


MANUAL CHANGE TRANSMITTAL		NO. 19-11
TITLE: Department of Transportation <i>Construction Manual</i>	APPROVED BY:  Rachel Falsetti, Chief Division of Construction	DATE ISSUED: 12-23-2019
SUBJECT AREA Sections 5-1 and 5-4	ISSUING UNIT Division of Construction	
SUPERSEDES Sections 5-1 and 5-4 of July 2019	DISTRIBUTION All Requested Manual Holders	

The purpose of this manual change transmittal is to announce updates and corrections to the Caltrans *Construction Manual*. The following section or sections have been updated to reflect new policy and supersede the corresponding section of the *Construction Manual* as previously published. Updated sections are available at <https://dot.ca.gov/programs/construction/construction-manual> and are indicated by the date listed in the right-hand column on that page. Changes are identified by change lines in the left margin.

Section 5-1, “Project Records and Reports”

Adds description of new forms for recording agreements between contractors and property owners for disposal of construction-related material containing aerially deposited lead. Also describes form for reporting compliance with the Americans with Disabilities Act for temporary pedestrian access routes that use existing sidewalks. Deletes reference to the *Quality Control Manual* used on previous contracts that used Quality Control / Quality Assurance process for hot mix asphalt. Adds information for forms for internet Extra Work Billing and tentative daily work agreements. Adds information about form for applicants as dispute resolution advisors, alternative dispute progress meeting reports, and dispute resolution advisor applicant resume forms. Updates the name of the railroad in Category 16 for project utility agreements. Updates the section number for maintenance and protection of projects. Updates website for internet extra work billing system.

Section 5-4, “Disputes”

Updates delegation authority amounts for claims settlement and provides more specific titles of tables. Updates web site for updated claims correspondence examples.

Chapter 5

Contract Administration

Section 1 Project Records and Reports

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Form CEM-2301	Temporary Pedestrian Access Route Compliance Inspection Report
Form CEM-2302	Temporary Pedestrian Access Route Weekly Inspection Report
Form CEM-2303	Temporary Pedestrian Access Route Sidewalk Detour Inspection Report
Form CEM-2311	Temporary Pedestrian Access Route Contractor Compliance Report
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Form CEM-3810	Construction Grade Checking Report
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Form CEM-4906	Internet Extra Work Bill (IEWB) User Account Request Form
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Chapter 5

Contract Administration

Section 1 Project Records and Reports

5-101 Forms Used for Contract Administration

5-101A General

One of the duties of the resident engineer is to keep accurate and complete records of the work. This section includes a list of forms used in administering a construction project and maintaining records. Use forms not related directly to contract administration, such as personnel documents and accounting forms, in accordance with instructions contained in other Caltrans manuals.

The Division of Construction issues new or revised construction forms. All Division of Construction forms have a prefix of CEM (Construction Engineering Management) and a number that is related to the form's uniform filing system category. If an existing form no longer meets its intended purpose, refer to Section 1-004, "Changes," of this manual.

Complete Form CEM-9001, "Construction Manual Proposed Change," and send it to the Division of Construction Publications Unit. Explain the reason for the proposed change and attach a draft of the proposed revised form.

The Division of Construction will review the proposed change and make a decision regarding any future revision. Not all forms issued by the Materials Engineering and Testing Services (METS) are listed in this manual. If a test method includes a specific form, contact METS. A list of forms issued by Structure Construction is shown in Section 16, "Bridge Construction Forms," of the *Bridge Construction Records and Procedures* manual, Vol. 1.

5-101B Construction Forms

All Division of Construction forms are available online at:

<https://dot.ca.gov/programs/construction/forms>

Following is a list and descriptions of the Division of Construction forms:

Form CEM-0101 Resident Engineer's Report of Assignment

When assigned to a new project, the resident engineer will use this form to provide contact information. Distribute copies of the report according to instructions on the form and any district instructions.

It is not necessary or desirable to hold the form until all information is available. Submit partial information with a note that a supplemental form will follow.

Form CEM-0501 Relief from Maintenance

The resident engineer uses this form to recommend that the contractor be relieved from maintenance and responsibility in accordance with Section 5-1.38,

“Maintenance and Protection Relief,” of the *Standard Specifications*. For more information refer to Section 3-520, “Maintenance and Protection Relief,” of this manual.

Form CEM-0601 Construction Safety Report

The resident engineer or the project safety coordinator uses this form to document periodic project safety reviews.

Form CEM-0602 Project Safety Program Statement

The resident engineer uses this form to list the sections of the *Code of Safe Practices* that apply to the project. This form may also be used to designate an employee as the project safety coordinator.

Form CEM-0603 Major Construction Incident Notification

The resident engineer uses this form to report major construction incidents. Instructions for completion are included on the last page of the form.

Form CEM-0606 Construction Safety Checklists

The resident engineer uses this form to document the contractor’s attention to safety procedures while performing the work. Choose the appropriate section of the form for the work being performed.

Form CEM-1201 Subcontracting Request

The contractor submits this form and the resident engineer uses the form to calculate the percentage of work to be performed by the contractor. Section 3-5, “Control of Work,” of this manual describes the procedures. The resident engineer must sign this form before the contractor can begin on the applicable subcontracted work. Before approval, verify that subcontractors are not on the debarred contractors list on the California Department of Industrial Relations website:

<http://www.dir.ca.gov/dlse/debar.html>

Form CEM-1202A Contractor Action Request—Change of Name/Address

The contractor submits this form to the resident engineer to request a change in the contractor’s name or address under the contract in accordance with Section 5-1.12, “Assignment,” of the *Standard Specifications*.

Form CEM-1202B Contractor Action Request—Assignment of Contract Monies, Assignee Change of Name/Address

The contractor submits this form to the resident engineer to request an assignment of monies, or an assignee’s change of name or address under the contract in accordance with Section 5-1.12, “Assignment,” of the *Standard Specifications*.

Form CEM-1203 Contractor Action Request—Assignment of Contract Performance

The original contractor or the contractor's surety submits this form to the resident engineer in accordance with Section 5-1.12, "Assignment," of the *Standard Specifications*.

Form CEM-1901 Burial Location of Soil Containing Aerially Deposited Lead

The contractor submits this form to the resident engineer at ADL@dot.ca.gov within 5 business days of completing placement of the material. The resident engineer reviews the information and retains the form in the construction project records.

Form CEM-1902 Burial Location of Soil Containing Naturally Occurring Asbestos

The contractor submits this form to the resident engineer at NOA@dot.ca.gov within 5 business days of completing placement of the material. The resident engineer reviews the information and retains the form in the construction project records.

Form CEM-1903 Burial Location of Soil Containing Aerially Deposited Lead (Topographic Survey)

The contractor submits this form to the resident engineer and by email to ADL@dot.ca.gov within 5 business days after topographic survey of the top at each location. The resident engineer reviews the information, retains the form in the construction project records and forwards the form to the District ADL Coordinator.

Form CEM-1904 Agreement Between a Contractor Working on State Facilities and a Real Property Owner for Disposing Construction Related Material on Commercial Zoned Property Owner's Property

The contractor uses this form when Type Com material is being disposed of on an owner's commercial zoned property. The contractor must submit this form to the resident engineer when taking ownership of materials and, by doing so, the contractor states that the property owner has been notified that the material being deposited contains lead with concentrations between 80 mg/kg and 320 mg/kg and has received a copy of the information handout containing lead concentration data. The contractor further agrees to furnish to the resident engineer with all required permits, licenses, agreements, certifications, and clearances before placing material on the property. For more information, refer to Section 7-107B (2) "Regulated Material," of this manual.

Form CEM-1905 Agreement Between a Contractor Working on State Facilities and a Real Property Owner for Disposing Construction Related Material on Residential Zoned Property Owner's Property

The contractor uses this form when unregulated material is being disposed of on an owner's residential zoned property. The contractor must submit this form to the

resident engineer when taking ownership of materials and, by doing so, the contractor states that the property owner has been notified that the material being deposited contains lead with concentrations less than 80 mg/kg. The contractor further agrees to furnish to the resident engineer with all required permits, licenses, agreements, certifications, and clearances before placing material on the property.

*Form CEM-1906 Agreement Between a Contractor Working on State
Facilities and a Real Property Owner for Disposing Construction-Related
Material Suitable for Use on Residential Zoned Property*

The contractor uses this form when unregulated material is being disposed of on an owner's residential zoned property. The contractor must submit this form to the resident engineer when taking ownership of materials and, by doing so, the contractor states that the property owner has been notified that the material being deposited contains lead with concentrations less than 80 mg/kg. The contractor further agrees to furnish to the resident engineer with all required permits, licenses, agreements, certifications, and clearances before placing material on the property. For more information, refer to Section 7-107B (1) "Unregulated Material," of this manual.

*Form CEM-2006 Legally Responsible Person Authorization of Approved
Signatory*

The district director submits this form and the resident engineer reviews the information for completeness and accuracy. File the form in the construction project records. Instructions are included on the last page of the form.

*Form CEM-2006T Legally Responsible Person Authorization of Approved
Signatory—Lake Tahoe Hydrologic Unit*

The district director submits this form to the California Regional Water Quality Control Board, as required by the Caltrans National Pollutant Discharge Elimination System (NPDES) permit. Instructions are included on the last page of the form.

*Form CEM-2008 SWPPP/WPCP Amendment Certification and
Acceptance*

The resident engineer reviews this form for completeness and accuracy as submitted by the contractor, and files it in the construction project records. Instructions are included on the last page of the form.

Form CEM-2009 SWPPP/WPCP Amendments Log

The resident engineer reviews this form for completeness and accuracy as submitted by the contractor, and files it in the project files. Instructions are included on the last page of the form.

Form CEM-2023 Stormwater Training Record

The resident engineer reviews this form as submitted by the contractor, and files it in the project files. Instructions are included on the last page of the form.

Form CEM-2024 Stormwater Training Log—Optional

The resident engineer files this form, as filled out by the contractor, in the project files. Instructions are included on the last page of the form.

Form CEM-2030 Stormwater Site Inspection Report

The resident engineer fills out and files this form in the project records. Instructions are included on the last page of the form.

Form CEM-2031T Daily Stormwater Site Inspection Report - Lake Tahoe Hydrologic Unit

The water pollution control manager submits this form to the resident engineer as required by the Lake Tahoe Hydrologic Unit Construction General Permit. Instructions are included on the last page of the form.

Form CEM-2032 Permanent Erosion Control Establishment (PECE) Report

The water pollution control manager submits this form to the resident engineer when a contract has a bid item for Permanent Erosion Control Establishment. The resident engineer reviews work descriptions, schedules, and associated change orders for compliance and payment. The resident engineer retains the form in the construction project records under the Storm Water Pollution Prevention Plan files.

Form CEM-2034 Monthly Stormwater Best Management Practices & Materials Inventory Report—Optional

The resident engineer files this form as filled out by the contractor, in the project files. Instructions are included on the form.

Form CEM-2035 Stormwater Corrective Actions Summary

The resident engineer files this form as filled out by the contractor, in the project files. Instructions are included on the last page of the form.

Form CEM-2035T Stormwater Corrective Actions Summary – Lake Tahoe Hydrologic Unit

The water pollution control manager submits this form to the resident engineer as required by the Lake Tahoe Hydrologic Unit Construction General Permit. Instructions are included on the last page of the form.

Form CEM-2045 Rain Event Action Plan

The resident engineer files this form, as filled out by the contractor, in the project files. Instructions are included within the pages of the form.

Form CEM-2045T Rain Event Action Plan—Lake Tahoe Hydrologic Unit

The resident engineer files this form, as filled out by the contractor, in the project files. Instructions are included within the pages of the form.

Form CEM-2051 Stormwater Sampling and Analysis Log—Optional

The resident engineer files this form, as filled out by the contractor, in the project files. Instructions are included on the last page of the form.

*Form CEM-2052 Stormwater Sample Field Test Report/Receiving Water
Monitoring Report*

The resident engineer files this form, as filled out by the contractor, in the project files. Instructions are included on the last page of the form.

Form CEM-2058 Stormwater Meter Calibration Record—Specialty Meters

The resident engineer files this form, as filled out by the contractor, in the project files. Instructions are included on the last page of the form.

Form CEM-2061 Notice of Discharge Report

The resident engineer submits this form to the California Regional Water Quality Control Board, as required by the Caltrans NPDES permit. Instructions are included on the last page of the form.

*Form CEM-2061T Notice of Discharge Report—Lake Tahoe Hydrologic Unit
Stormwater Sample Field Test Report/Receiving Water Monitoring
Report*

This form is to be completed when the contractor, Caltrans, State Water Resources Control Board, or Regional Water Quality Control Board staff determines that stormwater discharges, authorized nonstormwater discharges, or nonauthorized, nonstormwater discharges will violate an applicable water quality standard. This form is submitted to the resident engineer. Instructions are included on the last page of the form.

Form CEM-2062 Numeric Action Level Exceedance Report

The resident engineer submits this form to the California Regional Water Quality Control Board, as required by the Caltrans NPDES permit. Instructions are included on the last page of the form.

*Form CEM-2062T Numeric Action Level Exceedance Report—Lake Tahoe
Hydrologic Unit*

The resident engineer submits this form to the California Regional Water Quality Control Board, as required by the Caltrans NPDES permit. Instructions are included on the last page of the form.

*Form CEM-2063 Numeric Effluent Limitation Violation Report—ATS
Discharges*

The resident engineer submits this form to the California Regional Water Quality Control Board, as required by the Caltrans NPDES permit. Instructions are included on the last page of the form.

*Form CEM-2063T Numeric Effluent Limitation Violation Report—Lake
Tahoe Hydrologic Unit*

The resident engineer submits this form to the California Regional Water Quality Control Board, as required by the Caltrans NPDES permit. Instructions are included on the last page of the form.

Form CEM-2070 SWPPP/WPCP Annual Certification of Compliance

The resident engineer submits this form to the California Regional Water Quality Control Board, as required by the Caltrans NPDES permit. Instructions are included on the last page of the form.

Form CEM-2075 Project Stormwater Annual Report

This form is completed by the contractor and submitted to the resident engineer to document stormwater monitoring and training information required to prepare a Stormwater Annual Report each year for all SWPPP projects for more than three consecutive months. Instructions are included on the last page of the form.

*Form CEM-2075T Project Stormwater Annual Report—Lake Tahoe
Hydrologic Unit*

This form is completed by the contractor and submitted to the resident engineer to document stormwater monitoring and training information required to prepare a Stormwater Annual Report each year for all enrolled projects in the Lake Tahoe Hydrologic Unit for the period of October 16 of the previous year through October 15 of the current year. Instructions are included on the last page of the form.

*Form CEM-20CC Attachment CC, Water Pollution Control Best
Management Practices List*

The contractor's water pollution control manager completes the form at different phases of the construction project to document the type and quantity of best management practices planned to prevent water pollution. Information in this form helps the water pollution control manager mobilize labor and coordinate necessary supplies. In addition, information in this form allows the stormwater inspector to fully understand the construction stage and anticipated quantity of best management practices in the field during the site visit.

Form CEM-20DAPP Appendix D, Notification Log

Subcontractors and material suppliers must be notified of their responsibilities on the construction job site related to stormwater runoff pollution prevention. This form

documents the stormwater pollution prevention notifications given to each subcontractor and material supplier.

*Form CEM-20DCON SWPPP/WPCP Attachment D, Contractor Personnel
Training Record*

Contractor personnel responsible for implementation of stormwater pollution prevention practices are required to be adequately trained in this field. Attachment D documents the training record of the contractor's personnel. This form is included in the stormwater pollution prevention plan (SWPPP) and is updated as necessary.

*Form CEM-20DSUB SWPPP/WPCP Attachment D, Subcontractor Personnel
Stormwater Training Record*

Subcontractor personnel responsible for implementation of stormwater pollution prevention practices are required to be adequately trained in this field. Attachment D documents the training record of the subcontractor's personnel. This form is included in the SWPPP and is updated as necessary.

Form CEM-20EE SWPPP Attachment EE, Stormwater Sampling Locations

This form lists all potential water quality sampling locations within a project site during the course of construction. This form is prepared by the qualified SWPPP developer at the start of the project and is included in the SWPPP. Depending on the stage of construction and areas of disturbed soil activities, appropriate sampling locations from this list are selected for sampling of the stormwater runoff or discharge.

Form CEM-2101 COZEEP Daily Report

The California Highway Patrol and Caltrans jointly use this form to report highway patrol resources used for the Construction Zone Enhanced Enforcement Program (COZEEP). Chapter 2, "Safety and Traffic," of this manual further describes the use of the form.

Form CEM-2102 COZEEP/MAZEEP Task Order

The resident engineer uses this form to request highway patrol support for the Construction Zone Enhanced Enforcement Program. Additional use of this form is described in Chapter 2, "Safety and Traffic," of this manual.

Form CEM-2103 COZEEP/MAZEEP Cancellation Form

The resident engineer uses this form to cancel any previously requested highway patrol support for the Construction Zone Enhanced Enforcement Program. Additional use of this form is described in Chapter 2, "Safety and Traffic," of this manual.

Form CEM-2301 Temporary Pedestrian Access Route Compliance Inspection Report

The resident engineer uses this form to document initial inspection and ADA compliance of a temporary pedestrian access route. For details, refer to Section 4-12, "Temporary Traffic Control," of this manual.

Form CEM-2302 Temporary Pedestrian Access Route Weekly Inspection Report

The resident engineer uses this form to document weekly inspection and ADA compliance of a temporary pedestrian access route. For details, refer to Section 4-12, "Temporary Traffic Control," of this manual.

Form CEM-2303 Temporary Pedestrian Access Route Sidewalk Detour Inspection Report

The resident engineer uses this form to document inspection and ADA compliance of a temporary pedestrian access route provided using an existing pedestrian route. For details, refer to Section 4-12, "Temporary Traffic Control," of this manual.

Form CEM-2311 Temporary Pedestrian Access Route Contractor Compliance Report

The contractor uses this form to initially document that a temporary pedestrian access route is ADA compliant. For details, refer to Section 4-12, "Temporary Traffic Control," of this manual.

Form CEM-2312 Temporary Pedestrian Access Route Contractor Weekly Report

The contractor uses this form to document weekly that a temporary pedestrian access route is ADA compliant. For details, refer to Section 4-12, "Temporary Traffic Control," of this manual.

Form CEM-2401 Substitution Report for Disadvantaged Business Enterprise (DBE) or Underutilized Disadvantaged Business Enterprise (UDBE)

The contractor fills out and provides this form to the resident engineer who uses the information to authorize DBE subcontractor substitutions. Sections 3-8, "Prosecution and Progress," and 8-3, "Disadvantaged Business Enterprises and Disabled Veteran Business Enterprises," of this manual contain additional information on substituting subcontractors.

Form CEM-2402(F) Final Report—Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subcontractors

The contractor completes this form. The resident engineer certifies the form. It describes work performed and materials provided by disadvantaged business

enterprise firms. Refer to Section 8-3, “Disadvantaged Business Enterprises and Disabled Veteran Business Enterprises,” of this manual for details.

Form CEM-2402(S) Final Report—Utilization of Disabled Veteran Business Enterprises (DVBE), State Funded Projects Only

The contractor fills out and certifies this form which describes work performed and materials provided by disabled veteran business enterprise firms. The resident engineer verifies the form. Refer to Section 8-3, “Disadvantaged Business Enterprises and Disabled Veteran Business Enterprises,” of this manual for details.

Form CEM-2403(F) Disadvantaged Business Enterprises (DBE) Certification Status Change

The contractor fills out and certifies this form. The resident engineer uses the form to verify the actual dollar amount paid to DBE subcontractors on federally funded projects that have a change in certification status during the course of the contract. Refer to Section 8-3, “Disadvantaged Business Enterprises and Disabled Veteran Business Enterprises,” of this manual for details.

Form CEM-2404(F) Monthly DBE /UDBE Trucking Verification

The contractor must submit this form before the 15th of each month. It lists the dollar amount paid to the DBE trucking companies for truck work performed by DBE certified truckers and for any fees or commissions for non-DBE truckers used each month on the project. Instructions for filling out this form are on the last page of the form.

Form CEM-2405 Disabled Veteran Business Enterprise (DVBE) Substitution Request to the Department of General Services (DGS)

The resident engineer completes this form, attaches all DVBE substitution request documentation from the contractor, and sends to the headquarters Division of Construction labor compliance program manager. Instructions for filling out this form are on the last page of the form.

Form CEM-2406 Monthly Disadvantaged Business Enterprises (DBE) Payment

The contractor completes this form for labor compliance purposes on federally funded projects only. Refer to Section 8-1, “Labor Compliance,” of this manual for more information.

Form CEM-2407 Disadvantaged Business Enterprise Joint Check Agreement Request

This signed agreement between the contractor and Disadvantaged Business Enterprise (DBE) subcontractor tracks and monitors the use of joint checks, which are two-party checks to both parties sent to DBEs for the purchase of materials for

use on the job. The agreement is provided to the resident engineer for inclusion in the project files.

Form CEM-2501 Fringe Benefit Statement

The contractor completes this form for labor compliance purposes. Refer to Section 8-1, "Labor Compliance," of this manual for more information.

Form CEM-2502 Contractor or Subcontractor Payroll

When it is requested, furnish this form to the contractor. It is used to fulfill the payroll submittal requirements of the contract. Refer to Section 8-1, "Labor Compliance," of this manual for more information.

Form CEM-2503 Statement of Compliance

The contractor may use this form for the required statement of compliance with payroll submittals. Refer to Section 8-1, "Labor Compliance," of this manual for more information.

Form CEM-2504 Employee Interview: Labor Compliance/EEO

Use this form to record information from interviews of contractors' employees. Directions for the interviewer are on the back of the form. Refer to Section 8-1, "Labor Compliance," of this manual for more information.

*Form CEM-2504 (Spanish), Entrevista de Empleado: Cumplimiento
Laboral/IOE*

Same as previous form, printed in Spanish.

Form CEM-2505 Owner-Operator Listing

If they do not include this data on their certified payrolls, contractors may use this form to report payments made to owner-operators. Refer to Section 8-1, "Labor Compliance," of this manual for more information.

Form CEM-2506 Labor Compliance—Wage Violation

The district labor compliance officer uses this form to document labor compliance wage violations. Refer to Section 8-1, "Labor Compliance," of this manual for more information.

Form CEM-2507 Labor Violation: Case Summary

The district labor compliance officer uses this form in conjunction with Form CEM-2506 to summarize labor violation cases. Refer to Section 8-1, "Labor Compliance," of this manual for more information.

Form CEM-2508 Contractor Payroll Source Document Audit Summary

The district labor compliance officer uses this form to document the verification of the contractor's payroll source document audit. Refer to Section 8-1, "Labor Compliance," of this manual for more information.

Form CEM-2509 Checklist—Source Document Audit

The district labor compliance officer uses this form during the contractor's payroll source document audit. Refer to Section 8-1, "Labor Compliance," of this manual for more information.

Form CEM-2601 Construction Progress Chart

The resident engineer maintains this form for each project. Refer to Section 3-8, "Prosecution and Progress," of this manual for details.

Form CEM-2701 Weekly Statement of Working Days

The resident engineer uses this form to track contract time on construction contracts. The last page of the form and Section 3-8, "Prosecution and Progress," of this manual contain instructions for filling out the Weekly Statement of Working Days.

Form CEM-2702 Overrun in Contract Time

The Division of Construction may use this form to grant time adjustments after contract time has elapsed. For more information, refer to Section 3-8, "Prosecution and Progress," of this manual.

Form CEM-3101 Notice of Materials to Be Used

The contractor must use this form to list all materials to be used on the project. Refer to Section 6-2, "Acceptance of Manufactured or Fabricated Material and Products," of this manual for details on the use of the form. Instructions to the contractor are on the last page of the form.

Form CEM-3501 Hot Mix Asphalt Production Report

The plant inspector uses this form to document daily hot mix asphalt production processes and report any plant, material, and production deficiency to the resident engineer.

Form CEM-3502 Hot Mix Asphalt Placement Report

The paving inspector uses this form to document daily hot mix asphalt placement processes and report any material and construction deficiencies to the resident engineer.

Form CEM-3511 Contractor Job Mix Formula Proposal

The contractor uses this form to submit to the resident engineer, before the work begins, the hot mix asphalt mix formula tested for intended use on the project. The

form states job mix formula target values for aggregate sieves and the percent of asphalt binder, as well as source information for all materials.

Form CEM-3512 Contractor Hot Mix Asphalt Design Data

The contractor uses this form to document the testing data developed by the mix design laboratory. Refer to Section 4-39, "Asphalt Concrete," of this manual for more information.

Form CEM-3513 Caltrans Hot Mix Asphalt Verification

Caltrans verifies that the proposed job mix formula complies with the specifications on this form. The resident engineer signs and returns the form to the contractor. Refer to Section 4-39, "Asphalt Concrete," of this manual for more information.

Form CEM-3514 Contractor Job Mix Formula Renewal

The contractor submits test results for renewal of hot mix asphalt job mix formula on this form to the resident engineer. When the test results indicate that the sampled and tested hot mix asphalt complies with the specifications, the resident engineer requests the district materials laboratory perform hot mix asphalt verification testing. Refer to Section 4-39, "Asphalt Concrete," of this manual for more information.

Form CEM-3701 Test Result Summary

The resident engineer must use this form to summarize acceptance tests frequency and results on each material. The form is also used to record dates for sampling, date shipped to laboratory, test result transmission to the resident engineer, and contractor notification of test result. Refer to Category 37, "Initial Tests and Acceptance Tests," in Section 5-102, "Organization of Project Documents," of this manual for details.

Form CEM-3702 Relative Compaction Summary

The resident engineer may use this form to summarize compaction test results in the same manner that Form CEM-3701 is used for other tests.

Form CEM-3703 Caltrans Production Start-Up Evaluation

The resident engineer uses this form to record the testing results at the beginning of production. Refer to Section 4-39, "Asphalt Concrete," of this manual for more information.

Form CEM-3736 Pavement Smoothness Inertial Profiler Submittal Record

The quality control manager submits this form to the resident engineer and the Caltrans secure file sharing system along with specified profiling information within 2 business days of profiling. The resident engineer reviews the information and retains the form in the construction project records.

Form CEM-3736AC Asphalt Concrete Pavement Smoothness Corrections Information

The contractor submits this form to the resident engineer and the Caltrans secure file sharing system along with their final profiling information within 5 business days of profiling. The resident engineer reviews the information and retains the form in the construction project records.

Form CEM-3736C Concrete Pavement Smoothness Corrections Information

The contractor submits this form to the resident engineer and the Caltrans secure file sharing system along with their final profiling information within 5 business days of profiling. The resident engineer reviews the information and retains the form in the construction project records.

Form CEM-3801 Request for Assignment of Inspectors, Samplers, and Testers

The contractor uses this form to submit the names of quality control staff for hot mix asphalt projects using the quality control/quality assurance (QCQA) process.

Form CEM-3802 Quality Control Inspector Affidavit of Proficiency

The contractor uses this form to document the hot mix asphalt experience and training of proposed hot mix asphalt quality control inspectors for projects using the QCQA process.

Form CEM-3803 Daily Summary of Quality Control Testing

The contractor uses this form to provide a summary of quality control test results for each day that hot mix asphalt is placed on a QCQA process project.

Form CEM-3804 Hot Mix Asphalt Inspection and Testing Summary

The contractor uses this form to provide a checklist that shows the inspections and testing for each day that hot mix asphalt is placed on a QCQA process project. The contractor's quality control manager must document on this form deviations from the specifications or regular practices and certify that the information, tests, or calculations, comply with the contract specifications.

Form CEM-3810 Construction Grade Checking Report

The contractor uses this form to conduct quality control for different types of grades during construction; the resident engineer conducts grade verification and acceptance for grades.

Form CEM-4101 Materials Release Summary

The resident engineer uses this form to summarize the materials released by METS and materials inspected at the job site.

Form CEM-4102 Material Inspected and Released on Job

The resident engineer uses this form to list certain materials that may arrive on the job site without a Form TL-0029, "Report of Inspection of Material." Refer to Section 6-3, "Field Tests," of this manual for details.

Form CEM-4202 Material Plant Safety Checklist

The materials plant inspector uses this form when checking a materials plant for safety.

Form CEM-4401 Solid Waste Disposal and Recycling Report

The contractor completes and certifies the information reported on this form. The resident engineer reviews then submits the authorized form to the district recycling coordinator with a copy to the statewide recycling coordinator in headquarters Division of Design. The use of this form is described in Section 7-109, "Solid Waste Disposal and Recycling Reporting," of this manual.

