**PRECONSTRUCTION MEETING MINUTES**

**CONTRACT NO.\_\_\_\_\_\_\_\_\_\_\_\_\_\_, F.A.P. No. \_\_\_\_\_\_\_\_\_**

**CONTRACT NAME**

**\_\_\_\_\_\_\_\_\_\_ COUNTY**

The Preconstruction Meeting for the above referenced contract was held on DATE at TIME a.m./p.m. in the \_\_\_\_\_\_\_\_\_\_\_ conference room of the \_\_\_\_\_\_\_\_ building. The following attended:

|  |  |  |  |
| --- | --- | --- | --- |
| Name | Company | Phone | Email |
| Place |  |  |  |
| Attendee |  |  |  |
| Names |  |  |  |
| In |  |  |  |
| This |  |  |  |
| Table |  |  |  |

**CONTRACT INFORMATION**

* **Location & Description**
  + These improvements are located in ­­­\_\_\_\_\_\_\_\_\_\_ County as noted in the Contract Documents. <INSERT DESCRIPTION FROM RFP>
* **Bid Proposal**
  + Advertisement Date: \_\_\_\_\_\_\_\_\_\_
  + Contract Duration: \_\_\_\_\_\_\_\_\_\_
  + Weather Days: \_\_\_\_\_\_\_\_\_\_
    - Contractor is reminded to refer to Subsection 108.7.F, Weather Delays in the Standard Specifications.
  + Anticipated Notice to Proceed: \_\_\_\_\_\_\_\_\_\_
  + Specification Version: \_\_\_\_\_\_\_\_\_\_
* **Award Information**
  + Award Letter Date: \_\_\_\_\_\_\_\_\_\_
  + Awarded Value: \_\_\_\_\_\_\_\_\_\_
  + Awarded Contractor: \_\_\_\_\_\_\_\_\_\_

Notes: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CONTACT INFORMATION**

* **Contractor**
  + Main Office
    - Address: \_\_\_\_\_\_\_\_\_\_
    - Phone: \_\_\_\_\_\_\_\_\_\_
  + Project Manager: \_\_\_\_\_\_\_\_\_\_
    - Phone: \_\_\_\_\_\_\_\_\_\_
    - Email: \_\_\_\_\_\_\_\_\_\_
  + Emergency Contacts:
    - **<**List Contacts>
    - \_\_\_\_\_\_\_\_\_\_
* **District**
  + The following is the chain of authority for the project, as identified in Subsection 105.1.B of the Standard Specifications.
  + District/Group Engineer (Highest Authority)
    - Name: \_\_\_\_\_\_\_\_\_\_
    - Administering Office Address: \_\_\_\_\_\_\_\_\_\_
    - Phone: \_\_\_\_\_\_\_\_\_\_
    - Email: \_\_\_\_\_\_\_\_\_\_
  + Area Engineer (Second Highest Authority)
    - Name: \_\_\_\_\_\_\_\_\_\_
    - Phone: \_\_\_\_\_\_\_\_\_\_
    - Email: \_\_\_\_\_\_\_\_\_\_
  + Project Resident (Third Highest Authority)
    - Name: \_\_\_\_\_\_\_\_\_\_
    - Phone: \_\_\_\_\_\_\_\_\_\_
    - Email: \_\_\_\_\_\_\_\_\_\_

Notes: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**GENERAL INFORMATION**

