completed prior to the start of construction and the pre-construction conference minutes should reflect the name and position of the resident and the full-time public employee in responsible charge if different than resident.

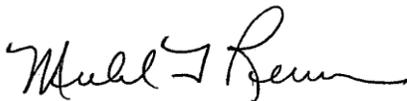
3. Local Agency Project Inspectors The individuals who perform the day-to-day duties of layout, inspection, quantity measurements, and documentation may be either public employees or consultant employees. It is the responsibility of the resident to ensure that adequate instructions have been given to the project inspectors concerning the requirements of the contract documents and the procedures contained in the *IDOT Construction Manual*.

The local agency will submit Form BC-776 to the district certifying that inspector(s) are trained and qualified to perform the day-to-day duties. If a consultant is selected as a project inspector, Documentation of Contract Quantities certification is required and the local agency will attach BC-776 to the appropriate consultant agreement form.

4. Quantity Documentation Both progress and final documentation reviews shall be conducted by the District in accordance with the documentation procedures outlined in the Construction Manual.

The Regional Engineer shall designate one or more staff engineers to be responsible for the supervision of construction of federally funded local agency contracts. The Engineer's responsibilities in this regard are as follows:

1. Be available to the designer for consultation during the design phases of the project. As appropriate, make plan-in-hand field reviews and review plans and specifications of proposed projects.
2. Make periodic inspections of all active construction projects. Each contract shall be inspected at an early stage to determine that project personnel are knowledgeable as to the requirements of the specifications and contract documents and are performing proper contract administration and documentation. Be present during or prior to the onset of all major work items. The frequency of inspections shall be at the Engineer's discretion considering project size, complexity, known problem areas and the experience of project personnel.
3. Make a final inspection in conjunction with the local agency. Notify the FHWA of satisfactory completion of the contract.



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