Form CEM-4410 Crumb Rubber Usage Report

The contractor submits this form monthly to the resident engineer and email address CRM@dot.ca.gov. The resident engineer reviews the information and verifies paid quantities and contractor submittal of form to email address. Instructions to the contractor and resident engineer are on the last pages of the form. Refer to Section 7-108, "Crumb Rubber Usage Reporting," of this manual for more information.

Form CEM-4501 Resident Engineer's Daily Report/Assistant Resident Engineer's Daily Report

The resident engineer and assistant resident engineers use this form to record project activities daily. For more information, refer to Section 5-0, "Conduct of the Work," of this manual.

Form CEM-4601 Assistant Resident Engineer's Daily Report

Assistant resident engineers use this form to record daily individual contract item activity. It is also used to record extra work activity and to verify contractor's personnel listed on payrolls. For more information refer to Section 5-0, "Conduct of the Work," of this manual.

Form CEM-4701 Drainage System Summary

The resident engineer and assistant resident engineers use this form to record progress and summarize activity on drainage contract items. Refer to Category 47, "Drainage Systems," in Section 5-102, "Organization of Project Documents," of this manual for details.

Form CEM-4801 Quantity Calculations

The resident engineer and assistant resident engineers use this form for the basic source document for most contract item quantity calculations.

Form CEM-4900 *Change Order*

The resident engineer uses this form for change orders. Refer to Section 5-3, “Change Orders,” of this manual for information about change orders.

Form CEM-4901 *Change Order Input*

The resident engineer and assistant resident engineers use this form to input change orders for the project record and estimate data. Refer to Section 5-103D, “Change Orders,” of this manual for details.

Form CEM-4902 *Extra Work Bill (Short Form)*

The contractor uses this form for billing extra work. Details for use are on the last page of the form and are included in Section 5-103E, “Change Order Billing,” of this manual. The resident engineer may authorize contractor-designed forms. With prior approval from the Division of Construction, the contractor may submit change order bill data on a computer report identical to this form for all Caltrans projects.

Form CEM-4902A *Extra Work Bill—Title Page*

The contractor uses this form for billing extra work. It is the first page of the four-part changer order bill. It identifies the project, change order number, method of payment, and performer of work. This form also provides for manual calculation of the bill. Details for use are on the last page of the form and are included in Section 5-103E, “Change Order Billing,” of this manual. The resident engineer may authorize contractor-designed forms. With prior approval from the Division of Construction, the contractor may submit change order bill data on a computer report identical to this form for all Caltrans projects.

Form CEM-4902B *Extra Work Bill—Labor Charges*

Contractors use this form for billing extra work. It is used to enter labor charges and other expense subject to labor markup. Details for use are on the last page of the form and are included in Section 5-103E, “Change Order Billing,” of this manual. The resident engineer may authorize contractor-designed forms. With prior approval from the Division of Construction, the contractor may submit change order bill data on a computer report identical to this form for all Caltrans projects. This form is used with Form CEM-4902A, “Extra Work Bill—Title Page.”

Form CEM-4902C *Extra Work Bill—Equipment Charges*

The contractor uses this form to enter equipment charges to the change order bill. Instructions for use are on the second page of the form and are included in Section 5-103E, “Change Order Billing,” of this manual. The resident engineer may authorize contractor-designed forms. With prior approval from the Division of Construction, the contractor may submit change order bill data on a computer report identical to this form for all Caltrans projects. This form is used with Form CEM-4902A, “Extra Work Bill—Title Page.”

Form CEM-4902D Extra Work Bill—Material Charges

The contractor uses this form for billing extra work. It is used to enter material charges to the change order bill. Details for use are on the last page of the form and are included in Section 5-103E, “Change Order Billing,” of this manual. The resident engineer may authorize contractor-designed forms. With prior approval from the Division of Construction, the contractor may submit change order bill data on a computer report identical to this form for all Caltrans projects. This form is used with Form CEM-4902A, “Extra Work Bill—Title Page.”

Form CEM-4903 Change Order Memorandum

The resident engineer uses this form in conjunction with Form CEM-4900, “Change Order,” to report the necessary engineering and administrative data relative to the change. Refer to Section 5-3, “Change Orders,” of this manual for details.

Form CEM-4904 Caltrans Authorization for Using Internet Extra Work Bill System

The resident engineer completes this form, outlining contract markups and change order bill roles to authorize Caltrans staff access to the Caltrans Internet Extra Work Bill (iEWB) system. The resident engineer submits the form, along with completed Form CEM-4905 from the contractor, to the appropriate iEWB district administrator.

Form CEM-4905 Contractor Authorization for Using Internet Extra Work Bill System

The contractor furnishes the resident engineer with daily reports of any extra work as required in Section 5-1.27D, “Cost Accounting Records,” of the *Standard Specifications*. The prime contractor completes this form for authority to use the internet to submit change order bills. The contractor submits this form, usually at the preconstruction meeting, to the resident engineer or to the managing partner if the contract is a joint venture. Required change order bill training and the iEWB website provide additional information at:

<http://www.dot.ca.gov/hq/construc/iewb/>

Form CEM-4906 Internet Extra Work Bill (IEWB) User Account Request Form

The contractor uses this form after completing the Internet Extra Work Billing (iEWB) system training to request a user account in the iEWB system. The contractor submits the completed form to the resident engineer for approval. The resident engineer submits the form to the appropriate iEWB district administrator for processing.

Form CEM-4907 Tentative Daily Extra Work Agreement

The resident engineer and assistant resident engineers use this form to record daily labor, equipment, and materials used on work paid at force account that has been authorized through an approved change order. Signatures by both Caltrans and

contractor representatives signify tentative agreement on the extra work to avoid potential disagreements with later billing and payment.

Form CEM-5101 Request for Payment for Materials on Hand

The contractor uses this form to request payment for materials on hand. Instructions for the form and administrative procedures are covered in Section 3-9, “Payment,” of this manual.

Form CEM-5105 Materials on Hand Summary

The resident engineer uses this form to track, authorize, and document material on hand payments. Instructions for the form and administrative procedures are covered in Section 3-9, “Payment,” of this manual.

Form CEM-5501 Partnering Facilitator Evaluation—Kick-Off

The resident engineer uses this form to gather project team evaluations of the partnering facilitator’s performance following the kick-off partnering workshop when partnering is implemented on a Caltrans construction project.

Form CEM-5502 Partnering Facilitator Evaluation—Close-Out

The resident engineer uses this form to gather project team evaluations of the partnering facilitator’s performance following the close-out partnering workshop.

Form CEM-5773 Americans with Disabilities Act (ADA) Project Compliance Certification

The resident engineer uses this form to certify ADA construction compliance of the project’s pedestrian facilities. For details on the use of this form, refer to Section 4-73, “Concrete Curbs and Sidewalks,” of this manual.

Form CEM-5773ADE Curb Ramp (Case A, D, or E) Americans with Disabilities Act (ADA) Compliance Inspection Report

The resident engineer uses this form to document inspection and ADA compliance of Case A, D or E curb ramps. For details on the use of this form, refer to Section 4-73, “Concrete Curbs and Sidewalks,” of this manual.

Form CEM-5773B Curb Ramp (Case B) Americans with Disabilities Act (ADA) Compliance Inspection Report

The resident engineer uses this form to document inspection and ADA compliance of Case B curb ramps. For details on the use of this form, refer to Section 4-73, “Concrete Curbs and Sidewalks,” of this manual.

*Form CEM-5773C Curb Ramp (Case C) Americans with Disabilities Act
(ADA) Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of Case C curb ramps. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

*Form CEM-5773CH Curb Ramp (Case CH) Americans with Disabilities Act
(ADA) Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of Case CH curb ramps. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

*Form CEM-5773CM Curb Ramp (Case CM) Americans with Disabilities Act
(ADA) Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of Case CM curb ramps. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

*Form CEM-5773DW Sidewalk at Driveway Americans with Disabilities Act
(ADA) Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of sidewalks at driveways. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

*Form CEM-5773FG Curb Ramp (Case F or G) Americans with Disabilities Act
(ADA) Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of Case F or G curb ramps. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

*Form CEM-5773NSPL Curb Ramp (Non-Standard Plan - Parallel) Americans
with Disabilities Act (ADA) Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of non-standard plan, parallel curb ramps. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

*Form CEM-5773NSPP Curb Ramp (Non-Standard Plan - Perpendicular)
Americans with Disabilities Act (ADA) Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of non-standard plan, perpendicular curb ramps. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

*Form CEM-5773P Parking Americans with Disabilities Act (ADA)
Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of accessible parking facilities. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

*Form CEM-5773PW Passageway Americans with Disabilities Act (ADA)
Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of passageways. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

*Form CEM-5773SW Sidewalk Americans with Disabilities Act (ADA)
Compliance Inspection Report*

The resident engineer uses this form to document inspection and ADA compliance of sidewalks. For details on the use of this form, refer to Section 4-73, "Concrete Curbs and Sidewalks," of this manual.

Form CEM-5803A Electrical System Inspection Checklist

The resident engineer uses this form to document all components in an electrical system have been inspected and comply with the contract requirements. One form needs to be completed for each electrical system.

Form CEM-5803B Detector Loop Inspection Checklist

The resident engineer uses this form to document that all detector loops in an electrical system have been tested and comply with the contract requirements. One form needs to be completed for each electrical system.

Form CEM-5819A Cable Verification Worksheet

The contractor uses this form to document that each fiber-optic cable delivered to the job site has been tested, before installation, and complies with the contract requirements. One form needs to be completed per cable.

Form CEM-5819B Segment Verification Worksheet

The contractor uses this form to document that each fiber-optic segment installed has been tested, before splicing, and complies with the contract requirements. One form needs to be completed per segment.

Form CEM-5819C Link Loss Budget Worksheet

The contractor uses this form to document that each fiber-optic link has been tested, before equipment is connected, and complies with the contract requirements. One form needs to be completed per link.

Form CEM-6003 Progress Pay—Estimate Project Initiation or Update

The resident engineer uses this form to add new information or to change information in the Contract Administration System (CAS). For details refer to Section 5-103B, “Project Initiation and Update,” of this manual.

Form CEM-6004 Contract Transactions Input

The resident engineer uses this form to input estimate data into CAS for the project record and estimate. Refer to Section 5-103C, “Contract Transactions,” of this manual for details.

Form CEM-6101 Project Record—Estimate Request

The resident engineer uses this form to request that an estimate be run. Refer to Section 5-103F (1), “Procedure,” of this manual for details.

Form CEM-6200 Candidate Application for Dispute Resolution Board (DRB) Member/Dispute Resolution Advisor (DRA)

Application to become a member of a dispute resolution board or become a dispute resolution advisor for Caltrans projects, listing qualifications and expertise.

Form CEM-6201 Notice of Potential Claim

The contractor uses this form to submit notices of potential claims to the resident engineer. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6201A Initial Notice of Potential Claim

The contractor uses this form to submit an early notice of a potential claim issue. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6201B Supplemental Notice of Potential Claim

The contractor uses this form to submit a detailed description along with the necessary attachments of the nature, circumstances, and estimated costs of a potential claim as a follow up to Form CEM-6201A, “Initial Notice of Potential Claim.”

Form CEM-6201C Full and Final Documentation of Potential Claim

The contractor uses this form to submit a complete documentation of a potential claim after completion of the work for which Forms CEM-6201A and CEM-6201B have been submitted. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6201D Initial Potential Claim Record

The contractor uses this form to detail the nature and circumstances of the potential claim. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6201E Supplemental Potential Claim Record

The contractor uses this form to detail the potential claim and cost associated with the claim. For further details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6201F Full and Final Potential Claim Record

The resident engineer uses this form to document the circumstances and costs associated with the potential claim. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6202 Dispute Resolution Board Establishment Report

The resident engineer completes and submits this form to the Division of Construction after the initial Dispute Resolution Board meeting has been held. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6203 Dispute Review Board (DRB) Update Report

The resident engineer completes and submits this form to the Division of Construction yearly beginning on the anniversary of the contract first working day. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6204 Dispute Resolution Board Dispute Meeting Report

The resident engineer completes and submits this form to the Division of Construction when Caltrans has sent a response to DRB recommendation and the contractor’s response has been received or has been accepted by default. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6205 Dispute Review Board (DRB) Completion Report

The resident engineer completes and submits this form to the Division of Construction 30 days after receipt of the contractor’s exceptions to the proposed final estimate. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6206 Dispute Resolution Advisor—Establishment Report

The resident engineer completes and submits this form to the Division of Construction for selection of the dispute resolution advisor. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6207 Dispute Resolution Advisor—Dispute Meeting Report

The resident engineer completes and submits this form to the Division of Construction with Caltrans’ response to the dispute resolution advisor’s recommendations. For details on the use of this form, refer to Section 5-4, “Disputes,” of this manual.

Form CEM-6208 Dispute Resolution Ladder Establishment

As an option, the resident engineer completes and submits this form to the Division of Construction to document the levels of authority consulted. For details on the use of this form, refer to Section 5-4, "Disputes," of this manual.

Form CEM-6209 Elevation of a Dispute

As an option, the resident engineer completes and submits this form to the Division of Construction to assist in defining the dispute before elevating it to the next level. For details on the use of this form, refer to Section 5-4, "Disputes," of this manual.

*Form CEM-6210 Alternative Dispute Resolution – Progress Meeting
Report*

The dispute resolution board chair or the dispute resolution advisor complete **Sections 1 through 8 of this form** within 10 days of a meeting and email it to the resident engineer, contractor, and alternative dispute resolution (ADR) engineer at ADR.Engineer@dot.ca.gov. **The resident Engineer and contractor shall complete Section 9 of this form and email it to the Alternative Dispute Resolution Engineer at ADR.Engineer@dot.ca.gov.**

*Form CEM-6220 Dispute Resolution Board (DRB) Member/Dispute
Resolution Advisor (DRA) Resume*

DRB members/DRA's must submit this form whenever changes occur to current employment, ongoing consulting services, or when approved as a DRB member or as a DRA by the parties (Caltrans and the contractor). Submit the completed electronic form (PDF File) to ADR.Engineer@dot.ca.gov. Approved dispute resolution board members and advisors list their credentials, which are filed with Caltrans for use in disputes that would benefit from their work experience and expertise.

Form CEM-6301 Contract Acceptance

The resident engineer uses this form to document acceptance and the various quantities delivered by the contract. Instructions are on the back of the form. For details on the use of this form, refer to Section 3-525B, "Contract Acceptance," of this manual.

The district does not need to fax a copy of Form CEM-6301, "Contract Acceptance," to the Division of Construction. If there is a federal number on the form, the district estimate desk makes a copy of the form and, at the end of each month, collects and sends these copies to the Caltrans Office of Federal Resources, MS-23.

Form CEM-6302 Final Materials Certification

The resident engineer uses this form to document that tests on acceptance samples indicate the materials incorporated in the construction work, and the construction operations controlled by sampling and testing, were in conformity with the authorized plans and specifications.

Form CEM-6303 Final Acceptance Checklist for Federal-Aid Projects of Division Interest (PODI)

The resident engineer uses this form to document project status for FHWA and to help with the final vouchering process once the final estimate is produced.

Form CEM-9001 Construction Manual Proposed Change

Caltrans personnel or external stakeholders may use this form to submit a recommendation for a change to the *Construction Manual*. Completed forms with attachments, if applicable, should be sent to the Division of Construction, Publications Unit email:

Construction.Publications@dot.ca.gov.

Form OFG-1 Oversight Resident Engineer's Preconstruction Checklist

The resident engineer uses this form to document contacts within the local agency where the work is being performed. For further details on use of this form, refer to Section 3.1.7, "Oversight Resident Engineer Files," of the *Oversight Resident Engineer Guidelines*.

Form OFG-2 Local Agency and Oversight Resident Engineer Preconstruction Conference Checklist

The resident engineer uses this form to document general project conditions at the preconstruction meeting with the contractor. For details on use of this form, refer to Section 3.1.7, "Oversight Resident Engineer Files," of the *Oversight Resident Engineer Guidelines*.

Form OFG-3 Local Agency Resident Engineer Contract Provisions Checklist

The resident engineer uses this form to document state and federal requirements with the contractor. For details on use of this form, refer to Section 3.1.7, "Oversight Resident Engineer Files," of the *Oversight Resident Engineer Guidelines*.

Form OFG-4 Oversight Resident Engineer's Construction Contract Administration Verification Checklist

The resident engineer uses this form to document the contract administration activities required on the project. For details on use of this form, refer to Section 3.1.7, "Oversight Resident Engineer Files," of the *Oversight Resident Engineer Guidelines*.

Form OFG-5 Federal-Aid Projects of Division Interest

The resident engineer uses this form to document federal-aid requirements for the project. For details on use of this form, refer to Section 3.1.7, "Oversight Resident Engineer Files," of the *Oversight Resident Engineer Guidelines*.

Form OFG-6 Final Acceptance Checklist for Caltrans Oversight Projects

The resident engineer uses this form to document that all required procedures have been performed on the project. For details on use of this form, refer to Section 3.1.7, “Oversight Resident Engineer Files,” of the *Oversight Resident Engineer Guidelines*.

5-101C Materials Engineering and Testing Services Forms

Structural Materials, under Materials Engineering and Testing Services (METS), is responsible for TL forms. Find some forms under Engineering Services’ Testing and Technology Services link at:

<http://cefs2.dot.ca.gov/jsp/forms.jsp>

Form MR-0518 Job Cement Samples Record

The resident engineer uses this form to submit cement samples for testing. Instructions for the use of this form are found in Section 6-2, “Acceptance of Manufactured or Fabricated Material and Products,” of this manual.

Form TL-0015 Quality Assurance—Nonconformance Report

METS uses this form when METS personnel discover that structural material or quality control procedures do not meet specific contract requirements. METS sends a copy to the resident engineer.

Form TL-0016 Quality Assurance—Nonconformance Resolution

METS uses this form to document the resolution to an outstanding Form TL-0015. METS sends a copy to the resident engineer.

Form TL-0028 Notice of Materials to Be Inspected at Job Site

METS uses this form to assign inspection duties. METS sends a copy to the resident engineer.

Form TL-0029 Report of Inspection of Material

METS uses this form to confirm that material has been inspected, and the inspector has attached inspection release tags or other means of identification. METS sends a copy to the resident engineer, who compares it with inspection tags or markings on delivered materials.

Form TL-0038 Inspection Request

METS uses this form to document requests by the vendor or fabricator for bid items that require inspection.

Form TL-0101 Sample Identification Card

The resident engineer uses this form to submit samples to METS or district materials laboratories for testing materials other than field samples of concrete (compressive strength) and cement samples.

Form TL-0502 *Field Sample of Portland Cement Concrete Sample Card*

The resident engineer uses this form to submit compressive strength samples of concrete. Refer to Section 6-3, "Field Tests," of this manual for details on marking of samples.

Form TL-0608 *Notice of Materials to be Furnished*

METS uses this form to inform all parties that METS will inspect and release material before it's sent to the job site. TL-0038, "Inspection Request Form," is included with the TL-0608 that is sent to the vendor and fabricator.

Form TL-0624 *Inspection Release Tag*

When a METS inspector has inspected material, the inspector will attach this form with lot numbers, inspector's initials, and date of inspection. When it is not feasible to attach tags, the METS inspector will mark lot numbers on the material.

Form TL-0625 *Materials Suitability Tag*

METS uses this form to verify that a quality assurance inspector has inspected the material and released it to the job site. A blue tag attached to the material includes the contract number, state lot number, blue tag number, inspector's initials, and date of inspection. When it is not feasible to attach tags, the METS inspector will mark lot numbers on the material.

Form TL-0649 *Report of Materials on Hand*

METS uses this form to verify that material has been inspected and is in acceptable condition. Refer to Section 3-9, "Payment," of this manual for details.

Form TL-6013 Toll *Material Suitability Documentation Report*

METS structural material representative, in consultation with the resident engineer and design staff as needed, completes this form. The form documents the decision to release material that is tagged with TL-0625 and is listed in TL-6014.

Form TL-6014 *Material Suitability Report*

This form is completed by the METS quality assurance inspector and is used to list the material to be released with TL-0625. The report includes material description, blue tag number, and description of conformance.

Form TL-6037 *Fabrication Progress Report*

METS uses this form to notify resident engineers of progress being made on fabrication of various items. Refer to Section 3-9, "Payment," of this manual for details.

Some METS forms can be found at the Caltrans Electronic Forms System's intranet website:

<http://cefs.dot.ca.gov/jsp/forms.jsp>

5-101D Other State Forms

Following are state forms used in contract administration that are not issued by the Division of Construction or METS. They are available on the Caltrans Electronic Forms System's intranet website:

<http://cefs.dot.ca.gov/jsp/forms.jsp>

Form DPD-3013 Request for Construction Staking

The contractor uses this form to request construction staking. The resident engineer and the survey party chief add information to the request. It serves as a record of construction staking and any charges to the contractor for restaking. For information on construction surveys and use of the form, refer to Chapter 12, "Construction Surveys," of the *Caltrans Surveys Manual*.

Form LA-17 Report of Chemical Spray Operations

The contractor uses this form to submit the required weekly pesticide application report. Refer to Section 4-2002C (2), "Pesticides," of this manual for details.

5-101E Traffic Operations Forms

The following forms from the Division of Traffic Operations are used to change clearances or bridge weight rating, and are at:

<https://dot.ca.gov/programs/traffic-operations>

Form TR-0019 Notice of Change in Clearance or Bridge Weight Rating

The resident engineer uses this form to report permanent changes to vertical or horizontal clearance for vehicular traffic or permanent changes in bridge permit ratings on divided roadways. Refer to Section 3-703B, "Permanent Clearance and Bridge Permit Rating Changes," of this manual for details.

Form TR-0020 Notice of Change in Vertical or Horizontal Clearance

The resident engineer uses this form to report permanent changes to vertical or horizontal clearance for vehicular traffic. Refer to Section 3-703B, "Permanent Clearance and Bridge Permit Rating Changes," of this manual for details.

Form TR-0029 Notice of Change in Clearance or Bridge Weight Rating

The resident engineer uses this form to report permanent changes to vertical or horizontal clearance for vehicular traffic or permanent changes in bridge permit ratings on undivided roadways. Refer to Section 3-703B, "Permanent Clearance and Bridge Permit Rating Changes," of this manual for details.

Form TR-0405 Certification of Compliance with Americans with Disabilities Act (ADA)

The resident engineer uses this form to certify compliance with ADA standards prior to and after construction. Refer to Design Information Bulletin 82 at the website:

<https://dot.ca.gov/programs/design/design-information-bulletins-dibs>

5-101F Federal Forms

Following is a list of some federal forms that are used in contract administration. Obtain the forms from the U.S. Department of Transportation, Federal Highway Administration's website:

<http://www.fhwa.dot.gov/eforms>

Form FHWA-1391 Federal-Aid Highway Construction Contractors Annual EEO Report

The contractor must submit this form on all federal-aid contracts over \$10,000. All subcontractors on federal-aid projects whose subcontracts exceed \$10,000 must also submit the form. Contractors and subcontractors report project employment data for the last full week of July on the form.

Form DOL SF-308 Request for Wage Determination and Response to Request

Request wage rate determinations for federal-aid contracts by using this U.S. Department of Labor form. Obtain the form from the U.S. Department of Transportation, Federal Highway Administration's website:

<https://www.dol.gov/whd/programs/dbra/sf308.htm>

5-102 Organization of Project Documents

5-102A General

This section describes the uniform filing system for organizing project records and reports. The system uses numbered categories for filing project documents. Use the uniform filing system on all projects.

There are 63 categories in the filing system. There are several unassigned categories. Use them for project documents that do not fit in assigned categories. If necessary, divide a category into subcategories.

Assign the appropriate category numbers to documents filed at a separate location (such as a field office hanging file). The filing system will then be correct when records are brought together after project completion. Project records may be scanned and stored electronically. Maintain hard copy files as a backup before project completion.

5-102B Indexing

Use a category index, similar to the sample shown at the end of this section, or an index of categories that is supplied with the labels, for each project. Post the index in a prominent location.

When the location of a category is separate from the main file, indicate its location on the index under the appropriate heading.

5-102C Description of Categories

The following discussion describes the documents that should be included in each category and, for some categories, a recommended order of the documents in the categories:

Category 1 Project Personnel

Include all personnel-related records in this category. Suggested subcategories are listed below. On smaller projects, some of the listed subcategories may be combined when the amount of detail shown is not warranted.

- Form CEM-0101, "Resident Engineer's Report of Assignment"
- Attendance Report
- Overtime Records
- Overtime Requests and Authorizations
- Absence Requests
- Personnel Transfer Records
- Personnel Roster
- Travel Expense Claims and Records
- Individual Personnel File, such as emergency telephone numbers, experience or training records

Category 2 Project Office Equipment and Supplies

In this category, file documents relating to equipment and supplies. Include records of equipment and supplies that have been received or returned. The subcategories listed below outline the scope of this category.

- Equipment Inventory
- Shipping Records (related shipping and receiving records should be stapled together)
- Receiving Records
- Transfer Requests
- Local Requests
- Automotive Records
- Cash Expenditure Vouchers
- Purchase Orders
- Bills of Lading

Category 3 Equipment and Personnel Cost Reports

In this category, file construction engineering cost reports. Suggested subcategories are:

- PRSM (task management) reports
- Equipment cost reports

Category 4 Service Contracts

In this category, file documents related to the project office utilities and services. File requests for service with all correspondence relating to project office service contracts in an appropriate subcategory. File the receiving records for bills for utilities and services in a “date received” sequence.

It is recommended that a separate subcategory be used for each company or each service agreement. File purchase orders for supplies in Category 2, “Project Office Equipment and Supplies.”

The subcategories that may be included in this category are as follows:

- Rent
- Electricity
- Gas
- Telephone
- Drinking water
- Overnight mail and shipping service
- Additional service agreements, as required

Category 4 includes only transactions connected with the resident engineer’s office. Do not confuse this category with Category 16, “Utility Agreements,” Category 17, “Utility Work Performed,” or a subcategory of Category 52, “Charges to Total Contract Allotment.” These are part of the project’s construction operations.

Category 5 General Correspondence

In this category, file letters that do not relate to any other category or subcategory in use. File correspondence concerning a subject that directly relates to some other category in that category. For example, file correspondence developed in connection with a change order in the change order category file.

File correspondence in any subcategory in chronological order.

When the volume of correspondence builds up, segregate and divide it into more detailed subject subcategories. When appropriate, transfer correspondence from Category 5 to a more specific category. For example, a property owner may object to certain conditions on the project. After considerable correspondence, the resident engineer writes a change order to solve the problem. At this point, the resident engineer should transfer all of the correspondence related to the change order to the change order category file.

A letter might cover subjects in multiple categories. When the letter relates directly to two subjects, file a copy in each category or cross-reference to the location of the original. Cross-referencing need be only a note describing the letter filed in a different category.

The following are examples of subcategories in Category 5. The number of subcategories will depend on the volume of correspondence. Show all subcategories in the index.

- Request for information (RFI) and responses
- Request for clarification (RFC) and responses
- To district office
- From district office
- To Project Development
- From Project Development
- To Maintenance
- From Maintenance
- To Traffic
- From Traffic
- To contractor; for example, letters, transmittals, faxes, memos, email
- From contractor; for example, letters, transmittals, faxes, memos, email
- Property owners
- Utility companies
- Form CEM-0501, "Relief From Maintenance"
- Any additional subcategories that may be required depending on the volume of the correspondence

Category 6 Safety

File project documents relating directly to safety in this category. Suggested subcategories are:

- Employee safety
- Form CEM-0601, "Construction Safety Report"
- Form CEM-0602, "Project Safety Program Statement"
- Contract Documents Relating to Safety
- Correspondence with the Division of Occupational Safety and Health (Cal/OSHA)
- Form CEM-0606, "Construction Safety Checklist"
- A copy of the contractor's Injury and Illness Prevention Program
- A copy of the contractor's *Code of Safe Practices* in use for the project

Category 7 Public Relations

File documents covering the subject of public relations in this category.

Category 8 Construction Surveys

Use this category for filing all survey documents that do not directly or solely relate to another category.

File Form DPD-3013, "Request for Construction Staking," in this category. Create subcategories for requests on which staking has been completed and those on which staking has not been completed. Cross-file staking requests that include restaking charges in Category 54, "Deductions from Payment to Contractor."