* **Electronic Applications**
  + The following applications will be used for the listed Business Processes for the duration of the Contract
  + Oracle Primavera Unifier (Unifier) – <https://unifier.deldot.gov>
    - Requests for Information
    - Submittals (including but not limited to)
      * Shop Drawings
      * Two Week Schedules
      * Certified Payroll
      * MOT Submittals
    - Change Orders
    - Pencil Estimates
    - Progress Payment Estimates
    - Contractor Evaluations
  + HaulHub Ticket Portal – Through supplier
    - State forces access through <https://tickets.deldot.gov> or DOTSlip App.
    - Contractor must contact supplier for access.
    - Used only for Bituminous Concrete Pavement
  + SWPPPTrack (if applicable)
    - <https://waecommandcenter.com/ltis_de/>
    - Erosion, Sediment, and Stormwater Management Inspections
    - BMP Construction Inspection
  + Civil Rights Compliance Reporting System
    - [www.deldotcivilrights.dbesystem.com](http://www.deldotcivilrights.dbesystem.com)
    - Prompt Payment reporting as required by Chapter 8, Title 17 of the Delaware Code
* **Extra Work & Force Accounts**
  + Extra Work is to be completed in accordance with Subsection 104.2.E of the Standard Specifications
  + Force Account work is to be completed in accordance with Subsection 109.4.D of the Standard Specifications.
* **Differing Site Conditions, Notifications, & Claims**
  + If differing site conditions are encountered, follow the requirements of Subsection 104.2.C of the Standard Specifications.
  + Provide notice to the Department of any Contract Change in accordance with Subsection 104.3 of the Standard Specifications.
  + Follow the claims procedure in accordance with Subsection 105.15 of the Standard Specifications
* **Materials**
  + Approved Products and Sources of Supply
    - Approved Product Lists are available on this webpage: <https://deldot.gov/Business/prodlists/index.shtml>
    - Sources of Supply submittals are to follow the procedure identified in Subsection 106.1 of the Standard Specifications, unless otherwise directed by the Engineer. A copy of any source submittal must be emailed to the Area Engineer.
    - Materials are only permitted one source and one alternate at a time.
    - Make note of the “ACTION” column on the Department’s response.
  + Buy America
    - Contractor is reminded of the “BUY AMERICA” provisions for the Contract noted on page \_\_\_ of the Bid Proposal.
  + Material Testing & Inspection
    - Bituminous Concrete
      * Suppliers must email will-calls by 2:00pm on the preceding business day.
      * Send emails to [mark.schafer@delaware.gov](mailto:mark.schafer@delaware.gov) and [shane.biddle@delaware.gov](mailto:shane.biddle@delaware.gov).
    - Cast-in-Place Cementitious Materials
      * Suppliers must coordinate and provide notice of material will-calls by 2:00pm on the preceding business day.
      * Danny Fetterolf at (302) 388-4648 or Brian Johnson at (302) 270-5435.
    - Precast and Fabricated materials
      * Suppliers of precast concrete materials must coordinate testing prior to beginning manufacturing.
        + Contact Ray Morris at (302) 382-6904.
      * Suppliers of steel components and other fabricated materials must coordinate testing prior to beginning manufacturing, but after shop drawing have been reviewed.
        + Contact Steven Peretiatko at [steven.peretiatko](mailto:johnw.thomas@delaware.gov)@delaware.gov.
    - Field Control
      * For sample testing (statewide):
        + Contact Mike Johnson at (302) 632-7034
      * For field testing
        + New Castle County

Contact Rich Taylor at (302) 593-7158

* + - * + Kent & Sussex Counties

Contact Ray Glanden at (302) 233-2381

* + - * For test results
        + Contact Aaron Wieczorek at [aaron.wieczorek@delaware.gov](mailto:aaron.wieczorek@delaware.gov).

Notes: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PROJECT SPECIFIC INFORMATION**

* **Wage Rates**
  + State of Delaware
    - Classification: \_\_\_\_\_\_\_\_\_\_
    - Page in Proposal: \_\_\_\_\_\_\_\_\_\_
  + Federal
    - Classification: \_\_\_\_\_\_\_\_\_\_
    - Page in Proposal: \_\_\_\_\_\_\_\_\_\_
  + Contractor must pay the greater of the two rates.
  + Certified Payroll must be submitted weekly to the Delaware Department of Labor.
  + For Federal Contracts – Submit Certified Payroll, for both the Prime Contractor and any Subcontractors, to DelDOT weekly as required by 29 CFR 5.5(a)(3)
  + Wage rates must be posted on the project or otherwise available to the Contractor’s employees.

Notes: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* **Trainee Requirements**
  + There **are/are no** Training Special Provisions associated with this project.
  + **<**List them>

Notes: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* **Disadvantaged Business Enterprises**
  + DBE Requirement: \_\_\_\_\_\_\_\_\_\_
  + DBE Office Approval Date: \_\_\_\_\_\_\_\_\_\_
    - <List DBE Subs>
  + Contractor’s Equal Opportunity Representative: \_\_\_\_\_\_\_\_\_\_
  + The Contractor was reminded of the provisions for Equal Opportunity on Public Works Contracts under Title 29 of the Delaware Code.
  + Statements of compliance, required by Chapter 8, Title 17 of the Delaware Code, shall be reported online at [www.deldotcivilrights.dbesystem.com](http://www.deldotcivilrights.dbesystem.com).
  + DBE Contact
    - Name: \_\_\_\_\_\_\_\_\_\_
    - Phone: \_\_\_\_\_\_\_\_\_\_
    - Email: \_\_\_\_\_\_\_\_\_\_

