# Guidance for Administration of Projects by Other Implementing Agencies

Local agencies, such as a city, county, or private entity, may enter into an agreement with the State of California to provide improvements to a State highway within the State right-of-way. Generally, when these projects are funded entirely by the local agency, the local agency will administer the design and construction of the project and the State will provide oversight of the work administered by the local agency under the terms of a cooperative agreement and/or encroachment permit. When these projects are funded with a combination of local and State funds, the responsibilities for administration of the design and construction of the project will be shared under the terms of a cooperative agreement and/or encroachment permit.

In general, projects that are special funded in the amount of \$1,000,000 or more will be performed under the terms of a cooperative agreement and an encroachment permit. Projects that are special funded in the amount \$1,000,000 or less will generally be performed under the terms of an encroachment permit only.

# 1 – Types of Projects

Types of special funded projects include the following:

# 1.1 Local Sales Tax Measure Projects

Includes projects with funding of 100 percent from local sales tax revenues with estimated construction costs greater than \$1,000,000 that are in the State right-of-way, but not in a State programming document, such as the State Transportation Improvement Program (STIP) or State Highway Operation and Protection Program (SHOPP). These projects require a cooperative agreement and an encroachment permit. State construction contract administration responsibility is usually limited to oversight, depending on the terms of the cooperative agreement and encroachment permit.

#### 1.2 Locally Funded Projects

Includes projects with funding of 100 percent from local funds (other than sales tax revenues) with estimated construction costs greater than \$1,000,000 that are in the State right-of-way, but not in a State programming document. These projects require a cooperative agreement and an encroachment permit. State construction contract administration responsibility is usually limited to oversight, depending on the terms of the cooperative agreement and encroachment permit.

#### 1.3 Privately Funded Projects

Includes projects that are sponsored by a nonpublic agency with estimated construction costs greater than \$1,000,000 that are in the State right-of-way. These projects require a cooperative agreement and an encroachment permit. State construction contract administration responsibility is usually limited to oversight, depending on the terms of the cooperative agreement and encroachment permit.

#### 1.4 Toll Road Projects

Includes projects that are sponsored by a nonpublic agency that are in the existing or future State right-of-way. These projects require a cooperative agreement and an encroachment permit. State construction contract administration responsibility is usually limited to oversight, depending on the terms of the cooperative agreement and encroachment permit.

### 1.5 Jointly Funded or Cooperative Projects

Includes projects that involve combinations of special funds and State funds with estimated construction costs greater than \$1,000,000 that are in the State right-of-way. These projects require a cooperative agreement and an encroachment permit. State construction contract administration responsibility depends on the terms of the cooperative agreement and encroachment permit.

# 1.6 Encroachment Permit (EP) Program Projects

Includes projects that are 100 percent funded and constructed by either a local agency or private developer with estimated construction costs of \$1,000,000 or less that are in the State right-of-way. These projects do not require a cooperative agreement but do require an EP. State construction contract administration responsibility is usually limited to oversight, depending on the terms of the encroachment permit.

# 2 - Responsibilities

The <u>Headquarters Encroachment Permit Office</u> in Sacramento is responsible for implementing policy and procedure for providing oversight of the administration of projects by local agencies that require an encroachment permit. The EP Office develops the various EP forms and is responsible for maintenance and updating of the Caltrans <u>Encroachment Permits Manual</u>. The EP Office website includes additional EP background information, procedures, and forms.

The District Permit Engineer (DPE) has overall responsibility for administration of projects that require an EP. The DPE is referred to as the "State's Representative." However, for capital projects involving structure work, the DPE will enlist the assistance of the Districts and the Division of Engineering Services to administer or provide oversight of the administration of the construction of these types of projects. In these

cases, the District Construction Oversight Engineer represents the DPE and acts as the "State's Representative" on the behalf of the DPE.

Generally, a design consultant under the administration of the local agency prepares plans and specifications for these projects. These plans are reviewed and authorized through the Office of Special Funded Projects (OSFP) prior to project advertisement. The identity of the OSFP Liaison Engineer is shown on the lower left corner of the project structure plans. The Liaison Engineer has responsibility for design oversight of the structures portion of the plans and provides oversight of the consultant's design support during the construction of the project. Any changes to the plans made during construction must be reviewed and approved by the Liaison Engineer.

