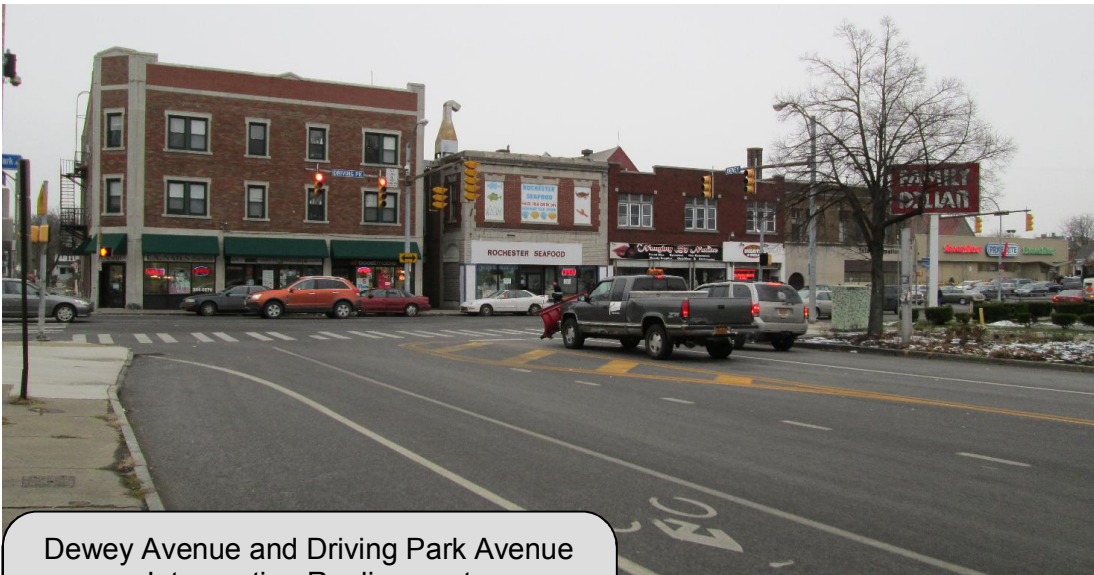


CONSTRUCTION

DRAFT Construction Management Plan

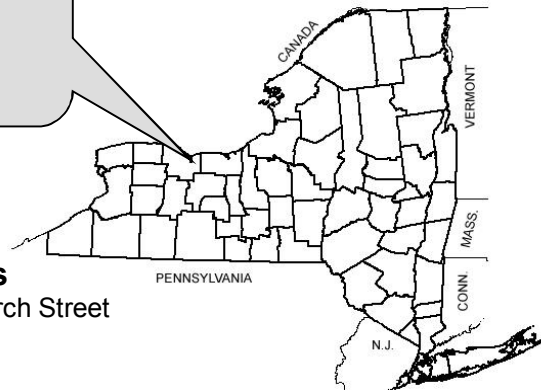
November 2016



Dewey Avenue and Driving Park Avenue
Intersection Realignment
PC 12105, P.I.N. 4755.55, D034268
City of Rochester
Monroe County, NY



**City of Rochester
Department of
Environmental Services**
City Hall Room 300B, 30 Church Street
Rochester, NY 14614-1290



ANDREW M. CUOMO
Governor

**Department of
Transportation**

MATTHEW J. DRISCOLL
Commissioner



**U.S. Department of Transportation
Federal Highway Administration**

Prepared By: **Bergmann**
associates
architects // engineers // planners
280 East Broad Street
Suite 200
Rochester, NY 14604
www.bergmannpc.com

MANAGEMENT PLAN

Construction Management Plan

City PC 12105
PIN 4755.55 / D034268
Dewey Avenue / Driving Park Avenue Intersection Realignment Project
City of Rochester
Monroe County

SECTION I: SUPERVISION OF PROJECT

a. Agencies, Roles, and Responsibilities

1. City of Rochester

Department of Environmental Services
City Hall, Room 300B
30 Church Street
Rochester, NY 14614
(585) 428-6855

The City of Rochester is the lead sponsoring agency (Sponsor) for the project. As the Project Sponsor, the City of Rochester is responsible for project management and administration, including providing payment to the Contractor and Consultant inspection team. The City of Rochester will approve major modifications to the Contract and accept the completed work. The Responsible Local Official (RLO) and the Sponsor's Design and Construction Project Managers are:

Jim McIntosh, PE
City Engineer
(585) 428-6828

Albert Giglio, PE
Project Manager - Design
(585) 428-7164

Sam Priem, PE
Project Manager - Construction
(585) 428-7168

2. Monroe County Department of Transportation (MCDOT)

6100 City Place
50 W. Main St.
Rochester, NY 14614
(585) 753-7720

MCDOT standards will be followed where applicable (traffic signals, signing, and marking).