Category 9 Welding

In this category, file documents relative to welding in accordance with instructions in Section 180, "Welding," of the *Bridge Construction Records and Procedures* manual.

Category 10 Extra Category Number

Use this extra category number for project documents that do not fit in currently established categories. When used, enter the name of the category on the index sheet.

Category 11 Information Furnished at Start of Project

In this category, file documents related to planning, design, contract funding, advertising, and opening bids. Do not file documents in this category that apply solely or directly to other established categories. Create subcategories as necessary because of the volume of documents:

- Project Report
- Preliminary Report
- Project Expenditure Authorization, including Supplemental Allotments
- Detail Estimate of Project Cost
- Notice of Award of Contract
- Bid Summary Sheets
- Federal Detail Estimate
- Executed Contract, Special Provisions, and Plans
- Notice of Approval of the Contract
- Environmental Permits
- Encroachment Permits and Cooperative Agreements
- Bidder Inquiry Information

Category 12 Contractor

Use this category to file the documents that the contractor is required to submit. Do not use it for general correspondence or documents appropriate to a different category. The following subcategories suggest the scope of the category:

- Contractor's organization, including the designation of the contractor's authorized representative as required by Section 5-1.16, "Representative," of the *Standard Specifications*
- Contractor's equipment list
- Contractor's borrow agreements
- List of subcontractors and other project documents concerning subcontracting
- Shop plans, if not filed under a more appropriate category
- Falsework plans
- Insurance documents, as required in Section 7-1.05, "Indemnification," and Section 7-1.06, "Insurance," of the *Standard Specifications*

Category 13 Signs and Striping

In this category, file all documents related to signing, delineation, and handling public traffic during construction. Suggested subcategories are:

- Layout of Construction Signs
- Detour Design, Striping, and Signing
- Traffic Striping Diagrams

Category 14 Photo Records

File routine photos and their identification in this category. File photos relating to claims in Category 62, "Disputes." It is a good practice to take photos on a monthly basis to document the work during construction. Maintain video recordings and digital photo files in an organized manner. Note the location of these items in this category file.

Suggested subcategories are:

- Before Construction
- During Construction
- After Construction

Category 15 Accidents

In this category, file documents related to accidents. Subcategories may include:

- Caltrans Employee Accident and Injury Reports
- Caltrans Vehicle Accident Reports
- California Highway Patrol Accident Reports

- Local Police Accident Reports
- Records and Investigations of Public Traffic Accidents
- Records and Investigations of Contractor Accidents

Category 16 Utility Agreements

In this category, file documents that relate to work to be done to utility facilities in connection with the project.

Create subcategories for utility companies. Set up second-level subcategories when required by the number of documents. The following are examples of subcategories within this category:

- 16.1.1 PG&E Co.—Agreements
- 16.1.2 PG&E Co.—Relocations
- 16.1.3 PG&E Co.—Encroachment Permit
- 16.2 AT&T Corp.
- 16.3 Union Pacific Railroad.

Category 17 Utility Work Performed

In this category, file daily reports and other records of utility facility work. Create the same primary subcategories as those used in Category 16.

Create second level subcategories when required by the number of documents and the amount of work. For example, if the work would develop daily reports and receiving records of only one utility relocation, these documents could be kept in one subcategory in chronological order. When the same utility company has more than one relocation, a more detailed breakdown is advisable.

Category 18 Agreements

In this category, file non-utility agreements with third parties or other state or county agencies. The number and levels of subcategories will depend upon the agreements and the nature and extent of the work involved. A list of suggested subcategories follows:

- Right-of-Way Agreements—Without Obligations
- Right-of-Way Agreement—With Obligations
- Forest Service Agreements
- Borrow Agreements between Caltrans and owner
- Disposal Agreements between Caltrans and owner
- Service Agreements, which are utility service agreements such as for highway lighting
- Disposal Permits
- Records of Royalty Payments

- Encroachment Permits

File an encroachment permit relating to a utility facility agreement under Category 16, "Utility Agreements." File an encroachment permit relating to a right-of-way agreement in this category.

Where there are several right-of-way agreements requiring some degree of control, such as right-of-way agreements with obligations, maintain a summary to show the status of these agreements. An example of the status summary headings:

- The agreement number
- The location of work to be performed
- A brief description of work to be done and by whom
- When the work is completed
- The change order number if the required work is being done by change order

Category 19 Hazardous Waste and Hazardous Materials

File any information regarding the discovery and removal of hazardous waste in this category.

To comply with the record retention requirements of the ADL Agreement, the resident engineer must retain ADL-related records as follows:

- File all ADL-related correspondence, reports, data, and records in Category 19, "Hazardous Waste and Hazardous Materials" of the project records.
- File all ADL-related documents included with the resident engineer pending file in Category 19.

Category 20 Water Pollution Control Plan or Stormwater Pollution Prevention Plan

File all correspondence regarding water pollution control plans (WPCP) or stormwater pollution prevention plans (SWPPP) in this category. A list of suggested subcategories:

- Authorized WPCP or SWPPP
- Amendments to WPCP or SWPPP
- Notification of Construction
- Correspondence
- Inspections by Contractor
- Inspections by Caltrans
- Notices of Noncompliance
- Annual Certification of Compliance
- Notice of Completion of Construction

Category 21 Construction or Maintenance Zone Enhanced Enforcement Program

File documents relating directly to the Construction Zone Enhanced Enforcement Program (COZEEP) in this category. Suggested subcategories are shown below:

- Form CEM-2103, "COZEEP/MAZEEP Cancellation Form"
- Form CEM-2102, "COZEEP/MAZEEP Task Order"
- Form CEM-2101, "COZEEP Daily Report"

Category 22 Traffic Management Information

Use this category to file information related to traffic management. Possible subcategories include:

- Contractor lane closure requests
- Lane closure requests submitted to the transportation management center
- Authorized lane closures
- Contractor contingency plans
- Traffic count data

Category 23 Temporary Pedestrian Access Routes

Use this category number for the following:

- Form CEM-2301, "Temporary Pedestrian Access Route Compliance Inspection Report"
- Form CEM-2302, "Temporary Pedestrian Access Route Weekly Inspection Report"
- Form CEM-2303, "Temporary Pedestrian Access Route Sidewalk Detour Inspection Report"
- Form CEM-2311, "Temporary Pedestrian Access Route Contractor Compliance Report"
- Form CEM-2312, "Temporary Pedestrian Access Route Contractor Weekly Report"

Category 24 Disadvantaged Business Enterprises and Disabled Veteran Business Enterprises (DVBE)

Use this category for the following:

- Disadvantaged business enterprises (DBE) and disabled veteran business enterprises (DVBE) correspondence
- The contractor's DBE/DVBE utilization plan
- DBE and DVBE substitution requests and approvals
- DBE and DVBE monthly reports

- Form CEM-2402(F), “Final Report—Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subcontractors”
- Form CEM-2403(F), “Disadvantaged Business Enterprises (DBE) Certification Status Change”
- Form CEM-2404(F), “Monthly DBE/UDBE Trucking Verification”
- Form CEM-2407, “Disadvantaged Business Enterprise (DBE) Joint Check Agreement Request”
- Other DBE and DVBE related documents

Category 25 Labor Compliance and Equal Employment Opportunity

In this category, file required labor compliance and equal employment opportunity information. Refer to Sections 8-1, “Labor Compliance,” and 8-2, “Equal Employment Opportunity,” of this manual for details.

Category 26 Progress Schedule

In this category, file the progress schedule, critical path method submittals, and other related information.

Category 27 Weekly Statement of Working Days

In this category, file Form CEM-2701, “Weekly Statement of Working Days.” Also file correspondence relating to contract time in a subcategory of this category.

Category 28 Weekly Newsletter

In this category, file periodic newsletters and reports that are prepared during the project. Include weekly reports of a general nature pertaining to the progress of the contract.

Category 29 Materials Information and Preliminary Tests

In this category, file materials information and preliminary test reports. Suggested subcategories follow:

- Materials information
- Report of foundation investigation
- Report of preliminary tests on aggregate base
- Report of preliminary tests on aggregate subbase

Category 30 Basement Soil Test Results

In this category, file basement soil test results taken during the design phase to determine structural section adequacy.

Category 31 Notice of Materials to Be Used

In this category, file Form CEM-3101, "Notice of Materials to Be Used." Create a system for checking that notices have been received.

Make Form CEM-3101s that contain information for structure items available for use by the structure representative. Consider filing the Form CEM-3101 listing structure items in a separate subcategory of this category.

Category 32 Notice of Materials to Be Inspected at the Job Site

In this category, file Form TL-0028, "Notice of Materials to Be Inspected at Job Site."

Category 33 Notice of Materials to Be Furnished

In this category, file Form TL-0608, "Notice of Materials to Be Furnished."

Category 34 Treated Base

In this category, file documents for cement-treated base, cement-treated permeable base, and asphalt-treated permeable base. Do not include documents that are to be filed in other categories, such as 37 and 48.

Use subcategories similar to the examples listed. Create a numbering system that identifies the category, item, and subcategory. For example, 34.26.3 indicates: Category 34 "Treated Bases"; 26 is the contract item number of the material and identifies the subcategory; 3 is the second level subcategory identifying the particular document. For example:

- 34.26.1 Mix design data, cement-treated base
- 34.26.2 Plant records, cement-treated base
- 34.26.3 Spread records, cement-treated base
- 34.27.1 Mix design data, cement-treated permeable base
- 34.27.2 Plant records, cement-treated permeable base
- 34.27.3 Spread records, cement-treated permeable base
- 34.28.1 Mix design data, asphalt-treated permeable base
- 34.28.2 Plant records, asphalt-treated permeable base
- 34.28.3 Spread records, asphalt-treated permeable base
- 34.4 Certificates of compliance for materials used in treated bases

Category 35 Hot Mix Asphalt

In this category, file documents related to hot mix asphalt, except those to be filed in categories such as 37 or 48. Following are suggested subcategories:

- Form CEM-3501, "Hot Mix Asphalt Production Report"
- Form CEM-3502, "Hot Mix Asphalt Placement Report"
- Form CEM-3511, "Contractor Job Mix Formula Proposal"

- Form CEM-3512, “Contractor Hot Mix Asphalt Design Data”
- Form CEM-3513, “Caltrans Hot Mix Asphalt Verification”
- Certificates of compliance for materials used in hot mix asphalt

Category 36 Concrete other than structure items

In this category, file documents related to concrete. Do not include documents that are to be filed in categories such as 37, 43, and 48. For structure items, the project documents are to be filed in Category 43, “Concrete and Reinforcing Steel.” Refer to the *Bridge Construction Records and Procedures* manual for details. Following are suggested subcategories:

- 36.1 Portland cement concrete pavement
 - 36.1.1 Mix Designs
 - 36.1.2 Plant Records
 - 36.1.3 Certificates of compliance for materials used in concrete pavement
- 36.2 Portland cement concrete, Class A structure and minor concrete
 - 36.2.1 Mix Designs
 - 36.2.2 Plant Records
 - 36.2.3 Certificates of compliance for materials used in Class A structure concrete and minor concrete

Category 37 Initial Tests and Acceptance Tests

In this category, file initial tests and acceptance tests. File documents in each subcategory chronologically unless there is a specific reason for doing otherwise.

Use subcategories similar to the forms listed. Create a numbering system that identifies the category, item, and subcategory. For example, 37.21.3 indicates: Category 37, “Initial Tests and Acceptance Tests”; 21 is the contract item number of the material and identifies the subcategory; and 3 is the second level subcategory identifying the particular test result.

- Form CEM-3701, “Test Result Summary”
- Form CEM-3702, “Relative Compaction Summary”
- Form CEM-3703, “Caltrans Production Start-Up Evaluation”
- Form CEM-3736, “Pavement Smoothness Inertial Profiler Submittal Record”
- Form CEM-3736AC, Asphalt Concrete Pavement Smoothness Corrections Information”
- Form CEM- 3736C, “Concrete Pavement Smoothness Corrections Information”
- Embankment
 - 37.10.1 Relative Compaction
- Structure Backfill

- 37.14.1 Sand Equivalent
- 37.14.2 Relative Compaction
- Aggregate Subbase
 - 37.21.1 Relative Compaction
 - 37.21.2 Moisture
 - 37.21.3 Sieve Analysis
 - 37.21.4 Sand Equivalent
 - 37.21.5 Record of Thickness
 - (summarized in the order that measurements are made)
- Aggregate Base
 - 37.22.1 Relative Compaction
 - 37.22.2 Moisture
 - 37.22.3 Sieve Analysis
 - 37.22.4 Sand Equivalent
 - 37.22.5 Record of Thickness
 - (summarized in the order that measurements are made)
- Hot Mix Asphalt
 - 37.31.1 Aggregate Gradation
 - 37.31.2 Asphalt Binder Content
 - 37.31.3 Maximum Theoretical Density (percent)
 - 37.31.4 Sand Equivalent (minimum)
 - 37.31.5 Stabilometer Value (minimum)
 - 37.31.6 Air Voids Content
 - 37.31.7 Crushed Particles
 - 37.31.8 Moisture Content
 - 37.31.9 Los Angeles Rattler
 - 37.31.10 Fine Aggregate Angularity
 - 37.31.11 Flat and Elongated Particle
 - 37.31.12 Voids in Mineral Aggregate
 - 37.31.13 Voids with Asphalt
 - 37.31.14 Dust Proportion
 - 37.31.15 Smoothness
 - 37.31.16 Asphalt Binder

- 37.31.17 Asphalt Rubber Binder
- 37.31.18 Asphalt Modifier
- 37.31.19 Crumb Rubber Modifier
- 37.31.20 Certificates of Compliance for Materials Used in Hot Mix Asphalt
- Portland Cement Concrete Pavement
 - 37.42.1 Sand Equivalent
 - 37.42.2 Cleanness Value
 - 37.42.3 Sieve Analysis
 - 37.42.4 Modulus of Rupture
 - 37.42.5 Penetration Values
 - 37.42.6 Cement Content
 - 37.42.8 Coefficient of Friction
 - 37.42.9 Other related items

Bills of lading and copies of sample identification tags may be filed in this category temporarily and discarded when their respective test reports are filed.

File test results for items assigned to Structure Construction personnel in this category in accordance with instructions contained in the *Bridge Construction Records and Procedures* manual.

Category 38 Quality Control

In this category, include all documents relating to quality control. Create a subcategory system to include the following:

- Forms CEM-3801, "Request for Assignment of Inspectors, Samplers, and Testers" and Form CEM-3802, "Quality Control Inspector Affidavit of Proficiency"
- Form CEM-3803, "Daily Summary of Quality Control Testing"
- Form CEM-3804, "Hot Mix Asphalt Inspection and Testing Summary"
- Copies of related correspondence

Category 39 Materials Testing Qualification of Employees

In this category, file copies of certifications of the employees performing acceptance tests.

Category 40 Field Laboratory Assistant Reports to Resident Engineer

In this category, file chronologically any reports made by the project's materials tester. For more than one type of report, such as a report and a summary form, provide subcategories.

Category 41 Report of Inspection of Material

In this category, file the following forms:

- Form TL-0015, “Quality Assurance—Nonconformance Report”
- Form TL-0016, “Quality Assurance—Nonconformance Resolution”
- Form TL-0029, “Report of Inspection of Material”
- Form TL-0624, “Inspection Release Tag”
- Form TL-0625, “Material Suitability Tag”
- Form TL-6013 Toll, “Material Suitability Documentation Report”
- Form TL-6014, “Material Suitability Report”
- Form CEM-4101, “Materials Release Summary”
- Form CEM-4102, “Material Inspected and Released on Job”

Create subcategories within Category 41 for each contract item requiring inspection at the source by a METS inspector. Place a summary sheet (use Form CEM-4101, “Materials Release Summary”) in each subcategory containing the date of inspection, quantity inspected, cumulative quantity, and lot numbers. The summary sheet documents that materials used in the work have been inspected.

Staple Form TL-0624, “Inspection Release Tag,” removed from materials received on the project, to Form TL-0029, “Report of Inspection of Material,” on a letter-size sheet of paper and file it in the appropriate subcategory. The sheet should include the name of the engineer who removed it and the date removed. When lot numbers are marked on the items, note the observed lot number on the related Form TL-0029.

Form TL-0625, “Material Suitability Tag,” should be attached to the TL-6014, “Material Suitability Report,” received from METS and filed.

When the Form TL-0029 includes material for more than one item, include a reference on the summary sheet showing the file location of the TL-0029.

File test reports (usually on Form CEM-4102, “Material Inspected and Released on Job”) that cover material sampled on the job in place of source inspection in the appropriate subcategory of this category, not in Category 37, “Initial Tests and Acceptance Tests.”

File reports of inspection or certificates of compliance for materials assigned to the structure representative in this category in accordance with instructions contained in *Bridge Construction Records and Procedures* manual.

Category 42 Material Plants

In this category, file Form CEM-4202, “Material Plant Safety Checklist,” and all other project documents pertaining to material plant inspections.

Category 43 Concrete and Reinforcing Steel

In this category, file documents relative to concrete and reinforcing steel in accordance with instructions in the *Bridge Construction Records and Procedures* manual.

Category 44 Recycle Materials and Diversion of Solid Waste

In this category, file a completed copy of Form CEM-4401, "Solid Waste Disposal and Recycling Report." The contractor completes Form CEM-4401 and the resident engineer reviews the form within the reporting time constraints. The use of this form is described in Section 7-109, "Solid Waste Disposal and Recycling Reporting," of this manual.

Category 45 Resident Engineer's Daily Reports

In this category, file Form CEM-4501, "Resident Engineer's Daily Report/Assistant Resident Engineer's Report," and the structure representative's daily report.

Category 46 Assistant Resident Engineer's Daily Reports

In this category, file Form CEM-4601, "Assistant Resident Engineer's Daily Report."

Subcategories may be used. They may vary depending on the complexity of the project and the desires of the district. The resident engineer and the structure representative must agree on the subcategories before the start of work. Follow the procedures described below to establish the subcategories.

1. Reports Covering Contract Items

Create a subcategory for each major operation so that all items affecting the major operations are grouped together. An example of a system for a relatively large project follows.

Modify the category breakdown to conform to the size and nature of the project. Make the breakdown narrow enough so that reports covering any particular contract item may be obtained with ease. Review the breakdown to verify that it includes all contract items.

Make as many daily reports as necessary to cover all contract item work in the appropriate subcategories.

As indicated in Example 5-1.1, set up a separate subcategory for each structure.

Example 5-1.1 Subcategories for project files

Category and Subcategory	Subject	Contract Items in the Operation
46.1	Chronological	All
46.2	Clearing and Grubbing	5
46.3	Roadway Excavation, Ditch Excavation Aggregate Subbase	8,13,11,15,22
46.4	Salvage Fence, Fence Gates	2,78,79,80
46.5	Guard Railing, Markers, Barricades	1,4,82,83,87
46.6	AB, CTB	23,24
46.7	Hot Mix Asphalt Slurry Seals, Dikes	28,29,30,31,32
46.8	Concrete Paving	35,36,37
46.9	Curbs and Sidewalks Slope Paving, Curb Drains, Spec. Gutter Drains	73,74,76,77
46.10	Minor Str., Precast MH and DI, Reinf. Steel, Misc. Iron and Steel	42,69,70,46,75
46.11	RCP, CMP, SSP ARCH, Drainage Gates, Under/Down Drain, Str Exc., Str. Backfill	9,11,58
46.12	Preparing Slopes, Straw	16,17,18,19,20
46.13	Permanent Signing	52,53,54,55
46.14	Hwy Lighting and Sign Illumination	88
46.15	Finishing Roadway	21
46.16	Structure 1	89,90,91
46.17	Structure 2	89,90,91

2. Reports Covering Extra Work

Pending receipt of the contractor's billing, file chronologically the original and one copy of Form CEM-4601, "Assistant Resident Engineer's Daily Report," covering extra work in a subcategory of this category. After receiving the change order bill report and approving payment, record the change order bill number on both copies of the daily report covering the extra work. Keep one copy of the daily report in this chronological file and use it to detect future billings for the same work. File the second copy with the daily extra work report in Category 49, "Change Orders."

Change order bills for material should show the date the material was supplied or placed and referenced to the invoice so that the particular material may be readily identified. Keep a summary of invoices paid and use it as a check against duplicate payment.

The specific system used for filing resident engineer's and assistant resident engineer's daily reports is optional (except for extra work). However, Category 45

and 46 must be used and the file index must clearly show the specific system being used.

Category 47 Drainage Systems

To maintain a record of contract items for drainage systems, use Form CEM-4701, "Drainage System Summary."

Use a Form CEM-4701 for each drainage system shown on the drainage quantity plan sheet. The preliminary work required to set up each system summary includes entering the contract number, the system number, planned station and description of the system, and the preliminary or planned quantities, which are entered from the drainage quantity plan sheet.

The assistant resident engineer describes progress on each drainage system in the daily report and enters estimates of work completed on the "Progress Record" portion of the drainage system summary.

Enter the quantity of work completed during an estimate period or near the end of the estimate period for each item in the "Estimate of Work Completed" portion of the drainage system summary. The quantities of work completed may then be entered on Form CEM-6004, "Contract Transactions Input," and paid on the next estimate. Use the extra column next to the item quantity column to identify the Form CEM-6004 page and line number where the quantity was entered. After all items for a particular drainage system have been calculated and checked, the final quantities are entered in the row labeled, "Actual Q."

To keep track of and reduce the number of drainage system summaries that have to be checked at the end of each estimate period, divide the category into subcategories, such as:

- 47.1 Before Work Starts

Place the preliminary drainage summaries in this subcategory in numerical order. Each drainage system summary will remain in this subcategory until work starts on that system.

- 47.2 Staked and Being Worked On

When a drainage system is staked, transfer the drainage summary sheet from index 47.1, "Before Work Starts," to index 47.2, "Staked and Being Worked On." Transfer the individual quantity calculation sheets with the drainage summary.

- 47.3 Drainage System Complete, Final Quantities Not Complete

After all work is completed on a particular drainage system, transfer the summary sheet with its calculation sheets to this subcategory. Removing the summary from the preceding index (47.2, Staked and Being Worked On), precludes having to go through completed structure summaries at the end of each estimate period when making entries of work completed. Determination of pay quantities should be made as soon as possible after work on the system is complete.

- 47.4 Final Quantities Completed

After all quantity calculations for a drainage system are completed and the adjusted quantities entered into the project record, transfer the summary sheet and its calculation sheets to this subcategory.

Since all drainage quantity calculation sheets will remain filed in Category 47, some item-numbered folders in Category 48 may have no documents.

Category 48 Bid Item Quantity Documents

In this category, file source documents supporting contract item quantities. List the subcategories in Category 48 by contract item number order. Identify individual calculation sheets for the contract items in the following manner. A quantity sheet with the number 48.14.2 indicates that it is sheet number 2 covering contract item number 14 and filed in Category 48, "Bid Item Quantity Documents." Some drainage item quantity documents may be filed in Category 47.

Category 49 Change Orders

In this category, file change orders and supporting documents in numerical order. Subcategories of this category are change order numbers in numerical order.

Contained within each subcategory are:

- The Form CEM-4900, "Change Order," Form CEM-4903, "Change Order Memorandum," and any accompanying correspondence.
- Form CEM-4901, "Change Order Input."
- Daily change order bills and reports matched with assistant resident engineer's daily reports.

Two additional subcategories may be:

- The *Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)* books applicable to the contract.
- Equipment rental rates and memos covering rates not shown in the *Labor Surcharge and Equipment Rental Rates* book.

Category 50 Adjustment in Compensation Calculations

In this category, file project documents and calculations to support adjustments in compensation.

After a change order is written, the supporting project documents may be transferred to the change order file or remain in this category. Provide cross references between categories 49 and 50 when the supporting documents and calculations remain in Category 50.

List the subcategories under this category by contract item numbers.

Category 51 Materials on Hand

In this category, file Form CEM-5101, "Request For Payment for Materials on Hand," the related evidence of purchase, and any other project documents supporting material on hand payments.

Category 52 Charges to Total Contract Allotment

In this category, file the documents related to and supporting charges to the contract allotment for materials and services supplied by Caltrans.

Divide the category into the subcategories indicated below:

- Department-Furnished Material and Expenses

In this subcategory, file the contractor's letters requesting delivery of Department-furnished materials. Also, save shipping and receiving records on Department-furnished material and file the related records together.

- Service Contracts

In this subcategory, file supporting documents and records of project-related services. These are not the service contracts connected with the project office.

Category 53 Credit to Contract

In this category, include a subcategory to keep a record of any salvaged or surplus material. Also set up a subcategory for copies of daily extra work reports that cover work to maintain and repair damage to state property, except damage the contractor caused (refer to Section 3-521, "Maintenance and Protection," of this manual).

Credit received for salvaged or surplus material or repair of damage is not applied to the contract allotment and the project is not given credit for any additional money to spend.

Category 54 Deductions From Payment to Contractor

In this category, file documents related to deductions from payments to contractors. Possible subcategories include the following:

- Royalties on material
- Materials bought for the contractor by Caltrans
- Laboratory testing done for the contractor (refer to Section 6, "Control of Materials," of the *Standard Specifications*)
- Re-staking, engineering and inspection costs charged to the contractor
- Cost of damaged or missing state-owned signs
- Railroad flagging charges
- Noncompliance with the equal employment opportunity provisions of the contract
- Liquidated damages (refer to Section 3-906G, "Deductions," of this manual)
- Any other deductions (refer to Section 3-9, "Payment," of this manual)

Category 55 Partnering

This category is for filing all documents related to partnering meetings, workshops, and evaluations. Subcategories may include:

- Form CEM-5501, “Partnering Facilitator Evaluation—Kickoff”
- Form CEM-5502, “Partnering Facilitator Evaluation—Closeout”

Category 56 Extra Category Number

Use this extra category number for project documents that do not fit in currently established categories. When used, enter the name and number of the category on the index sheet.

Category 57 Permanent Pedestrian Facilities

This category is for filing compliance inspection reports, preconstruction and post-construction surveys, and Americans with Disabilities Act (ADA) project compliance certification documents. Subcategories may include:

- Form CEM-5773ADE, “Curb Ramp (Case A, D, or E) Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773B, “Curb Ramp (Case B) Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773C, “Curb Ramp (Case C) Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773CH, “Curb Ramp (Case CH) Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773CM, “Curb Ramp (Case CM) Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773DW, “Sidewalk at Driveway Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773FG, “Curb Ramp (Case F or G) Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773NSPL, “Curb Ramp (Non-Standard Plan - Parallel) Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773NSPP, “Curb Ramp (Non-Standard Plan - Perpendicular) Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773P, “Parking Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773PW, “Passageway Americans with Disabilities Act (ADA) Compliance Inspection Report”
- Form CEM-5773SW, “Sidewalk Americans with Disabilities Act (ADA) Compliance Inspection Report”

- Pre- and postconstruction surveys
- Form CEM-5773, “Americans with Disabilities Act (ADA) Project Compliance Certification”

Category 58 Extra Category Number

Use this extra category number for project documents that do not fit in currently established categories. When used, enter the name and number of the category on the index sheet.

Category 59 Bridge Estimate Data

In this category, file the bridge estimate data as covered in the *Bridge Construction Records and Procedures* manual.

Category 60 Contract Administration System Inputs and Reports

This category contains documents resulting from CAS. Possible subcategories are:

- Form CEM-6003, “Progress Pay—Estimate Project Initiation or Update”
- Form CEM-6004, “Contract Transactions Input”

The following CAS reports are cumulative. Only the most current results need to be retained.

- Status of Contract Items
- Project Record Item Sheets
- Status of Change Orders
- Change Order Master Listing

Category 61 Estimate and Project Status

In this category, file monthly Project Record-Estimate Request documents. The suggested subcategories of this category are:

- Project Contingency Fund Status
- Estimate

The following documents may be filed by estimate number in numeric order:

- Form CEM-6101, “Project Record—Estimate Request”
- Estimate Verification Form
- Progress Payment Voucher
- Estimate Processing Results
- Project Record-Estimate and Project Status

Category 62 Disputes

In this category, file notes, photographs, information, and other project documents that may be necessary to establish facts with respect to a dispute. Include any documents that may be related to a dispute in this category or briefly describe and cross-reference them.

Number notices of potential claims in chronological order. Use these numbers for subcategories.

