



**Pre-Work - Associated with Beginning Construction - Contractor Submissions and Audit Process for Projects Records for Districts8**

*EPRS - Electronic Project Records System*

*DMS - Diversity Management System*

*CCAM - Construction Contract Administration Manual*

Line #	Slide #	Groupings	Submission Document Name or Description	Federal, State, or Both Projects	Form (if applicable)	Contract Reference	Contract Reference Language	Required to be Submitted by Subcontractors?	Submission, Audit, make it available (Available), Post, Communicate, or Precertification Requirement	Timing for Submission	To	Comments
1	N/A	Generally handled at execution except for RMC contracts.	Insurance (Standard and Special)	Both	Form 1560, etc.	Standard Specifications, item 3, Section 4.3. See project specific Special Provisions for special insurance requirements.	Insurance. Submit a certificate of insurance showing coverages in accordance with Contract requirements.	No	Submission	With Contract for Execution <u>and</u> <u>annually</u> .	CST, MNT, or the Distric for district let projects.	Administered by CST, except district let are administered by the districts.
2	N/A		Insurance (RMCs)	Both	Form 1560, etc.	For RMC Insurance, SP 003-011 was created to match the spec book back with TAC Rule 9.18 allowing routine maintenance contracts to executed without insurance. The insurance is required before beginning work.	003-011 For construction and building Contracts, submit a certificate of insurance showing coverages in accordance with Contract requirements. For routine maintenance Contracts, refer to Article 8, "Beginning of Work."	No	Submission	Before beginning work.	District contract staff	Submission to the person identified by the district
3	10 -13		Superintendent Designation	Both	Form 2795 or contractor's equivalent	Standard Specifications, Item 5, Article 5, under Cooperation of Contractor	Designate in writing a competent, English-speaking Superintendent employed by the Contractor.	No	Submission on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	If there is a change in the superintendent, another submission is required.
4	10 -14		Payroll Officer	Both	Form 2795 or contractor's equivalent			No	Submission on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	TxDOT needs a contractor point of contact for payroll discussions.
5	10 -14		Contractor Safety Point of Contact (CSPOC).	Both	Form 2795 or contractor's equivalent	Standard Specifications, Item 7, Section 2.1.	Safety Point of Contact. Designate in writing, a Contractor Safety Point of Contact (CSPOC). The Department will assign a Department employee for their point of contact designated as DSPOC.	No	Submission on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	
7	10 -14		DBE Liaison Officer	Federal	Form 2795 or contractor's equivalent	DBE Special Provision Section 2.3.1.	DBE Liaison Officer. Designate a DBE liaison officer who will administer the Contractor's DBE program and who will be responsible for maintenance of records of efforts and contacts made to subcontract with DBEs.	No	Submission on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	For projects with DBE goals.
8	10 -14		SBE Liaison Officer	State	Form 2795 or contractor's equivalent	SBE Provision Section 2.1.2.6	The Contractor shall designate a SBE contact person who will administer the Contractor's SBE program and who will be responsible for submitting reports, maintaining records, and documenting good faith efforts to use SBEs.	No	Submission on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	For projects with SBE goals.
9	15 - 16		EEO Officer	Federal	No form.EEO name and contact information is to be posted on bulletin board.	FHWA-1273, Section II.2. Posting is under II.3.d.	2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.	Yes	Posted on the Bulletin Board.	Posted on the Bulletin Board at the beginning of construction.	N/A	
10	15 - 16		EEO Policy	Federal	No form. Policy statement is to be posted on bulletin board.	FHWA-1273, Section II.1.b. Posting is under II.3.d.	b. The contractor will accept as its operating policy the following statement: "It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."	Yes	Posted on the Bulletin Board	Posted at the beginning of construction.	N/A	Subcontractors can either post their EEO policy on the Bulletin Board or a statement that they accept the prime's EEO policy.
11	15 - 17		EEO Meetings	Federal	Form-2498 is available for the contractor's use.	FHWA-1273, Section II.3.a.	See the discussion above on EEO Guidance Document. There is no submission requirement	Yes	Made available	na	N/A	Located in the EEO Guidance Manual. <u>These are handled by the EEO Section, Civil Rights Division. They handle submission requirements. DELETE THIS ROW.</u>
12	N/A		Commercial Lab request	Both	none	Special provision to Item 6.	Submission of commercial lab testing requested by the contractor.	No	Submission by phone or email	24 hours prior to the date testing is needed.	AE / Project Engineer	This is optional to the contractor.