Structure Construction (SC) cooperates with the District Construction Oversight Engineer in the administration of the construction of special funded projects when the project includes structure work.

# <u>3 – Forms</u>

#### 3.1 Form TR-0120, Encroachment Permit

The <u>Form TR-0120</u>, *Encroachment Permit*, is submitted to the Caltrans District Encroachment Permit Engineer by the local agency. Submission and approval of the encroachment permit is <u>required by statute</u> before a local agency can begin any work in the State right-of-way. Items on this form that are of interest to SC employees include the "Permit No." and the checkboxes for "As-Built Plans Submittal Route Slip for Locally Advertised Projects."

Proposals for placing any encroachments on or near bridges, whether existing or planned, are approved by the Office of Structure Maintenance and Investigations prior issuance by the District.

The District Encroachment Permit Engineer will notify the appropriate SC Area Construction Manager when an EP for construction of projects with capital improvement work involving structures has been submitted. At the beginning of the contract work, the Structure Representative (SR) should review the plans for encroachments and determine that a permit has been issued for each encroachment on or near a structure. The District Encroachment Permit Branch should be informed of any encroachments which are shown on the plans, but for which no permit has been issued. No encroachments are to be placed on or near bridges until the required permit has been obtained. The Structure Representative is to enforce the provisions of the permit for such details as supports, casings, vents, etc. Problems of a structural nature should be referred to the Office of Special Funded Projects.

#### 3.2 Form TR-0129, Progress Billing/Permit Closure

The Form TR-0129, Progress Billing/Permit Closure, is used to report the status of the work that requires an EP. The District Encroachment Permit Engineer or District Construction Oversight Engineer must fill out this form whenever the fieldwork at the site is complete, the final project completion records for structure or roadway portions of the work have been submitted, and when the completed as-built project plans for structure or roadway portions of the work have been submitted. For projects with structure work, Structure Construction staff may be designated as representatives of the DPE. However, this is usually the responsibility of the District Construction Oversight Engineer.

### 3.3 Form TR-0130, Encroachment Permit Report (Diary)

The <u>Form TR-0130</u>, *Encroachment Permit Report (Diary)*, is used to report inspections of the work performed on an oversight project. SC employees who perform oversight of construction contract administration must use this form to report their observations of the work at the site, if requested by the Permit Engineer.

Prior to advertisement, the EP package including the construction contract plans and specifications, is submitted to the DPE for review and approval. When capital improvement projects include SC, the EP also includes the *Special Provisions* for structure work, which contain requirements for contract document submittal and project completion record submittal. Refer to the *Encroachment Permits Manual*, <u>Appendix K</u>, *Special Provisions*, K-40, *Structure Work*, for the current version of the *Special Provisions*.

# 4 - Instruction for SC Staff

The following instructions apply to SC staff assigned to special funded projects. The amount and type of staffing required depends on the terms of the cooperative agreement and/or EP. These instructions refer to forms listed above. The instructions cover the following conditions.

- 1. Special funded projects for which SC provides full or partial staffing for contract administration
- 2. Special funded projects for which SC provides oversight of local agency contract administration
- 3. Construction oversight
- 4. Project closeout

# 4.1 Special Funded Projects for Which SC Provides Full or Partial Staffing for Contract Administration

When the terms of a cooperative agreement require the State to provide all construction contract administration services, SC must provide all staffing required to administer the structure portion of the project. SC generally provides full staffing for jointly funded or cooperative projects, although SC may also provide full staffing for local sales tax measure projects, locally funded projects, privately funded projects, or public toll road projects, depending on the terms of the cooperative agreement.

When the terms of a cooperative agreement require the State to provide partial construction contract administration services, SC must provide some of the staffing required to administer the structure portion of the project. For these projects, the State typically provides the Resident Engineer (RE), the SR, and the Materials Engineer. The local agency provides the remainder of the people necessary to staff the project.

In some cases, the cooperative agreement may require the State to provide Assistant REs and Assistant SRs as well. Types of projects that SC generally provides partial staffing for include jointly funded or cooperative projects, although SC may also provide partial staffing for local sales tax measure projects, locally funded projects, privately funded projects, or public toll road projects, depending on the terms of the cooperative agreement.