The scope of this category may vary considerably, depending upon the nature and circumstances of the dispute. The following types of documents indicate the type of information that should be included:

- Form CEM-6201, “Notice of Potential Claim”
- Acknowledgment of the contractor’s dispute
- Disputes Review Board Agreement
- Contractor’s claim for a time extension (cross-reference to Category 27)
- Acknowledgment of the contractor’s claim for time extension
- Other correspondence relating to disputes
- Photographs pertaining to disputes

Category 63 Project Completion Documents

In this category, file documents related to the completion of the project. The following are suggested subcategories:

- Form CEM-6301, “Contract Acceptance”
- Form CEM-6302, “Final Materials Certification”
- Punchlist

5-102D Category Numbers and Headings

Category No.	Heading
1	Project Personnel
2	Project Office Equipment and Supplies
3	Equipment and Personnel Cost Reports
4	Service Contracts
5	General Correspondence
6	Safety
7	Public Relations
8	Construction Surveys
9	Welding
10	(Extra category number)

Category No.	Heading
11	Information Furnished at Start of Project
12	Contractor
13	Signs and Striping
14	Photo Records
15	Accidents
16	Utility Agreements
17	Utility Work Performed
18	Agreements
19	Hazardous Waste and Hazardous Materials
20	Water Pollution Control Plan or Stormwater Pollution Prevention Plan
21	Construction Zone Enhanced Enforcement Program
22	Traffic Management Information
23	Temporary Pedestrian Access Routes
24	Disadvantaged Business Enterprises (DBE) and Disabled Veteran Business Enterprises (DVBE)
25	Labor Compliance and Equal Employment Opportunity
26	Progress Schedule
27	Weekly Statement of Working Days
28	Weekly Newsletter
29	Materials Information and Preliminary Tests
30	Basement Soil Test Results
31	Form CEM-3101, "Notice of Materials to Be Used"
32	Form TL-0028, "Notice of Materials to be Inspected at Job Site"
33	Form TL-0608, "Notice of Materials to be Furnished"
34	Treated Base
35	Hot Mix Asphalt
36	Concrete, other than structure items
37	Initial Tests and Acceptance Tests
38	Quality Control
39	Materials Testing Qualifications of Employees
40	Field Laboratory Assistant Reports to Resident Engineer
41	Report of Inspection of Material

Category No.	Heading
42	Material Plants
43	Concrete and Reinforcing Steel
44	Recycle Materials and Diversion of Solid Waste
45	Resident Engineer's Daily Reports
46	Assistant Resident Engineer's Daily Reports
47	Drainage Systems
48	Bid Item Quantity Documents
49	Change Orders
50	Adjustment in Compensation Calculations
51	Materials on Hand
52	Charges to Total Contract Allotment
53	Credit to Contract
54	Deductions from Payment to Contractor
55	Partnering
56	(Extra category number)
57	Permanent Pedestrian Facilities
58	(Extra category number)
59	Bridge Estimate Data
60	Contract Administration System Inputs and Reports
61	Estimate and Project Status
62	Disputes
63	Project Completion Documents

5-102E Alphabetical Listing of Categories

Category Name	Category No.
Accidents	15
Adjustment of Compensation Calculations	50
Agreements	18
Assistant Resident Engineer's Daily Reports	46
Basement Soil Test Results	30
Bid Item Quantity Documents	48
Bridge Estimate Data	59
Change Orders	49
Charges to Total Contract Allotment	52
Concrete and Reinforcing Steel	43
Concrete, other than structure items	36
Construction Surveys	8
Construction Zone Enhanced Enforcement Program	21
Contract Administration System Inputs and Reports	60
Contractor	12
Credit to Contract	53
Daily Reports, Assistant Resident Engineer's	46
Daily Reports, Resident Engineer's	45
Deductions from Payment to Contractor	54
Disadvantaged Business Enterprises and Disabled Veterans Business Enterprises	24
Disputes	62
Drainage Systems	47
Estimate and Project Status	61
Equipment and Personnel Cost Reports	3
Extra Categories	10, 56, 58
Field Laboratory Assistant Reports to Resident Engineer	40
General Correspondence	5
Hazardous Waste and Hazardous Materials	19
Hot Mix Asphalt	35
Information Furnished at Start of Project	11
Initial Tests and Acceptance Tests	37

Category Name	Category No.
Labor Compliance and Equal Employment Opportunity	25
Materials on Hand	51
Material Plants	42
Materials Information and Preliminary Tests	29
Materials Testing Qualifications of Employees	39
Notice of Materials to be Furnished (Form TL-0608)	33
Notice of Materials to be Inspected at Job Site (Form TL-0028)	32
Notice of Materials to Be Used (Form CEM-3101)	31
Partnering	55
Permanent Pedestrian Facilities	57
Photo Records	14
Progress Schedule	26
Project Completion Documents	63
Project Office Equipment and Supplies	2
Project Personnel	1
Public Relations	7
Quality Control Quality Assurance	38
Recycle Materials and Diversion of Solid Waste	44
Report of Inspection of Material	41
Resident Engineer's Daily Reports	45
Safety	6
Service Contracts	4
Signs and Striping	13
Temporary Pedestrian Access Routes	23
Traffic Management Information	22
Treated Base	34
Utility Agreements	16
Utility Work Performed	17
Water Pollution Control Plan or Stormwater Pollution Prevention Plan	20
Weekly Newsletter	28
Weekly Statement of Working Days (Form CEM-2701)	27
Welding	9

5-103 The Contract Administration System

5-103A General

This section describes the Contract Administration System (CAS), sometimes referred to as “the progress pay system.” The primary purpose of this computer system is to help administer Caltrans construction projects. Functional units within the Division of Construction update and maintain records on individual contracts in CAS from the award and approval of the contract through to the completion and final payment.

CAS is one of three subsystems of the Project Information System and Analysis (PISA). The three PISA subsystems that make up the primary computer system that Caltrans uses for tracking contract capital costs are: planning and design, bidding and award, and project construction. Each module of PISA passes data to the next module as a project progresses from conception to completion. Refer to Figure 5-1.1, “Contract Administration System, Systems Interface,” for a general overview of how CAS relates to the other components of the Caltrans computer system used for tracking and paying contract capital costs.

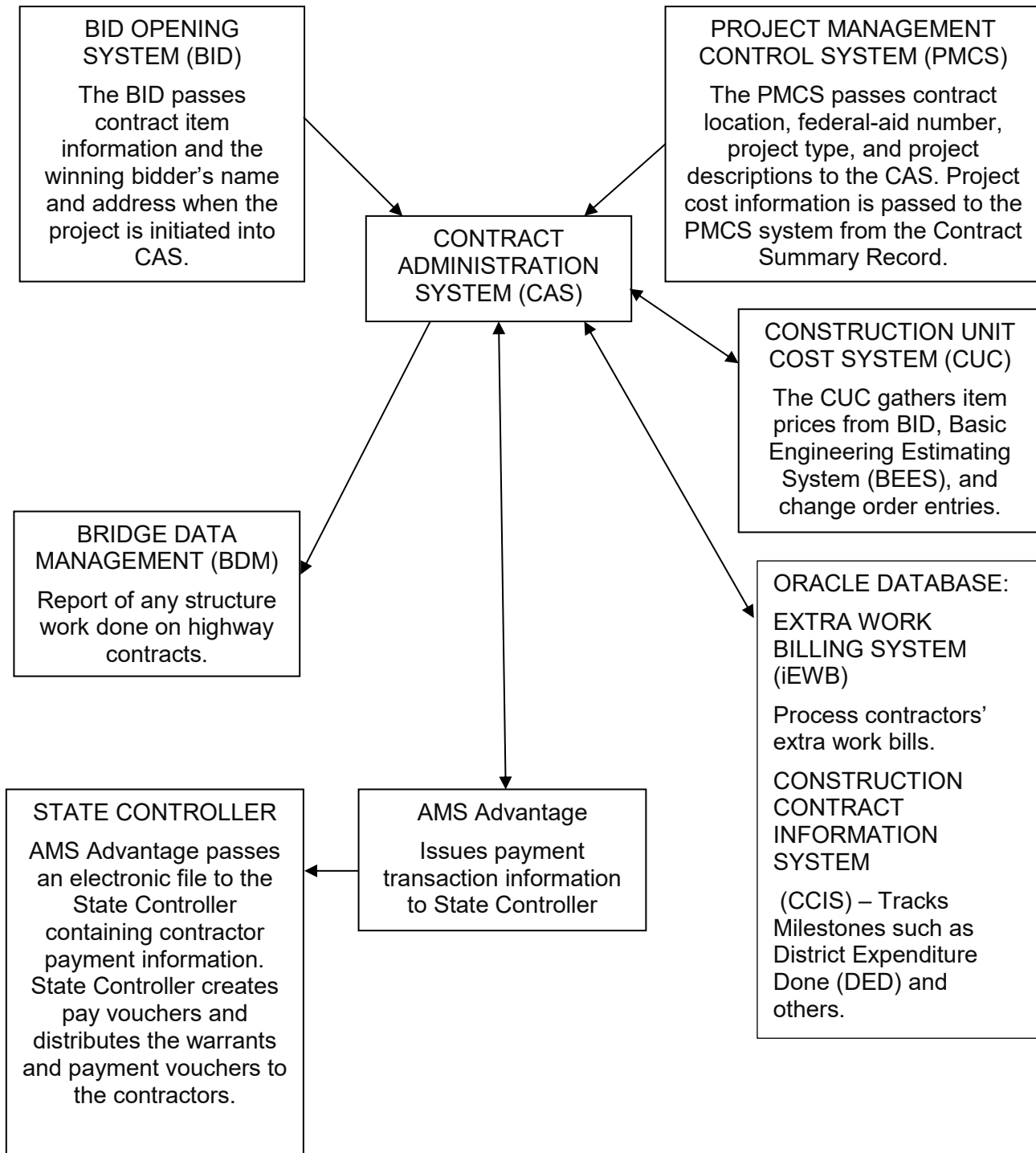
CAS is also composed of separate modules, each of which accomplishes a distinct function. The following are the most common of CAS’ many modules:

- Project initiation and update
- Contract transactions
- Change order
- Daily extra work report
- Project record estimate
- Reports
- Online update and inquiry

Resident engineers use these modules to do the following:

- Account for quantities from source documents
- Account for change orders and payments for extra work
- Determine the status of the projects’ financing
- Authorize payments to contractors

Figure 5-1.1. Contract Administration System, Systems Interface



5-103B Project Initiation and Update

5-103B (1) Major and Minor A Contracts

When Caltrans has determined the lowest responsible bidder, the Office Engineer will transfer project data from the bid opening system to CAS. Usually, this data transfer will occur before awarding the contract and before determining the total allotment. When this information about the award and total allotment becomes available, the Division of Construction will update the computer file by adding to or changing existing information. Items of work are tracked as either federally participating or nonparticipating.

Immediately after the new contract information in the computer file has been transferred from the bid opening system, the data is available to the district for processing. The district must update the file with district information such as the resident engineer's name and address, the bridge representative's name, and the project's password. To perform the update, the district uses Form CEM-6003, "Progress Pay—Estimate Project Initiation or Update," which is explained in more detail in Section 5-103B (3), "Completing Form CEM-6003, 'Progress Pay—Estimate Project Initiation or Update.'" of this manual.

After receipt of the contract award summary, progress pay may be initiated. The Division of Construction progress pay desk verifies the contractor voucher name and address and enters project fund information into CAS from the contract award summary. The district estimate desk verifies the bid open date. Using the CAS data-entry screen, the district estimate desk enters the award, approval, completion, and acceptance dates; the number of working days; the plant establishment period; and time-related overhead information into CAS from the contract award summary, approval memo, and the Form CEM-6301, "Contract Acceptance."

The result of the district's file update will be a dummy Form CEM-6101, "Project Record—Estimate Request," and a contract contents report, which lists contract items. The form and report should be checked thoroughly and any discrepancies brought immediately to the attention of the Division of Construction progress pay coordinator.

During a contract's life, the contractor may request a local address change or a legal name style address change. The district must maintain the accuracy of local address information in CAS using Form CEM-6003, "Progress Pay—Estimate Project Initiation or Update." The State Controller mails progress payment checks. Only the headquarters Division of Construction progress pay coordinator is authorized to make changes to the address from Form CEM-1202B, "Contractor Action Request—Assignment of Contract Monies, Assignee Change of Name/Address" verified by the resident engineer with the Division of Construction field coordinator's concurrence.

5-103B (2) Emergency Contracts in Excess of Minor B Limits

Payment for all emergency contracts estimated at greater than the Minor B contract limit in construction cost are to be paid through CAS. The Minor B limit is evaluated

and re-established every 2 years and DPAC announces the new policy by issuing a DPAC Information Bulletin:

<http://dpac.onramp.dot.ca.gov/bulletins-and-memos>

The district performs the initial setup of emergency contracts in CAS using the *Emergency Force Account (EFA) Contract Initiation Instructions in CAS (Contract Administration System)*. The headquarters estimate desk performs the final setup steps. Entering the emergency contract in CAS is typically performed after the “Confirmation of Verbal Agreement” has been issued, but before the contract is authorized. This allows the contractor and the engineer to begin processing change order billings using the iEWB system. Progress estimates are not to be requested until confirming the contract has been authorized and the AMS Advantage contract document has reached the final stage.

To establish a contract in CAS, a minimum of one contract item must be used. This is typically covered by establishing the one item for the amount of the contract payment bond. In order to process change order billings, CAS requires at least one change order be issued. The change order is administrative only, and issued for the total of the construction authorization, less the value of the bid item(s), less \$15,000; for example: change order amount=total allotment-item(s)-\$15,000. Establishing the change order for this amount provides protections to prevent change order billings from exceeding the available funds.

5-103B (3) Completing Form CEM-6003, “Progress Pay—Estimate Project Initiation or Update”

The purpose of Form CEM-6003 is to add new information, or to change information, in the computer file. The computer program will accept changes only for contracts in your own district.

Except for the “Project Key,” complete only the data fields that you wish to update. The computer program will ignore blank fields and will place the data from the completed fields in the file whether or not such information is already on file. Fields left blank on the input form do not change what is in the file.

Ensure the data you enter on the form conforms to these rules, listed by data field as follows:

5-103B (3a) Project Key

Enter the letter “U” under “FB,” and in the remaining spaces, enter the district and contract number.

5-103B (3b) Card Type C05 (each field is independent and can be updated separately)

For the following data fields under card type C05, do the following:

- Resident engineer’s phone number.

- Responsible unit: Though the current financial system (E-FIS) now uses a 4-digit source unit value, enter the prior financial system (TRAMS) 3-digit source unit value. The responsible unit may range from 501 to 545. Warning: Until this number is in the computer file, progress pay estimates cannot be processed.
- Date work started: Enter the date the contractor began work on the job site. If the contractor has not begun, leave this field blank and submit an update when work begins.
- Estimated date for completion: Enter your best estimate, not the calculated completion date. When progress estimate requests are submitted, this date is updated.
- Password: Use of this feature is optional. Enter any combination of six characters. The characters may be alphabetic, numeric, or include any of the following special characters: *, /, =, (,), +, -, @, #, %, &. Once established, this password is required when you file, among other things, contract item payments, using Form CEM-6004, "Contract Transactions Input." The password will restrict access to the computer files.
- Suspension or reactivation: If a contract is suspended, enter the date of suspension and "S" in the "SR" column. When the suspended contract is reactivated, enter the date of reactivation and "R" in the "SR" column. You only have 30 calendar days from the suspension or reactivation date to enter this information into the computer.
- Plant establishment: If the project requires retentions be held at 5 percent for the contract's life, enter an "X" in the "PE" column. Current legislation prohibits retentions on all state and federally funded contracts through January 1, 2020.
- First Chargeable Working Day: Enter the date that contract time begins, usually 15 calendar days after the approval date. This is the date used to calculate the number of working days that determine satisfactory progress and the percent of time elapsed.

5-103B (3c) Card Type C06 to C08

Resident engineer's mailing address: On the first line, enter the resident engineer's last name first, followed by a comma. Then enter a space and the first name, followed by a space and middle initial (SMITH, John C.). On the second and third lines, enter the mailing address of the construction field office. Warning: The computer program treats all three lines as a single "data field." If you need to change this field, you must reenter all three lines.

5-103B (3d) Card Type C09 to C14

Only the headquarters Division of Construction progress pay coordinator can change the address in CAS.

To change the contractor's local address, enter the contractor's name on line C09, and as necessary, continue the name on lines C10 through C12. Leave unused lines blank.

Enter the contractor's local address on lines C13 and C14. Also enter the contractor's local phone number on line C14.

Warning: You must enter the entire name and address each time you wish to update any or all of these lines. You cannot update a single line.

5-103B (3e) Card Type C15

For the following data fields under card type C15, do the following:

- Structure representative's name: If the contract requires structure work, enter the structure representative's name even if it is the same name as the resident engineer's. Enter only the last name and first initial (SMITH, J.)
- Structure responsible unit: Though the current financial system (E-FIS) now uses a 4-digit source unit value, enter the prior financial system (TRAMS) 3-digit source unit value. The unit may range from 550 to 599.
- Original authorized amount for structure work: At the contract's start, the resident engineer and the structure representative must determine the initial value of the required structure work. This value should include any portion of the contract item for mobilization that will be claimed as structure work. Warning: If this amount is not on file, Structure Construction cannot obtain any reports for this contract.
- Structure mobilization percentage: Enter, to the nearest whole percent, the portion of the contract item for mobilization that will be claimed as structure work.
- Structure completion: Enter a "C" to indicate the completion of structure work.

5-103B (4) Processing

CAS analyzes the changes made to the computer file and does the following:

- CAS notes whether the district is updating the "Responsible Unit" field for the first time. If so, CAS prints a dummy Project Record—Estimate form and a Contract Contents Report.
- If this update is not the first update, CAS prints only the first page of the Contract Contents Report. CAS prints the dummy Project Record—Estimate form only if the contractor's name and address field has been changed.
- CAS also prints a listing of update requests, which is a summary report of all fields that have been updated in this run.

5-103C Contract Transactions

The majority of all data submitted to CAS will be contract transactions from the resident engineer on Form CEM-6004, "Contract Transactions Input." Contract transactions are divided into the following three categories:

- Contract item transactions: These consist of five types of transactions that refer to contract items.

- Miscellaneous transactions: These consist of four types of transactions to handle general project needs.
- Change order transactions: These consist of three types of transactions that refer to change orders.

The Contract Transaction Processing Module processes 12 transaction types. Together with the services that the change order and Daily Extra Work Report Processing Modules perform, these modules are sufficient to generate contract records that provide control of progress payments and track the financial status of the contract.

5-103C (1) Transaction Types

The following describes, by category, the 12 possible transaction types:

5-103C (1a) Contract Item Transactions

CAS provides five ways to refer to a contract item in Form CEM-6004, "Contract Transactions Input." An additional way is by including the item as part of a change order. This will cause the authorized quantity to be adjusted automatically. Thus, you do not have to account for status changes because of change orders. You can reference contract items through the following contract item transactions:

- Contract item payment: Make item payments by posting line entries to Form CEM-6004 in any order. Indicate bridge items by entering "B" in the proper column. If you use the report titled Bridge Quantities by Structure, you will also need to enter the structure number in accordance with instructions in Section 6, "Estimates," of the *Bridge Construction Records and Procedures* manual, Vol. 1. Refer to Example 5-1.2, "Contract Transaction Input," Line 01, of this manual.
- Contract item quantity balance: You may adjust the authorized quantity, if necessary, by submitting quantity balances as line entries on Form CEM-6004, "Contract Transactions Input." You might need to make this type of transaction for various reasons. For example, a need might exist because of an incorrect engineer's estimate for a contract item that would have a major effect on the contingency balance. This transaction type adjusts the authorized final cost for your project, as shown in the later discussion of progress pay estimates. Refer to Example 5-1.2, Line 02 of this manual.
- Contract item anticipated change: This transaction gives the engineer a method to allocate project funds to a specific contract item based on knowledge of anticipated additional or decreased work. Such transactions affect the estimated final quantity for the item and the estimated final cost for the project. The effect of these transactions is cumulative. If additional work is authorized by change order, a reversing entry is necessary. Refer to Example 5-1.2, Line 03 of this manual.
- Contract item final balance: When work is completed on a contract item, you should enter this fact into the system. This entry will mark the item in the computer file as "Complete." On all subsequent progress pay estimates, the authorized quantity and the estimated final quantity will default to the amount

paid to date, thus automatically balancing out the item. Additional item payments may be made, and the system will continue to balance the contract items. Refer to Example 5-1.2, Lines 04 and 05 of this manual.

- Contract item final balance (“Reopen”): This transaction allows you to reverse the status of the contract item from “Complete” to “Active.” For example, you would use “Reopen” to change an incorrect entry that showed the item was complete. Refer to Example 5-1.2, Line 06 of this manual.

5-103C (1b) Miscellaneous Transactions

The four transaction types listed below comprise “miscellaneous transactions,” the second category of contract transactions:

- Anticipated change: Use this transaction to record anticipated additional or decreased work when it is not possible or desirable to tie the anticipated change to a specific contract item or change order. These transactions are not cumulative and will affect the project’s estimated final cost only on the next progress pay estimate to be generated. Refer to Example 5-1.2, Line 07 of this manual.

These transactions are placed in the computer file, and their sum will appear on the next progress pay estimate that generates payment. If the next estimate is a supplemental progress pay estimate, only enter material on hand payment requests if the material on hand payment request was mistakenly omitted from the previously run progress pay estimate.

- For more information about materials on hand, refer to Section 3-9, “Payment,” and Example 5-1.2, Line 08 of this manual.
- Department-furnished materials allotment transfer: Use this transaction to increase or decrease the value of the Department-furnished materials allotment for your contract. The construction allotment will automatically adjust. To increase the Department-furnished materials allotment, enter a positive number. (This type of entry will decrease the contingency balance.) Refer to Example 5-1.2, Line 09 of this manual.
- Total allotment changes: Use this transaction to enter into the system any supplemental allotment that increases (or decreases) your contract’s total allotment. The total allotment in the computer file will adjust automatically as will the construction allotment. The construction allotment is defined as the total allotment less the Department-furnished materials allotment. Refer to Example 5-1.2, Line 10 of this manual.

5-103C (1c) Change Order Transactions

The three transaction types listed below comprise “change order transactions,” the final category of contract transactions:

- Change order anticipated change: This transaction has the same effect as does the contract item anticipated change except that a change order is being changed. Refer to Example 5-1.2, Line 11 of this manual.

- Change order final balance: This transaction has the same effect as does a contract item balance. When work on a change order is finished, mark it “Complete” by entering this transaction. As with contract items, additional change order bills may be paid, and the system will continue to balance the change order. Refer to Example 5-1.2, Line 12 of this manual.
- Change order final balance (“Reopen”): This transaction allows you to reverse the status of the change order from “Complete” to “Active.” Refer to Example 5-1.2, Line 13 of this manual.

5-103C (2) Completing Form CEM-6004, “Contract Transactions Input”

The resident engineer will use Form CEM-6004 more often than any other form in CAS. This section contains a completed sample of the form. Refer to Example 5-1.2, “Contract Transaction Input.”

We cannot overemphasize the importance of legible entries. Also, because of the high volume of transactions, make your entries on Form CEM-6004 as soon as the information becomes available. Partially filled pages are acceptable.

The sample form in this section shows some transactions. Note that leading zeros are not required in the numeric fields and that the plus sign is not required in the plus or minus columns. The following instructions are for the fields common to all transactions:

- Enter the district, contract number, password (if used), and page number. When assigning a page number, be careful because duplicate numbers will cause all transactions on the page to be rejected. You must complete these fields.
- Enter the posting date.
- Enter the source document description. If the transaction type refers to a project source document, for example, a calculation sheet or a scale sheet, enter into the form’s description column an adequate description of the source document. The source document must cross reference to Form CEM-6004. Post the page number, line number, and posting date from Form CEM-6004 to the source document. Refer to Example 5-1.1, “Quantity Calculation,” for a typical source document.
- Note: The last six characters of the source document description can be the structure number if this item concerns structure work. Refer to Example 5-1.2, Line 01 of this manual.
- Mark the structure field with the character “B” if this transaction concerns “structure work.” Otherwise, leave the space blank. If you use the report titled Bridge Quantities by Structure you will also need to enter the structure number in accordance with the instructions in Section 6, “Estimates,” of the *Bridge Construction Records and Procedures* manual, Vol. 1.

The form’s remaining fields are divided into two sections, “Contract Item Entries,” and “All Other Entries.” If you make any entry in one or more fields of one of the

sections, all fields in the other section must be left blank. A single line entry cannot serve double duty.

5-103C (2a) Contract Item Entries

Each type of contract item transaction has its own format on Form CEM-6004. The following are the rules for making contract item entries:

- Quantity balance transactions:
 1. Lump sum items cannot be quantity balanced. If you attempt to quantity balance them, the transaction will be rejected.
 2. If the quantity balance is greater than the bid quantity, a warning message is issued.
 3. If the value of the quantity balance exceeds \$100,000, a warning message is issued.
 4. The new authorized quantity is calculated. If it is negative, the transaction will be rejected.
 5. If the new authorized quantity is less than the total payment for the next estimate, a warning message is issued. Take appropriate action on this warning, such as estimating the final quantity and inputting the increase, covering the increase by change order, or requesting the computer to final balance the item. Such action is necessary to keep the project's status of funds current.
- For item final balance and item final balance ("Reopen"), the item status is set to "Complete," or "Active," respectively. The system does not check to see if the item is a lump sum item or a final pay item.
- Item anticipated quantity change:
 1. If the anticipated quantity change is greater than the bid quantity, a warning message is issued.
 2. If the value of the anticipated quantity change exceeds \$100,000, a warning message is issued.
 3. A new estimated final quantity is calculated. If this estimated final quantity is negative, a warning message is issued.
 4. If the new estimated final quantity is less than the total payment for the next estimate, a warning message is issued.
- Item payment:
 1. Any transactions for the item "Mobilization" are rejected.
 2. Any transactions for a void item will be rejected.
 3. If the payment quantity is greater than the bid quantity, a warning message is issued.

4. If the value of the payment quantity exceeds \$100,000, a warning message is issued.
5. The new total payment for the next estimate is calculated. If the total is negative, the transaction is rejected. (Negative transactions under “This Estimate” will be accepted.)
6. If the contract item is a lump sum item and the total payment for the next estimate would exceed 100 percent, the transaction is rejected.
7. If the contract item is not a lump sum item, the new total payment for the next estimate is compared to 125 percent of the bid quantity and the authorized quantity. Warning messages are issued if the total payment is more than one or both of these.

If the system issues any warning or rejection messages while it processes transactions for a contract item, the complete status of the item will be printed on the Contract Transactions Input Edit report before the system begins processing the next contract item. Use this printout to determine the reason the system issued the message.

- Percentages for lump sum quantity payments must be expressed as decimals. Only three decimal places are available. If 5 percent is to be paid, it must be entered as 0.050; (5.00 is 500 percent).

5-103C (2b) Miscellaneous Transactions

The following are the rules for making miscellaneous transactions:

- Anticipated changes:
 - If the amount anticipated exceeds \$100,000, a warning message is issued.
 - If the amount anticipated exceeds 10 percent of the construction allotment, a warning message is issued.
- Material on hand payments:
 - If the amount exceeds \$100,000, a warning message is issued.
 - If the amount is negative, a warning message is issued. (The system assumes that this is a correcting entry to a previous transaction accepted by the system and not yet processed for payment.)
 - A total is calculated for payment for the next estimate. This is the sum of all transactions since the last estimate. If the total is negative, a warning message is issued.
- Department-furnished materials allotment transfer:
 - If the amount of the transfer exceeds \$100,000, a warning message is issued.
 - A new total is calculated for the Department-furnished materials allotment. If it is negative, the transaction is rejected.
- Total allotment changes:

- If the amount exceeds \$100,000, a warning message is issued.
- If the amount exceeds 10 percent of the total allotment, a warning message is issued.
- If the amount of the change is negative, a warning message is issued.
- A new total allotment is calculated. If the amount is negative, the transaction is rejected.
- If the new total allotment is less than the total paid to date on the last estimate, a warning message is issued.

5-103C (2c) Change Order Transactions

The following are the rules for change order transactions:

- For the change order anticipated change, the new estimated final cost is computed for the change order and reported. The system does not do any checking.
- Change order final balance and final balance (“Reopen”):
 - The change order status is set to “Complete,” or “Active,” respectively. The system does not do any checking.
 - For a change order final balance (“Reopen”), the word “Reopen” must be left-justified.