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13	10 -14	Traffic Control	Designation of Contractor Responsible Person for Traffic Control (CRP) and Alternate	Both	Form 2795 or contractor's equivalent	Standard Specification Item 7, Section 2.6.1	Contractor Responsible Person and Alternate. Designate in writing, a Contractor's Responsible Person (CRP) and an alternate to be the representative of the Contractor who is responsible for taking or directing corrective measures regarding the traffic control. The CRP or alternate must be accessible by phone 24 hr. per day and able to respond when notified. The CRP and alternate must comply with the requirements of Section 7.2.6.5., "Training."	No	Submission and Certification on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	
14	10 -14, 18		Flagger Instructor with Certification Designation	Both	Form 2795 or contractor's equivalent	Standard Specification Item 7, Section 2.6.2. and Section 2.6.5.	Flaggers. Designate in writing, a flagger instructor who will serve as a flagging supervisor and is responsible for training and assuring that all flaggers are qualified to perform flagging duties.	No	Submission and Certification on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE/Project Engineer	Required for subcontractors if they are flagging.
15	10 -14, 18		List of Flaggers to be Used	Both	Form 2795 or contractor's equivalent	Standard Specification Item 7, Section 2.6.2. and Section 2.6.5. and Special Provision	2.6.2. Flaggers. Designate in writing, a flagger instructor who will serve as a flagging supervisor and is responsible for training and assuring that all flaggers are qualified to perform flagging duties. Maintain a list of flaggers certified to perform flagging duties and certify to the Engineer that all flaggers will be trained.	No	Submission and Certification on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	See special provision. If the department sees an issue with a flagger, they can request the list to verify that they have been trained.
16	10 - 14, 19 - 20		Other Work Zone Personnel Training, including Contractor Developed Training	Both	Form 2795 or contractor's equivalent	Standard Specifications and Special Provision to Item 7, Section 2.6.5.2. and Special Provision.	Using Form 2795, certify to the Engineer that personnel have been trained in accordance with these requirements. Maintain a log of employees that have completed training that includes the following: <ul style="list-style-type: none"> <li>• Name of provider and course title,</li> <li>• Name of participant,</li> <li>• Date of completion, and</li> <li>• Date of expiration.</li> </ul> For Contractor developed-training to meet the requirements for Other Work Zone Personnel, use Form 2795 to certify to the Engineer that other work zone personnel have been trained. Maintain a log, documenting employees that have completed training, that includes the following: <ul style="list-style-type: none"> <li>• Printed name and signature of participant,</li> <li>• Name and title of trainer, and</li> <li>• Date of training.</li> </ul>	No	Submission and Certification on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	See special provision. This is only applicable if a contractor develops their own training.
17	10 - 14, 21		Progress Scheduler	Both	Form 2795 or contractor's equivalent	Standard Specifications Item 8, Section 5.1.	Project Scheduler. Designate an individual who will develop and maintain the progress schedule.	No	Submission on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	

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18	21	Progress Schedules	Project Schedule (Bar Chart)	Both	Bar Chart	Standard Specification Item 8, Section 5.5.1.	Bar Chart. Seven calendar days prior to the preconstruction meeting, prepare and submit a hard copy of the schedule using the bar chart method.	No	Submission	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	See special provision.
19	21		Preliminary Schedule (CPM)	Both	CPM	Standard Specification Item 8, Section 5.5.2.1.	Preliminary Schedule. Seven calendar days before to the preconstruction meeting, submit both the plotted and electronic copies of the project schedule showing activities beginning with the authorization date to begin work and including activities to be performed within the first 90 calendar days from the work start date.	no	Submission electronically and plotted	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	See special provision. In addition, a baseline schedule may be submitted in lieu of a preliminary schedule at the contractor's option.
20	22	SW3P Environmental	Construction Site Notice (CSN)	Both	CSN	Standard Specifications and Special provision to Item 506, Section 1.1.	For projects with soil disturbance of 1 acre to less than 5 acres a small site notice will be posted at the site.	No	Posted	Prior to land disturbance	Posted on the project	Must meet the threshold of greater than 1 acre to less than 5 acres to apply. These are posted and there is no submission.
21	22		Contractor's Notice of Intent (NOI)	Both	NOI	Standard Specifications and Special Provision to Item 506, Section 1.2. and Special Provision.	Provide a signed copy of the <u>NOI</u> to TxDOT and other MS4 operators at the time of submittal.	No	Submission	Prior to land disturbance	AE / Project Engineer	Must meet the threshold of greater than or equal to 5 acres to apply. Requires TxDOT's NOI be provided so the contractor so can agree information on the contractor's form. These are included in the SW3P
22	10 - 14, Rev SP		Contractor's Responsible Person for Environmental (CRPE), CRPE Alternate, Superintendent, and Contractor and Subcontractor lead personnel training for Environmental.	Both	Form 2795 or contractor's equivalent	Standard Specifications and Special Provision to Item 506, Section 3.3.	The contractor responsible person environmental (CRPE), alternate CRPE designated for emergencies, Contractor's superintendent, Contractor, and subcontractor lead personnel involved in soil disturbing or SWP3 activities must complete the training listed below. Certify on Form 2795, to the Engineer, that training has been completed.	Yes	Submission and Certification on Form 2795. Training certificates and other proof of training to be made available.	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed. Proofs of training submitted upon request.	AE / Project Engineer	See special provision.
23	10 - 14, 21 & Rev SP		Training All Contractor and subcontractor employees involved in soil disturbing activities...	Both	Certification on Form 2795 or contractor's equivalent	Standard Specifications and Special Provision to Item 506, Section 3.1.	Maintain a list, signed by the CRPE, of all applicable Contractor and subcontractor employees who have completed the training. Include the employee's name, the training course name, and date the employee completed the training. Certify to the Engineer on Form 2795 that applicable personnel have been trained in accordance with this Item.	Yes	Certification on Form 2795. Lists of trainees to be made available.	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	
24	10 - 14		Contractor Responsible Person for Environmental (CRPE) and Alternate CRPE	Both	Form 2795 or contractor's equivalent	Standard Specification and Special Provision to Item 506, Section 506.3.1	506.3.1 Contractor Responsible Person Environmental (CRPE) Qualifications and Responsibilities. Provide and designate in writing at the preconstruction conference a CRPE and alternate CRPE who have overall responsibility for the storm water management program.	Yes	Submission and Certification on Form 2795	Prime Contractor Submits Form 2795 by the preconstruction conference unless otherwise agreed	AE / Project Engineer	



