

Village of Lincoln
Contract ID 01000-205382, Preconstruction Meeting Minutes

Date: February 28, 2020
Bid Item: 2112 037
Contract ID: 01000-205382
Original Contract Amount: \$149,239.92
Contract Description: 0.71 mi of hot mix asphalt ultra-thin overlay, aggregate shoulders and pavement markings on Traverse Bay State Road from F-41 east to 2nd Street, Alcona County.

The preconstruction meeting was called to order at 9:30 a.m./p.m. on February 25, 2022 at the Village of Lincoln Village Hall by Rebecca Rivard, P.E., Project Engineer. Introductions were conducted and an attendance list is below. MDOT's 2020 Standard Specifications for Construction are referenced as the Specifications, within these minutes.

ATTENDANCE LIST

Rebecca Rivard	Huron Engineering	989-356-6375	becky.rivard@huronesi.com
Matt Bolen	Bolen Asphalt	989-362-5011	mbolen@bolenasphalt.com
Dale Saranen	MDOT Alpena TSC	989-464-0245	saranend@michigan.gov
Marsha Mahalak	Village of Lincoln		
Sheila Phillips	Village of Lincoln	989-335-0012	srplincoln@yahoo.com
Linda Somers	Village of Lincoln		
Scott Serda	Charter	989-392-8468	scott.serda@charter.com
Mark Herman	Huron Engineering	989-356-6375	mark.herman@huronesi.com

DESIGNATION OF KEY PERSONNEL

Village of Lincoln	Sheila Phillips
Consulting Firm	Huron Engineering and Surveying, Inc.
Project Engineer/Engineer of Record:	Rebecca Rivard, P.E.
Certified Office Technician	Mark Herman

The project is not located on the National Highway System (NHS), therefore construction technicians are not required to be Independent Assurance Tested (IAT).

MDOT

TSC MDOT LAP Responsible Charge:	Dave Krentz
TSC Designated Representative:	Dale Saranen
TSC Designated Representative:	Greg Winfield

Bolen Asphalt Paiving.

Project Manager:	Matthew Bolen
Project Superintendent:	Patrick Bolen
Safety Supervisor:	Patrick Bolen
EEO Officer:	Matthew Bolen
Damage Claim Officer:	Matthew Bolen

The Contractor must respond in a timely manner to any calls to the 24-hour emergency contact number. See the Emergency Contact Sheet for contact information.

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SAFETY PROGRAM (Specification Subsection 104.07.B.2):

The Contractor's Construction Safety Program was submitted. The Contractor was reminded that all workers within the right-of-way must wear ANSI/ISEA performance class 2 or 3 clothing.

ADDENDA:

The following addendums were issued for this project:

Addendum "A"	Updated Wage Rate Determination
Addendum D	Updated Information on Completion of Designated and Specialty Items Page
Addendum E	Added Special Provision for Utilizing Disadvantaged Business Enterprise Trucking Vendors

PROGRESS CLAUSE/PROGRESS SCHEDULE:

The progress clause is on page 8 of the proposal. The progress schedule has not been submitted. Work is anticipated to begin in late June and take approximately one to two weeks to completed.

The Contractor's attention was directed to subsection 109.07.C1 of the Specifications. This section states the Engineer will make a final inspection after written notification by the Contractor that the work is completed. As such, the Contractor was reminded to provide said written notification that the work is completed and ready for final inspection.

SPECIFIC PROJECT RELATED INFORMATION:

Huron will get with MDOT to have LCP Tracker setup for this project.

Certified payroll and 2124 forms must be submitted prior to payment.

MDOT is required to verify that ADA ramps meet requirements after construction.

Documentation and certifications must be in order for pavement markings.

MDOT will be notified when the project begins so an interim inspection can be completed.

UTILITIES, PERMITS, AIRPORTS, AND RAILROADS:

The Contractor was reminded to call the "MISS DIG" system (1-800-482-7171) three full business days in advance of any digging or excavation activities.

Charter – underground lines are located west of lake street and connect to the pole adjacent to the intersection.