The State usually (but not always) advertises these projects. For these types of projects, the responsibilities of SC staff are virtually the same as with typical Statefunded projects. Table 1 and Table 2 addresses some of the responsibilities.

Table 1. Responsibilities for Special Funded Projects for Which SC Provides Full or Partial Staffing for Contract Administration

Responsibility	State Advertised Projects	Locally Advertised Projects
Encroachment Permit between State & local a gency	Required	Required. Locally advertised consultant designed projects are submitted by email to the SC Office Associates at <a href="mailto:sc.office.associates@dot.ca.gov">sc.office.associates@dot.ca.gov</a> .
Encroachment Permit between State & Project Contractor	Not Required	Required
Project advertisement	Advertised by Caltrans Office Engineer	Advertised by the local agency
RE Pending File	Assembled by the consultant designer, reviewed by the OSFP Liaison Engineer, and forwarded to the SR.	Assembled by the consultant designer, reviewed by the OSFP Liaison Engineer, and forwarded to the SR.
Time Charging Practices	SC staff assigned to the project typically charge to the Project Code for the District where the project is located.	SC staff assigned to the project typically charge to the Project Code for the District where the project is located.
Inspection	Normal process as described in the Bridge Construction Records and Procedures (BCR&P) Manual and Construction Manual (CM).	Normal process as described in the BCR&P Manual and CM.
Record keeping	Normal process as described in the BCR&P Manual and CM.	Normal process as described in the BCR&P Manual and CM.
Documentation (diaries, newsletters, etc.)	Normal process as described in the BCR&P Manual and CM.	Normal process as described in the BCR&P Manual and CM.
Shop Drawings	Shop drawings are submitted for review as described in the contract documents. Shop drawing review is provided by the consultant designer, through the OSFP Liaison Engineer.	Shop drawings are submitted for review as described in the contract documents. Shop drawing review is provided by the consultant designer, through the OSFP Liaison Engineer.

Responsibility	State-Advertised Projects	Locally Advertised Projects
Change Orders	Normal process as described in Bridge Construction Memo (BCM) C-10, Change Orders, and the CM, Section 5-33 through 5-35. The OSFP Liaison Engineer approves all proposed design changes to the structure portion of the work.	The local agency initiates, authorizes and approves the change order. The OSFP Liaison Engineer approves all proposed design changes to the structure portion of the work.
Notice of Potential Claim	Normal process as described in the Caltrans Standard Specifications and the <i>CM</i> , Section 5-35.	Response to Notice of Potential Claim is as described in the contract documents and the contract administration procedures of the local agency.
Progress Payments	Normal process as described in BCM C-9, Preparation of Progress Payment Documents, and the Construction Manual, Section 3-906.	Progress payments are made in conformance with the contract documents and the procedures of the local agency.
Final Payment and Claims	Normal process as described in the Caltrans Standard Specifications and the <i>CM</i> , Section 3-907D.	Final Payment and responses to formal claims are as described in the contract documents and the contract administration procedures of the local agency.
Project Completion Records: As-Built Corrections	The SR is responsible for completing the as- built corrections in accordance with BCM C-6, Required Documents to be Submitted During Construction. The SC SR must provide a cover letter and forward the as-built project plans to the SC Office Associates at sc.office.associates@dot.ca.gov and The Office Associates will forward the as-built project plans to the Office of Specially Funded Projects.	The SR is responsible for completing the as-built corrections in accordance with BCM C-6, Required Documents to be Submitted During Construction. The SR must submit the as-built project plans for locally advertised, consultant designed structure projects by email to the SC Office Associates at sc.office.associates@dot.ca.gov.