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25	24 - 2827	Subcontract	Subcontract Approvals	Both	Form 2802 or contractor's equivalent	Contractor's Assurance Page (CAP) of the proposal and Item 8, Article 2. Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246) 000-004 and Item 8	Item 8 - By signing this proposal, the contractor is giving assurances that all subcontract agreements will incorporate the Standard Specification and Special Provisions to Section 9.9., ... (See Contractors Assurance Page (CAP) in the proposal) SUBCONTRACTING Do not sublet any portion of a construction Contract without the Engineer's written approval. 000-004 The Contractor must provide written notification to the Department within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the Contract resulting from this solicitation pending concurrence of the Department in the award. The notification will list the names, address and telephone number of the subcontractor; employer identification number; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the Contract is to be performed.	Yes for lower tiered subcontractors.	Submission	Must be approved prior to sub working	AE / Project Engineer	
26	26		Subcontract (DBE)	Federal	N/A	Contractor's Assurance Page (CAP) of the proposal and Item 8, Article 2 of the Standard Specifications Page.	Item 8 - For all DBE subcontracts including all tiered DBE subcontracts, submit a copy of the executed subcontract agreement.	Yes for lower tiered subcontractors.	Submission	After the subcontractor request is approved and prior to the DBE subcontractor working	AE / Project Engineer	
27	28		Subcontract (Non-DBE)	Federal	N/A	Item 8, Article 2 of the Standard Specifications.	Item 8 - Upon request, submit a copy of the executed non-DBE subcontracts including all tiered non-DBE subcontracts.	Possible	Make available	Upon request	AE / Project Engineer	
28	31		E-verify for Subcontractors	Both	None except for when a contractor or sub is less than 5 employees and in such case - the Federal Homeland Security MOU is to be submitted to TxDOT	Special Provision to Item 2, Article 2.15.	The Department will not award a Contract to a Contractor that is not registered in the DHS E-Verify system. Remain active in E-Verify throughout the life of the contract. In addition, in accordance with paragraph six of Article 8.2, "Subcontracting," include this requirement in all subcontracts and require that subcontractors remain active in E-Verify until their work is completed.	Yes	Submission	Prior to a subcontractor working on the project.	AE / Project Engineer	A submission is needed only in the case that a subcontractor is not found registered in the E-Verify website.