Frontier (via email) – all lines are aerial construction on the north side of Traverse Bay Road from 2nd Street to Sta 91+25.

MUNICIPALITIES AND/OR COUNTIES AFFECTED:

It is the Contractor's responsibility to familiarize themselves with all laws, ordinances, permits, traffic, safety, and health regulations.

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LIQUIDATED DAMAGES:

The liquidated damages on this project are \$800 per calendar day (Table 108-1).

The Contractor was reminded that subsection 104.07.D of the Specifications states that final cleanup is part of the contract work included in other contract items. Notice was provided to the Contractor that all final cleanup work must be completed before final project acceptance. Failure to complete final cleanup work before the project completion date will result in the assessment of liquidated damages according to subsection 108.10.C.1 of the Specifications.

DAMAGE CLAIM PROGRAM (Section 107.10.E):

The designated damage claim officer is Matthew Bolen. The Damage Claim Program was submitted.

MAINTAINING TRAFFIC:

The special provision for Maintaining Traffic starts on page 9. The following traffic items were noted and discussed:

Subsection 922.02 of the Specifications require that all sign panel materials and supports in use must be approved by the FHWA as meeting MASH crashworthy requirements or NCHRP testing for older products.

All traffic control devices must be approved and accepted for payment prior to the project start date and before use of these devices on the project.

All requests to modify any traffic control devices that are in the contract must be submitted to the Engineer with the applicable FHWA acceptance letter and must be approved prior to placement on the project. Chapter 3.07 of the MDOT Materials Quality Assurance Procedures (MQAP) Manual provides more detail regarding the Temporary Traffic Control Acceptance Procedure.

The Engineer will be conducting periodic inspections throughout the duration of the project to ensure that the temporary work zone traffic control devices meet the *Quality Guidelines for Temporary Traffic Control Devices and Features* published by the American Traffic Safety Services Association and to ensure that traffic devices are placed in accordance with the Michigan Manual of Uniform Traffic Control Devices (MMUTCD), plans, or as directed.

The Contractor's attention was directed to subsection 812.03.C.1 of the Specifications for Traffic Control Quality and Compliance. Written communication between the Contractor and project staff is recommended to ensure noncompliance concerns are documented including the start and end of the compliance assessment duration(s).

The Contractor was reminded to remove all temporary traffic control devices when said devices are no longer required on the project. The final acceptance of the project will not occur until all temporary traffic control devices are removed from the project.

STAGING AREAS:

Subsection 812.03.G.5 of the Specifications describe the storage restrictions for vehicles, equipment, and materials. Worker vehicles, idle construction equipment, and Contractor materials must be stored in areas that provide minimum exposure to pedestrian and vehicular traffic.

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A permit will not be required for use of local agency right-of-way outside of the project limits.

A permit will be required for use of any MDOT right-of-way.

If private property is utilized the Contractor must obtain and provide a copy of a written agreement with the property owner to the Engineer in accordance with subsection 105.06.D of the Specifications.

Permits or written agreements are required prior to the start of work.

The Contractor was reminded that they and all other companies (Subcontractors, suppliers, etc.) must not park any vehicles or store any equipment on public recreational property. Furthermore, access to all recreational properties must be maintained at all times. Non-compliance can result in penalties up to and including termination of the construction contract and loss of federal funding for the project.

INTERNAL WORK ZONE TRAFFIC CONTROL PLAN:

Subsection 104.11.B of the Specifications require the Contractor to develop and provide a work zone traffic control plan for the project. The FHWA may review the submittal of this plan during field audits.

LANE WIDTH (WIDE LOAD) RESTRICTIONS:

Lane width restrictions will not be issued on this project.

REAL ESTATE:

According to the property acquisition certification included with the LAP program application, there are no outstanding real estate issues.