Notes: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* **Subcontractors**
  + The Contractor has/has not submitted Subcontractors to the District.
  + The following have received approval:
    - <List>
  + The most current version of the FHWA Form 1273 along with the subcontractor’s proper and current occupational and/or business license must be attached to all subcontractor agreements on this contract.
* **Right of Way Certification**
  + Status: \_\_\_\_\_\_\_\_\_\_
  + Dated: \_\_\_\_\_\_\_\_\_\_
  + Contractor is reminded to provide at least 48 hours written notice to property owners, businesses, and residents within the project limits in accordance with Subsection 801.3.2.C of the Standard Specifications.
  + Contractor is also reminded to provide 2 weeks’ notice to property owners before disturbing property, in accordance with Subsection 104.14.A of the Standard Specifications
  + Failure to give proper notice is justification for suspension of work as specified in Standard Specification Section 104.2.D.
* **Railroad Statement**
  + The Railroad Statement can be found on pages \_\_\_\_\_\_ of the Special Provisions.
* **Environmental Compliance and Permit Requirements**
  + The Environmental Compliance Notes can be found on Sheet \_\_\_\_ of the Plans.
  + The Environmental Statement can be found on pages \_\_\_\_\_\_ of the Special Provisions.
  + The Permits are as follows:
    - <List>
* **Erosion & Sediment Control**
  + Project Classification: \_\_\_\_\_\_\_\_\_\_
    - Requirements: \_\_\_\_\_\_\_\_\_\_
  + Contractor’s Representative and CCR Number: \_\_\_\_\_\_\_\_\_\_
  + Department’s CCR: \_\_\_\_\_\_\_\_\_\_
  + Erosion & Sediment Control Liaison: \_\_\_\_\_\_\_\_\_\_
  + E&S Preconstruction Meeting will be held \_\_\_\_\_\_\_\_\_\_.
  + Reminder to post the Notice of Intent.
    - Contractor is reminded, as per Subsection 901.3.2.G of the Standard Specifications, they must file as a Co-Permittee on the original Notice of Intent as a condition of Contract execution.
  + Off-site staging that is in near proximity to the project will be referred to the Delegated Agency by the Area Engineer.

Notes: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* **Maintenance of Traffic**
  + The Contractor is reminded to abide by the requirements of the Delaware Manual on Uniform Traffic Control Devices (DE MUTCD), Section 801 of the Specifications, and the Contract Documents.
  + Temporary Traffic Control (TTC) Devices are to be selected from the Approved Products List and submitted for a Source of Supply review as discussed in the Materials & Research Section.
    - The Contractor has/has not submitted the TTC Devices.
  + The Contractor will/will not follow the Maintenance of Traffic plan found in the Contract Documents.
  + The Contractor is/is not required to assign an American Traffic Safety Services Association (ATSSA) Supervisor to the project.
    - Name: \_\_\_\_\_\_\_\_\_\_
    - Phone: \_\_\_\_\_\_\_\_\_\_
  + District Safety Officer
    - Name: \_\_\_\_\_\_\_\_\_\_
    - Cell: \_\_\_\_\_\_\_\_\_\_
  + List lane closure and work hour requirements and/or refer to where they are in the plans.
  + If on Limited Access Highways - Vehicles and equipment shall enter and exit the work area in the same direction as adjacent traffic. The contractor’s vehicle(s) and equipment shall enter and exit the roadway at interchanges or unrestricted crossovers that are open to public use. The contractor’s vehicle(s) and equipment shall not U-turn across medians or at crossovers restricted for authorized and emergency vehicles only.