5-103C (2d) General

The Contract Transactions Processing Module will sort your transactions into order, will edit each transaction for reasonableness and conformance to this manual, and will either accept or reject each transaction. From this processing, the system will issue a report titled “Contract Transactions Input Edit.” This report will list the disposition of each line entry that you submitted. A comprehensive set of warning messages exists. Do not ignore warning messages on the report.

Do not use the same page and line numbers again.

You will find a summary on the last page of the Contract Transactions Input Edit report. The summary lists each Form CEM-6004, “Contract Transactions Input,” page that was processed and the numbers of transactions on that page that were accepted, for which warnings were issued, or that were rejected. Any missing line numbers on the page (breaks in the sequence of line numbers) will be printed. Use this list to make sure that all the transactions were entered into the system.

Examine the remainder of the report. You must respond to rejected entries and possibly to warnings.

5-103C (2e) Audit Trail

In any accounting procedure, it is necessary to link transactions to the specific source documents that generate the transactions. This linking is called an audit trail. Change orders and daily extra work reports carry unique identifying numbers that

CAS uses in its processing. Here, a good audit trail is automatic. However, contract transactions are different since there is no automatic reference to a unique source document.

CAS provides methods of cross-reference. You are responsible for an adequate audit trail. Note that Form CEM-6004 is an intermediate document in this respect.

Example 5-1.3. Quantity Calculation

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
QUANTITY CALCULATIONS
 CEM-4801 (REV 11/1992) CT# 7541-3520-0

JOB STAMP 07-1381U4 07-LA-210-47.5/57.3 Fed. No.: None	ITEM	FILE NO.
	8 Temp. Railing (Type K)	48-8-2
	LOCATION	SEGREGATION YES <input type="checkbox"/>
	Ramp 3	NO <input type="checkbox"/>
CALC. BY	I.M. Engineer	DATE
CHK. BY	U.R. Wright	DATE

Field Measurement:	Estimated Quantity: 400			
Field Counted: ✓	Unit of Measure: linear feet			
Final Pay Item:	Unit Price: \$25.00			
	75% = 300			
	125% = 500			
Remarks or Other Calculations:				
<table border="1" style="margin: auto;"> <tr> <td>PAY THIS ESTIMATE: 200 ✓</td> </tr> <tr> <td>PREVIOUS PAID: 100 ✓</td> </tr> <tr> <td>TOTAL TO DATE: 300 ✓</td> </tr> </table>		PAY THIS ESTIMATE: 200 ✓	PREVIOUS PAID: 100 ✓	TOTAL TO DATE: 300 ✓
PAY THIS ESTIMATE: 200 ✓				
PREVIOUS PAID: 100 ✓				
TOTAL TO DATE: 300 ✓				
POSTED BY	DATE	POSTED TO		
Office Engineer	08/08/2008	CEM-6004, page 4, line 5		

5-103C (3) Computer Processing

The contract item totals listed below are kept for contract work and for structure work so that the totals can be reported separately when appropriate. Records of the financial status of the contract items are maintained as follows:

- Bid quantity: This quantity cannot be changed.
- Authorized quantity: This item is the total of the bid quantity and the algebraic sum of the quantity changes as a result of change orders that have been filed.
- Authorized quantity: This item is the total of the authorized quantity and the algebraic sum of the quantity balances that the engineer entered.
- Anticipated final quantity: This item is the total of the authorized quantity and the algebraic sum of the anticipated quantity changes that the engineer entered.
- Item status flag: This flag is a file mark that indicates whether a contract item is “Active,” “Deleted,” or “Completed.”

5-103D Change Orders

CAS maintains separate records for each authorized change order on a project. As each change order is authorized, it must be entered into CAS through the use of Form CEM-4901, “Change Order Input.”

The method of entering each change order into the system may vary from district to district, but can be done as follows:

- The resident engineer writes a change order and completes Form CEM-4901, “Change Order Input.” For approval procedures, refer to Section 5-3, “Change Orders,” of this manual. The approval date must be entered on Form CEM-4901, and the Form CEM-4901 data is then entered into CAS.
- The result of entering the form data for each change order will consist of a change order report and a disposition report.
- The resident engineer should review the change order report and correct any errors. CAS automatically makes the following changes to the contract records:
 - The authorized final cost, the estimated final cost, the authorized contingency balance, and the estimated final contingency balance are adjusted to new values.
 - The totals for changes in extra work, adjustment of compensation, and contract items are adjusted to new values.
 - Each affected contract item will have the authorized quantity adjusted to reflect the change.
- Immediately after Form CEM-4901 has been processed, CAS will accept change order bills and anticipated changes that refer to the change order.

- When CAS processes a supplemental change order, the daily extra work reports that are in the holding file because of insufficient funds in the original change order will be made available for payment.

5-103D (1) Completing Form CEM-4901, "Change Order Input"

Use Form CEM-4901 to perform the following functions:

- File a new change order in the computer file.
- Update (change existing information) a change order in the computer file.
- Replace a filed change order with a different change order.
- Delete a change order from the computer file.

Completing the form depends on which of the functions is desired.

5-103D (1a) File

Enter the contract and change order numbers at the top of the form. The original change order is supplement "zero"; enter the zero on the form. Ignore the function and override boxes at the top of the form.

The remainder of the form is divided into five sections labeled "Card Type 1," "Card Type 2," "Card Type 3," "Card Type 4," and "Card Type 5." Complete only those sections that are applicable.

Card Type 1: This section is required. Complete each entry in the section. If the entry for the field "Net Money Change This CCO" is zero, enter \$0.00. The field "Time Extension Days" should include the number of working days added (or deleted), zero (0), or be coded "DEF" (instead of a number) if the change order was written with a deferred time adjustment clause. Enter a category code on every change order. Left-justify this code.

Card Type 2: If extra work or adjustment of compensation is not part of your change order, leave these fields blank. Otherwise, define the payment method by making three entries for each change:

1. Make the first entry by checking either the "EW" or "AC" box to indicate extra work or adjustment of compensation.
2. Make the second entry by choosing one of the "FA," "LS," or "UP" boxes to indicate whether payments will be made by force account, lump sum, or unit price.
3. Make the third entry by entering the dollar amount of the change (increase or decrease).

If multiple items of work in the change order are using the same pay method, they must be totaled. Also, you can enter each pay method only once per change order. If there is more than one type of extra work or adjustment of compensation on the change order, continue making successive line entries.

Card Type 3: If you have no changes for contract item prices, do not complete this section of the form. Otherwise, furnish the item number and increase or decrease the quantity for each changed item.

Card Type 4: If all or part of the work to be done under the change order is structure work, enter the net dollar amount involved. This amount will contribute to the change order changes line of the structure totals shown on the next estimate.

If this section of the form does not apply or the amount is zero, leave the section blank.

Card Type 5: This section is required.

For federal participation, enter the FHWA funding participation determination on every change order. If participation is in part, indicate the breakdown for participation-in-part funding.

For federal segregation, if more than one funding source exists, show the percentage allotted to each federal funding source.

5-103D (1b) Update

Use this function in the following way to replace any incorrect information in Card Type 1 or Card Type 4:

- Enter the contract and change order numbers.
- Place the letter “U” in the function box at the top right of the form.
- Enter the correct information in the appropriate fields. All information in Card Type 1 is always required.
- Leave all other fields on the form blank.
- The module for processing change orders will identify the fields that you have completed and will change this information in the computer file.

5-103D (1c) Replace

If a change order has been stored with incorrect information that cannot be corrected by the update function, use the replace function in the following way:

- Complete the entire form exactly as you would for the file function, using correct information.
- Place “R” in the function box at the top right of the form.

The module for processing change orders will replace the data stored in the computer file with the new change order.

If payments have already been recorded against a payment method that you are trying to eliminate, it is not possible to immediately replace an old change order with a new one. The same holds true if the payment to date exceeds the authorized amount. In these cases, the system requires that you do the following:

- Enter corrections for the change order bills that reverse payments to date to zero for the particular method of payment to be eliminated. For payments exceeding

the authorized amount, enter corrections for the change order bills to reduce payments below the authorized amount.

- Submit the replace request.
- After the change order has been replaced, reenter the change order bills that were reversed. When possible, use the update function instead of the replace function.

5-103D (1d) Delete

You can eliminate a change order from the computer file as follows:

- Enter the contract and change order numbers.
- Place the letter “D” in the function box at the top right of the form.

As with the replace function, a change order cannot be deleted until all payments have been reduced to zero through correcting entries on the daily extra work reports.

5-103D (2) Edits

The following lists some of the edits that a change order must pass through before the system will accept it:

- The change order number and the change order supplement number must be filled in or the change order will be rejected.
- The change order description cannot be blank, or the change order will be rejected.
- The net change amount cannot exceed the construction allotment. If the net change amount does exceed the construction allotment, the system will issue a warning message but will still accept the change order.
- The approval date must be after the bid opening date and be before or the same as “today’s” date; otherwise, the change order will be rejected.
- If the time extension days exceed 10 percent of the working days in the contract, the system issues a warning message but will accept the change order.
- If any payment method appears more than once on the input cards, the order will be rejected.
- If you enter any contract item change for a void item, the system will reject the change order.
- Lump sum items may appear on change orders only as a deletion of that item. Any increase or decrease in a lump sum item will be rejected.
- You can enter a contract item on a change order as an increase and as a decrease. If the item appears a third time, the system will reject the change order.
- If the contract item “mobilization” appears on a change order, the change order will be rejected.

- If the quantity change entry for a contract item exceeds the bid quantity, a warning message will be issued.
- The net dollar amount for the structure work on the change order must be greater than the sum of the negative changes and less than the sum of the positive changes, or the change order will be rejected.
- The net dollar change for the change order must equal the sum of the dollar amount in Card Type 2 and the extended dollar amounts for the quantities in Card Type 3, or the change order will be rejected.
- If the change order is already on file, the system will reject a duplicate entry. Additionally, if this change order's number exceeds by five the largest change order number on file, or if the supplement's number is more than two above the latest supplement on file for this change order, the system will reject the change order. However, if you checked the override field on the input field, the system will accept such responses.
- If the contract is completed, a warning is issued.

If you request the replace or delete function, more extensive processing is done. The system checks to see if it can maintain the payment to date under a payment method.

If the system cannot maintain the payment to date in this way, it rejects the request to replace or delete. A rejection notice is generated along with an explanation of what must be done to resolve the situation.

Following is an example:

- A change order is entered for extra work at force account and accepted by the system.
- Subsequently, change order bill payments are recorded against the change order.
- A request is entered to delete the change order from the computer file. In this case, the system will reject the request to delete because the payment method would be eliminated. There are no other supplements to this change order. The system requires that entries to correct change order bills be to reverse payments to date to zero. In such a case, the system would accept a delete request. In the more complicated cases where supplements to a change order exist, the system makes similar demands.

At this point, the processing of the change order is complete. However, when a supplemental change order is processed, the daily extra work reports in the holding file, because of insufficient funds in the original change order, will be made available for payment. The system produces a report, called a "DEWR Release From the Holding File." This report shows the action the system took.

5-103E Change Order Billing

Change order billing is input, revised, corrected, and submitted for payment using the internet extra work billing system (iEWB) at:

<https://dot.ca.gov/programs/construction/iewb>

Computer-based training for learning how to use the iEWB system is available at:

<https://dot.ca.gov/programs/construction/iewb>

The iEWB system allows authorized users to correct extra work bills that have been previously processed and paid. Change order bills or corrected approved extra work bills that need to be paid but have insufficient funds will not be rejected because of insufficient funds (subject to the limitations in Section 3-906C, “Extra Work,” of this manual). Instead, the system will place these change order bills in a pending status to await the resident engineer’s further action. If there are insufficient funds to pay the extra work bill, usually, the resident engineer must write a supplemental change order to provide additional funds; the supplemental change order will make the appropriate change order bills available for payment. Once additional funds are added by the supplemental change order in CAS, the iEWB system will automatically process and pay the extra work bills that have been previously approved and are in the pending funds status.

All standard contracts are required to use the iEWB system to process payments for change orders.

For contracts that are not in CAS and therefore are not using the iEWB system, the form CEM-4902, “Extra Work Bill (Short Form),” can be used. This form is only used on contracts that are not in CAS.

Use Form CEM-4902 to enter basic information related to extra work performed under a change order. The following describes procedures for obtaining the information from the contractor, entering the information into the computer, and producing the daily extra work reports.

5-103E (1) Preparing Form CEM-4902, “Extra Work Bill (Short Form)”

The contractor may enter change order bills on Form CEM-4902, “Extra Work Bill (Short Form).” Or, if more entries are required for equipment, labor, or material, the contractor must use the four-part forms CEM-4902A, “Extra Work Bill–Title Page,” CEM-4902B, “Extra Work Bill–Labor Charges,” CEM-4902C, “Extra Work Bill–Equipment Charges,” and CEM-4902D, “Extra Work Bill–Material Charges.”

The contractor initiates forms containing force account payment and submits them to the resident engineer. The resident engineer initiates forms containing payment at agreed prices. The backs of the forms contain the basic instructions for completing the forms. The following information supplements the instructions on the forms:

5-103E (1a) Basic Information (Title Page)

Do the following for the basic information:

- The change order number: Right-hand justify this three-digit number; for instance, change order 1 is 001, change order 10 is 010.
- Report number: The contractor should leave the report number blank. Duplicate numbers will be rejected unless they are corrections to previous bills.
- Date performed: A separate change order bill must exist for each day on which force account work is performed except for work done by a specialist. Enter the date the work was performed in these spaces. For change order bills covering invoices only, enter the date on which the material was used. If this entry is not practical, enter the current date. You must enter a date in this field. You may enter the acronym “VAR” in the date performed field if the pay method is lump-sum unit-price or if equipment and labor are not present on the bill.
- Date of report: Enter the date on which the report is prepared.
- Payment method: Make sure the method selected matches one of the methods authorized by the change order.
- Bridge: Place the letter “T” in this box if toll bridge work is involved and you want to apply a 10 percent markup to equipment and material and a 25 percent markup to labor.
- Fifty percent flagging: You must include on the change order bill the total hours spent on flagging because the computer will make payment of only 50 percent of the total. For flagging that is not subject to the 50 percent split, submit separate change order bills.
- Labor surcharge: The contractor should enter this surcharge as a whole number; for instance, “15 percent” is entered as “15.” The contractor should obtain the applicable percent from the effective *Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)* book. This surcharge is for regular hours. The system will apply the overtime surcharge based on the regular hour surcharge.
- Work performed by: This field should contain the name of the organization (the contractor, subcontractor or other) that performed the work. If the change order bill is for an invoice only, enter the name of the organization to which the invoice was addressed. Submit a separate daily change order bill for each organization’s work.

5-103E (1b) Equipment

Do the following for equipment:

- Equipment identification number: Enter this number (required.) It can be any number that the contractor assigned to the equipment for specific identification.
- Equipment description: Enter the description, which consists of four items: the “Class,” “Make,” “Code,” and “Attach” (attachments). The equipment description must come from the applicable *Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)* book. Make a copy of this publication available to the contractor. A listing of miscellaneous equipment, for equipment that is not

shown in the *Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)* book is available from the Division of Construction's website.

- For equipment that is neither in *Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)* book nor available from the website's miscellaneous listing, the contractor must request a rate from the resident engineer. The resident engineer will obtain an authorized rate from the Division of Construction's rental rate engineer.
- Equipment for which a change order has established the rental rate will not have an equipment description and must be included as a unit price payment on the material charges portion of Form CEM-4902 (Short Form), lines 24–25, or Form CEM-4902D, "Extra Work Bill–Material Charges," lines 24-33, of the daily extra work report.
- The following explains the procedures for "Class," "Make," "Code," and "Attach," within equipment description:
 - Class: This portion of the equipment description will be found in the *Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)* book under the heading for a particular class. For instance, after "Hydraulic Cranes and Excavators, Crawler Mounted," you will find the class "HCECL."
 - Make: For the equipment listed by "Class," you will find the "Make" portion of the equipment description in the left-hand column. For instance, after "Bantam," you will find the make "[BANT]."
 - Code: For the equipment listed by "Class" and "Make," you will find the "Code" portion of the equipment description in the "Code" column. For instance, after "Model C-266," you will find the code "0680."
 - Attachments: You will find this portion of the equipment description in the front of the *Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)* book. The rate for the equipment under "Class," "Make," and "Code" above includes all attachments and accessories. Therefore, leave this column blank.

Enter all equipment descriptions beginning at the left of each field. Include all letters, numbers, dashes, or other symbols as they are shown in the *Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)* book.

- Regular hours for which payment is to be made: Enter the regular hours for which payment is to be made. Regular hours may not exceed 8 unless you are entering a daily rate item. If the date the work was performed is various, you may enter up to 99 in the regular hours field. Various is used for equipment at day rates.
- Overtime hours: Enter the overtime hours worked. Overtime hours may not exceed 16.

5-103E (1c) Other Expenses Subject to Labor Markup

This portion of the form is for travel expenses that cannot be entered as “Subsistence” under “Labor.”

If the units and rate are already entered, the computer will calculate the amount. Otherwise, enter the amount, and this figure will be used.

Note: If you use the “Unit” and “Rate” fields, leave the “Amount” field blank. If you enter an amount in the “Amount” field, don’t make an entry in the “Unit” and “Rate” fields.

5-103E (1d) Material or Work Done by Specialists, Lump Sum, or Unit Price Payments

The following explains the procedures for completing the Form CEM-4902, “Extra Work Bill (Short Form),” material section:

- Material: Note that the material entry will not be processed unless there is a value in both the “Units” and the “Unit Cost or Net Pay” fields. Do the following for material:
 - Invoice date: Preferably, enter the date of the invoice to help in checking for duplicate billing. However, if entering the invoice date is not practical, enter the date the material was used.
 - Invoice description: Enter a brief description of material.
 - Units: Normally, enter the unit one (1.00) for materials used.
 - Unit cost or net pay: In this column, enter the amount for which payment is due. Normally, this amount is the cost of the material plus tax, if applicable, less any discount offered.
- Work Done by Specialists: Enter this item in the same manner as described under “Material” above.
- Lump Sum: Follow the procedures below for this entry:
 1. Vendor name and invoice number: You do not need to make any entries in the vendor column or the invoice number column.
 2. Date: Enter the date the work was performed. When entering this date is not practical, enter the current date.
 3. Invoice description: Enter “per Change Order No. _____.”
 4. Units: Enter the units to be paid as a percentage of the lump sum amount, expressed in decimals. For instance, express 75 percent as 0.75. This figure must never exceed a total of 1.000.
 5. Unit cost or net pay: Enter the lump sum amount from the change order.
- Unit price payments: Enter this item in the same manner as described under “Lump Sum” above.
- Units: enter the number of units to be paid.

- Unit cost or net pay: enter the unit cost from the change order.

5-103E (1e) Signature of Prime Contractor's Representative

For all force account payments, the contractor or contractor's authorized representative must sign the change order bill. For agreed price payments, the signature is not required.

5-103E (2) Processing Form CEM-4902

The resident engineer receives Form CEM-4902, "Extra Work Bill (Short Form)," from the contractor, reviews the form, and if it is satisfactory, signs the change order bill and authorizes it for entry into CAS. When reviewing the submitted change order bill, the resident engineer must be guided by the policy contained in Section 3-9, "Payment," of this manual. The following explains how the system will process Form CEM-4902:

- Request that CAS print a copy of the change order bill after it has been entered into the system before it will be paid.
- Computer programs will perform the following processes:
 - Edit all information for acceptability. For example, numeric data must be in numeric form, or the program will issue a warning.
 - Select information from the equipment database; for example, rates, descriptions, and attachments.
 - Validate the contract number, change order number, report number, type of work (payment method), dates, corrections, labor surcharge, and equipment description.
 - Audit right-of-way delay and the hours equipment and labor are used for work.
 - Compute extensions, markups, and summaries.
 - Verify that the authorized amount (for instance, 100 percent or \$15,000) is not exceeded.
 - File a validated change order bill for payment at the estimate time.
 - Produce a daily extra work report. This report will contain all the information as entered on the change order bill plus equipment descriptions, extensions, markups, total payment, and contract information.
 - Produce an edit report. This report will contain processing results. These results are tabulated by change order within a contract. If the system rejects an entry, the rejection messages will be included on the daily extra work report. If the system accepts the change order bill, all warning messages will be contained on the edit report.
- After the reports have been printed and the district construction office has received them, the district will forward copies to the resident engineer. Daily extra

work reports are printed in two parts, one for the contractor and one for the resident engineer.

5-103E (3) Corrections to Change Order Bills

You can make corrections to the change order bill after it has been entered into the system, but there is a limit of four corrections per change order bill. Refer to the *Entry of Extra Work Bills Manual (CASEWBM)*.

5-103F Generating Estimates

CAS produces five types of estimates on demand:

- Monthly progress estimate
- Progress estimate after acceptance
- Supplemental progress estimate
- Semifinal estimate
- Final estimate

The resident engineer will regularly request the monthly progress and the progress after acceptance estimates while the remaining three types of estimates usually will be requested in cooperation with, or by, the district construction office.

Supplemental progress estimates may only be run between the completion of the monthly progress estimate run and the 15th of the following month.

Producing an estimate is completely automatic, based on data previously stored in the computer.

In addition, CAS will produce two other types of estimates that do not generate payments. These estimates are simply statements of the current status of the computer files. The following are the two types:

- Status purpose only estimate
- Proposed final estimate

5-103F (1) Procedure

Before requesting the first monthly progress estimate, enter the date work started and the responsible unit on Form CEM-6003, "Progress Pay—Estimate Project Initiation or Update." The Division of Construction progress pay coordinator enters the approval date. If the approval date is not in the computer file, the system will reject the estimate request.

The procedure for processing an estimate includes the following steps:

- Preparing Form CEM-6101, "Project Record—Estimate Request," and verifying the estimate. Transmit these to the district office.
- Computer processes your estimate and prints the reports.
- The district construction office verifies the estimate results.

- Returning the estimate reports to the resident engineer.

The schedule for completing the pay process and making payment to the contractor is rigid. This rigid schedule means all people involved must adhere to their individual schedules. District construction offices will advise resident engineers of the schedules.

5-103F (1a) Preparing Form CEM-6101, "Project Record—Estimate Request"

To request an estimate, complete this form accurately in accordance with the following:

5-103F (1b) Estimate Parameters

For the estimate parameters, follow the instructions below.

- Enter the contract number.
- Enter the estimate number. This number must be one greater than the last estimate that was successfully processed and paid.
- Enter the work period ending date in the estimate for the form's "Work Performed Through" field. For a progress estimate or a supplemental progress estimate, enter the 20th day of the month. For all other types of estimates, use the date of completion.
- If this is a monthly progress estimate, place an "X" in the matching box on the form; otherwise, leave the box blank.
- If this is a progress estimate after acceptance, place an "X" in the matching box on the form; otherwise, leave the box blank.
- Enter the estimated date of completion. This date should be the resident engineer's best estimate, not necessarily the computed date. If this estimate is not a progress estimate, enter the date of completion.
- Enter the values as of the "date work performed through" for chargeable working days, weather nonworking days, and authorized time extension days (change order) in the three matching fields of the form. As of February 16, 2012, "Other day" time extensions are no longer allowed, therefore do not increase this value to more than existed prior to this date. In most cases, this value should always be zero. The system will check the chargeable working days and weather nonworking days against the working days calendar and inform you of possible entry errors. However, it cannot check the two types of time extension days. These values affect the system's computation of percent time elapsed.
- If you have a landscape contract that is in the plant establishment period, check one of the two boxes to indicate whether progress is satisfactory or unsatisfactory. These boxes are not for highway contracts that contain "Type 2" plant establishment periods. If you are unsure of this status, contact the district construction office after reading the special provisions.
- The system determines whether contract progress is satisfactory or unsatisfactory. Occasionally, a situation arises where, even though progress is

mathematically unsatisfactory, the resident engineer wishes to override the system and record satisfactory progress. To accomplish this override, place an "X" in the field, "Override Unsatisfactory Progress." Also refer to the following item about projects with dual time limits.

- For some contracts, the standard manual formula does not apply for computing percent time elapsed. For such contracts, interpret the special provisions, and determine this percentage. Enter the percent in the box on the form; this will override the system's calculation.
- If you have checked "Override Unsatisfactory Progress" or entered a number in percent time elapsed, enter a short explanation in the 25 spaces immediately below these fields on the form. Typical entries might be "change order days pending" or "Nonstandard time format."
- If the estimate is a supplemental progress estimate, proposed final estimate, semifinal estimate, or final estimate, check the appropriate box. Note that on a supplemental progress estimate the date for "Estimate for Work Performed Through" and all of the working day information should be the same as the date for the last estimate.
- If this estimate is a rerun (a recalculation) of a prior successful estimate, check the recalculation box. Note that, if the last estimate processed was a status purpose only estimate, you are not rerunning an estimate this month; instead, you are trying to run the estimate that did not generate payment. Normally, the district office will enter requests to rerun an estimate.

5-103F (1c) Deductions

If you wish to take one or more deductions or to return one or more deductions from a prior estimate, enter them on Form CEM-6101, "Project Record—Estimate Request." If you wish to rerun an estimate or to pay an estimate after a status only estimate, you still must enter the deductions again because any deduction stored in the computer file and carrying this estimate number will be erased automatically. You can enter five types of deductions on this form. Each deduction entered requires an alpha code to be placed in the form's type field and an entry in the description field. Use a minus sign to take a deduction and a plus sign to return a previous deduction. The following lists the rules by type of description:

- Administrative deductions: Enter "ADM" in the type field. Both plus and minus deductions are allowed.
- Equal employment opportunity deductions: Enter "EEO" in the type field. Both plus and minus deductions are allowed, but plus deductions should be adjustments or reversals of deductions taken on prior estimates. If you wish to take an EEO deduction on this estimate, leave the amount field blank. The system will compute the deduction amount for you. Only one "blank" EEO deduction, normally entered by the labor compliance officer, can appear on the form. Note: The system will not accept EEO deductions if the contract item

payment for this estimate is zero. It may be necessary to enter the minimum amount of \$1,000.

- Labor compliance violation deductions: The labor compliance officer usually makes these entries on the form. The officer will enter “LCV” in the type field. The rules for LCV deductions are identical to those for EEO deductions. Note: “LCV” deductions will not be taken if the contract item payment for this estimate is zero. It may be necessary to enter the minimum amount of \$1,000.
- Liquidated damages deductions: Enter “LIQ” in the type field. Both plus and minus deductions are allowed. Plus deductions reverse earlier deductions. Only use this type of deduction when liquidated damages are being assessed. If during the course of the work, the contractor’s progress is unsatisfactory and has progressed to a point where a reasonably accurate estimate of possible liquidated damages can be made, make a deduction in lieu of any retention for unsatisfactory progress using an ADM in the type field with the text “Antic.Liq.Damages.” Reverse the ADM when the actual liquidated damages are being assessed by using LIQ in the type field. Refer to Sections 3-807, “Liquidated Damages,” and 3-906G, “Deductions,” of this manual for more detailed guidance.
- Other outstanding documents deductions: Enter “OOD” in the type field. If you wish to take this deduction, leave the amount field blank. The system will compute the amount for you. Take this deduction only once per contract. The system will maintain the correct deduction on subsequent estimates by generating “OOD” in the type field with a description, “MAINTAIN OOD DEDUCT.” You can reverse the deduction at any time by entering a plus amount that exactly reverses the OOD deductions to date from the previous estimate. Negative OOD deduction amounts are never allowed on the input form.

After carefully preparing Form CEM-6101, “Project Record—Estimate Request,” promptly send it to the district office. The specific deadline for submittal may vary by district.

5-103F (2) Computer Processing

Once you have made your entries on Form CEM-6101, “Project Record—Estimate Request,” and transferred them to the computer, the system edits the estimates and then produces reports showing the results of the system’s processing.

5-103F (2a) Estimate Edits

Once Form CEM-6101, “Project Record—Estimate Request,” has been entered into CAS, the system will do the following:

- Edit Form CEM-6101 for consistency with previous estimates and with the working days calendar stored in the computer.
- Identify and summarize all daily extra work reports entered in the system and eligible for payment since the last estimate.

