

WebEx Questions: Additional Project Specific Liquidated Damages

	Question	Answer
1	What are PM and 2R projects?	Non-Freeway Resurfacing or Restoration Projects (2R); Preventative Maintenance (PM)
2	Is it correct that no matter how the District is categorized (Rural, Urban, Metro) the specific project can be fit into one of those categories for analysis. Is that correct?	This is correct.
3	Why multiply by 0.01? Why do we need to convert anything? An AADT is given with a truck %.	The Truck Percentage figure in the Statewide Planning Map popup needs to be multiplied by 0.01 to convert it correctly for calculation as a percentage. For instance, if Truck Percentage is 20%, the figure in the popup will just show "20". To use this in a calculation as a percentage, it would need to be 0.2. Don't overthink this part of the instructions. They were written so that the calculation would be explicit. Just calculate how you would normally calculate a percentage.
4	Do we need a login for STARS II?	No, STARS II is a publicly available website. The most current published traffic data can be viewed in STARS II without logging into the system.
5	How is the k factor calculated? Is there a highest 30th hour graph?	K Factor is calculated at a continuous traffic count location by taking the 30th highest hour for the year and dividing by AADT. When possible, using the 30th highest hour for calculating K factor is recommended by FHWA guidance. The purpose of using the 30th highest hour is to exclude outlying, non-typical peak hour traffic. In STARS II, at short term traffic count locations, the K factor is calculated by taking the peak hour of a short-term count and dividing by the AADT at the short-term traffic count location. TxDOT TPP short term traffic counts are a 24-hour duration and are conducted Monday-Thursday. Special events, holidays, and other non-typical traffic days are avoided when conducting short term counts.
6	Do you do any linear regression analyses?	No, there is not linear regression analysis done.

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7	Design speed is not considered?	No, design speed is not considered.
8	So once over \$5000 you use that \$ amount. If under, then you don't have to have any ALD?	No, \$5000 is not a threshold, it's a criteria for decision making. Use the amount calculated with the RUC calculator or another amount that is approved by the DE (or designee).
9	Why would not use the difference over \$5k?	\$5000 is not a threshold, it's a criteria for decision making. Use the amount calculated with the RUC calculator or another amount that is approved by the DE (or designee)
10	When will APSLD requirements become effective?	Form 2699 has been available for use since September 2019. This WebEx was designed to give more guidance so the districts can calculate APSLDs more accurately.
11	Will you have this PowerPoint out there?	Yes, the recorded presentation along with the PowerPoint slides are available here: https://www.txdot.gov/inside-txdot/division/construction/road-user-costs.html
12	Is there recommended wording for the General Note to Item 8?	Yes, we will provide recommended wording. It will be available on the website along with the presentation.
13	I have projects, which design started before September 1, 2018. So, does that mean I don't have to include the Form 2699, etc.? I have two projects for July 2020 and 1 very large project in August 2020. They all started before 9/1/2018.	Please contact DES to discuss specific projects.
14	Reconstruction of 14 miles of mainlanes, frontage roads and ramps, you calculate each segment for each roadway and add all of them regardless of the completed sections at the end of estimated construction time?	Please contact DES to discuss specific projects.
15	Do you have an example for when a project does not apply for any criteria on form 2699, and you want to add additional Liquidated Damages?	This will be up to the district to decide.

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16	Do we necessarily have to stick and pick from one category (Rural, Urban, Metro) or can we select all checkboxes that apply?	Do we necessarily have to stick and pick from one category (Rural, Urban, Metro) or can we select all checkboxes that apply?
17	How often will the ADT be updated?	The version of ADT which is recommended, Annual Average Daily Traffic (AADT), is updated once a year. This is typically published in late summer for the preceding year, so that YE2019 AADT will be made available around August 2020. This will often be updated in STARS II shortly before the Statewide Planning Map due to the additional analysis time needed to apply AADT figures to the linework in the Statewide Planning Map.
18	If we have significant milestones and incentives/disincentives set up and plan to use those figures instead of calculation worksheets for RUC, how do we state this in the Form 2699?	Please provide documentation of the reasoning that APSLDs will not be used.
19	If traffic is projected, should it be projected to the expected finish date/time?	Expected finish date can be used to estimate projected AADT. However, as with all forecasts, the farther one gets from known traffic volume, the probability of the actuals deviating from the forecasts will increase.
20	If there are signals within the project limit, will you consider the intersection delays too in the user cost?	If construction is expected to cause delays to the road users from changes to signal phasing and/or timings, then those should be considered in calculating the RUC. However, this will require advanced modeling techniques.
21	Should we use the RUC for the expected finish date/time?	Expected finish date can be used to estimate projected AADT. However, as with all forecasts, the farther one gets from known traffic volume, the probability of the actuals deviating from the forecasts will increase.

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22	We can have conventional milestone incentives (which is normally accompanied with disincentives in the same amount) and also add additional PSLDs?	You may add APSLDs to a project or phase of construction that does not have lane rentals, A+B bidding, milestones, lane assessment fees, or other incentives/disincentives.
23	Will APSLD replace disincentives going forward?	No, APSLDs are another tool for TxDOT to use to ensure projects are completed on time.
24	Is this approach inclusive of all other Project Liquidated damages?	No, these will be added to the amount of liquidated damages provided on SP 000-658.
25	If we have lane assessment fee already included wouldn't that conflict with APSLD?	Yes, APSLDs should be added to a project or phase of construction that does not have lane rentals, A+B bidding, milestones, lane assessment fees, or other incentives/disincentives.
26	Does this apply to off system roads like county road bridge replacements?	This would need to be coordination between the district and the other entity.
27	Is vehicle occupancy considered?	Vehicle occupancy is already included in the value of time used in the model.