Notes: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* **Project Schedule**
  + Expected Notice to Proceed Date: \_\_\_\_\_\_\_\_\_\_
  + Expected Work Schedule: \_\_\_\_\_\_\_\_\_\_
  + This project does/does not require/permit night work.
  + This project requires a CPM Schedule
    - Contractor’s CPM Scheduler
      * Name: \_\_\_\_\_\_\_\_\_\_
      * Phone: \_\_\_\_\_\_\_\_\_\_
      * Email: \_\_\_\_\_\_\_\_\_\_
    - District’s CPM Reviewer
      * Name: \_\_\_\_\_\_\_\_\_\_
      * Phone: \_\_\_\_\_\_\_\_\_\_
      * Email: \_\_\_\_\_\_\_\_\_\_
  + The project schedule has/has not been submitted.
  + Per 108.4.B.3, submit bi-weekly look ahead schedules by noon on Thursday. Failure to submit the schedule may result in the withholding of payments.

Notes: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* **Liquidated Damages**
  + \_\_\_\_\_\_\_\_\_\_/Calendar Day beyond allowable Contract Time
* **Road User Costs <If included>**
  + List RUC
* **Loading Bridges and Other Structures (*Only include on Bridge projects*)**
  + The Contractor is reminded to follow Subsection 104.14 of the Standard Specifications.
* **Maintenance Bond (if applicable)**
  + Provide bond upon substantial completion.
  + <List Item and Duration of Bond(s)>
* **Survey**
  + Contractor
    - Name: \_\_\_\_\_\_\_\_\_\_
    - Phone: \_\_\_\_\_\_\_\_\_\_
    - License No.: \_\_\_\_\_\_\_\_\_\_
  + District:
    - Name: \_\_\_\_\_\_\_\_\_\_
    - Phone: \_\_\_\_\_\_\_\_\_\_
* **Utilities**
  + The Contractor is reminded to abide by Delaware Law and to contact “Miss Utility” prior to any excavation, as required.
  + The Contractor was reminded that Delaware Law now requires the Contractor to contact the owner of any electric power lines before working within 10’ of the facilities. For higher voltage facilities, this number may be greater.
  + A Utility Preconstruction Meeting will be held on-site prior to the start of the work to further discuss roles and responsibilities. All utilities with conflicts/relocations as stated in the Utility Statement will be required to have a representative present, along with their contractor if applicable. The Area Engineer will set this up for within two weeks of the anticipated start of construction.
    - Date & Time of Precon, if established.
  + The following companies maintain utilities on this project:
    - <List Companies and summarize conflicts/relocations>

