

ADMINISTRATIVE PROCEDURES

CHAPTER 200

201 PROGRESS REPORTS

201.01 ORIGINAL ASSIGNMENT

Immediately after starting the assignment, the Consulting Engineer shall prepare and submit to the Department a proposed progress report for the project. The report should allow for the assignment of a "Percentage complete" for identifiable tasks and for the overall assignment.

The Consulting Engineer shall submit the progress reports on a monthly basis, indicating the percentage of the original assignment completed to date. Ideally, the progress reports should be submitted for approval prior to preparation of monthly billings. Line items which the Consulting Engineer considers 100% complete should be discussed with the Project Engineer prior to submitting the report. A copy of the monthly progress report form can be obtained from your Project Engineer.

201.02 SUPPLEMENTAL ASSIGNMENTS

For each supplemental assignment, the Consulting Engineer will prepare a progress report form compatible with the required operations. The line items and percentage breakdown for each supplemental progress report shall be submitted to the Department for review and approval.

201.03 COMPLIANCE CERTIFICATION FOR EXECUTIVE ORDER NO. 17

The objective of Executive Order No. 17 is to improve utilization of the Connecticut State Employment Service.

The certificate of compliance shall be forwarded by the Consulting Engineer together with the required monthly submission of the monthly progress report for all projects currently under design when submitting an invoice.

It is not anticipated that firms located outside of Connecticut need to forward an account of out-of-state recruiting activities. It is anticipated, however, that out-of-state firms may be recruiting in the State of Connecticut for "subcontract work," and out-of-state firms must make compliance under Executive Order No. 17 a condition for any work sublet to Connecticut firms.

202 INVOICES

The Consulting Engineer shall receive compensation for work performed by submitting invoices to the Department on forms furnished by the Department.

202.01 PARTIAL PAYMENTS

Lump Sum Agreements

The Consulting Engineer may request partial payments, at minimum intervals of one month, as the work is performed. Partial payments for Survey, Preliminary Engineering, Preliminary Design, and Final Design will be 97 1/2% of the fee earned during the pay period, based on the progress of the work, as indicated by the progress report. The remaining 2 1/2% will be retained by the Department until the final payment is made.

Cost Plus Fixed Fee Agreements

The Consulting Engineer may request partial payments, at minimum intervals of one month, as the work is performed. Partial payments for Survey, Preliminary Engineering, Preliminary Design, and Final Design will be 97 1/2% of the amount shown on the State approved certified payroll for the pay period, including burden, fringe, and overhead costs, and 97 1/2% of the fixed fee earned during the pay period, based on the progress of the work, as indicated by the progress report. The remaining 2 1/2% will be retained by the Department until the final payment is made.

202.02 FINAL PAYMENT

The Consulting Engineer may request full payment for all work performed two years after submission of final plans, if a construction contract for the work covered by the Agreement has not been awarded.

If a construction contract is awarded within two years of submission of final plans, the Department will hold the retainage until construction is complete.

Partial release of retainage will be considered upon request on a case-by-case basis.

202.03 REVIEW OF SHOP PLANS

The Consulting Engineer may request partial payments for review of shop plans as the work is performed.

202.04 SERVICES DURING CONSTRUCTION

The Consulting Engineer may request payment for services performed during construction, that are authorized in writing by the Department, in accordance with the amount specified in the Agreement.

202.05 SUBCONTRACTED WORK

The Consulting Engineer may request partial payments for subcontracted work as it is being performed. A copy of the subcontractor's invoices must accompany the Consulting Engineer's invoice to the Department. The amount requested by the Consulting Engineer cannot exceed the amount paid to the Subcontractor.

202.06 DIRECT COSTS

The Consulting Engineer may request partial payments for direct costs that are incurred as the work is performed.

202.07 SUBCONSULTANT INVOICE SUMMARY SHEET

In order to monitor compliance with the Department's Affirmative Action DBE goals, a subconsultant invoice summary sheet must be attached to every invoice.

Also, in order for the Department to verify payment from the prime consultant to the respective DBE's and/or SBE's, a "Verification of Payment" form must be included with the final summary invoice for each project. Final payment will not be made without these completed forms, or an adequate explanation as to why full payment was not made to each subconsultant. A copy of both the "Subconsultant Summary Sheet" and "Verification of Payment" forms can be obtained from your Project Engineer.