Table 2. Responsibilities for Special Funded Projects for Which SC Provides Full or Partial Staffing for Contract Administration (Continuation of Table 1)

Responsibility	State-Advertised Projects AND Locally Advertised Projects
Cooperative Agreement between State & local agency	Required. Structure Construction Bridge Construction Engineers must be involved during the negotiation of the cooperative agreement for construction contract administration. Contact the project manager for additional information.
Project Completion and Acceptance	Upon acceptance of the construction contract, the SR must notify the RE that the section titled "To the best of my knowledge, field work was completed" of Form TR-0129, <i>Progress Billing/Permit Closure</i> , can be completed and submitted to the DPE as notification that EP field work is complete.
Project Completion Records: General Notes	For projects with capital improvement work involving structures, the EP between the State and the local agency includes the General Provisions and the <i>Special Provisions</i> for structures. Refer to the <i>Encroachment Permits Manual</i> , <u>Appendix K</u> , <i>Special Provisions</i> . The <i>Special Provisions</i> for structures contain requirements for project completion record submittal. Failure to fulfill these requirements can result in the local agency being required to obtain a bond for any subsequent EP until the requirements of the EP for this project have been fulfilled. Structure Representatives must complete all project completion records within the 60-day period following contract acceptance.
Project Completion Records other than As-Built corrections	The SR is responsible for completing the project completion records listed in BCM C-6, Attachment 1, List of Required Documents Submitted to SC HQ, and forwarding them to the SC Headquarters in Sacramento. Once the project completion records have been completed, the SR must notify the RE that the section titled "Required final project completion records for structures" of Form TR-0129, Progress Billing/Permit Closure, can be completed and submitted to the DPE signifying that the EP requirement for the submission of project completion records for the structure portion of the project has been fulfilled.

# 4.2 Special Funded Projects for which SC Provides Oversight of Local Agency Contract Administration

When the terms of a cooperative agreement require the local agency to provide all the staffing for construction contract administration services, or if there is no cooperative agreement for the project, SC must provide oversight of the structure work administered by the local agency. For this type of project, SC provides one staff member, which is usually the SC Bridge Construction Engineer or designated representative, as the SC Oversight Engineer to oversee the structure work performed by the local agency in the State right-of-way. The State does not advertise these projects. For these projects, the responsibilities of SC staff are limited to approval of the SR provided by the local agency, periodic field reviews of the structure work in progress, and acquisition of the applicable completion records.

One of the most important responsibilities of the SC Oversight Engineer is to make contact and establish a working relationship with the local agency's primary contact person. This person may be the project manager, project engineer or administrator for the local agency. Approval of the local agency consultant SR is the responsibility of the SC Oversight Engineer. The SC Oversight Engineer must assist the local agency in assigning, reviewing, and evaluating the qualifications of possible candidates for the project. The SC Oversight Engineer may become involved in the selection or hiring interviews conducted by the local agency. The major concern is that the engineer selected to be in responsible charge has the qualifications to properly administer the structure portion of the project.

Table 3 addresses some of the other basic responsibilities of the local agency and SC staff who act as oversight engineers.

Table 3. Responsibilities for Special Funded Projects for Which SC Provides Oversight of Local Agency Contract Administration

Responsibility	Encroachment Permit Program Projects	All other Special Funded Projects
Cooperative Agreement between State & local a gency	Not required	Required. Structure Construction Bridge Construction Engineers must be involved during the negotiation of the cooperative agreement for construction contract administration. Contact the project manager for additional information.
Encroachment Permit between State & local agency	Required. For locally advertised, consultant-designed projects are submitted by email to the SC Office Associates at <a href="mailto:sc.office.associates@dot.ca.gov">sc.office.associates@dot.ca.gov</a> .	Required. For locally advertised, consultant-designed projects are submitted by email to the SC Office Associates at <a href="mailto:sc.office.associates@dot.ca.gov">sc.office.associates@dot.ca.gov</a> .
Encroachment Permit between State & Project Contractor	Required	Required
Project advertisement	Advertised by the local agency	Advertised by the local agency
RE Pending File	Assembled by the consultant designer, reviewed by the OSFP Liaison Engineer, and forwarded to the consultant SR.	Assembled by the consultant designer, reviewed by the OSFP Liaison Engineer, and forwarded to the consultant SR.
Time Charging Practices	SC staff assigned to the project typically charge to the Project Code for the District where the project is located. When the project does not have a project code, SC staff shall charge under Project 0000020505, Phase N, and Activity Code 037.	SC staff assigned to the project must charge to the District Expenditure Authorization for the project.