* **Trucks and Weight Tickets**
  + No trucker from another State shall operate in Delaware without an apportioned plate and registration credential for Delaware or a Delaware issued trip permit.
  + All truckload weight tickets must contain identification of the truck with the legal licensed gross vehicle weight and must be computer generated.
* **Sign Ordering Procedure**
  + (Check Plans. This is being phased out.) The Contractor must send their sign order by e-mail to Dot\_SignShop\_orders@delaware.gov to the attention of Erik Ball. The order must be placed 6 – 8 weeks in advance of when signs are needed for installation. With each order please include the project number/title and a copy of the latest signing plans and sign schedule. A confirmation response e-mail will be sent that the order has been received and giving a general timeframe on when to expect completion.
* **Submittals Needed Prior to the Start of Work (EXAMPLES BELOW, REVIEW AND PROVIDE SPECIFICS AS TO YOUR PROJECT)**
  + Contract schedule.
  + Sources of Supply are to be submitted to the Department.
  + Subcontractor agreements will be submitted by the Contractor.
  + Approved Product Listing (APL) identification for all MOT devices to be submitted to Materials & Research.
  + Any off-site disposal sites need to be submitted.
* **Performance Based Contractor Evaluations**
  + The Department is required to withhold a 5% retainage from each monthly progress payment on contracts where the contractor’s performance rating was less than 85% at the time the contract was advertised.  Retainage will/will not be held on this contract.
    - *(If retainage is being held, otherwise skip it)* The Department will release 60% of the retainage at substantial completion.  The remaining 40% of the retainage will be released upon approval of the final pay estimate.  The Contractor may request that the District conduct an interim performance evaluation once 50% of the original contract time is consumed.  If the score of the interim evaluation is greater than 85%, the retainage withheld by the District on future progress payments will be reduced to 2% for the remaining life of the contract.  A request for an interim performance evaluation must be made in writing to the District.  **The Contractor is not permitted to withhold retainage from subcontractors.**
  + Frequency
    - *(For projects with an original duration of 240 calendar days or less, include this)* The District will conduct a performance evaluation of the Contractor no later than 60 calendar days after the Contractor has achieved substantial completion.  Then, the District will conduct an additional performance evaluation once every six months until the final estimate is paid.
    - *(For projects with an original duration greater than 240 calendar days and less than 365 calendar days, include this)* The District will conduct a performance evaluation of the Contractor when approximately 50% of the original planned contract time has elapsed.  The District will perform another performance evaluation no later than 60 days after substantial completion.  Then, the District will conduct an additional performance evaluation once every six months until the final estimate is paid.
    - *(For projects with an original duration of 365 calendar days or more, include this)* The District will conduct a performance evaluation of the Contractor once every six months until the Contractor achieves substantial completion.  The first evaluation will occur six months after the first chargeable day.  The District will perform another performance evaluation no later than 60 days after substantial completion.  Then, the District will continue to conduct an additional performance evaluation once every six months until the final estimate is paid.
    - (*For open ended contracts, also include this sentence*) The Department will aggregate the locations where work is performed during the evaluation period into a single performance evaluation when practicable.
    - *(Include everything beyond this point)* All evaluations conducted on this contract will count toward the rolling average used to calculate the Contractor’s performance rating.  The Department will publicly post the Contractor’s performance rating on the Department’s website on a weekly basis.
  + Performance Evaluation Procedure
    - The Project Supervisor will initiate and the Area Engineer will complete the performance evaluation on a form that will be generated electronically by Unifier.  An example of the form will be attached to these minutes.  The District Construction Engineer will review and approve the evaluation.  Upon approval by the Construction Engineer, the completed performance evaluation will be transmitted to (ask for the name of the primary point of contact for the Contractor) through Unifier for review.  The Contractor must electronically sign the evaluation in Unifier to accept the results of the evaluation.  If the Contractor does not accept the results of the evaluation, the Contractor must request a review meeting.  The Contractor has 10 business days to either accept the results of the evaluation or request a meeting.  If the Contractor does neither of these within the 10-business day period, the performance review becomes final.
  + Review Meeting
    - If the Contractor wants to challenge the results of a performance evaluation, the Contractor must send a written request for a review meeting to the Chief of Construction & Materials at [Mark.Buckalew@delaware.gov](mailto:Mark.Buckalew@delaware.gov) and copy the District.  Within 2 business days of receipt of a request for a review meeting from the Contractor, Mr. Buckalew will contact the Contractor to schedule a review meeting.  The review meeting must be held no more than 10 business days after the date of the request, unless both parties agree in writing to move the review meeting to a later date.  The purpose of the review meeting is to discuss the performance evaluation.  The Contractor must bring supporting documentation and witnesses to support any changes the Contractor is requesting to the performance evaluation.  Within 10 business after the review meeting, the Chief of Construction & Materials will make a written determination to accept any of the Contractor's changes and revise the Performance Evaluation, or to leave the Performance Evaluation as written. Upon receipt of the determination, the Contractor may accept the performance evaluation or appeal the Chief’s decision. If accepted, then the Contractor and the Chief will electronically sign the performance evaluation in Unifier.
  + Appeals of Review Meetings
    - The Contractor may appeal the results of the review meeting.  A notice of appeal must be made in writing to the Secretary of Transportation at [DOT-ask@delaware.gov](mailto:DOT-ask@delaware.gov) within 10 business days of receipt of the determination from the Chief of Construction & Materials.  After receiving the notice of appeal, the Secretary’s designee will review the record and will contact the Contractor within 15 business days to schedule a meeting to discuss the appeal.  Within 30 business days of the meeting, the Secretary’s designee will issue a written decision that will serve as the final decision of the department concerning the appeal.  Should the results of the performance evaluation that is the subject of the appeal result in the imposition of retainage on other contracts, the implementation of the retainage provisions will not take place until after the final decision of the appeal by the Department.

**ITEMS DISCUSSED FOR EMPHASIS**

* All submittals, except for Source of Supply, must be made in Unifier to be considered received by the District. This includes but is not limited to: project schedules, shop drawings, emergency contacts, CCR card holders, Surveyor license, ATSSA supervisor, RFIs, force account packages, holiday requests, MOT plans, as-builts, advanced material payments, E&S revisions, offsite disposal requests, and payrolls.
* All Estimates and Change Orders will be processed through Unifier without exception.
* **INFO AS NEEDED**

**ADDITIONAL QUESTIONS/COMMENTS**

No further questions and the meeting was adjourned.

