

DATE: April 8, 2009

TO: Region Engineers
Region Delivery Engineers
TSC Managers
Resident/Project Engineers
Region Construction Engineers

FROM: Gregory C. Johnson
Chief Operations Officer

John C. Friend
Engineer of Delivery

SUBJECT: Bureau of Highway Instructional Memorandum 2009-04
Contract Administration and Oversight Guidelines for
Projects Containing Warranty Work

This memorandum provides guidance to all offices with projects that contain boilerplate language for warranties and updates certain aspects of Bureau of Highway Instructional Memorandum 2002-23.

All Projects

Warranties are a tool to assure quality, but they are not a replacement for proper inspection, quantity measurement, proper payments, or proper contract administration. Projects constructed under a warranty special provision still require inspection staffing and complete documentation prior to payment, including MDOT materials certifications, MDOT yield checks, MDOT quantity measurement, and MDOT Inspector's Daily Reports. Failure to do so will jeopardize full federal-aid participation.

Hot Mix Asphalt (HMA) Paving Projects

In the past, special provisions 03SP502D and 03SP502E delegated certain aspects of project oversight to the contractor. This memorandum returns the responsibility for these tasks to MDOT for all HMA paving projects, including those that contain special provisions 03SP502D and/or 03SP502E. These tasks include:

- Taking immediate possession of weigh tickets
- Calculating daily tonnage
- Performing daily yield checks
- Measuring quantities
- Completing Inspector's Daily Reports.

Concrete Paving Projects

In the past, special provisions 03SP602A and 03SP602E delegated certain aspects of project oversight to the contractor. This memorandum returns the responsibility for these tasks to MDOT for all concrete paving projects, including those that contain special provisions 03SP602A and/or 03SP602E. These tasks include:

- Measuring quantities
- Measuring and documenting slab thickness
- Completing Inspector's Daily Reports.

Capital Preventive Maintenance (CPM) Surface Seal Projects

In the past, special provisions 03SP505A, 03SP507A, 03SP508A, and 03SP508C delegated certain aspects of project oversight to the contractor. This memorandum returns the responsibility for these tasks to MDOT for all CPM surface seal projects, including those that contain 03SP505A, 03SP507A, 03SP508A, or 03SP508C. MDOT should not rely on the contractor's daily report for quantities or as a replacement for the MDOT Inspector's Daily Report. Staff oversight should be at a level to assure compliance with contract specifications and to properly assure the quality of the constructed work. This includes, at a minimum, staff oversight at a level to perform periodic on-site inspections. At the time of the periodic on-site inspection, complete the following tasks:

- Measure quantities
- Perform checks on traffic control
- Complete Inspector's Daily Reports

In addition, do not make payment until the measured quantities are checked for correlation to the contractor's submitted material certifications/tickets and yield calculations.

Chief Operations Officer

Engineer of Delivery

BOHD:C/T:KK:kab

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