3. City of Rochester Water Bureau

10 Felix Street
Rochester, NY 14613
(585) 428-7569

Water Bureau standards will be followed where applicable (water distribution systems).

4. New York State Department of Transportation (NYSDOT)

Region 4
1530 Jefferson Road
Rochester, NY 14623

The NYSDOT will provide general financial and procedural oversight of the project. The NYSDOT has provided reviews of project documentation, contract documents, and property acquisition related materials throughout design. It is responsible for ensuring that The City of Rochester, Consultant, and Contractor continue to follow applicable Federal and State requirements such that the work completed remains eligible for reimbursement with Federal and State funding. The Regional Local Projects Liaison (RLPL) is:

Frank DiCostanzo, P.E.
(585) 272-3752
Frank.DiCostanzo@dot.ny.gov

b. Consultant and Funding**1. Bergmann Associates (BA)**

280 East Broad Street
Suite 200
Rochester, NY 14604
(585) 232-5135

Bergmann Associates is the engineering consultant for the project. BA prepared the Design Approval Document, Contract Plans, Specifications, and Engineer's Opinion of Probable Cost. BA will provide construction inspection and construction support services. It is responsible for overall project coordination, providing technical engineering expertise, and addressing technical issues during construction. BA is also responsible for providing daily inspection and monitoring of construction activities, documenting construction observation for submittal to the City and NYSDOT, conducting periodic progress meetings, and preparing monthly estimates for payment of the Contractor for work accomplished. BA's efforts will be funded by a Consultant Agreement with City of Rochester in accordance with the NYSDOT "Procedures for Locally Administered Federal Aid Projects.

The Consultant Project Manager is Michael T. Croce, PE. The Consultant Project Manager will be responsible for overall technical and administrative project management and supervision of the construction support and inspection teams. Additional staff involved in the project's design will support the construction effort as needed. Key staff is listed below.

Individual	Role
Michael T. Croce, P.E. (585) 498-7800	Consultant Project Manager
Thomas R. Detrie, P.E. (585) 498-7807	Project Engineer
David W. Tegler (585) 498-7906	Lead CADD Designer
David Marcotte (585) 498-7857	Lead Electrical Designer

Eric Shaw, ASLA
(585) 498-77894

Lead Landscape Architect

James F. Boggs
(585) 498-7773

Lead Environmental Scientist

c. Inspector Qualifications

The on-site inspection team will include one (1) **NICET Level IV (or Equivalent)** inspector with significant, relevant highway construction experience on Locally Administered and other municipal construction projects. This inspector will function as Engineer-in-Charge (EIC). This individual shall be the primary contact for the City of Rochester, businesses, residents, citizens, the Contractor, etc.

The on-site inspection team will also include one (1) **NICET Level III (or Equivalent)** inspector and one (1) **NICET Level II (or Equivalent)** inspector with relevant construction experience on Locally Administered and/or other municipal construction projects.