We believe these minutes accurately reflect what transpired at this meeting. However, will appreciate comments involving a different understanding of what occurred. Unless we are notified in writing to the contrary within ten days after receipt, we will assume that all in attendance concur in the accuracy of this transcription.

Prepared by:

Name, P.E.

Area \_\_\_\_\_\_\_\_\_, Group \_ Construction

XX:xx

Attachment: Contractor Evaluation Form

cc w/ attachment:

Shanté Hastings, Deputy Director/Chief Engineer

Dan Montag, FHWA

Lanie Clymer, Director, Finance

Mark Luszcz, Deputy Director, Operations

Maureen Kelley, Deputy Director, Operations

Jeff Van Horn, Chief of Traffic Operations and Management

Mark Buckalew, Chief of Constructionand Materials

John Caruano, Chief of Environmental & Administrative Support

Jeff Niezgoda, Assistant Director, Local Systems Improvement

Christine Levely, External Audit Supervisor

James Osbourne, Safety Program Engineer

Jennifer Pinkerton, Materials & Research Engineer

\_\_\_\_\_\_\_\_\_, Group # Construction Engineer

Steve Sisson, Water Resource Engineer, Engineering Support

Wendy Henry, Civil Rights Administrator

Ninna Vaughn, Contract Services Administrator

Ting Guo, E&S Engineer, Engineering Support

Luz Paradoa, DBE Program Manager, Office of Civil Rights

Gerald Nagyiski, Jr., Traffic Safety Construction Coordinator

Nate Zimmerman, E&S Manager, Engineering Support

Robin Bryson, Community Relations Officer

Alison Pedigo**(New Castle) /** Jennessy Lantigua**(Kent/Sussex)**, DBE Specialist, Technology & Support Services

Laurie Yanacek, Public Information Officer

[Dot.adasupport@delaware.gov](mailto:Dot.adasupport@delaware.gov)

(designers)

(consultants)

(utilities listed in utility statement)

(municipalities)

Attendees

**CHAPTER 401**

**FORMERLY**

**HOUSE BILL NO. 270**

**AS AMENDED BY**

**HOUSE AMENDMENT NO. 2**

**AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS.**

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:**

**Section 1. Amend Title 29 of the Delaware Code by making insertions as shown by underline as follows:**

**§ 6967. Requirement of occupational and business license.**

**(a) All contractors, subcontractors and independent contractors shall have a proper and current occupational and/or business license, as required by Title 30, to enter or perform work under a public works contracts. It is the responsibility of a contractor to verify and make a record that all subcontractors or independent contractors working for such contractor pursuant to a public works contract shall have their occupational and/or business licenses, as required by Title 30.**

**(b) No agency shall accept a proposal for a public works contract unless such contractor has provided a proper and**

**current copy of its occupational and/or business license, as required by Title 30, to such agency.**

**(c) Any contractor that enters a public works contract must provide to the agency to which it is contracting, within 30 days of entering such public works contract, copies of all occupational and business licenses of subcontractors and/or independent contractors that will perform work for such public works contract. However, if a subcontractor or independent contractor is hired or contracted more than 20 days after the Contractor entered the public works contract the occupational or business license of such subcontractor or independent contractor shall be provided to the agency within 10 days of being contracted or hired.**

**(d) Any contractor, subcontractor or independent contractor that does not have a proper and current occupational**

**and/or business license, as required by Title 30, while working under a public works contract shall be subject to a civil penalty not to exceed $1,000. Such penalty shall be enforced by the Director of Revenue and administered in accordance with Chapters 3 and 5 of Title 30. This penalty shall be in addition to any other penalties imposed pursuant to Title 30 of the Delaware Code.**

**Section 2. All agencies that enter a public works contract for a period of 1 year from enactment of this Act shall keep records of any violation of this law and provide such records to the Office of Management and Budget. The Office of Management and Budget shall prepare a report of all violations that shall be provided to the Speaker of the House and President Pro Tempore on or before January 1, 2016.**

**Section 3. This Act shall become effective on September 1, 2014.**

**Section 4. The provision of § 6967(b) and (c), Title 29 of the Delaware Code, shall apply only to public works solicitations advertised after September 1, 2014.**

**Approved August 11, 2014**

**9/4**