SUBCONTRACTORS:

The Contractor was reminded that any work that they are not performing with their own work force is required to use the MDOT Subcontract form 1302-FED or 1302-State (except as noted on MDOT form 1386 *Post Certification of Subcontract Compliance*). The Contractor must submit the required form to the Engineer before the start of work with the associated subcontract. The original subcontractor must include all the required attachments as notes on the respective subcontract form.

The Contractor was also reminded that any Subcontractor that has been “designated” or DBE committed, at the time of award, is required to perform work on the project.

The Contractor will keep all original subcontracting documentation and must provide the Engineer a copy of the signed cover page and line-item page prior to any work being performed by the Subcontractor. This applies to all tiers of subcontracting.

The Contractor was further reminded that MDOT form 1386 *Post Certification of Subcontract Compliance* is required to be signed by an authorized signer of the Contractor and submitted prior to the processing of the final estimate.

The following Subcontractors will be working on this project:

1. Give ‘Em A Brake Safety
2. P.K. Contracting
3. Hunt Bro. Concrete Contractors

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DISADVANTAGED BUSINESS ENTERPRISE (DBE):

Page 7 of the proposal notes that 0.0 percent **DBE** participation is required on this project.

EEO & AFFIRMATIVE ACTION:

Appendix C in the Federal Letting Requirements contain the EEO and Affirmative Action requirements for this project. The goals of this project are 5.2% minority and 6.9% female in each trade.

Appendix A, Prohibition of Discrimination in State Contracts is Included in the Federal Letting Requirements.

ON-THE-JOB TRAINING (OJT):

The Contractor does not plan on using OJT on this project.

The OJT program is Contractor based and the details of the program can be found in the OJT Program Manual found at the following website: [On-the-Job Training Program](#).

The Contractor was reminded that if trainees are utilized on this project, notification must be provided to the Engineer prior to their first day of work on the project. All other OJT Program related forms are to be submitted to the OBD.

CERTIFIED PAYROLLS / PREVAILING WAGES:

This project involves federal funding and the Davis-Bacon Minimum Wage Rates apply for the site of work. The wage decision for this project is located on page 81.

The USDOL regulatory definition (See 29 CFR 5.2) for “site of the work is the physical place or places where the . . . work called for in the contract [is occurring]; and any other site where a significant portion of the . . . work is constructed, *provided* that such site is established specifically for the performance of the contract or project.”

The site of work is defined as the entire construction site as specified in the plans and contract. The site of work also includes batch plants, borrow pits, job headquarters, tool yards, etc., provided they are established for and dedicated exclusively, or nearly so, to the . . . project, **and** are adjacent or virtually adjacent to the site of work.

The following locations are specifically excluded from the site of work definition:

- Permanent home offices, branch plant establishments, fabrication plants, tool yards, etc., of a contractor or subcontractor whose location and continuance in operation are determined wholly without regard to a particular federal or federally–assisted project. In other words, if it is a permanent site that is not dedicated to the job, it is not within the site of work definition.
- Fabrication plants, batch plants, borrow pits, job headquarters, tool yards, etc., of a commercial or material supplier that are established by a supplier of materials for the project before opening of bids, **and** not on the site of the work, even where such operations for a period of time may be dedicated exclusively, or nearly so, to the performance of a contract.

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On federally funded projects if any personnel (Contractor, subcontractor, trucking firms, etc.) are involved with project work prevailing wages must be paid according to the wage decision included in the contract proposal. The Contractor is responsible for the payment of prevailing wages that are not paid by their subcontractors. In order to comply with these requirements, the Contractor must:

- Advise all subcontractors of prevailing wage requirements and that all employees must cooperate during wage rate interviews.
- Submit all required weekly certified payrolls for themselves, each subcontractor, and each lower-tiered subcontractor.

The Contractor is responsible for maintaining basic records for the workforce (i.e. employee classification, hourly rates of wages paid, daily and weekly number of hours worked on site and on all projects, deductions made, and net wages paid). This requirement includes truck drivers, and the Contractor should be prepared to provide this information to the Department, upon request by the Engineer.

Truck driver hours are covered by prevailing wage provisions when the time spent working on the site of work exceeds de minimus. (i.e the time spent working on the site of work is 20% or more of the total hours worked on all projects during the week.)