- Identify and summarize all contract transactions entered in the system since the last estimate.
- Identify and balance the change orders that require balancing.
- Identify and balance the contract items that require balancing.
- Make calculations for the item “Mobilization” (if necessary), for the various deductions and retentions, for percent time elapsed, for percent complete, and for various status totals, such as authorized final cost. The system also determines whether the contractor’s progress is satisfactory.
- Edit any deduction submitted for processing on Form CEM-6101, “Project Record—Estimate Request.” Special attention is given to three of the deductions as follows:
 - If the resident engineer has submitted an EEO deduction, CAS computes the amount as 10 percent of the contract item payment on this estimate, or a minimum of \$1,000 or a maximum of \$10,000, and places the deduction on file.
 - If the resident engineer has submitted an LCV deduction, the system performs the same calculation as for EEO deductions described above.
 - If the resident engineer has submitted an OOD deduction, the system will compute the deduction under the following conditions:
 - a. The contract has been completed, or retention is being reduced because the percent complete exceeds 95 percent. If one of these conditions is not met, the deduction will be rejected.
 - b. The total of all OOD deductions from prior estimates must be zero, or the deduction will be rejected. An OOD deduction should be taken only once for a contract.
 - c. If the first two conditions are met, the amount of the deduction is calculated as 5 percent of the total work completed to date less mobilization, or \$10,000, whichever is less.

Further deduction processing as follows:

4. If the total to date for an OOD deduction is negative, the system will check whether the value has changed since the last estimate for total work completed to date less mobilization. If the value has changed, the system will generate a new OOD deduction with a description, “MAINTAIN OOD DEDUCT,” and an amount equal to the difference between the amount demanded by the formula and the amount of the total to date for this type of deduction. Thus, an OOD deduction, once submitted, will be maintained at the formula’s value unless it is exactly reversed by a positive deduction entry on Form CEM-6101, “Project Record—Estimate Request.”
5. For each type of deduction, you cannot give back more than has been taken. If you make this error, the estimate will fail. Messages are produced stating which deduction is in error.

6. At this point in the processing, the final values are computed for total work completed and total payment to the contractor. If there are “Limitation of Payment” dates and amounts in the special provisions for this contract, the Division of Construction progress pay coordinator will have entered them in the computer. The system will check the period ending date of this estimate and will generate or return any split-year-financing deductions that are necessary under the contract’s terms.
 7. If retention is being released on this estimate and the total to date for liquidated damages is zero, the system will issue a warning message.
 8. The system automatically computes overbid item deductions as required. These deductions are taken and returned at the appropriate times.
- Make calculations for the progress payment voucher, including retentions and payments to escrow accounts.
 - Determining the success of the estimate’s processing.
 - If processing is successful, CAS prints your estimate.
 - If this estimate is for a zero or negative progress payment, the system prints a status purpose only estimate.
 1. If the total authorized final cost is greater than the construction allotment, CAS will issue a severe warning.
 2. If the total payment to date to the contractor on this estimate is greater than the construction allotment, the estimate will fail.

5-103F (2b) Estimate Output

Once CAS has processed the estimates, it produces the following reports:

- Schedule of extra work
- Schedule of deductions
- Project record estimate
- Project status
- Work done by Structures
- Progress payment voucher

Only two copies of the estimate will be sent to the field, one for the resident engineer and one for the contractor. The contractor also must receive the first three reports listed above and the last report listed above.

In addition to the estimate documents listed above, CAS also produces a report called “Estimate Processing Results.” This report is the tool by which the resident engineer can check the “estimate package.” This report has the following sections:

- Edit messages: The system can produce many possible messages. If the estimate is rejected, the exact reason will be found here. To assist in preventing

overpayments, among other problems, warning messages have been set based on carefully chosen tolerances. Read these messages carefully.

- Transaction selection: The system will print a list of the exact pages and lines of contract transactions that were used to produce the estimate. This list enables you to verify that all the contract transactions you submitted were used to produce the estimate.
- Change order processing: This lists any balancing of change orders by the system. Occasionally, the list also contains warning messages.
- Contract item processing: This part of the report does the same things as described for change order processing, but for contract items instead of change orders.
- Contract transactions list: This list identifies all contract transactions used to generate your estimate. If you question any line item on the project record-estimate, examine the detailed records to see how the system derived its totals.
- Structure totals: This item summarizes all structure work the system found while processing the estimate.

5-103F (3) Potential Problems

For the unwary, several points in the estimate process can cause errors. These problems result from misunderstanding what constitutes an estimate and how the estimate number should be increased from estimate to estimate.

On the title page of the project record estimate and in the estimate processing results, the system will print the type of estimate generated. If the estimate is one of the five types listed in Section 5-103F, "Generating Estimates," of this manual a valid estimate was generated.

The progress pay system requires that the estimate number be increased only by valid estimates. Thus, if you request estimate number 3 to be processed, but the system generates a status-purpose-only estimate, a valid estimate was not generated. Request estimate number 3 again for the next estimate.

Another potential problem involves two types of contract transactions: materials on hand and anticipated changes. These transactions apply to a specific estimate period. If the estimate generated by the system is a status-purpose-only estimate, these transactions have not been "used." They will appear on the next valid estimate generated. If their appearance on the next estimate is not satisfactory, you must use reversing entries before requesting the next estimate from the system.

If the estimate has failed for any reason, the system will print, with one exception, as many of the estimate reports as possible to help you analyze the problem. The one exception, the progress payment voucher, is only printed for successful estimates that are eligible for payment according to the system's standards.

Processing the estimate is done by a series of computer programs that perform the following functions:

- Edit data input on Form CEM-6101, “Project Record—Estimate Request.”
- Select from the computer file the change order bills that will be used to generate this estimate.
- Select from the computer file the contract transactions that will be used to generate this estimate.
- Process the change orders.
- Process contract items.
- Process deductions.
- Conduct miscellaneous computations.
- Generate reports.

5-103G Approval of Estimates

The authorization of an estimate depends on the type of estimate being run. The following is the general outline and method for approving contract estimates.

5-103G (1) Resident Engineer

After an estimate has been run, the resident engineer must authorize it before the process of payment is continued. To expedite payment, the resident engineer can authorize through a memo, form letter, or telephone call with subsequent written confirmation to the district office.

5-103G (2) District Director

At the time the estimate was produced, so was a payment voucher. If the estimate is a final estimate, an individual who has been formally delegated by the district director to do so must sign the form.

5-103G (3) Flagging an Estimate for Payment

Flagging an estimate in the computer system for payment indicates that a payment voucher has been verified and authorized.

For payments on after-acceptance estimates, semifinal estimates, and final estimates, the Division of Construction progress pay coordinator must flag the estimates in the computer system for payment after the district’s flagging.

5-103H Reports Available Through the Contract Administration System

CAS online reporting through CA-View is available at:

<https://gogreen1.go-online.ca.gov/CADVweb.asp>

CA-View user guide and tips are available at:

<http://it.onramp.dot.ca.gov/information-about-cas>

5-103H (1) District (XX) Estimate Status

This report, which is also available statewide, provides information on the pay status of each contract in the district. For each contract, the report includes the following:

- Contract number
- Date of last estimate processed (if there was one)
- Number of the estimate
- Number of days elapsed since the estimate was processed
- Type of estimate
- Pay status and date paid (if paid)
- Date on which the payment voucher was authorized
- Resident engineer's name and phone number
- Responsible unit
- Password

5-103H (2) Project Management

The project management report is for use by the district office and Division of Construction managers. This report consists of the following two separate reports that are produced whenever "Project Management" is requested.

5-103H (2a) Project File Status Report

This report lists all contracts in the district (or statewide) that are on the computer's active list. For each contract, the report provides the following information:

- Contract number
- Status
- Date bids were opened
- Date of award
- Date of approval
- Date of acceptance
- Bid amount
- Name of contractor

After bid opening, projects are added to the list automatically. After the final estimate and approvals from the districts and the disbursing office, the Division of Construction removes the projects from the list.

5-103H (2b) Exceptional Contracts Report

This report lists all contracts for which the following applies:

- More than 60 days have elapsed since the bid opening.

- More than 10 days have elapsed since the completion date and the contract needs an acceptance date.
- More than 45 days have elapsed since completion, but the proposed final estimates have not been run.
- More than 180 days have elapsed since completion, but the final estimates have not been run.

5-103H (3) District (XX) Project Status

This report is for use by construction managers. It lists all active contracts, and for each contract, provides the following information:

- Contract number
- Contractor's name and county-route-post mile
- Date of the last estimate
- Percent complete
- Percent of time elapsed
- Construction allotment
- Total amount paid to date
- Estimated final cost
- Estimated final contingency balance

5-103H (4) Progress Payment-Work Done by Structure Construction (Copies)

This report is for use by Structure Construction. For details, refer to Section 6, "Estimates," of the *Bridge Construction Records and Procedures* manual, Vol. 1.

5-103H (5) Project Record-Estimate (Copies)

A request for estimate copies will produce all of the documents that were produced automatically during the previous estimate's run; you should not need to order copies through this program. For the estimate, the report contains the following information:

- Schedule of extra work
- Schedule of deductions
- Project record-estimate
- Project status
- Progress payment voucher

5-103H (6) Status of Contract Items

The district office requests this report monthly for all ongoing contracts. The report must be filed in Category 60, "Contract Administration System Inputs and Reports."

For this report, the system prints one line of information for each contract item and summarizes the net effect of all contract transactions that have been entered against the item. This report allows the resident engineer to review each item and determine whether quantity balances and anticipated changes, among other things, are necessary.

If any particular number on the report seems questionable, the project record item sheets provide supporting detail. For example, if the authorized quantity differs from the bid quantity, the project record item sheets describe, under the item number, any changes due to change orders.

When applicable, take particular care to flag an item "COMPLETE" (using the item final balance transaction on Form CEM-6101) so that an accurate project status will be produced. Remember, flagging an item "COMPLETE" does not mean that contract item transactions will no longer be accepted; it means only that you have commanded the system to keep the item in balance at all times.

5-103H (7) Project Record Item Sheet

The district office requests this report monthly for all ongoing contracts. The report must be filed in Category 60, "Contract Administration System Inputs and Reports."

With the following exceptions, the project record item sheets list every contract transaction entered into the system since the beginning of the contract:

- Item and change order final balance transactions will appear only on the report following the next estimate. Thereafter, they are dropped from the report.
- Miscellaneous anticipated change transactions also appear only on the report following the next estimate.

The report lists the contract transactions, first by the estimate number on which they were paid, and then by the page and line number of the input form. The total to date will be printed.

This is a cumulative report. Do not retain previous issues of this report in the project files. However, one issue of the report, usually the one requested immediately after all final quantities have been paid, must be retained in the project's files.

5-103H (8) Status of Change Orders

Normally, the district office requests this report monthly for all ongoing contracts. The report must be filed in Category 60, "Contract Administration System Inputs and Reports."

This report is similar to the status of contract items, which allows the engineer to review each change order.

Use the report to determine when supplemental change orders will be necessary to complete the work. The report also facilitates a review of those change orders where a credit is due Caltrans.

When applicable, flag change orders "COMPLETE" (using the change order final balance transaction) so that an accurate project status can be produced. Similar to

flagging a contract item, flagging a change order “COMPLETE” means only that you have commanded the system to keep the change order in balance at all times.

5-103H (9) Change Order Master Listing

Normally, the district office requests this report monthly for all ongoing contracts. The report must be filed in Category 60.

This report summarizes all change orders stored in the computer file. It also contains the change order time extension and change order category code. The report lists each individual supplement with all the information the system contains. Do not retain previous issues in the project’s files. However, one issue, usually the one requested immediately after final payment has been made on all change orders, must be retained in the project’s files.

5-103H (10) Bridge Quantities by Structure

This report is for use by Structure Construction personnel. It is available on all projects for which Form CEM-6003, “Progress Pay—Estimate Project Initiation or Update,” has been filed. The filing of this form indicates a structure work amount and structure numbers have been entered for the contract transaction in accordance with the instructions in Section 6, “Estimates,” of the *Bridge Construction Records and Procedures* manual, Vol. 1.

5-103H (11) District (XX) Status of Anticipated Changes

This report is for use by the district and Division of Construction managers.

5-103H (12) Project Record-Estimate (Dummy)

A request for this item will produce the same form that was produced automatically when Form CEM-6003, “Progress Pay—Estimate Project Initiation or Update,” was filed.

This form is identical to a project record-estimate, except that it does not contain an estimate number or dates and no entries appear under “This Estimate” or “Total Estimate.” It is a blank estimate form, valuable only if it became necessary to make an estimate manually.

5-103H (13) Contract Contents Report

This report contains information that is currently in the file as a result of automatic entries or entries from Form CEM-6003 “Progress Pay—Estimate Project Initiation or Update.”

Most of the information in this report is included already in other reports and forms that are produced automatically. Therefore, you do not need to request it routinely.

5-103H (14) Contract Contents Report-Contract Item Records

This report provides the following information:

- Contract item number

- Contract item index number
- Item description
- Unit of measure
- Bid price
- Bid quantity
- Bid amount
- Amount overbid
- Void items
- Plant establishment items

Most of the information in this report is included already in other reports and forms that are produced automatically. Therefore, you do not need it for routine contract administration.

5-103H (15) Contract Contents Report-Contract Progress

For each contract item, this report includes a detailed analysis of the current and prior quantities and payment status. It also summarizes all other payments or deductions as well as data on contract time. The information in this report is included already in other reports that are produced automatically. Therefore, you do not need it for routine contract administration.

5-103H (16) DEWRs in Holding File

This report lists change order bills that are in the holding file for all contracts in the district. If there are reports in the holding file, process supplemental change orders to provide additional funds. The bill must be re-approved in the iEWB system in order to be released for payment on the next estimate.

5-103H (17) Daily Extra Work Report

Copies of daily extra work reports are produced under the procedure outlined in Section 5-103E, "Change Order Billing," of this manual. You can obtain copies by using the second page of the report request form or receive reports directly from the iEWB system. Refer to the *iEWB User Guide* for details.

5-103H (18) Rental Rates and Codes for Miscellaneous Equipment

This report provides a listing of equipment codes and related descriptive information for equipment that is not included in the *Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)* book.

5-103H (19) Reports for Structure Construction

In addition to the reports discussed above, CAS provides reports for Structure Construction. For details, refer to Section 6, "Estimates," of the *Bridge Construction Records and Procedures* manual, Vol. 1.

5-103I Field Audits by Accounting Office

In accordance with instructions from the Division of Administrative Services, personnel from the Accounting Office will periodically review record-keeping procedures for construction projects. The accounting reviewer will prepare a report of the findings, a copy of which will be sent to the deputy district director of construction and the resident engineer.

District construction must then report back to the Accounting Office, stating what actions it took in response to the report's recommendations. If the district's actions result in a dispute, the deputy district director of construction will resolve the dispute.

5-104 Final Construction Project Records

5-104A General

Construction project records consist of all material in the construction files, whether in the field office or the district construction office. This section contains guidelines for the disposition of construction project records after Caltrans makes the final payment to the contractor. This section also provides guidelines for allowing public access to construction project records and for producing a set of as-built plans for each completed construction project. In addition to construction project records, the district keeps a project history file. When the construction project is completed, the resident engineer initiates assembly of the project history file by transmitting designated records to the district Construction Unit for compilation. The project history file is stored in a secure, central file location within the district. For information about the project history file, refer to Chapter 7, "Uniform File System," of the *Project Development Procedures Manual*. The construction records retention schedule, Form STD 73, "Records Retention Schedule," lists records that are retained by the districts and Construction headquarters. For specific records stored in the project history file, refer to Section 5-104C, "Disposition of Construction Project Records," of this manual.

5-104B Public Access to Project Records

The California Public Records Act permits anyone to obtain any written information relating to the conduct of the public's business that is prepared, owned, used, or retained by any state agency, regardless of the physical form or characteristic of the writing. Although the act includes exemptions for certain categories of records, most construction project records fall within the description of documents that must be produced upon proper demand. Except for preliminary drafts or notes that are not retained in the ordinary course of business, permanent project records that are reasonably identified are subject to inspection and copy.

Records exempt from disclosure include the following:

- Estimated project cost before bidding.
- Contract claim analysis.

- Personal information, such as home addresses, telephone numbers, medical records, and similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.
- Accident reports. If accident reports produced by another agency are requested, such as accident reports by the California Highway Patrol, refer the requester to the other agency.

If copies of payroll records are requested, refer to Section 7-1.02K(3), “Certified Payroll Records (California Labor Code, §1776),” of the *Standard Specifications* for the procedures to follow.

Resident engineers should refer all requests for copies of any records to the district construction office and follow procedures established in the district for copying and charging for record copies.

Allow contractors and subcontractors to review records used to determine contract payment in the construction field office.

5-104C Disposition of Construction Project Records

District construction personnel who are responsible for the disposition of construction project records must coordinate their activities with the district records officer.

District construction offices must follow the statewide procedure for handling project records. This procedure is in accordance with the statewide records retention schedule and achieves the following objectives:

- Relieve the resident engineer of the responsibility for storing the records before or at the time final payment is made.
- Avoid unnecessary long-term storage of duplicate copies.
- Before the records are destroyed, transfer material that has historical value to the project history file.
- Retain construction project records in accordance with Table 5-1.1 of this manual and as follows:
 1. For projects that involve federal participation, retain the records for a minimum of 3 years after submission of the final federal voucher.
 2. For projects that do not involve federal participation, retain the records for a minimum of 3 years after the date on which the final estimate is scheduled for payment.
 3. For projects on which some legal question exists, such as a pending claim, a labor compliance case, or litigation, retain the records for 3 years after settlement. The district construction office must send a memorandum to the district records officer to hold these records until further notice.

After records from the resident engineer’s office are sent to the district construction office, eliminate duplicate records.

The construction project records retention schedule lists the length of time certain files must be retained, as well as files that must be kept permanently in the project history files in accordance with federal requirements.

Table 5-1.1. Construction Records Retention Schedule (1 of 6)

Project Record Category	Project Funding Type	Retention
1. Project Personnel	State only	Until final estimate
2. Project Office Equipment and Supplies	State only	Until final estimate
3. Equipment and Personnel Cost Reports	State only	Until final estimate
4. Service Contracts	State only	Until final estimate
5. General Correspondence	State or Federal	3 years beyond final estimate or final federal voucher
6. Safety	State or Federal	3 years beyond final estimate or final federal voucher
7. Public Relations	State only	Final estimate
8. Construction Surveys	State or Federal	3 years beyond final estimate or final federal voucher
9. Welding	State or Federal	3 years beyond final estimate or final federal voucher
10. (Extra category number)	To be announced	To be announced
11. Information Furnished at Start of Project (except documents listed in 11a-f)	State or Federal	3 years beyond final estimate or final federal voucher
11a. Detail Estimate of Project Cost	Federal and State	Permanent project file
11b. Notice of Award of Contract	Federal and State	Permanent project file
11c. Contract Special Provisions and Addendums	Federal and State	Permanent project file
11d. Notice of Approval of the Contract	Federal and State	Permanent project file
11e. Executed Contract	Federal and State	Permanent project file
11f. Bid Book	Federal and State	Permanent project file
12. Contractor (except 12a documents)	State or Federal	3 years beyond final estimate or final federal voucher
12a. Contractor's Borrow Agreements	Federal and State	Permanent project file

Table 5-1.1. Construction Records Retention Schedule (2 of 6)

Project Record Category	Project Funding Type	Retention
13. Signs and Striping	State or Federal	3 years beyond final estimate or final federal voucher
14. Photo Records	Federal and State	Permanent project File
15. Accidents	State or Federal	3 years beyond final estimate or final federal voucher
16. Utility Agreements	State or Federal	Permanent project file
17. Utility Work Performed	State or Federal	3 years beyond final estimate or final federal voucher
18. Agreements (except documents listed in 18a-e)	State or Federal	3 years beyond final estimate or final federal voucher
18a. Right of Way Agreements (with or without obligation)	Federal and State	Permanent project file
18b. Forest Service Agreements	Federal and State	Permanent project file
18c. Borrow Agreements (between state and owner)	Federal and State	Permanent project file
18d. Disposal Agreements (between state and owner)	Federal and State	Permanent project file
18e. Service Agreements (charged to contract allotment)	Federal and State	Permanent project file
19. Hazardous Waste and Hazardous Materials	Federal and State	Permanent project file
20. Water Pollution Control Plan or Stormwater Pollution Prevention Plan	State or Federal	3 years beyond final estimate or final federal voucher
21. Construction or Maintenance Zone Enhanced Enforcement Program	State or Federal	3 years beyond final estimate or final federal voucher
22. Traffic Management Information	State or Federal	3 years beyond final estimate or final federal voucher
23. Temporary Pedestrian Access Routes	State only	Until final estimate

Table 5-1.1. Construction Records Retention Schedule (3 of 6)

Project Record Category	Project Funding Type	Retention
24. Disadvantaged Business Enterprises and Disabled Veteran Business Enterprises	State or Federal	3 years beyond final estimate or final federal voucher
25. Labor Compliance and Equal Employment Opportunity	State or Federal	3 years beyond final estimate or final federal voucher
26. Progress Schedule	State or Federal	3 years beyond final estimate or final federal voucher
27. Weekly Statement of Working Days	State or Federal	3 years beyond final estimate or final federal voucher
28. Weekly Newsletter	State only	Until final estimate
29. Materials information and Preliminary Tests	State or Federal	3 years beyond final estimate or final federal voucher
30. Basement Soil Test Results	State or Federal	3 years beyond final estimate or final federal voucher
31. Notice of Materials to be Used	State or Federal	3 years beyond final estimate or final federal voucher
32. Notice of Materials to be Inspected for the Job Site	State or Federal	3 years beyond final estimate or final federal voucher
33. Notice of Materials to be Furnished	State or Federal	3 years beyond final estimate or final federal voucher
34. Treated Base	State or Federal	3 years beyond final estimate or final federal voucher
35. Hot Mix Asphalt	State or Federal	3 years beyond final estimate or final federal voucher
36. Concrete (other than structure items)	State or Federal	3 years beyond final estimate or final federal voucher

Table 5-1.1. Construction Records Retention Schedule (4 of 6)

Project Record Category	Project Funding Type	Retention
37. Initial Tests and Acceptance Tests	State or Federal	3 years beyond final estimate or final federal voucher
38. Quality Control	State or Federal	3 years beyond final estimate or final federal voucher
39. Materials Testing Qualifications of Employees	State or Federal	3 years beyond final estimate or final federal voucher
40. Field Laboratory Assistant Reports to Resident Engineer	State or Federal	3 years beyond final estimate or final federal voucher
41. Report of Inspection Material	State or Federal	3 years beyond final estimate or final federal voucher
42. Material Plants	State or Federal	3 years beyond final estimate or final federal voucher
43. Concrete and Reinforcing Steel	State or Federal	3 years beyond final estimate or final federal voucher
44. Recycle Materials and Diversion of Solid Waste	State or Federal	3 years beyond final estimate or final federal voucher
45. Resident Engineer's Daily Reports	State or Federal	3 years beyond final estimate or final federal voucher
46. Assistant Resident Engineer's Daily Reports	State or Federal	3 years beyond final estimate or final federal voucher
47. Drainage Systems	State or Federal	3 years beyond final estimate or final federal voucher
48. Bid Item Quantity Documents	State or Federal	3 years beyond final estimate or final federal voucher
49. Change orders (except documents listed in 49a-b)	State or Federal	3 years beyond final estimate or final federal voucher

Table 5-1.1. Construction Records Retention Schedule (5 of 6)

Project Record Category	Project Funding Type	Retention
49a. Change Orders (no drafts)	Federal and State	Permanent project files
49b. Memorandums (no drafts)	Federal and State	Permanent project files
50. Adjustment in Compensation Calculations	State or Federal	3 years beyond final estimate or final federal voucher
51. Materials on Hand	State or Federal	3 years beyond final estimate or final federal voucher
52. Charges to Total Contract Allotment	State or Federal	3 years beyond final estimate or final federal voucher
53. Credit to Contract	State or Federal	3 years beyond final estimate or final federal voucher
54. Deductions from Payment to Contractor	State or Federal	3 years beyond final estimate or final federal voucher
55. Partnering	State or Federal	3 years beyond final estimate or final federal voucher
56. (Extra category number)	To be announced	To be announced
57. Permanent Pedestrian Facilities	State or Federal	3 years beyond final estimate or final federal voucher
58. (Extra category number)	To be announced	To be announced
59. Bridge Estimate Data	State or Federal	3 years beyond final estimate or final federal voucher
60. Contract Administration System Inputs and Reports	State or Federal	3 years beyond final estimate or final federal voucher
61. Estimate and Project Status (except documents listed in 61a-b)	State or Federal	3 years beyond final estimate or final federal voucher
61a. Final Estimate	Federal and State	Permanent project records
61b. Invoice and Receiving Records (if applicable)	Federal and State	Permanent project records

Table 5-1.1. Construction Records Retention Schedule (6 of 6)

Project Record Category	Project Funding Type	Retention
62. Disputes	State or Federal	3 years beyond final estimate or final federal voucher
63. Project Completion Documents (except documents listed in 63a-c)	State or Federal	3 years beyond final estimate or final federal voucher
63a. Contract Acceptance	Federal and State	Permanent project records
63b. Final Materials Certification	Federal and State	Permanent project records
63c. Final Acceptance Checklist for Federal Aid High Profile Projects	Federal and State	Permanent project records

Prepare a transmittal list specifying the contents of each box when records are sent from the district construction office to the State Record Center or to another district. In a separate file in the district construction office, retain a copy of the transmittal list. Files stored electronically must also be sent.

The *Bridge Construction Records and Procedures* manual should be referenced for structure-related records that are transmitted to Structure Construction at the completion of the project for permanent storage.

5-104D As-Built Plans

Districts are responsible for all as-built road plans, and Structure Design is responsible for all as-built structure plans. To handle as-built plans, use the following procedure:

The district Design Unit will give the resident engineer full-size prints of all road plans. Prints of structure plans will be supplied to the structure representative. The plans may also be transmitted in electronic form when field forces have the capability of computer-aided drafting and design (CADD). As-built information is recorded on the full-size drawings or recorded on a set of contract plans using CADD.

Each sheet of as-built plans must be clearly identified as such. All sheets upon which changes are made must contain the name of the resident engineer or structure representative.

5-104D (1) District Procedure on As-Built Plans

The district will maintain a set of original project plan sheets. Field changes will be made on full-size prints or in a field CADD system and afterward transferred to the original CADD files in the district office. The set of plans, with changes delineated by the district Design Unit, becomes the as-built plans.

To attain uniformity in final project plans, include the following data on the as-built plans:

- Change order number.
- Revisions in alignment and right-of-way.
- Grade revisions in excess of 0.1 foot.
- Changes in length, size, flow line elevations, and station of culverts. When alternate types of culverts are permitted, show which alternate was used.
- Drainage changes.
- Location of sewers, conduits, and other features.
- Location of monuments, bench marks, freeway fences, and gates.
- Revision of typical cross sections.
- Changes in pavement lanes, tapers, ramps, frontage roads, road connections, driveways, sidewalks, islands, and median openings.
- Curb and gutter changes.
- Electrical conduits, pull boxes, vaults, cabinets, enclosures, and service points.
- Revision in location of utility crossings and irrigation crossovers.

Do not show the following on as-built plans:

- Construction quantities.
- Property fences.
- Miscellaneous small features, such as markers and delineators, which are readily changed by maintenance forces.

The resident engineer must complete the as-built plans as soon as possible after work is completed to ensure compliance with the archiving of as-built plans, but no later than 90 days after contract acceptance.

After the district Design Unit has completed the transfer of as-built information on the final as-built drawings, the unit will return the plans to the resident engineer for review and signature of final approval. For the processing and disposition of as-built plans after the construction review, refer to Chapter 15, "Final Project Development Procedures," of the *Project Development Procedures Manual*.

5-104D (2) Procedure on As-Built Plans for Bridges and Structures

Structure Construction must handle structure as-built plans in the following manner:

- From the resident engineer, obtain full-size prints of all sheets with "Structure" signature blocks. If these prints are not available from the resident engineer, the structure representative must contact Structure Design.
- The structure representative will make the as-built corrections to these prints and forward them to Sacramento Structure Construction. These corrected prints must

be forwarded to the Sacramento office as soon as possible after completion of the structures, but no later than 30 days after the completion of the project.

- For prints of projects consisting solely of roadside rests or maintenance facilities, Sacramento Structure Construction must forward the prints directly to Structure Design, Documents Unit. All other projects must be forwarded to Structure Maintenance and Investigations, which determines which sheets should be microfilmed for the structure files.
- Those prints not identified for filing by Structure Maintenance and Investigations will be forwarded to the appropriate district office for the preparation of as-built plan sheets. Structure Design will make the as-built corrections on the original plan sheets. If the original plan sheet is not currently stored in Structure Design, it may be obtained from the district.