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1	33		Certificate of Interested Parties	Both	Form 1295	Special Provision 000-384 Certificate of Interested Parties (Form 1295)	Submit a notarized Form 1295, "Certificate of Interested Parties," in the following instances: <input type="checkbox"/> at contract execution for contracts awarded by the Commission; <input type="checkbox"/> at contract execution for contracts awarded by the District Engineer with an award amount of \$1,000,000 or more; <input type="checkbox"/> at any time an existing contract awarded by the District Engineer increases in value to \$1,000,000 or more due to changes in the contract; <input type="checkbox"/> at any time there is an increase of \$1,000,000 or more to an existing contract (change orders, extensions, and renewals); or <input type="checkbox"/> at any time there is a change to the information in Form 1295, when the form was filed for an existing contract. Form 1295 and instructions on completing and filing the form are available on the Texas Ethics Commission website.	No	Electronically generated Submission	N/A	With Contract for Execution	
2	34		Law Enforcement Personnel	Both	Form 318 or contractor's equivalent	Standard Specifications Item 7, Section 2.6.4 and 2.6.5. and Special Provision to Item 7, Section 2.6.3.	Law Enforcement Personnel. Provide uniformed law enforcement personnel with patrol vehicles as directed. Document the work zone traffic services provided in the manner prescribed by the Department. Law enforcement personnel providing work zone traffic services must be trained for the service they perform. Comply with Section 7.2.6.5., "Training."	N/A	Submission is in conjunction with Form 318	N/A	Submission is in conjunction with Form 318	
3	35 - 36	Material-on-Hand	Material-on-Hand	Both	Form 1914 and 1915 or equal. (Allow equal contractor system or excel forms, etc.)	Article 9.6, Standard Specifications	Article 9.6 - If payment for MOH is desired, request compensation for the invoice cost of acceptable nonperishable materials that have not been used in the work before the request, and that have been delivered to the work location or are in acceptable storage places... (See the remainder of the Article for more details.)	No but the prime would be responsible for submission of sub supplied MOH.	Submission	N/A	New CCAM, "by last working day of the month or earlier, as agreed by the Engineer and the contractor at the preconstruction conference." Was 2 days prior to the end of the month by memorandum dated 11/12/14."	
4	35 - 36		Invoices for Material On Hand	Both	na	New SP to Article 9.6	Invoices are not required with MOH form submittal. Approved fabricator confirmation to be determined from shipping documents and markings on delivered material (see 60 day requirement for MOH below)	No but the prime would be responsible for submission of sub supplied MOH.	Submission	N/A	See MOH above.	
5	36		Material-on-Hand Verification	Both	Cancelled Checks, Paid Invoice,	Article 9.6, Standard Specifications	If the request is acceptable, the Engineer will include payment for MOH in a progress payment. Payment for MOH does not constitute acceptance of the materials. Payment will not exceed the actual cost of the material as established by invoice, or the total cost for the associated item less reasonable placement costs, whichever is less. Materials for which the Contractor does not have a <u>paid invoice within 60 days</u> will not be eligible for payment and will be removed from the estimate. Payment may be limited to a portion of the invoice cost or unit price if shown elsewhere in the Contract. Payment for precast products fabricated or constructed by the Contractor for which invoices or freight bills are not available may be made based on statements of actual cost.		Audit, upon request.	N/A	Through the Audit upon request.	
6	37		Payrolls	Both	LCPTracker System	FHWA-1273, page 5; Section 7.19.1 Standard Specifications and Special Provision to the Section.	FHWA 1273 - The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. Standard Specs Section 19.1 - Section 19.1 - Submit payroll records to the Engineer in the manner prescribed by the Department.	Yes. FHWA-1273 Section IV.3.b.(1)	LCPTracker	N/A	Primes and subs each week.	



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7	N/A	Payrolls	Payrolls for RMCs (ER Federal)	Federal (ER)	WH-347 or equal	Standard Specifications, Item 7, Section 19.2	Upon request, submit payroll records to the Engineer in the manner prescribed by the Department.	Yes	Submission	N/A	Same as construction						
8	N/A		Payrolls for RMCs (State)	State	N/A	Standard Specifications, Item 7, Section 19.2	Upon request, submit payroll records to the Engineer in the manner prescribed by the Department.	Yes, upon request	Available	N/A	Upon request						
9	N/A		Payroll Interviews	Federal	Form-2220	N/A	The CCAM addresses this requirement in Chapter 4, Section 4 Project Records and in Chapter 15, Section 2	Yes	Not Submitted. Performed by TxDOT	N/A	TxDOT conducts 3 interviews per quarter						
10	36	Prompt Pay	Prompt Pay Certificates for Non-DBEs	Both	Form 2177	Article 9.9 "PAYMENT PROVISIONS FOR SUBCONTRACTORS" and Form 2177	Provide a certification of prompt payment to certify that all subcontractors and suppliers were paid from the previous months payments and retainage was released for those whose work is complete. Submit the certification in the manner prescribed by the Department each month and the month following the month when final acceptance occurred. See the Form for when.  In accordance with the requirements of Article 9.9, submit this certification to the Engineer prior to the end of the month as follows: w each month payment received (example: Work performed in January. Contractor paid in February. Contractor must submit certification no later than the end of March) and w the month following the month when final acceptance occurred	Yes, but only the prime submits the Form	Submission	N/A	...prior to the end of the month following: w each month payment received (example: Work performed in January. Contractor paid in February. Contractor must submit certification no later than the end of March) and w the month following the month when final acceptance occurred...						
11	36		Prompt Pay Certificates for DBEs	Federal	Form 2177 (DBE acknowledges payment in DMS)	Item 9, Section 9.9, and CCAM, Prompt Pay	The prime contractor must submit a certification form monthly during the course of the project and the month following final acceptance.	Yes, but only the prime submits through DMS	Submission & DMS	N/A	...prior to the end of the month following: w each month payment received (example: Work performed in January. Contractor paid in February. Contractor must submit certification no later than the end of March) and w the month following the month when final acceptance occurred...						
12	N/A		Prompt Pay Audits	Both	N/A	CCAM - Prompt Payment Audits	For non-DBES and DBEs not in DMS, to ensure compliance, the Department will conduct a minimum of one audit per quarter per project. The quarter will begin when the project starts or based on a calendar year, as preferred by the District.	Yes	Upon Audit	N/A	As requested	Yes					