The following time counts toward de minimus:

- Time spent loading or unloading materials and supplies on the site of work
- Time spent driving on the site of work
- Time spent transporting materials and supplies between a facility that is part of the site of work and the actual construction site.

If de minimus is exceeded, prevailing wage is due for all hours worked on the site of work during that week and a record of payroll is due. If the employee who exceeded de minimus is an owner operator, a payroll is still due but does not have to include hours worked or pay rate information.

Biweekly progress payments for work completed by the Contractor and/or Subcontractor may be withheld, upon written notice from the Engineer, for failure to comply with the contract prevailing wage requirements and/or for failure to submit weekly certified payrolls.

The Contractor was encouraged to review the Construction Manual Division 1, Section 107 Prevailing Wage. This section provides guidance on the process and procedures required for prevailing wage oversight on construction projects with federal and/or state funding.

JOBSITE POSTINGS:

Jobsite posters must be erected in a conspicuous location on-site prior to the commencement of work. These posters include, but are not limited to, the project specific wage rates and notices required by federal and state law. The jobsite posters must be complete, current, and maintained until final acceptance. The posters must be accessible at all times to employees and applicants for employment.

The Engineer will complete the form 1967, *Jobsite Poster Inspection Checklist*, during the construction project. This form is an aid to make sure that the Contractor is following the requirements of the contract.

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Contractors are strongly encouraged to check the Construction Manual for the latest revised poster information at: Jobsite Postings. The first scheduled payment for **Mobilization, Max (dollar)** will not occur until the Engineer has verified and documented the posting of required labor compliance posters and the project specific prevailing wage rates.

PREVAILING WAGE AND LABOR COMPLIANCE (PWLC) SYSTEM:

Certified payroll and associated documents must be submitted in the PWLC system (LCPtracker). Documents must be submitted in accordance with the timeframe listed on the Labor Compliance special provision. The Contractor is also responsible for coordinating all electronic document submittals from lower tier Subcontractors.

The Engineer will request the contract be setup in LCPtracker and assign the Contractor. Account setup may be requested by sending an e-mail to: MDOT-LCPtracker@Michigan.Gov

LCPtracker is available via the following links:

Login Website: http://www.lcptracker.net

General Information website: www.lcptracker.com

A tutorial for this system can be found through the website provided.

For additional support please contact the resource email at the following address: MDOT-LCPtracker@Michigan.Gov

PROCESSING CONTRACT MODIFICATIONS:

All contract modification approvals will be processed in accordance with the Construction Contract Modification Process Overview as detailed in the Construction Manual: Construction Contract Modification Process Overview.

PROCESSING PAY ESTIMATES

All pay estimates will take into account guidance from the Progress Payment Topics in the Construction Manual: 109.07 Final Inspection, Acceptance, and Final Payment

Contractors are required to have a SIGMA vendor customer number. A SIGMA vendor customer number may be created at the following website: www.michigan.gov/vsslogin. Contractors are also required to be EFT ready in order to receive timely payment from the Department. Verify EFT information is up to date in SIGMA.

CONSTRUCTION DOCUMENT MANAGEMENT:

This project will use the Department's current Construction Document Management System – ProjectWise. Account setup, installation details, and access to ProjectWise may be requested by sending an e-mail request to: MDOT-ProjectWiseConst@Michigan.Gov.

The Contractor must submit all project documentation for this contract in electronic format and place it into ProjectWise. Paper documents, faxes, e-mails or other methods/media are not permitted except as allowed by the Engineer. The Contractor must use the Contractor Standard Naming Conventions for Document Submittals as maintained on the Department's website Reports, Publications and Specs under the Manuals & Guides, then Construction Field Services – Reference tabs.

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Additional documentation and training for ProjectWise and methods for requesting training are available at the following website: [MDOT - ProjectWise Support](#).