On state projects that do not have a representative from Structure Construction, the resident engineer must make the as-built changes on the full-size prints bearing “Structure” signature blocks. As soon as possible after completion of the structures, forward the prints to Structure Construction in Sacramento. The procedure outlined above must then be followed.

On projects funded by others, where the local entity or private entity is the sponsor, follow the procedure for as-built plans for bridges and structures described in Special Funded Projects’ *Information and Procedures Guide* and the *Encroachment Permits Manual*.

For additional guidelines and details for completing structure as-built plans, refer to the *Bridge Construction Records and Procedures* manual.

5-104D (3) Projects Not on State Highways

- On all district-administered projects not on state highways, the information to be included on as-builts will remain the same as for contracts on state highways. The district will be fully responsible for completing as-built project plans and forwarding them to the local agencies. If desired, the district can make a copy of the plans for their own records before returning them to the local agencies.
- The engineer responsible for structure work will place as-built corrections on structure plans of all state and federally funded projects for local roads and streets. On Caltrans administered contracts, follow normal Caltrans procedures for processing these plans. On locally administered contracts, the engineer responsible for structure work will provide Special Funded Projects, Structures Local Assistance, a set of original tracings or duplicates of reproducible quality with as-built corrections. After microfilming, return these tracings or duplicates to the local agency.

Section 4 Disputes

5-401 General

5-402 Disputes and Claims Prevention

5-403 Requests for Information and Potential Claim Records

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Table 5-4.1. Required Post Acceptance Event Codes and Dates (2 of 2)

Table 5-4.2. Claims Resolution Authority—Entitlement

Table 5-4.3. Claims Resolution Authority—Settlement Before District
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Table 5-4.4. Claims Resolution Authority—Settlement After Arbitration
Filing

Section 4 Disputes

5-401 General

The objective of this section is to provide guidance to the contract administrative team so that requests for information, protests, contract disputes, potential claims, and claims are addressed and resolved expeditiously and consistently. The contract administrative team includes the resident engineer, the construction engineer, and other California Department of Transportation (Caltrans) personnel with the responsibility to analyze and resolve disputes.

The resident engineer, with the support of the contract administrative team, administers the dispute resolution process. Subject matter experts are consulted to aid in the evaluation of the technical aspects of a dispute.

Contractors submit requests for information to the resident engineer when there is discrepancy or confusion in the contract, to ask for a time extension, or to protest the resident engineer's decision. The resident engineer responds to the request within the specified time. This may lead to a contract dispute when the contractor does not agree with the response.

A contract dispute is a disagreement between the contractor and Caltrans over the interpretation of plans, specifications, bid proposals, material handouts, and other documents. When this occurs, the contractor provides notice of the dispute using the three-part Potential Claim Record process. The resident engineer acknowledges receipt of the dispute and begins the process of analyzing and resolving it. Try to resolve disputes as early as possible, in accordance with the contract, and at the lowest responsible level. Determine the relevant facts and responsibilities. Compensate the contractor where merit exists, even in part, and deny compensation with clear reasons when no merit exists.

Take this action within your authority as described in Section 5-311, "Change Order Approval Process," and Table 5-4.2, "Claims Resolution Authority—Entitlement," of this manual.

If you lack the authority to resolve the dispute, discuss the issue with the rest of the contract administrative team and the Division of Construction field coordinator. Promptly issue and obtain approval of a change order for the portions of the dispute that have merit.

Disputes that have not been resolved prior to issuing the proposed final estimate may become claims if the contractor lists them as exceptions to the proposed final estimate. Caltrans has 240 days from contract acceptance to review the contractor's claims and issue its final determination of claims. The contractor can initiate arbitration by filing a complaint with the Office of Administrative Hearings within 90 days of the receipt of the district director determination of claims letter or 240 days after contract acceptance if no district director determination of claims letter was issued. Caltrans Legal Division is the lead for defending Caltrans in arbitration. The districts and the Division of Construction

support the Legal Division in arbitration proceedings. Refer to Section 5-411, “Arbitration” of this manual for additional information.

Provisions for contract claims are incorporated into Minor B contracts based on the California Government Code. Resident engineers must follow Section 5-406I, “Minor B Contracts,” of this manual, when resolving disputes on Minor B contracts.

5-402 Disputes and Claims Prevention

There are many things that the contract administrative team can do to minimize the number and size of disputes and claims. Be proactive, professionally communicate with the contractor, and properly administer the contract. Partner with the contractor, within the confines of the contract, and maintain a respectful relationship through completion of the project. Be knowledgeable about the contract documents, policies, procedures, and federal and state laws applicable to the proper administration of the contract. Knowing the contractual responsibilities of each party will help in the timely resolution of the dispute.

Take the following actions to minimize claims:

- Partner with the contractor.
- Expeditiously investigate the situation.
- Consider the facts.
- Define the critical issues.
- Review the appropriate contract specifications.
- Communicate your position as soon as possible.
- Work within the contractual constraints.
- Document resolution and elevate, if appropriate.

5-403 Requests for Information and Potential Claim Records

The contractor can ask questions and make requests for additional compensation. Sections 5-1.42, “Requests for Information,” and 5-1.43, “Potential Claims and Dispute Resolution,” of the *Standard Specifications* include provisions and requirements for the contractor and the resident engineer to follow to document the request and move toward resolution should a dispute arise. The contract administrative team needs to respond without delay to the contractor’s requests. Timeframes for the responses are included in these sections.

Requests for information must be submitted by the contractor to the resident engineer during the course of the project and up to receiving the proposed final estimate. The response may lead to a dispute if the contractor protests the response. Section 5-1.43, “Potential Claims and Dispute Resolution,” of the *Standard Specifications* outlines the three-part potential claim record process, which includes an initial potential claim record, a supplemental potential claim record, and a full and final potential claim record. Note the date and time these documents were received and the name of the person who received them.

Disputes become claims when the contractor lists them as exceptions to the proposed final estimate.

5-403A Requests for Information

The contractor submits a request for information upon recognition of any event or question of fact arising under the contract in accordance with Section 5-1.42, “Requests for Information,” of the *Standard Specifications*. Respond to requests for information within the time specified.

Make every effort to provide a complete response to the contractor’s request. If it is unclear about what is being requested, ask the contractor to clarify the request. If more information is needed from the contractor, be specific about what is needed, request that it be provided, and let the contractor know that you cannot respond until it is received. Notify the contractor when unable to provide an answer because more information is forthcoming from other sources. Provide a date when the information will be available. For additional information, refer to Section 3-521, “Requests for Information and Potential Claim Records,” of this manual.

5-403B Potential Claim Records

Section 5-1.43A, “Potential Claims and Dispute Resolution—General,” of the *Standard Specifications* outlines the three-part potential claim record procedure and informs the contractor that failure to comply with it is a waiver of the potential claim, a waiver of the right to a corresponding claim for the disputed work in the administrative claims process, and is a bar to arbitration.

A unique identification number must be assigned to each potential claim and the nature and circumstances of the potential claim must not change throughout the submittal of all three potential claim record components:

- Initial Potential Claim Record
- Supplemental Potential Claim Record
- Full and Final Potential Claim Record

Make sure that the contractor is aware of and complies with the contractual responsibility to minimize and mitigate the effects of potentially claimed work or events.

5-403C Documentation

Place copies of all documents related to every dispute on the project in Category 62, “Disputes,” of the project records. This information provides the basis for preparing position papers in the alternative dispute resolution process and preliminary construction claim findings. Follow the procedures outlined in Section 5-102, “Organization of Project Documents,” of this manual for documenting claims. Refer to Section 3-521D, “Documentation Guidelines for Disputes,” of this manual for more information.

5-404 Alternative Dispute Resolution

The purpose of the alternative dispute resolution process is to provide a means for Caltrans and the contractor to resolve project disputes at the project level with the help of

a neutral party who has no financial interest in the outcome of the dispute. The alternative dispute resolution process is not allowed for disputes solely between the contractor and a subcontractor because those disputes are outside of the scope of the contract that Caltrans has with the contractor. Additionally, the alternative dispute resolution process is not allowed for overhead-type disputes. Refer to Section 5-409, "Overhead Claims," of this manual for information regarding overhead-type disputes.

The contractor is required to use alternative dispute resolution in order to pursue a claim. Dispute resolution ladder (DRL), dispute resolution advisor (DRA), dispute resolution board (DRB), and partnering are different types of alternative dispute resolution processes available. Refer to Section 3-522, "Alternative Dispute Resolution Processes," of this manual for more information.

5-405 Claims

The contractor submits a written claim statement for each unresolved potential claim record, administrative issue, and overhead adjustment by listing them as exceptions to the proposed final estimate as described in Section 9-1.17D, "Final Payment and Claims," of the *Standard Specifications*.

All claims included in the exceptions to the proposed final estimate should be considered. Exceptions to the proposed final estimate that were not previously submitted in accordance with Section 5-1.43, "Potential Claims and Dispute Resolution," of the *Standard Specifications* are considered new claims. Exceptions for administrative or overhead claims are not considered new claims. Overhead claims are addressed in Section 9-1.17D(2)(b), "Overhead Claims," of the *Standard Specifications*. Refer to Section 5-409, "Overhead Claims," of this manual for information regarding overhead-type disputes.

Analyze the merit of new claims and document the claims as outlined in Section 3-521D, "Documentation Guidelines for Disputes," of this manual. Include the analysis in the preliminary construction claims findings.

Examples of claims correspondence are listed at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

5-406 Claims Resolution Process

The following claims processing milestones were established to assure that the claims process is completed within the statutory requirement of 240 days after contract acceptance. The number of days is calculated from the date of contract acceptance.

Districts are responsible for populating and updating the Division of Construction's claims database with the actual milestone dates to verify that milestones, events, and dates, are current and correct. Refer to Table 5-4.1, "Required Post Acceptance Event Codes and Dates," of this manual. Project claims information should be updated by the 15th of each month to maintain reliability of the data.

5-406A Issue Proposed Final Estimate—Target Day 40

The resident engineer issues a proposed final estimate within 40 days after contract acceptance. Issue the proposed final estimate with the understanding that the estimate represents the final payment to the contractor.

Do not postpone issuing the final estimate to await additional information from the contractor. Make sure that all quantity calculations and adjustments are completed in time to process the proposed final estimate within the target date. Send the proposed final estimate by certified mail with return receipt requested.

5-406B Proposed Final Estimate Returned—Target Day 70

The contractor has 30 days after receiving the proposed final estimate to review, sign, and respond either with or without a written statement of claims. Document the receipt of the contractor's response by postal receipt or written receipt if hand delivered.

Process the final estimate when the contractor returns the proposed final estimate indicating acceptance, or when the contractor does not return the proposed final estimate within the required 30-day period.

When the contractor returns the proposed final estimate with a written statement of claims within the 30-day period, district construction sends a copy of the contractor's claim package to the resident engineer, construction engineer, and district construction claims engineer.

If claims are submitted after the 30-day period, the entire submittal must be returned to the contractor with a cover letter stating that Caltrans will not address the claims because they were not submitted in accordance with the contract requirements, and the final estimate must be processed.

5-406C Preliminary Construction Claim Findings Completed—Target Day 110

By target day 110, the resident engineer completes the preliminary construction claim findings. These include a compilation of the existing information and documents that are filed in Category 62, "Disputes," of the contract records. The construction engineer sends the preliminary construction claim findings to the deputy district director of construction. Refer to Section 5-412, "Preliminary Construction Claim Findings and Category 62 Preparation and Guidelines," of this manual for detailed format, content, and suggestions in preparing this document.

Review the contractor's statement of claims for conformance with procedural requirements. This review checks that each claim is a continuation of a previously submitted potential claim. Overhead claims or administrative disputes that occur after issuance of the proposed final estimate do not need to be a continuation of a previously submitted potential claim. Document the contractor's failure to comply with the potential claim process and file the detailed findings in Category 62, "Disputes" of the project records. Summarize them in the preliminary construction claim findings for each claim. The detailed findings may include, but are not limited to:

- Failure to provide a statement of claims within the 30-day period.

- Failure to provide the identification number corresponding to the supporting full and final documentation of the potential claim record and the final amount of requested additional compensation.
- Failure to provide documentation in support of the final amount of the claim if different from that stated in the full and final potential claim record.

If the contractor submits a claim without the corresponding identification number, or if there is a disparity in the identification number, notify the contractor of the omission or disparity. The contractor has 15 days after receiving the notification to correct the omission or disparity. Assign an identification number if the contractor fails to correct the omission or disparity.

If the contractor's statement of claims includes administrative disputes that occurred or were recognized after issuance of the proposed final estimate, include these items in the preliminary construction claim findings. Administrative disputes occurring or recognized after issuance of the proposed final estimate may include the following:

- Contract item quantity payments
- Changed quantity payment adjustments
- Administrative deductions and withholds
- Payments for extra work
- Resolution of disputed labor, equipment, and materials

If administrative claims have merit, payment is made through item payments, change orders, or by releasing withholdings. Accompany payment of those claims with a letter stating that the payment resolves the respective claim in its entirety. If the contractor does not accept the payment as full resolution, refer to Section 5-408, "Claim Payments," of this manual, for more information. The results of the attempted resolution of these administrative disputes must be sent to the district construction claims engineer by day 200 for incorporation into the construction claim findings.

If the statement of claims includes claims for overhead, such as field or home office, and cost escalation associated with delays caused by Caltrans, these claims must be supported with an audit by an independent certified public accountant (CPA). Send these types of claims to the deputy district director of construction as part of the preliminary construction claim findings. The Independent Office of Audits and Investigations may review the audit. For additional details, refer to Section 5-409, "Overhead Claims," of this manual.

5-406D District Construction Review of Preliminary Construction Claim Findings Completed—Target Day 130

The deputy district director of construction, or delegated authority, completes the review of the preliminary construction claim findings and segregates the claims into the following three categories:

- Claims with entitlement
- Claims to refer to a board of review

- Claims of an administrative nature

The district construction claims engineer finalizes the preliminary construction claim findings and authorizes payment for claims with entitlement.

By day 130, the deputy district director of construction reviews the preliminary construction claims findings and uses this information to prepare a “Review of Claims by Deputy District Director of Construction” notification letter. This notifies the contractor which claims are resolved, claims that are of an administrative nature returned to the resident engineer for further review, and which claims will or will not be heard at a board of review meeting. Refer to the example “Review of Claims by Deputy District Director of Construction Notification Letter” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

5-406E Board of Review Meeting—Target Day 160

The board of review convenes when the deputy district director of construction or a delegated authority decides that certain claims may warrant further analysis by a board of review. The target date to hold a board of review meeting is 160 calendar days after contract acceptance. The board of review secretary must notify the contractor of the date, time, and the location of the board of review meeting as soon as the board members have been selected and all the necessary arrangements have been made. In the “Board of Review” notification letter, state that both the contractor and Caltrans will be allowed to make only oral presentations in support of their previously submitted written information and that no additional written information will be accepted by the board of review. Refer to the example “Board of Review Notification Letter” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

The resident engineer, supported by Caltrans personnel, is responsible for preparing and delivering the presentation at the board of review meeting.

The board of review is an informal meeting allowing the contractor and Caltrans the opportunity to make presentations in support of previously submitted written information for claims identified within the board of review notification letter to the contractor. The board of review listens to the presentations made by the contractor and Caltrans, and provides objective recommendations in the board of review report. The board of review report should be issued within 200 days after contract acceptance.

If requested, Caltrans personnel including district and structure personnel involved with the contract may attend the board of review meeting to assist in presenting the claims under review by the board. Arrange to have other personnel involved in the project available to the board to answer questions during the meeting regarding complex claims or for firsthand knowledge of events.

5-406E (1) Board of Review Secretary

The district assigns a secretary for the board of review. Generally, the district construction claims engineer serves as the board secretary. Other personnel that have organizational and writing skills may also serve as board secretary. The secretary must do the following:

- Arrange the meeting date, time, and location and notify the contractor by certified mail at least 15 days before the meeting. In the notification letter to the contractor, request the contractor inform Caltrans of any intentions to have legal representation at the board of review meeting. If the contractor plans to have legal representation at the meeting, the district should consider having a legal representative attend as a legal advisor. A Legal Division representative is present only to advise and counsel the board on significant legal issues. Contact the Division of Construction field coordinator for advice on legal representation.
- Notify respective Caltrans staff of the meeting date, time and location, and verify their attendance.
- Verify the attendance of the contractor, subcontractors, district and structure personnel involved with the project, and any other Caltrans personnel before the meeting.
- Provide board members with copies of the preliminary construction claim findings, review of claims by deputy district director of construction notification letter, board of review notification letter, project plans, and special provisions, two weeks before the meeting.

5-406E (2) Board of Review Member Selection

The deputy district director of construction is responsible for selecting the board of review members. The number of members of a board of review should be based on the following guidelines:

- Total claims less than \$250,000, one or two members
- Total claims of \$250,000 to \$1,000,000, two members
- Total claims of more than \$1,000,000, three members

Exceptions to these guidelines can be made depending on the complexity of claims. Discuss exceptions to the guidelines with Contract Administration in the Division of Construction. Board of review members must be selected based on the following criteria:

- The board of review members should not have been involved in the administration of the project under consideration.
- The board of review chairperson should be either the deputy district director of construction or a delegated manager at a supervising engineer level or above, with a minimum of 5 years of experience in construction. The chairperson should be assigned to the district in which the claim originated.
- The other two members of the board of review will either be a supervising engineer level or above with a minimum of 5 years of construction experience, or a senior engineer level with a minimum of 8 years of construction experience. The members may be from the project's district or selected from the statewide board of review member list.
- The expertise of each board of review member should be considered relative to the disputes under consideration.

The Division of Construction maintains and manages a statewide list of available board of review member candidates, and provides a project-specific, member-candidate list to the district upon request. Candidates on the board of review member list are construction managers, retired annuitants, Division of Construction field coordinators, or other Caltrans personnel meeting the minimum experience requirements.

5-406E (3) Board of Review Operation

The board of review will hear only those claims identified in the review of claims by deputy district director of construction notification letter sent to the contractor. The board will not hear or address other claims. Caltrans prohibits recording the meeting. The meeting is informal, allowing the contractor and the district personnel to present their positions, and for all parties to exchange questions and answers. All questions, except those of the chairperson, are directed to the chairperson first. The meeting attendees must recognize that the chairperson controls the meeting.

The members of the board of review must conduct the meeting as follows:

- The board of review chairperson informs the meeting attendees of the procedures and the format of the meeting.
- The chairperson states that the meeting is being conducted in accordance with Section 9-1.17D(3), “Final Determination of Claims,” of the *Standard Specifications*, which allows a person or a board appointed by the district to review those claims that would benefit from further review by a board of review.
- Each claim issue begins with a district representative giving a brief description of the project and the subject of the claim.
- The contractor is given the opportunity to present the claim in detail as supported by previously submitted information and documentation.
- The district presents its detailed position as supported by the preliminary construction claim findings.
- After both the contractor and the district make their presentations, the board may allow rebuttals by both parties. Attendees must only respond when board members request a response.
- If the contractor attempts to submit new information regarding a claim, the board chairperson must inform the contractor that the board does not permit additional claims or additional information regarding claims.

If the contractor attempts to discuss a claim other than those to be heard by the board as stated in the “Review of Claims by Deputy District Director of Construction” notification letter, the board chairperson informs the contractor that the board will not hear the issue and will not accept any additional information. Refer to the example “Review of Claims by Deputy District Director of Construction Notification Letter” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

The board of review will not make decisions on claims at the meeting. After the meeting, the board of review members and the secretary will discuss and review of the claims.

The board of review must make decisions on claims, after reviewing the preliminary construction claim findings and the information presented by both the contractor and the district personnel at the board of review meeting. The board secretary compiles the board of review report under the direction of the board chairperson, with suggestions from the other board members. For additional details, refer to Section 5-413, “Board of Review Report Preparation and Guidelines,” of this manual. The board of review report will contain a determination of claims heard and the board’s conclusions.

If the contractor did not attend a scheduled board of review meeting, the board of review report will be based on the information contained in the preliminary construction claim findings. Since the contractor did not attend the meeting, the claims cannot be filed in arbitration as stated in Section 10240.2, of the Public Contract Code. If this happens, attach a letter with the district director determination of claims explaining the situation, referencing the above noted section. For an example of the letter, refer to the example “District Director Determination of Claims—Board of Review Held, Not Attended by the Contractor” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

The board members and other Caltrans personnel involved in the claims resolution process must review drafts of the board of review report. Once all comments and corrections have been made, the board secretary will complete the board report and obtain the signatures of the board of review members. For complex claims with significant statewide implications, the board members must consult with the Division of Construction before sending the report to the district director.

5-406E (4) Board of Review Settlements

The board of review may decide that a negotiated settlement of the claims is appropriate. The board secretary prepares the claim settlement request memorandum. The board of review chairperson submits the claim settlement request memorandum directly to the Division of Construction for approval. Upon approval, negotiate settlement with the contractor in accordance with that approval. For roles, responsibilities, and information on preparing a claim settlement request memorandum, refer to Section 5-407A, “Claim Settlement Process,” and Table 5-4.2, “Claims Resolution Authority—Entitlement,” of this manual.

5-406F Board of Review Report Completed—Target Day 200

After the board members have signed the board of review report, the board secretary prepares a letter of transmittal and sends the report and the supporting documents to the district Claims Unit and the district director by target day 200.

5-406G Construction Claim Findings and Draft District Director Determination of Claims Completed—Target Day 220

The construction claim findings will name each of the contractor’s claims in summary form including the items below:

- References to the supporting documents

- Resolution of the administrative claims by the resident engineer
- Analysis of claims that were not heard by a board of review
- Board of review findings

For detailed information on preparing the construction claim findings, refer to Section 5-414, “Construction Claim Findings Preparation and Guidelines,” of this manual.

In addition to preparing the construction claim findings, the district construction claims engineer prepares a draft district director determination of claims. For detailed information on preparing the draft district director determination of claims, refer to Section 5-415, “District Director Determination of Claims Preparation and Guidelines,” of this manual.

Send the construction claim findings and the draft district director determination of claims to the deputy district director of construction by day 220.

The deputy district director of construction approves the construction claim findings, and then sends the findings and the draft determination of claims to the district director for signature.

Prepare and obtain approval of a change order compensating the contractor for claims found to have merit based on the construction claim findings. The change order must state that the payment is for full resolution of the claim specified. Refer to Section 5-3, “Change Orders,” of this manual for more information.

Run a semifinal estimate to make payment and add any time for approved change orders.

5-406H District Director Determination of Claims—Target Day 230

The district director determination of claims is the final determination of claims and completes the claims resolution process. The determination concludes Caltrans’ administrative claims process, triggers preparation of the final estimate, and opens the contractor’s 90-day arbitration filing window.

The district director reviews and approves the final determination of claims. The district construction claims engineer sends the approved final determination of claims letter to the contractor within 230 days after contract acceptance. The region director may delegate the authority for approval to the district director in a district served by a region. Refer to the example “District Director Determination of Claims—Major and Minor A Contracts” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

When all the claims are resolved, the district director may delegate signature authority for determination letters to the construction deputy district director who may further delegate this authority to the construction manager.

After the district director final determination of claims letter is sent, do not have any further discussion of claims with the contractor.

District construction processes a final estimate within 30 days of sending the district director determination of claims. For information on the final estimate, refer to Section 3-907D, “Final Payment and Claims,” of this manual.

Before submitting a request for the final estimate, verify that change order payment has been made for all claim determinations.

The district must store all project records in accordance with the procedures outlined in Section 5-104, “Final Construction Project Records,” of this manual.

If the contractor has diligently pursued and exhausted the administrative procedures specified in the contract, the contractor is entitled to file for arbitration of its claims 240 days after contract acceptance, even if the district director determination of claims has not been issued.

If the contractor files for arbitration and the final determination of claims has not yet been issued, the district must nevertheless send a final determination of claims letter to the contractor. The format of the final determination of claims may be similar to the example “District Director Determination of Claims—Major and Minor A Contracts” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

Consult the Division of Construction field coordinator and the designated attorney for guidance. Send a draft copy of the final determination of claims to the designated attorney for concurrence. After the designated attorney provides concurrence, the district director approves the final determination of claims and it is sent to the contractor. Do not have any further contact or discussion with the contractor concerning the merit of claims.

Do not try to resolve claims in the time between issuing the district director determination of claims notification letter and the contractor’s filing for arbitration. Once arbitration is requested, any request for claims settlement is initiated by Caltrans Legal Division with preparation of a request for arbitration settlement authority memorandum. Depending on the delegated settlement authority shown in Table 5-4.2, “Claims Resolution Authority—Entitlement,” of this manual, the Division of Construction chief or the deputy director for project delivery approves the requests.

5-406I Minor B Contracts

By law, the contractor has a maximum of 1 year from contract acceptance to file a claim with the Department of General Services, Government Claims Program for Minor B contracts. If a contractor submits a potential claim record, alternative dispute resolution will help resolve disputes and mitigate damages. Use the concepts and levels of the dispute resolution ladder as described in Section 3-522B, “Dispute Resolution Ladder,” of this manual to assist the potential claims record process.

5-406I (1) Contract Accepted—Target Day 0

When the contract is accepted, the resident engineer discusses and attempts to resolve any disputes. This will begin the dispute resolution process at Level 1.

5-406I (2) Claim and Invoice Submission—Target Day 30

Within 30 calendar days following acceptance of the contract, the contractor must submit a written claim for an unresolved dispute as part of the fully itemized invoice covering the actual work performed. Process payment to the contractor for the undisputed portion of the invoice. Immediately request additional information for the unresolved claims. When

the written claim is received, this ends Level 1 of the dispute resolution process. Elevate the unresolved claims to the construction engineer, beginning Level 2. Use Form CEM-6209, "Elevation of a Dispute," to define the unresolved claims when elevating to this level.

5-406I (3) Additional Information Received—Target Day 45

When the additional information is received for the unresolved claims, begin preparation of the preliminary construction claim findings (refer to Section 5-412, "Preliminary Construction Claim Findings and Category 62 Preparation and Guidelines" of this manual. Concurrently, the district construction claims engineer prepares a draft district director determination of claims (refer to Section 5-414, "Construction Claim Findings Preparation and Guidelines," of this manual).

5-406I (4) Preliminary Determination of Claims—Target Day 50

If the construction engineer cannot resolve the claims, finalize the construction claims findings and provide a copy to the contractor; this ends Level 2 of the dispute resolution process. This will serve as a preliminary determination of claims and notifies the contractor of the opportunity to present any unresolved claims within 30 days to the construction manager, or deputy district director of construction depending on the district's preference. This begins Level 3 of the dispute resolution process.

5-406I (5) Presentation of Unresolved Claims—Target Day 80

Any unresolved claims are presented, merits of the claims are discussed, and an attempt is made to resolve the claims by the respective representatives at Level 3.

5-406I (6) Final Determination of Claims—Target Day 85

The final determination of claims is completed by the district claims engineer and submitted to the deputy district director of construction for approval. The approved final determination of claims is sent to the contractor by day 85 and ends Level 3 of the dispute resolution process. The contractor can accept the district's decision, thereby ending the process, or continue the process through the Department of General Services, Government Claims Program or Superior Court, as applicable.

5-406I (7) Department of General Services, Government Claims Program and Superior Court

The Division of Construction arbitration engineer is responsible for coordinating Minor B claims with the Legal Division and for updating the database that includes tracking, monitoring, and reporting on all Minor B claims filed with the Department of General Services, Government Claims Program, Superior Court, or Division of Construction. The arbitration engineer is the point of contact regarding the status of and providing statistics for all Minor B claims filed with Department of General Services, Government Claims Program, Superior Court, or Division of Construction.

The contractor has 6 months to file a complaint in Superior Court after the Department of General Services, Government Claims Program or the chief of the Division of

Construction rejects the contractor's claim. The Legal Division is responsible for representing Caltrans in court and expects district and headquarters construction staff to provide assistance upon request.

5-407 Claim Settlement

A claim settlement is defined as a compromise of the contract requirements to settle a dispute in Caltrans' best interest. Settlements of claims may arise when both Caltrans and the contractor contributed to the disputed issue, and total responsibility is difficult to attribute to either party. In these situations, district management, the board of review, or Caltrans Legal Division will explore the possibility of settlement with the contractor.