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13	40 - 43	SW3P Environmental	SW3P - Contractor Daily Report	Both	Form 2801 or contractor's equivalent	Item 506, Section 4.5	Monitoring and Documentation. Monitor the control measures on a daily basis as long as there are BMPs in place and/or soil disturbing activities are evident to ensure compliance with the SWP3 and TPDES General Permit TXR150000. During time suspensions when work is not occurring or contract non-work days, daily inspections are not required unless a rain event has occurred. Monitoring will consist of, but is not limited to, observing, inspecting, and documenting site locations with control measures and discharge points to provide maintenance and inspection of controls as described in the SWP3. Keep written records of daily monitoring. Document in the daily monitoring report the control measure condition, the date of inspection, required corrective actions, responsible person for making the corrections, and the date corrective actions were completed. Maintain records of all monitoring reports at the project site or at an approved place.	No	Make available	N/A	As requested		
14	43		Training All Contractor and subcontractor employees involved in soil disturbing activities...	Both	Log	Standard Specifications and Special Provision to Item 506, Section 3.3.	Ensure training is completed as identified in Section 506.3.3., "Training," by all applicable personnel before employees work on the project. Document and submit a list, signed by the CRPE, of all applicable Contractor and subcontractor employees who have completed the training. Include the employee's name, the training course name, and date the employee completed the training. Provide the most current list at the preconstruction conference or before SWP3 or soil disturbing activities. Update the list as needed and provide the updated list when updated. LIST THE COURSES	Yes	Make available	N/A	As requested		
15	N/A	DBE and SBE	DBE Progress Reporting (Projects prior to DMS Implementation 2/1/17)	Federal	Form SMS4903 and SMS 4904 for Final	DBE 000-007 Special Provision Section 1.1.6.1.	The Contractor shall submit monthly reports, after work begins, on DBE payments to meet the DBE goal and for DBE or HUB race-neutral participation. Report payments made to non-DBE HUBs. The monthly report is to be sent to the Area Engineer. These reports will be due within 15 days after the end of a calendar month.	No	Submission	N/A	15th of the month		
16	N/A		DBE Progress Reporting (Projects after DMS Implementation 2/1/17)	Federal	DMS	DBE 000-394 Special Provision Section 2.3.11	Reports and Records. By the 15th of each month and after work begins, report payments to meet the DBE goal and for DBE race-neutral participation on projects with or without goals. These payment reports will be required until all DBE subcontracting or material supply activity is completed. Negative payment reports are required when no activity has occurred in a monthly period.	No	DMS	N/A	15th of the month		
17	N/A		SBE Progress Reporting with Goal	State	Form SMS4907	SBE Special Provision 000-009 Section 2.1.5.1	The Contractor shall submit monthly reports, after work begins, on SBE payments, (including payments to HUBs and DBEs). The monthly reports are to be sent to the Area Engineer's office. These reports will be due within 15 days after the end of a calendar month.	No	Submission	N/A	15th of the month		
18	N/A		SBE Reporting with no Goal	State	Form SMS4907	SBE Special Provision 000-009 Section 2.2.4.1	The Contractor shall submit reports on SBE (including HUB and DBE) payments. The reports are to be sent to the Area Engineer's office. These reports will be due annually by the 31st of August or at project completion, whichever comes first.	No	Submission	N/A	Annually by the 31st of August or at project completion		