ProjectWise access for Subcontractors can be completed by the Contractor by downloading [Prime Contractors Tool.zip](#) and utilizing the installation guide [Prime Contractor Tool Installation and Quick Guide.pdf](#).

All digital electronic signatures must be completed according to the procedures set forth in the Construction Document Management System special provision. More information regarding electronic signatures is available here: [E-Signature](#). MDOT uses the DocuSign Digital Signature solution for document signing processes. More information regarding DocuSign including requesting a free DocuSign digital signature can be found here: [Digital Signatures with MDOT](#).

SPECIAL PROVISIONS FOR PROMPT PAYMENT: (page 64):

The Contractor agrees to pay each Subcontractor for the work associated with their subcontract no later than 10 days from the date the Contractor receives payment from the Department for said work.

If the Contractor has concerns about the satisfactory completion of Subcontractor work items, the issue must be brought to the Engineer's attention in advance of payment to the Contractor. The Engineer will reference the Prompt Pay Special Provision (PPSP) for any action needed to resolve any issue with satisfactory completion or any other issue related to prompt payment of work performed.

The PPSP requires the Contractor to report biweekly payments to first tier Subcontractors and all DBE Subcontractors/vendors using the electronic reporting system available through MiLogin webpage by requesting access to MDOT 2124A Reporting System application (MERS). The PPSP contains a link to MiLogin to get started using MERS. After final first tier subcontractors and all DBE payments have been relinquished the last biweekly report needs to be marked as a Final Report.

At project completion, the Contractor must submit a signed Form 2124A for any DBE who has provided work or materials on the project regardless of if they have an awarded bluesheet or not.

DOCUMENTING CONSTRUCTION MATERIALS:

The Contractor was reminded of current requirements for submittal of MDOT form 0501, *Materials Source List* to the Engineer. Items that are not properly documented on form 0501 will not be paid for until the form is complete. These forms are necessary to provide accurate material testing and accounting of materials used on the project.

The Contractor was reminded that form 0501 is required for structural precast concrete elements before fabrication commences. The form must state all the materials being incorporated into the fabricated element and is required for all projects where fabrication inspection is the basis of acceptance. If the Engineer determines other elements will be shop inspected, then the Contractor will be notified to submit form 0501 for those elements as well.

The Contractor was reminded that if the Contractor or any Subcontractors change the source of a material, the Contractor must provide a revised or new form 0501 to the Engineer.

Materials Source List was not submitted.

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PAVEMENT MARKINGS:

All pavement marking work must be visually inspected to ensure actual placement. Quantities must be measured to determine any discrepancies in postings. Provide certified equipment for placing markings in accordance with section 811.03.A of the Specifications.

CONTRACTOR QUALITY CONTROL (CQC) PLAN - CONCRETE (Section 604):

The Contractor quality control plan for concrete will be submitted and discussed at the pre-production meeting. The Contractor was reminded to submit proposed Job Mix Formulas (JMF) to the Engineer prior to the pre-production meeting.

CONTRACTOR QUALITY CONTROL (QC) PLAN - HMA (HMA Production Manual):

The Contractor quality control plan for HMA was submitted and will be discussed at the pre-production meeting. The Contractor was reminded to submit proposed Job Mix Formulas (JMF) to the Engineer prior to the pre-production meeting.

SOURCE OF STEEL AND IRON (BUY AMERICA) REQUIREMENTS:

The Contractor's attention was directed to the special provision for Source of Steel and Iron (Buy America). Prior to permanently incorporating any steel/iron work items from the Step Certification list maintained by the Department, the Contractor must provide Buy America step certifications to the Engineer per the special provision. Payment will not occur until Buy America certifications are received.

CLAIMS FOR EXTRA COMPENSATION OR TIME EXTENSION (Subsection 104.10 of the Specifications):

The Contractor was reminded that claims for extra compensation or time extensions must be submitted in accordance with subsection 104.10 of the Specifications. The contractor's claim must include a completed form 1953 *Claim Content and Certification*. The claim must be filled within 30 days after the work involved with the claim is completed or not later than 60 days after final acceptance, whichever occurs first. The entire claim procedure can be found at [MDOT - Reports, Publications and Specs](#) under Reports, Publications and Specs, Publications, Manuals & Guides, Construction Field Services – Reference.