A claim settlement request must be approved by the district director, Division of Construction chief, or the deputy director for Project Delivery depending on the settlement amount. The region director may delegate the authority for approval to the district director in a district served by a region. Refer to Table 5-4.3, "Claims Resolution Authority—Settlement Before District Determination of Claims," for the claim settlement authority and responsible parties.

No claim can be addressed between the district director determination of claims and the contractor's filing for arbitration.

5-407A Claim Settlement Process

When considering a decision to settle a claim, analyze Caltrans' exposure to help determine potential liability. This will serve as a guide for the settlement. The Division of Construction field coordinator provides assistance on all settlement analyses and should be consulted early in the process.

For consideration of settlements before arbitration, the field coordinator engages the Legal Division. The Legal Division will consult with the district or the board of review and provide direction for preparing a claim settlement request memorandum. For consideration of settlements during arbitration, the case attorney prepares this memorandum for approval.

The claim settlement request memorandum is an internal, confidential document protected under attorney-client communication privilege and must not be given to the contractor or included in the project files. The original claim settlement request memorandum will be kept in the Division of Construction's confidential files. The claim settlement request memorandum must be approved before entering into any negotiations with the contractor.

5-407A (1) Claim Settlement Request Memorandum

The claim settlement request memorandum must include the following items:

- Confidential attorney-client communication clause, ". . . prepared at the direction of and in consultation with the Legal Division."
- Project description.
- Chronology.

- Time extension summary.
- Description of claims.
- Summary of claims.
- Entitlement and settlement justification.
- Funding status.
- Consequences of not settling.

Refer to the example “Claim Settlement Request Memorandum” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

5-407A (2) Claim Settlement Agreement

A fully executed change order is considered the claim settlement agreement for claims settled before the district director determination of claims is issued. The change order must be written in sufficient detail so that it clearly describes the claims being settled, adjustments in contract time, disposition of liquidated damages, and compensation amount. Refer to Section 5-3, “Change Orders,” of this manual for guidance and see standard change order clauses at:

<https://dot.ca.gov/programs/construction/change-order-information>

The change order memorandum must refer to the approved claim settlement request memorandum. Do not substitute a change order memorandum for a claim settlement request memorandum.

During arbitration, the Caltrans case attorney prepares and signs a claim settlement agreement. Agreement is reached when the opposing counsel signs the document. To complete the administrative process, the Division of Construction’s arbitration engineer prepares a unilaterally approved change order for payment.

5-407B Contract Time Settlements

Time adjustments for reasons other than those specifically enumerated in the contract are considered contract time settlements. Defer contract time settlements until completion of the contract. Prepare a claim settlement request memorandum and settlement agreement as described above for contract time settlements. Attach CEM-2702, “Overrun in Contract Time,” to the memorandum. Do not record these contract time settlements on the CEM-2701, “Weekly Statement of Working Days.”

5-408 Claim Payments

If adequate funding is available, make payment immediately when you reach agreement with the contractor or find entitlement on a claim. Prepare and process a supplemental funds request if there are insufficient funds for payment.

When a change order is necessary to make payment for disputed work and the contractor refuses to sign it, issue a unilaterally approved change order in accordance with Section 4-1.05, “Changes and Extra Work” of the *Standard Specifications*, and Section 5-3, “Change Orders,” of this manual.

Claim payments are made in accordance with Table 5-4.2, “Claims Resolution Authority—Entitlement”; Table 5-4.3, “Claims Resolution Authority—Settlement Before District Determination of Claims”; and Table 5-4.4, “Claims Resolution Authority—Settlement After Arbitration Filing,” depending on the resolution type and the timing of the Resolution. For detailed information on contract payments, refer to Section 3-9, “Payment,” of this manual.

5-409 Overhead Claims

Overhead claims generally fall into two categories: home office overhead and field office overhead. Overhead claims generally occur when there have been delays to the completion of the contract. Delays caused by Caltrans to the controlling operation on contracts with a time-related overhead bid item are compensated through bid item quantity adjustments to the time-related overhead item. Refer to Section 3-905, “Time-Related Overhead,” of this manual.

All other overhead claims must be supported by an audit. The contractor must provide the required audit in accordance with Section 9-1.17D(2)(b), “Overhead Claims,” of the *Standard Specifications*. Provide a written response regarding Caltrans’ consideration of the overhead claim to the contractor before issuing the proposed final estimate. If the resident engineer determines that a compensable delay exists, evaluate the overhead claim through the audit process.

When a claim for overhead expenses is received without an audit by a Certified Public Accountant (CPA) to justify the claimed amount, notify the contractor that the submittal is incomplete and will not be considered until an independent CPA audit report is received. Failure to comply with the requirements justifies denying the overhead claim.

5-409A Home Office Overhead

Home office overhead, or general and administrative expenses, consists of indirect costs that are not associated with a specific project but are the costs of general facilities and administration necessary for the contractor’s performance on all contracts.

5-409B Field Office Overhead

Field office overhead consists of indirect costs that are associated with a specific project. These costs do not include costs for labor, materials, or equipment used in performing the work.

5-409C Contractor Submitted Audits

The Independent Office of Audits and Investigations will assist the resident engineer by performing a preliminary check of the independent audit report’s compliance with the requirements of the American Institute of Certified Public Accountants (AICPA) Attestation Standards.

Audits and Investigations will perform an audit of contractor submitted audits if the following conditions exist:

- The deputy district director of construction and the Division of Construction field coordinator have made a determination that an audit is warranted.

- The contractor has submitted an independent CPA audit report that conforms to the AICPA Attestation Standards.
- The Division of Construction has received and prioritized the audit request.
- The contractor has fulfilled the provisions of Section 9-1.17D, “Final Payment and Claims,” of the *Standard Specifications*.

A systematic review of the contractor’s claim and audit is required to decide if there is reason to proceed with a detailed analysis of the costs contained within the contractor submitted audit.

The audit process is initiated by the contractor’s written request for a Caltrans audit review of home office overhead and field office overhead by submitting exceptions to the proposed final estimate.

If determination has been made to consider the overhead claim, verify that the contractor’s claim for home office overhead or field office overhead is submitted along with a supporting independent CPA audit report in accordance with Section 9-1.17D, “Final Payment and Claims,” of the *Standard Specifications* and with those policies contained within the *CPA Desk Guide for Overhead Audits* available at the Division of Construction’s intranet website. Unallowable expenses including those relating to other businesses of the contractor must be excluded from the claimed expenses for field office overhead and home office overhead. For typical unallowable expenses, refer to the Code of Federal Regulations, Title 48, Section 31.205, “Selected Costs” (48 CFR 31.205). The independent CPA audit report may be faxed to the Independent Office of Audits and Investigations for assistance. Deny the audit request if the audit report does not comply with Section 9-1.17D, “Final Payment and Claims,” of the *Standard Specifications*.

The Division of Construction field coordinator decides if the facts and circumstances warrant a detailed analysis requiring a state audit review. This determination may involve significant analysis of many variables, including concurrent delays as evidenced by the Critical Path Method (CPM) schedule and time impact analyses. The Division of Construction field coordinator will inform the resident engineer to deny the claim and audit request if there is no justification.

If the audit report complies with Section 9-1.17D, “Final Payment and Claims,” of the *Standard Specifications* and the Division of Construction field coordinator decides an audit request is warranted, draft the audit request memorandum. Refer to Section 5-410A, “Audit Request Procedure,” of this manual for guidance on requesting an audit.

5-410 Audits

The Independent Office of Audits and Investigations provides a service to Construction by performing audits. Their audit services include:

- Reviewing contractor-submitted audits for overhead claims.
- Reviewing the contractor’s project files.
- Auditing the contractor’s records.
- Reviewing cost escalation claims.

- Reviewing costs for contract termination.
- Reviewing costs for complicated work-character changes.
- Reviewing costs for complicated item adjustments.
- Reviewing costs for differing site conditions.

5-410A Audit Request Procedure

When it is determined that an audit by the Independent Office of Audits and Investigations is needed, the deputy district director of construction gets concurrence from the Division of Construction field coordinator and submits the audit request memorandum to the Division of Construction. For guidance, refer to the example “Audit Request Memorandum” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

The memo must include the following information, as appropriate:

- Contract number
- Contractor name
- District contact person’s name, title, and phone number
- A justification

The justification must explain the reasons the contractor has entitlement on the claims and the associated costs that a Caltrans audit needs to verify. If appropriate, the justification must be accompanied by a summary of delay-related claim descriptions, a chronology of events, and amounts. For a sample summary of delay-related claims, refer to the examples “Summary of Delay-Related Claims” and “General Contract Information and Contract Chronology” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

Upon receipt of the district’s audit request memorandum, the Division of Construction sends a memorandum to the audit manager of the Independent Office of Audits and Investigations requesting an audit. The policy of Audits and Investigations is to complete audits within 100 days after receiving an audit request memorandum.

5-410B Construction Response to Audit Reports

The initiator of the request for the audit must provide an acceptable corrective action plan in response to audit findings and recommendations.

The Division of Construction is responsible for the corrective action plans for force account audits authorized under Section 5-1.27, “Records,” of the *Standard Specifications*. Approval of the district corrective action plans may not be delegated below the level of district division chief of construction.

A corrective action plan must be submitted to the external audit chief for the Independent Office of Audits and Investigations.

The district will use the final audit report or draft audit findings to decide if the contractor is due any payment adjustments. The final audit report is a matter of public record, and its distribution is not limited.

If compensation is due, the Division of Construction field coordinator will request that district construction processes a change order for payment in accordance with the overhead claim administration delegation of authority in Table 5-4.2, "Claims Resolution Authority—Entitlement." Note the name of the person authorizing the change order in the change order memorandum.

Other delay-related expenses besides overhead, such as escalated materials, equipment, and labor costs, may be included in the contractor's claim. The escalated costs may be included in the audit request if complex. Account for simple cases of escalated costs because of delays caused by Caltrans, unless they are easily combined into an audit for overhead. Unlike audits for overhead, escalated cost audits may be performed before receiving the contractor's written statement of claims. An independent CPA audit is not required to support escalated cost claims because of delays caused by Caltrans.

Force account markups are not included in any escalated cost calculation. Recovery of additional overhead incurred because of escalated costs requires submittal of an overhead claim with an independent CPA audit report.

5-411 Arbitration

The contractor is entitled by law to file a complaint in arbitration no later than 90 days after receipt of the written district director final determination of its claims. If the contractor has diligently pursued and exhausted the administrative procedures specified in the contract, the contractor is entitled to file for arbitration of its claims 240 days after contract acceptance if the district director determination of claims has not been issued. The arbitration process is initiated by filing a complaint with the Office of Administrative Hearings.

The Caltrans Legal Division handles all construction contract arbitrations. When a contractor files for arbitration, all contacts with the contractor regarding the specific project must go through the designated attorney. The resident engineer, the construction engineer, and other personnel involved with the contract, must assist in the arbitration process. This assistance may be in the form of preparing calculations, performing technical analyses, preparing documents, assisting in the discovery process, or providing testimony. Keep project records at one location for ease of discovery by the Legal Division.

The arbitration payment process is a joint effort involving the Division of Construction, the Legal Division, the district, the Division of Budgets, and the Division of Accounting. The Division of Construction arbitration engineer is responsible for updating the database that includes tracking, monitoring, and reporting all arbitration cases. The Division of Construction arbitration engineer is the point of contact regarding status of ongoing arbitration cases, coordinating arbitration payments, and providing statistics on all arbitration cases.

5-412 Preliminary Construction Claim Findings and Category 62 Preparation and Guidelines

Preparation of the preliminary construction claim findings can be completed quickly by incorporating documents contained in Category 62, “Disputes,” of the project records. Complete the preliminary construction claim findings when you receive exceptions to the proposed final estimate from the contractor. Refer to the example “Construction Claim Findings” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

5-412A Preliminary Construction Claim Findings Format

The preliminary construction claim findings consists of the following sections:

- Title page
- Table of contents
- Project chronology
- General information
- List of claims
- Contractor’s exceptions to the proposed final estimate
- Exhibits obtained from Category 62, “Disputes”

A well-organized Category 62, “Disputes,” of the project records is imperative for preparing the construction claim findings. Refer to Section 5-102C, “Description of Categories,” of this manual for more details about the file categories. For each claim, Category 62 should include:

- Claim checklist, refer to the example “Claim Checklist” at:
<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>
- Request for Information (RFI)
- Form CEM-6201D, “Initial Potential Claim Record” and Caltrans’ response
- Form CEM-6201E, “Supplemental Potential Claim Record” and Caltrans’ response
- Form CEM-6201F, “Full and Final Potential Claim Record” and Caltrans’ response
- All correspondence
- District’s position paper for the DRB
- Contractor’s position paper for the DRB
- DRB recommendation
- Resident engineer diaries
- Assistant resident engineer diaries
- Applicable parts of plans and specifications
- Relevant change orders
- Photographs

- Calculations and analysis
- Weekly Statements of Working Days
- Critical path method schedules
- Other pertinent information

Refer to Section 5-406D, “District Construction Review of Preliminary Construction Claim Findings Competed—Target Day 130” of this manual for more information.

5-413 Board of Review Report Preparation and Guidelines

The district construction claims engineer and deputy district director of construction use the board of review report to complete the construction claim findings that are the basis of the district director determination of claims.

In preparing the board of review report, the board members should follow the guidelines below:

- State opinions, facts, positions, conclusions, determinations, and recommendations in the report. However, the important items to be presented are facts, contract language, and the results of applying the contract to the facts.
- Do not use words such as “think,” “feel,” and “believe.”
- Quantify all items. If the contractor was inefficient, state that conclusion’s basis. If such inefficiency occurred frequently, state how many times and over what time frame.
- Do not use tables within the board recommendations.
- Begin each individual claim on a new page.
- Do not include any language indicating that the report’s findings comprise the final determination. For all claims, the district director makes the final determination.

The following establishes the format, content, and guidelines for writing the board of review report and the board of review recommendations. For a sample of a board of review report, contact the Office of Contract Administration in the Division of Construction

5-413A Format

A board of review report follows the general format below.

5-413A (1) Introduction

The board of review report will start with an introductory paragraph describing the board meeting attendees and date of occurrence.

5-413A (2) Items That Are Common to All Claims

List items such as the chronology and general information.

5-413A (3) Summary of Resolved Claims

Reference claims that were entirely or partially settled.

5-413A (4) Individual Claim Information

Reference each individual claim number, title, and the amount.

5-413A (5) General Description of the Claim

Briefly describe the nature of the claim.

5-413A (6) Contractor's Position

Quote directly from the contractor's RFI, potential claim records, or written statement of claims. Add any other pertinent information provided in other documentation.

5-413A (7) District's Position

The district's position must be compiled from the responses to potential claim records, and supported by exhibits that include related correspondence.

5-413A (8) Comments of the Board

In this section of the report, include the following:

- Any new material or change in position if raised by the contractor at the board meeting.
- Any board requests for additional information or analysis and any general discussion of that information or analysis.
- Other information the board considers relevant to the issue.

The following are some examples of clauses that may be used in this section:

- "At the board of review meeting, the contractor informed the board . . ."
- "At the board of review meeting, the contractor submitted additional information to support the contractor's claim."
- "At the request of the board, the resident engineer reviewed the contractor's submittal and noted . . ."
- "The resident engineer informed the board . . ."
- "At the request of the board . . ."

5-413A (9) Findings of the Board

Format this section of the board of review report as a series of bullets listing the board's conclusions and providing the board's findings. The bullets will convey the board's reasoning and follow a progression that illustrates what was required, what happened, and what the board concluded was relevant to its recommendation. The following are some examples of phrases that may be used in this section, beginning with the statement, "The board concluded that:

- The contract provided for . . .
- The work included . . .
- Based on bid item number [xx], description . . .

- The contract further provided . . .
- The contract time is subject to extensions for . . .
- Work began on [date].
- By correspondence dated [date] . . . the contractor directed the resident engineer's attention to . . .
- The contractor requested issuance of a change order to provide compensation for . . .
- On [date], the contractor submitted request for information, dated [date].
- On [date], the contractor submitted an initial potential claim record, dated [date].
- On [date], the contractor submitted a supplemental potential claim record, dated [date] . . . a claimed cost of \$ [value] and a claimed delay of [number] days.
- On [date], the resident engineer responded to the contractor's supplemental potential claim record and directed the contractor's attention to Section [xx] of the *Standard Specifications*.
- On [date], the contractor submitted the full and final potential claim record, dated [date] . . . with the claimed cost of \$ [value] and a claimed delay of [number] days.
- On [date], the resident engineer responded to the contractor's full and final potential claim record.
- With the return of the proposed final estimate, the contractor included a corresponding claim for \$ [value] and a claimed delay of [number] days.
- The contractor has been compensated for the work of bid item number [xx] and that the contractor is not entitled to any additional compensation for that work.

For each claim, the conclusions will be ended with a recommendation statement such as, "Therefore, it is recommended that the claim be allowed [or *denied*] in the amount of \$ [value]."

Facts and findings address what actually occurred, including only facts the board knows with certainty. Guesses or unverified information should not be used in the conclusion.

The board of review report should specifically address any prior dispute resolution advisor or dispute resolution board findings and recommendations pertaining to the claim, and provide its conclusions. Particular attention must be paid when the board of review's conclusion disagrees with those findings and recommendations.

5-414 Construction Claim Findings Preparation and Guidelines

The board of review report is incorporated as a part of the construction claim findings. The construction claim findings provide the basis for the district director determination of claims. The district construction claims engineer prepares the construction claim findings by refining the preliminary construction claim findings. Incorporate claims resolved and status, unresolved administrative claims addressed by the resident engineer, and claims addressed by the board of review. When preparing the construction claim findings document, consider that the document is used by a Caltrans attorney if claims are filed in arbitration.

Concurrently, the district construction claims engineer prepares the draft district director determination of claims. Refer to Section 5-415, “District Director Determination of Claims Preparation and Guidelines,” of this manual.

The district construction claims engineer transmits the construction claim findings to the deputy district director of construction for approval.

The district construction claims engineer then transmits the construction claim findings and the final district director determination of claims to the district director for approval.

The following sections provide format, content, and guidelines for preparing the construction claim findings. For an illustrative sample of the format and content of construction claim findings, refer to the example “Construction Claim Findings” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

5-414A Format

Construction claim findings follow the format below:

5-414A (1) Title Page

The title page states the following:

- “Construction Claim Findings”
- Contract identification data such as contract number, district, county, route, post mile, and federal project number, if applicable
- Applicable *Standard Specifications* and *Standard Plans* sections
- Names of the contractor, resident engineer, and other personnel with significant involvement
- Date

5-414A (2) Table of Contents

Number all pages in the table of contents.

5-414A (3) Project Chronology

The project chronology includes the following:

- Advertisement date
- Bid opening date
- Contract award date
- Contract approval date
- First working day (date and working day number)
- Date contractor began work
- Working days specified (number of days)
- Computed completion date (date and working day number)

- Change order time adjustment (number of days)
- Nonworking days (number of days)
- Working days not worked on controlling operation (number of days)
- Extended date for completion (date and working day number)
- Project completion date
- Contract acceptance date
- Overrun in contract time (number of working and calendar days)

5-414A (4) General Information

The general information section should be presented in a narrative format, and include the following:

- Description of the work
- Contractor's bid amount
- Proposed final estimate amount
- Date the proposed final estimate was sent to the contractor
- Date the contractor returned the proposed final estimate with exceptions
- Total number and amount of claims submitted

5-414A (5) Summary of Claims

Provide the following information:

- Identification numbers and titles
- Claimed amounts
- Recommended payments
- Remaining amounts

5-414A (6) Claim Categories

Show the segregation of claims into the following categories:

- Administrative claims
- Claims heard by board of review
- Claims not heard by board of review

5-414A (7) Claim Number, Title, and Claim Amount

A boldfaced, underlined title bar will be used for each claim. In the left-hand column, place the claim number. In the middle column, position the claim title. In the right-hand column locate the claim amount, including days claimed.

5-414A (8) Description of the Claim

Provide the following information:

- An explanation of what caused the claim.
- Pertinent statements of facts related to the issue, not beliefs or opinions.
- A reference to the applicable specifications relating to the claim. You may include a separate section titled “Applicable Specifications,” listing the section numbers and excerpts.
- The circumstances leading to each claim. Use facts supported with exhibits that include daily reports or letters.
- Relevant dates if the claim includes time considerations.
- A statement of actions and responses made by Caltrans and the contractor.
- The method and time of notification of the claim.

5-414A (9) Contractor’s Position

Quote directly from the contractor’s RFI, potential claim records, or written statement of claims. Add any other pertinent information provided in other documentation. Do not interpret the contractor’s position. If the contractor has not stated the basis for the claim, note that the basis was not stated. State whether a cost analysis was submitted.

Provide the information in the following order:

- Full and Final Potential Claim Record
- Supplemental Potential Claim Record
- Initial Potential Claim Record
- Contractor’s RFI pertaining to the claim
- Reference table to contractor’s supporting exhibits

5-414A (10) District’s Position

The district’s position must be compiled from the responses to potential claim records, and supported by exhibits including related correspondence. Additional arguments supporting the district’s position are not required. If the contractor provides reasons for changing the amount of requested additional compensation from that stated in the full and final documentation, additional opposing statements may be included.

Provide the information in the following order:

- Resident engineer’s response to the Full and Final Potential Claim Record.
- Resident engineer’s response to the Supplemental Potential Claim Record.
- Resident engineer’s response to the RFI.
- A list of exhibits including change orders for partial resolution of the potential claim, photographs, CPM analysis, cost analysis, correspondence, and diaries.

Include a separate section stating deficiencies if the contractor has failed to comply with Section 9-1.17C, “Proposed Final Estimate,” of the *Standard Specifications*.

5-414A (11) Findings and Recommendations

State the district's conclusions on the merit of the claim in bullets, following the format of the board of review report.

Briefly state the reason for the conclusions based on the information provided.

Recommend denial if there is no merit, but do not deny the claim. Only the district director has the authority to deny the claim.

5-414A (12) Tabular Reference to Supporting Information

5-414A (13) Summary of Resolved Claims in Tabular Format for All Claims

5-414A (14) Deputy District Director of Construction Signature Block

5-414A (15) Exhibits

Include the following exhibits as appropriate:

- Copy of the contractor's written statement of claims
- Correspondence
- Cost data
- RFIs and potential claim records
- Detailed chronology of correspondence, other documents, or events
- CPM schedule, time impact analysis, or revised schedule
- Photographs

5-414B Helpful Hints

When preparing the construction claim findings, the following hints may be helpful:

- Identify specific references in the following manner: "Section [xx] of the special provisions requires . . ."
- Quote all excerpts. Avoid paraphrasing them.
- Include all pertinent correspondence.
- Include pertinent photographs.
- Identify the central issue, identify irrelevant contentions, and provide a response to every relevant contention that the contractor makes.
- Use exact dates and numbers.
- State whether days are working or nonworking.
- When referring to days, when applicable, include the month, day number, and year.

5-414C Things to Avoid

When preparing the construction claim findings, avoid the following:

- Using the words “denied,” “rejected,” or “determined.” Only the district director can use these terms in the district director determination of claims.
- Including a copy of Sections 1 through 9 of the *Standard Specifications*.
- Making the background section of the district’s position a chronology of letters or events. Write the background as a narrative, referencing any relevant letters or events, if appropriate.
- Including correspondence, photographs, or other exhibits that have no direct bearing on the claim.

5-415 District Director Determination of Claims Preparation and Guidelines

The district director makes the final determination of claims in consideration of the construction claim findings and supporting documents. The district director determination of claims is a stand-alone document and does not reference the board of review report, or construction claim findings. The district director determination is presented in a bulleted format, listing the construction claim findings.

For a sample district director determination of claims refer to the example “District Director Determination of Claims—Major and Minor A Contracts” at:

<https://construction.onramp.dot.ca.gov/claim-correspondence-examples>

Once the district director determination of claims is completed, send it to the contractor by hand delivery or deposit in the U.S. mail. Issue the final estimate in writing.

Once the district director determination of claims is submitted to the contractor, there should be no further contact or discussion concerning merits of claims. If the contractor pursues unresolved claims in arbitration, Caltrans’ Legal Division coordinates any necessary responses.

5-416 Copy Distribution of Claim Documents

The district must process and distribute copies of claims documents produced during the claims resolution process. The district is also responsible for retaining copies in the project files.

Table 5-4.1. Required Post Acceptance Event Codes and Dates (1 of 2)

Event Code	Definition	Applicable Date
ACF	Arbitration Case Filed	Use the date that the contractor filed a complaint with the Office of Administrative Hearing.
BORR	Board of Review Recommendation	Use the issuance date of the board of review recommendation report.
CED	Construction Expenditures Done	Input the date that all construction expenditures were completed.
DCS	District Claim Settlement Memorandum Sent to Headquarters Construction	Use the date that the district sent the memorandum to Headquarters Construction.
DDD	District Director Determination Sent to Contractor	Use the date that the district sent the final district director determination of claims letter to the contractor, regardless of who signed the letter.
DDS	Review of Claims by the Deputy District Director of Construction Sent to the Contractor	Use the date that the district sent the letter to the contractor.
LCFC	Legal Case File Closed	Use the date that the Legal Division arbitration attorney returns the legal case files to the district and no longer charges against the expense authorization.
PFEAE	Proposed Final Estimate Returned with Administrative Exceptions, Including Item of Work Exceptions, CCO Work, and Extra Work Bill Exceptions	Use the date that the contractor returned the PFE designated by the earliest date stamp by the mail room or resident engineer. Internal routing time is not considered in this event date code.
PFEC	Proposed Final Estimate Returned with Claims	Use the date that the contractor returned the PFE designated by the earliest date stamp by the mail room or resident engineer. Internal routing time is not considered in this event date code.
PFENE	Proposed Final Estimate Returned without Claims and Administrative Exceptions	Use the date that the contractor returned the PFE designated by the earliest date stamp by the mail room or resident engineer. Internal routing time is not considered in this event date code.

Table 5-4.1. Required Post Acceptance Event Codes and Dates (2 of 2)

Event Code	Definition	Applicable Date
PFER	Proposed Final Estimate Received	Use the date that the contractor received the proposed final estimate.
PFES	Proposed Final Estimate Sent to the Contractor	Use the date that the contractor is sent the proposed final estimate by certified mail.

Claims that the contractor is entitled to in accordance with the contract can be resolved at any time during construction, during the claims resolution process, or after arbitration has been filed. Table 5-4.3 shows claims resolution authority from the start of work to the district director's determination of claims for notices, protests, potential claims, and claims, based on settlement amount. Table 5-4.4 shows arbitration settlement authority for requests for settlement, from filing of arbitration to prior to arbitrator's decision. The deputy district director of Construction is responsible for obtaining FHWA concurrence on all Projects of Division Interest settlements.

Table 5-4.2. Claims Resolution Authority—Entitlement

Period	Items	Entitlement Authority
Before issuance of proposed final estimate	Notices, protests, and potential claims	Authority to approve change orders resolving entitlement may be delegated under the authority to approve change orders.
From return of proposed final estimate to district director determination of claims	Claims	Deputy district director of construction approves. Authority, including authority to resolve entitlement, may be delegated to construction managers, but not to construction engineers.

Table 5-4.3 Claims Resolution Authority—Settlement Before District Determination of Claims

Responsible Party	Settlement ≤ \$200,000 per issue	Settlement >\$200,000 to \$5 million (or ≤10% of bid more than \$50 million)	Settlement >\$5 million (or >10% of bid more than \$50 million)
District, in consultation with Legal Division	Prepares request	Prepares request	Prepares request
Deputy district director of construction or Region Division Chief of Construction	Recommends approval and submits request for approval	Recommends approval and submits request for approval	Recommends approval
District director or Region director	Approves	No action	Recommends approval and submits request for approval
Division of Construction field coordinator	Reviews for consistency for region- or district-level approval	Recommends approval	Recommends approval
Division of Construction chief	No action	Approves	Recommends approval
Project Delivery deputy director	No action	No action	Approves

Table 5-4.4 Claims Resolution Authority—Settlement After Arbitration Filing

Responsible Party	Settlement ≤ \$5 million (or ≤10% of bid more than \$50 million)	Settlement > \$5 million (or >10% of bid more than \$50 million)
Legal Division	Prepares request and submits it for approval	Prepares request and submits it for approval
Deputy district director of construction or Region Division Chief of Construction	Recommends approval	Recommends approval
Division of Construction field coordinator	Recommends approval	Recommends approval
District director or Region director	No action	Recommends approval
Division of Construction chief	Approves	Recommends approval
Project Delivery deputy director	No action	Approves