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19	44 - 46		Force Account Billings	Federal	Form 316 or contractor's equivalent	Article 9.7, Payment for Extra Work and Force Account Method	When using Force Account Method, determine an estimated cost for the proposed work and establish labor and equipment rates and material costs. Maintain daily records of extra work and provide copies of these records daily, signed by the Contractor's representative, for verification by the Department. Request payment for the extra work no later than the 10th day of the month following the month in which the work was performed. Include copies of all applicable invoices. If the extra work to be performed has an estimated cost of less than \$10,000, submit for approval and payment an invoice of actual cost for materials, equipment, labor, tools, and incidentals necessary to complete the extra work.	No	Submission	N/A	Daily		
20	47	OJT	OJT Enrollment	Federal	TxDOT Form 2201 or the AGC Form, Submitted as an attachment in DMS	Special provision 000-006, On-the-Job Training Program	See the OJT Manual	Yes if assigned a goal	DMS	N/A	As trainees are registered. Goals are assigned annually per contractor.	CIV website under the OJT Program link	
21	47		OJT Progress Reports	Both	DMS	Special provision 000-006, On-the-Job Training Program	See OJT Manual	Yes if assigned a goal	DMS	N/A	Monthly, 10th of the following month	CIV website under the OJT Program link	
22	47		OJT enrollment, monthly reports, and graduation certificates	Federal	DMS	Special provision 000-006, On-the-Job Training Program	See the OJT Manual	Yes if assigned a goal	DMS	N/A	Annually with goal assignment.	CIV website under the OJT Program link	
23	47		OJT Graduation Certificate or Termination	Both	DMS	Special provision 000-006, On-the-Job Training Program	See OJT Manual	Yes if assigned a goal	DMS	N/A	Upon Graduation or Termination	CIV website under the OJT Program link	
24	48	Progress Schedules	Baseline Schedule (CPM)	Both	CPM	Standard Specification Item 8, Section 5.5.2.2. and Section 5.5.2.2.1.	Develop and submit the baseline schedule for review within the first 45 calendar days from the work start date unless the time for submission is extended by the Engineer. Submit an acceptable baseline schedule before the 90th calendar day from the work start date unless the time for submission is extended by the Engineer.	No	Submission electronically and plotted	N/A	45 days from work start date.		
25	48		Monthly Progress Schedule	Both	Bar chart or Primavera	5.5.2.3. Progress Schedule. 5.5.2.3.1. Project Schedule Summary Report (PSSR). And special provisions.	The cut-off day for recording monthly progress will be the last day of each month. Unless otherwise agreed, submit the updated project schedule no later than the 20th calendar day of the following month.  5.5.2.3.1. Project Schedule Summary Report (PSSR). When shown in the plans, provide the PSSR instead of the narrative required in Section 8.5.5.2.3., "Progress Schedule."	No	Submission	N/A	No later than the 20th calendar day of the following month.		
26	N/A		Time Impact Statement Notice and Time Impact Analysis	Both	N/A	5.5.3. Notice of Potential Time Impact.	5.5.3. Notice of Potential Time Impact. Submit a notice of potential time impact when a Contract time extension or adjustment of milestone dates may be justified or when directed.	No	Submission	N/A	Contractor submits when they feel time impact adjustments are justified or when directed by the department.		
27	N/A		Contractor Eval+B4:B30uaton (Interim)	Both	Form 2707	SP 000-659	In accordance with Title 43, Texas Administrative Code (TAC) §9.23, the Engineer will schedule evaluations at the following intervals, at minimum: Interim evaluations - at or within 30 days after the anniversary of the notice to proceed, for Contracts extending beyond 1 yr., and Final evaluation - upon project closeout.	N/A	Interview	N/A			



**Final Completion - Contractor Submissions and Audit Process for Projects Records for Districts**

*EPRS - Electronic Project Records System*

*DMS - Diversity Management System*

Line #	Slide #	Groupings	Submission Document Name or Description	Federal, State, or Both Projects	Application to RMCs?	Form (if applicable)	Contract Reference	Contract Reference Language	Required to be Submitted by Subcontractors?	Submission, Audit, make it available (Available), or Precertification Requirement	Timing for Submission	To	Comments
1	N/A	DBE and SBE	DBE Final Report (Projects prior to DMS Implementation 2/1/17)	Federal	No	SMS.4904	DBE Special Provison Section 2.3.11	Reports and Records. By the 15th of each month and after work begins, report payments to meet the DBE goal and for DBE race-neutral participation on projects with or without goals.	No	Submission	After the final quantity estimate and prior to the final estimate	AE / Project Engineer	
2	N/A		DBE Final Report (Projects after DMS Implementation 2/1/17)	Federal	Yes but only for Federal ER Funding if there is a goal	DMS	DBE Special Provison Section 2.3.11	Before receiving final payment from the Department, the Contractor must indicate a final payment on the compliance tracking system. The final payment is a summary of all payments made to the DBEs on the project.	No	DMS	After the final quantity estimate and prior to the final estimate	DMS	
3	N/A		SBE Final Report with or without Goal	State	No	Form SMS.4908	SBE Special Provision Section 2.1.5.1	The Contractor shall submit monthly reports, after work begins, on SBE payments, (including payments to HUBs and DBEs). The monthly reports are to be sent to the Area Engineer's office. These reports will be due within 15 days after the end of a calendar month.	No	Submission	After the final quantity estimate and prior to the final estimate	AE / Project Engineer	
4	87		Prompt Pay Certificates for DBEs	Federal	Yes but only for Federal ER Funding if there is a goal	Form 2177 & DMS	Article 9.9 "PAYMENT PROVISIONS FOR SUBCONTRACTORS"	Provide a certification of prompt payment to certify that all subcontractors and suppliers were paid from the previous months payments and retainage was released for those whose work is complete. Submit the certification in the manner prescribed by the Department each month and the month following the month when final acceptance occurred. See the Form for when.	Yes	Submission	Month after the month paid.	DMS	