# 4.3 Construction Oversight

Construction oversight will consist of periodic field reviews of the structure work in progress by the SC Oversight Engineer. The purpose of these reviews is to verify the structure work complies with the approved plans and specifications and that the completed project will function as intended.

Table 4 addresses specific guidelines for field reviews.

Table 4. Guidelines for Field Reviews for Construction Oversight

Responsibility	Encroachment Permit Program Projects AND All Other Special Funded Projects
Field Reviews	As a minimum, the SC Oversight Engineer must perform the following field reviews.
	1. The SC Oversight Engineer must hold an initial meeting with the consultant RE, consultant SR, and the project field staff, prior to the usual preconstruction conference. The contract requirements and enforcement procedures must be reviewed, and special attention given to traffic control, notification of impaired clearance and other features involving public safety. Falsework review and approval, trenching and shoring review and approval, welding procedures, materials inspection, testing procedures, and unusual foundation types must also be discussed.
	The SC Oversight Engineer must attend the normal preconstruction conference with the construction contractor.
	3. Upon award or approval of the construction contract by the local agency, the SC Oversight Engineer must enter the information needed for the Project Status Initial under the project in Vision. When the work starts, the project should be reviewed a minimum of once every two weeks. The project should also be reviewed when important items of work are starting, such as pile construction, column construction, or falsework erection and removal.

Responsibility	Encroachment Permit Program Projects AND All Other Special Funded Projects
Specific Items to Review	The following is a partial list of items to review. In cooperation with the District Construction Oversight Engineer, additional items not listed, such as enforcement of compliance with the terms of the EP or cooperative agreement and other items that are normally a District responsibility, shall be reviewed as necessary. The SC Oversight Engineer shall perform a project record review per <a href="BCM E-2">BCM E-2</a> , SC Project Record Review, at least once per job to verify the project records are being correctly maintained.
	<ol> <li>Look at the work itself. Does it comply with the plans and specifications? Is the workmanship satisfactory?</li> <li>Do the RE, SR, and the project staff appear to know what is going</li> </ol>
	on? Do they have the work under proper control?
	3. Are you being kept up to date on major project problems even when you are not on the project?
	4. Has the RE developed a project-specific Code of Safe Practices for the project field staff?
	<ol> <li>Verify that public and project safety is being adhered to in accordance with the safety procedures of the Construction Safety Orders, Caltrans, and the local agency.</li> </ol>
	<ol><li>Verify that public and project safety incidents are being properly documented.</li></ol>
	<ol><li>Review any proposed changes to the approved plans and specifications.</li></ol>
	<ol> <li>Verify that all storm water pollution prevention plan (SWPPP) measures pertaining to structure work are satisfactory and that any deficiencies are corrected immediately.</li> </ol>
	<ol><li>Review the status of shop drawing submittals and verify that the shop drawings are approved in accordance with the terms of the encroachment permit and contract documents.</li></ol>
	<ol> <li>Verify that the falsework plans have been designed by the Contractor and reviewed and approved by the RE or design consultant.</li> </ol>
	11. Is the falsework or shoring built to meet approved designs, of satisfactory workmanship, and does it meet best general practice criteria?
	12. Verify that there are proper materials certificates of compliance, material releases or test results for materials being used in the work and that they are being incorporated into the project records.
	13. Review project records such as concrete pour records, as-built changes, pile driving records, welding records, and prestressing records and verify that they are being properly kept.
	14. Review backup records for progress payments. The cooperative agreement or encroachment permit for the project may require progress payments to be approved by a State representative.