203 EXTRA WORK

Extra work is defined as follows:

1. Such additional work ordered by the Department beyond the scope or limits of the agreement to the extent that such work is not reflected in the fee payments specified in the Agreement.
2. Such work as shall supersede or revise completed work that has been accepted by the Department in writing and subsequently deleted or changed.

Changes such as those to effect refinements in the design and such as those made necessary by errors, omissions, oversight or neglect on the part of the Consulting Engineer will not be considered extra work.

If, in the opinion of the Consulting Engineer, a given assignment by the Department constitutes extra work, they shall immediately advise the Department in writing. Upon receiving written concurrence from the Department, the Consulting Engineer shall prepare a scope and fee proposal for the extra work. This proposal will be negotiated in the same manner as the original proposal. The basis of payment (lump sum or cost plus) will be the same as the original agreement, unless directed otherwise by the Department.

The Consulting Engineer shall not proceed with any extra work until written authorization is received from the Department. Normally, this authorization will be given after the claim is negotiated and funding is in place. However, if the extra work is on the critical path, the Department may authorize the work to begin at any time.

It may be necessary for the Department and the Consulting Engineer to enter into a supplemental agreement to cover the terms of the extra work. This determination will be made by the Department.

Extra work costs must be segregated in the Consulting Engineer's records from those incurred in connection with the original assignment.

The Consulting Engineer may request partial payments for extra work in the same manner as partial payments for the original assignment. No percentage will be retained.

All extra work proposals must be submitted to the Department's Negotiations Committee, with a copy of the cover letter only forwarded directly to the Manager of Consultant Design.

204 SUPPLEMENTAL AGREEMENTS

During the life of a Consulting Engineer's assignment, it may be necessary to enter into one or more supplemental agreements. Some of the circumstances requiring a supplemental agreement are:

1. An assignment that is not covered in the original agreement
2. An amendment to the original agreement
3. When accumulated extra work claims exceed the limiting amount specified in the agreement

The Department will prepare supplemental agreements as they are needed.

205 AFFIRMATIVE ACTION

The following procedures constitute the Department's policy for EEO documentation by Consulting Engineers.

Firms desiring to do business, or to continue to do business with the Connecticut Department of Transportation either directly, through municipalities or as subconsultants, must have an approved Affirmative Action Plan on file. To maintain eligibility once it is achieved, submittal of an Affirmative Action Plan Update is required annually. If this information is not submitted, the firm will be removed from the prospective consultants list, or in the case of an active consultant, the design activities may be stopped and the contract terminated by the Department.

At the Assignment Meeting, the Consulting Engineer will be given a copy of Labor Department Form E.O. 3-1. This form must be completed and returned to the Department prior to the start of negotiations. All subconsultants must comply with the same affirmative action requirements as the prime consultant. However, any subconsultant whose fee is less than \$5,000 for a State funded project, or \$10,000 for a Federally funded project is exempt from all Affirmative Action Plan requirements unless otherwise determined.

206 CONDITIONS FOR SUBCONTRACT OF WORK

If the Consulting Engineer wishes to retain the services of a Subconsultant for a portion of this assignment, a written request and a copy of the proposed Agreement must be forwarded to the Department for review.

Every attempt should be made to utilize minority-owned Subconsultants. The Consulting Engineer must comply with Section 101.03 (Affirmative Action DBE Goals). If the subcontracted work qualifies as engineering, the request shall indicate whether or not the proposed Subconsultant is registered as a Professional Engineer in Connecticut. When the proposed Subconsultant is not so registered, approval of the subcontract, if granted, will be made subject to the Subconsultant obtaining such registration in accordance with the Statutes of the State of Connecticut and the regulations of the State Board of Registration for Professional Engineers and Land Surveyors.

The Consulting Engineer shall furnish to the Department certification of Public Liability and Property Damage Insurance Coverage, including the use of motor vehicles, for the operations to be performed by the Subconsultant.

Any work subcontracted by the Consulting Engineer will be paid for by the Department at the actual cost to the Consulting Engineer with no additions.

The Consulting Engineer shall not allow any of the subcontracted work to proceed without the written approval of the Department.

207 BURDEN FRINGE AND OVERHEAD

Consultants shall comply with the latest requirements of the Office of Policy and Management concerning burden, fringe, overhead and profit maximums. A copy of these requirements will be furnished to the consultant at the Assignment Meeting.

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