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5	87		Prompt Pay Certificates for non-DBEs and for DBEs on State funded Projects	Both	Yes	Form 2177	Article 9.9 "PAYMENT PROVISIONS FOR SUBCONTRACTORS"  See Form 2177	Provide a certification of prompt payment to certify that all subcontractors and suppliers were paid from the previous months payments and retainage was released for those whose work is complete. Submit the certification in the manner prescribed by the Department each month and the month following the month when final acceptance occurred. See the Form for when.  Form 2177 - In accordance with the requirements of Article 9.9, submit this certification to the Engineer prior to the end of the month following the month when final acceptance occurred (example: Final acceptance occurs in January. Contractor must submit the final certification no later than the end of February).	No	Submission	Prior to the end of the month following: w each month payment received (example: Work performed in January. Contractor paid in February. Contractor must submit certification no later than the end of February) and w the month following the month when final acceptance occurred	AE / Project Engineer	
6	88		Notice of Termination (NOT)	Both	Yes	Form NOT	Standard Specifications and Special Provision to Item 506, Section 1.4.	1.4. Notice of Termination (NOT). Upon concurrence of the Engineer, submit a NOT, if applicable, to the TCEQ within 30 days of the engineer's approval that 70% native background vegetative cover is met or equivalent permanent stabilization have been employed in accordance with the TPDES GP TXR 150000. Provide a signed copy of the NOT to the Engineer and any other MS4 operators at the time of submittal.	N/A	Submission	Upon 70% establishment or completion of the contract	Copy the AE / Project Engineer	NOCs are also available but are rare, therefore we did not include a discussion. The department may release the contractor from establishment responsibilities allowing a contractor's to send their NOT before 70% establishment.



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7	89	Payrolls	Final Payrolls	Both	na (only submitted upon request for RMC's. Maintenance does not use LCPTracker system)	LCPtracker System	FHWA-1273, page 5; Section 7.19.1 and .2 Standard Specifications and Special Provision to the Section.	FHWA 1273 - The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. Standard Specs Section 19.1 - Section 19.1 - Submit payroll records to the Engineer in the manner prescribed by the Department. Section 19.2. - Submit electronic payroll records to the Engineer using the Department's payroll system.	Yes	LCPtracker	Primes and subs 1273 b. (1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency.	AE / Project Engineer	Rollout for LCPTracker began January, 2017. Manual submission is allowed for projects let before this date. Check 10% of all payrolls for each contract.
8	90		Final Contractor Evaluaton for projects let after 9/1/ 2018	Both	Yes	Form 2707	SP 000-659	In accordance with Title 43, Texas Administrative Code (TAC) §9.23, the Engineer wilII schedule evaluations at the following intervals, at minimum: Interim evaluations - at or within 30 days after the anniversary of the notice to proceed, for Contracts extending beyond 1 yr., and Final evaluation - upon project closeout.	N/A	Interview	Upon project closeout.	AE / Project Engineer	Not a submission. The area engineer is responsible for completing with the contractor.



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Line #	Slide #	Provision	Title	Federal, State or Both	Applicable to RMCs?	Contract Reference	Contract Reference Language	Comments	Note	Additional Comment or Reference
1	49 - 50	000-002	Nondiscrimination	Federal	Only when Federally Funded	SP 000-002, Article 3.6	include Articles 3.1-3.6 in subcontracts and agreements for materials.	This provision is not listed on the Assurance page. The Provision's Language instructs to include Articles 3.1-3.6 in subcontracts and agreements for materials.		To be listed in revised assurance page.
2	49 - 50	000-003	Certification of Nondiscrimination in Employment	Federal	Only when Federally Funded	SP 000-003, second paragraph under Article 1.	" <b>Note</b> - The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by Bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause."			Under 41 CFR § 60-1.7(a), federal contractors with 50 or more employees, and that meet the following thresholds, must complete and file annually an accurate Standard Form 100 (EEO-1) Report: a.have a Government contract, subcontract, or purchase order of \$50,000 or more, b.serve as a depository of Government funds in any amount, or c.are a financial institution that acts as an issuing and paying agent for U.S. savings bonds and savings notes.
3	49 - 50	000-004	Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246)	Both	Only when Federally Funded	SP 000-004, Article 2.3 & 3.0	These goals are applicable to all the Contractor's construction work (whether or not it is Federal or federally assisted) performed in the covered area. If the Contractor performs construction work in a geographical area located outside of the covered area, it will apply the goals established for such geographical area where the work is actually performed. With regard to this second area, <u>the Contractor also is subject to the goals for both its federally involved and non-federally involved construction.</u> The Contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 will be based on its implementation of the Standard Federal Equal Employment Opportunity Construction Contract Specifications Special Provision and its efforts to meet the goals. The hours of minority and female employment and training must be <u>substantially uniform throughout the length of the Contract</u> , and in each trade, and the Contractor must make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority and female employees or trainees from Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor's goals will be a violation of the Contract, the Executive Order and the regulations in 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.	No instructions to incorporate or otherwise. However implies that the provision applies to subcontractors.		2.4 A Contractor or subcontractor will be considered in compliance with these provisions by participation in the Texas Highway-Heavy Branch, AGC, Statewide Training and Affirmative Action Plan. Provided that each Contractor or subcontractor participating in this plan must individually comply with the equal opportunity clause set forth in 41 CFR 60-1.4 and must make a good faith effort to achieve the goals set forth for each participating trade in the plan in which it has employees.  3. The Contractor must provide written notification to the Department within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the Contract resulting from this solicitation pending concurrence of the Department in the award. The notification will list the names, address and telephone number of the subcontractor; employer identification number; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the Contract is to be performed.
4	49 - 50									