FORCE ACCOUNT WORK:

Before starting the force account work, the Contractor and the Engineer will work together to develop a work plan from the Contractor's written proposal. **All force account work requires pre-approval of the Region Construction Engineer.** At the end of each workday, the Contractor's representative and Engineer must compare records of the work done under force account. The Contractor's representative for signing force account daily records is Matthew Bolen. The Contractor was reminded there is no markup allowed for business taxes and the mark up on labor has recently changed to include bond premium, insurance, and payroll taxes.

EXTENSION OF TIME (Subsection 108.09 of the Specifications):

The Contractor was reminded that all extension of time requests must be filed in accordance with subsection 108.09 of the Specifications. Failure to notify the Engineer as required will constitute a waiver of claim for a time extension. Form 1100A, *Extension of Contract Time Request No.* should be used for extension of time requests.

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CONTRACTOR PERFORMANCE EVALUATIONS:

The Engineer will evaluate the Contractor's performance on this project and the evaluation may be used as a basis for modifying the prequalification ratings of the Contractor. An evaluation may be issued during the course of a project (interim) and will be issued after completion of a project (final).

The following link provides the full list of factors and criteria that the Contractor will be evaluated upon:
[Contractor Evaluation Factors and Rating Criteria](#)

DISPOSING OF SURPLUS AND UNSUITABLE MATERIAL:

Subsection 205.03.P of the Specifications requires the Contractor to obtain a written agreement with the property owner for disposal sites. The agreement must detail the material that can be placed, location of disposal site, and required restoration. Both parties must sign and date the agreement. A copy of this completed document must be provided to the Engineer prior to any disposal. The property owner is responsible for obtaining a county permit under Act 451 Part 91, Soil Erosion and Sedimentation Control, from the local enforcing agency having jurisdiction if the earth disturbance is greater than one acre or the site is within 500 feet of a watercourse.

If the material is disposed of within the ROW, material must not be stored or disposed of temporarily or permanently beyond the normal plan fill slope across wetlands or floodplains. Special consideration should be given to drainage from the roadway and adjacent property by the Engineer and inspector. A toe of slope ditch may be required or the spoil bank may require a ditch constructed through it to allow water to flow from the roadway ditch or from the adjacent property.

ENVIRONMENTAL CONCERNS: (EA, EIS, ASBESTOS, HERBICIDES, LEAD BASED PAINT, WETLAND MITIGATION, MEGLE and MDNR PERMITS, ETC.):

The following issues were discussed as part of the environmental mitigation measures. If any herbicide use is included on the project, the storage, handling, and use of herbicides must be done in a manner to minimize potential discharge of pollutants. The Engineer will review certification documentation and herbicide labels to ensure proper use by the Contractor.

Other possible pollutants were briefly discussed as well as risk avoidance. The Contractor was advised that all storage areas should be located away from water bodies and ensure that all containers are covered and secured with a lid when unattended and picked up and put away when use is complete.

SOIL EROSION AND SEDIMENTATION CONTROL (SESC) and NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES):

Prompt action is expected from the Contractor regarding soil erosion and sedimentation control along with temporary and/or permanent restoration.

PROPOSAL AND PLAN SHEET(S):

The proposal for this contract was reviewed and discussed.

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MISCELLANEOUS NOTES:

The Contractor was reminded that prior to the beginning of any work (temporary sign placement, contract items, mobilization, etc.) the Engineer must be notified and approval from the Engineer must be obtained before the commencement of any contract work. Any contract work completed without approval from the Engineer or prior to contract award will not be paid for and all costs for said work must be borne by the Contractor.

REVIEW:

All attendees are asked to thoroughly review these meeting minutes. Please report any discrepancies to the author immediately so necessary corrections can be made.

MINUTES RECORDED BY:

cc (via email distribution):
All Attendees