Responsibility	Encroachment Permit Program Projects AND All Other Special Funded Projects
Actions to take	Point out work that is not up to Caltrans standards and discuss possible remedies.
	Point out potential safety problems.
	3. Discuss pending change orders affecting the work with the RE and SR and indicate technical concurrence if appropriate. For pending changes that affect the design of the structure, the OSFP Liaison Engineer must authorize the change in writing and a concurrence letter issued from SC Headquarters. For other changes, the SC Oversight Engineer may use Form SC-4901, Structure Construction Concurrence for Change Orders Involving Structure Work, to indicate technical concurrence with the proposed change. Documents indicating technical concurrence shall be filed in the project records.
	4. If there are major problems with the structure work that are not being rectified, suspend that portion of the work affected, per the terms of the encroachment permit. Allow work to resume when agreement is reached on proper procedure to be followed and the remedial work to be performed.
Reports	After each field review, the SC Oversight Engineer shall write a short report on what was observed, using Form TR-0130, <i>Encroachment Permit Report (Diary)</i> . The SC Oversight Engineer shall send the original to the DPE one copy to the Area Construction Manager and one copy to SC Headquarters in Sacramento.
Project Completion and Acceptance	At the end of the project, the SC Oversight Engineer shall be involved in the final inspection prior to project acceptance.
	2. When the SC Oversight Engineer has verified that the project has been satisfactorily completed, the SC Oversight Engineer shall notify the District Construction Oversight Engineer that the section titled "To the best of my knowledge, field work was completed" of Form TR-0129, Progress Billing/Permit Closure, can be completed and submitted to the DPE signifying that the Encroachment Permit requirement for notification of completion of the field work has been fulfilled.
	<ol> <li>When the SC Oversight Engineer has verified that the project has been satisfactorily completed, the SC Oversight Engineer shall enter the information needed for the Project Status Final under the project in Vision.</li> </ol>

# 4.4 Project Closeout

Completion of the fieldwork of the project does not mean that the responsibilities of the local agency have been fulfilled for the purposes of closeout of the EP. All project completion records must be submitted to and approved by Caltrans prior to closeout of the EP. The responsibilities for submission of project completion records of the local agency's contract administrator and SC are addressed in Table 5.

Table 5. Responsibilities for Project Closeout Records of Local Agency's Contract Administrator and SC

Responsibility	Encroachment Permit Program Projects AND All Other Special Funded Projects
Project Completion Records: General Notes	For projects with capital improvement work involving structures, the EP between the State and the Local agency includes the General Provisions and the "Structure Work" special provisions. Refer to the Encroachment Permits Manual, Appendix K, Special Provisions. The Special Provisions for structures contain requirements for project completion record submittal. Failure to fulfill these requirements can result in the local agency being required to obtain a bond for any subsequent EP until the requirements of the EP for this project have been fulfilled.
Project Completion Records: Structure As-Built Plans	Structure as-built project plans must be submitted by email to the SC Office Associates at <a href="mailto:sc.office.associates@dot.ca.gov">sc.office.associates@dot.ca.gov</a> . SC staff who act as oversight engineers must take the following actions:
	Review the structure as-built corrections with the local agency's contract administrator to verify that all revisions were made in accordance with Caltrans policies.
	<ol> <li>Verify that the local agency's contract administrator has sent the as-built corrections to the SC Office Associates by email to <u>sc.office.associates@dot.ca.gov</u>.</li> </ol>
	A memorandum from SC will be issued to the SC Oversight Engineer acknowledging receipt of the as-built corrections for structures. The OSFP will notify the Design Consultant and the District Construction Oversight Engineer or the District Encroachment Permit Office when the as-built project plans for structures have been approved by Caltrans.

Responsibility	Encroachment Permit Program Projects AND All Other Special Funded Projects	
Project Completion Records other than As-Built Plans	The local agency's contract administrator is responsible for completing the applicable project completion records listed in applicable project completion records for each structure must be issued from SC Headquarters. Structure Construction staff who act as oversight engineers must take the following actions:	
	<ol> <li>Review the applicable project completion records with the local agency's contract administrator to verify that they were completed in accordance with the requirements of the BCR&amp;P Manual.</li> </ol>	
	<ol> <li>Receive the completed project completion records from the local agency's contract administrator and transmit them to SC Headquarters. A memorandum from SC Office Associates must be issued to the SC Oversight Engineer acknowledging receipt of the project completion records.</li> </ol>	
	3. Once the SC Oversight Engineer has received the memorandum from the SC Office Associates acknowledging receipt of the project completion records, the SC Oversight Engineer must notify the District Construction Oversight Engineer that the section titled "Required final project completion records for structures" of Form TR-0129, Progress Billing/Permit Closure, can be completed and submitted to the DPE signifying that the EP requirement for the submission of project completion records for the structure portion of the project has been fulfilled.	