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Line #	Slide #	Provision	Title	Federal, State or Both	Applicable to RMCs?	Contract Reference	Contract Reference Language	Comments	Note	Additional Comment or Reference
5	49 - 50	000-005	Standard Federal Equal Employment Opportunity Construction Contract Specifications (Executive Order 11246)	Federal'	Only when Federally Funded	SP 000-005, Section 1.2.	1.2. Whenever the Contractor, or any Subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it will physically include in each subcontract in excess of \$10,000 the provisions of these specifications and the Notice which contains the applicable goals for minority and female participation and which is set forth in the solicitations from which this Contract resulted.			
6	49 - 50	000-008	Special Labor Provisions for State Projects	State		SP 000-008 Article 1, 2nd paragraph	The Texas Transportation Commission has ascertained and indicated in the special provisions the regular rate of per diem wages prevailing in each locality for each craft or type of worker. Apply the wage rates contained in the specifications as minimum wage rates for the Contract.	No instructions to incorporate or otherwise. However implies that the provision applies to subcontractors.	2.0 Notwithstanding any other provision of the contract ...agree that the Contractor and its subcontractors will pay employees and contract labor...a wage not less than the federal minimum wage as set out in 29 U.S.C. 206	There isn't an assurance page in a state funded contract. We generally don't review state funded construction.
7	49 - 50	000-009	SBE in State Funded Projects	State		SP 000-009 Article 2.1.1.2	...These nondiscrimination requirements shall be incorporated into any subcontract and purchase order.		2.1.1.2 The Contractor and any Subcontractors shall not discriminate on the basis of race, color, national origin, age, disability or sex in the award and performance of this contract. These nondiscrimination requirements shall be incorporated into any subcontract or purchase order.	There isn't an assurance page in a state funded contract. We generally don't review state funded construction.
8	49 - 50	Form FHWA-1273	FHWA 1273 Required Contract Provisions Federal-Aid Construction Contracts	Federal	Only when Federally Funded	FHWA 1273 Article 1.1	Form FHWA 1273 must also be physically attached to subcontracts and all lower-tier subcontracts			
9	49 - 50	000-241	Cargo Preference Act Requirements in Federal-Aid Contracts	Federal	Only when Federally Funded	SP 000-241, 3rd paragraph, 3rd bullet	"Requires that the substance of the provisions of this clause be in all subcontracts issued pursuant to this contract."	This provision is not listed on the Assurance page.		To be listed in revised assurance page.



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Line #	Slide #	Provision	Title	Federal, State or Both	Applicable to RMCs?	Contract Reference	Contract Reference Language	Comments	Note	Additional Comment or Reference
10	N/A	000-394	Disadvantaged Business Enterprise in Federal-Aid Contracts	Federal	Only when Federally Funded	Article 2.1, 4th paragraph	"The requirements of this Special Provision must be physically incorporated in any subcontract."	This provision is not listed on the Assurance page. <b>Does this mean even for a non-DBE? Yes</b>	The Contractor, subrecipient, or subcontractor will not discriminate on the basis of race, color, national origin, or sex in the performance of this Contract. Carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted Contracts. Failure to carry out these requirements is a material breach of this Contract, which may result in the termination of this Contract or such other remedy as the Department deems appropriate.	To be listed in revised assurance page.
11	N/A	000-457	Activation of Federal Contract Provisions	State	When RMC may be used for emergency repair work associated with an emergency event.	SP 000-457, 2nd paragraph	At the time of activation of these Federal Contract Provisions, the contract will be amended to include the most current Department of Labor (DOL) prevailing wage rate schedule. The DOL prevailing wage rates will only apply to emergency repair work performed under this contract at the time Federal Contract Provisions are activated. The Disclosure of Lobbying Activities form included in the proposal must also be completed and submitted when Federal Contract Provisions are activated. Added bid items and existing items' unit prices used for emergency repair work will be negotiated with considerations for the effect of requiring prevailing wage rates. Upon completion of emergency repair work as determined by the Engineer, the Federal Contract Provisions will be deactivated and the original contract wage rates and existing bid items' unit prices will resume	incorporates the above SPs for emergency repair work (except for 000-008 & 000-009)		Isn't this for RMC contracts only? <b>Yes</b> In addition, the provision would only apply in the case of an emergency.