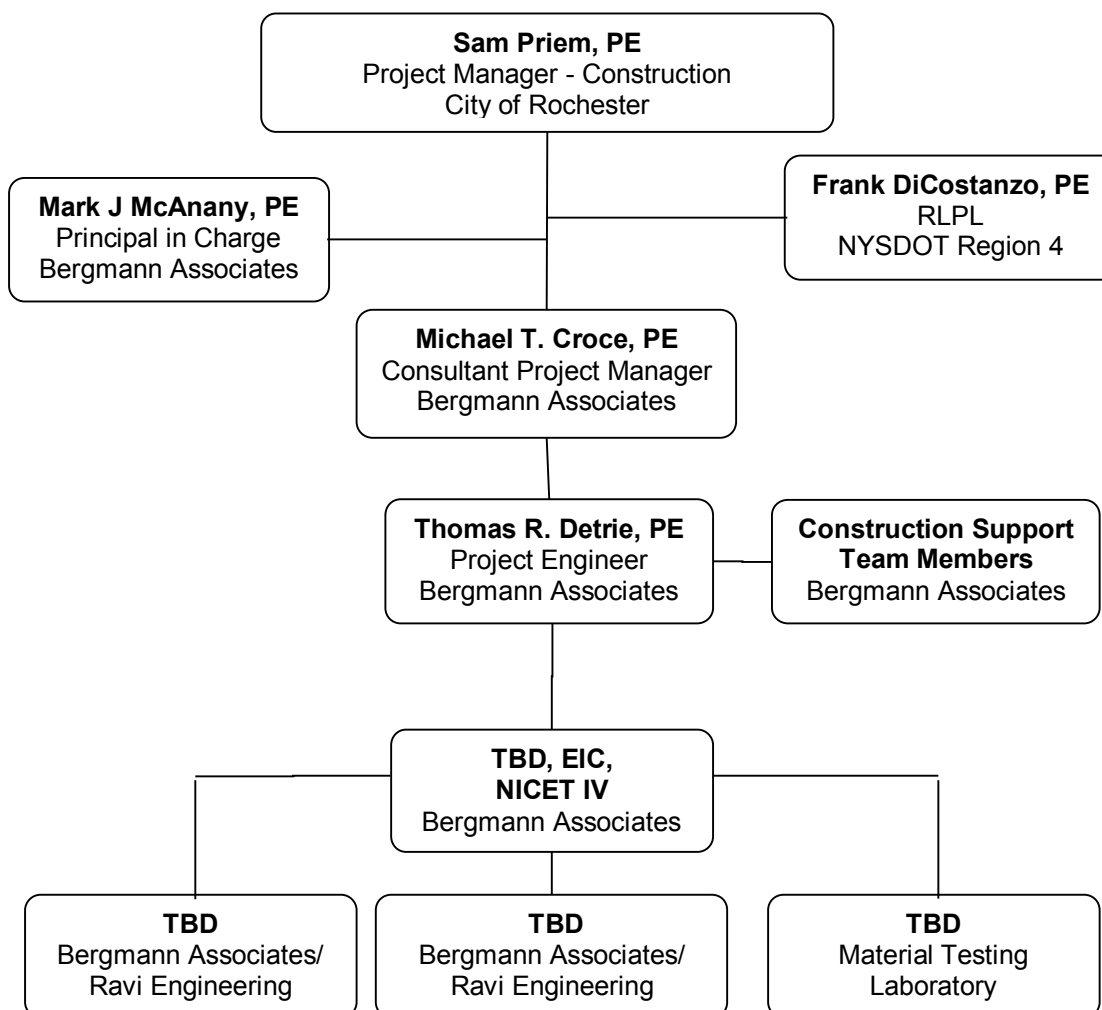
The inspection team will work together to cover inspection and documentation (office engineer) tasks. The inspection staff will be provided by Bergmann Associates under a Consultant Agreement with the City of Rochester.

d. Chain of Command

The project staff hierarchy is illustrated in the organizational chart below.

Organizational Chart:

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SECTION II: CONTRACT AND PROJECT REQUIREMENTS

a. Disadvantaged Business Enterprise (DBE) Goal

The Disadvantaged Business (DBE) Utilization Goal for this project is 9%. This goal is expressed as a percentage of the total bid price.

b. Equal Employment Opportunity (EEO) Goal

The Contractor is required to comply with Equal Employment Opportunity clauses contained in the Contract Documents per Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor. Furthermore, the Contractor is required to submit City of Rochester's Equal Employment Opportunity Certification and have a filed compliance report prior to award.

The Goal for Minority Participation in the Construction Industry for Monroe County is 5.3%. The applicable Goal for Women's Participation is 6.9% as published in the Contract Proposal book.

c. Permits Including Special Conditions

The EIC will ensure that the Contractor is fully aware of the requirements and special conditions of all permits including the City of Rochester demolition and hauling permits. No other permits are anticipated. City of Rochester will obtain approval of the plans from the NYS Department of Health for the relocation of the water main within the project limits.

The EIC will ensure that the Contractor is fully aware of the requirements and special conditions of all permits. This project is subject to a NYSDEC Stormwater Pollution Prevention Plan (SWPPP).

d. Requirements of Railroads and Utility Companies

Public and private utility relocations are necessary in order to complete the proposed construction. Additional information, including utility contact information, is provided in the Contract Proposal Book within the Special Note titled "Public and Private Utilities." It is anticipated that most utility relocations will be complete prior to construction. Water system relocations are included in the Contract. The EIC will ensure that the Contractor is aware of these coordination requirements and monitor the overall schedule and progress of the work.

e. Commitments Made to Other Municipalities, Emergency Service Providers, Schools, Etc.

Work Zone Traffic Control will involve maintaining two-way traffic operations and at least one continuous sidewalk route when a convenient, parallel facility is available. Active work zone areas and traffic control plans are depicted in the construction documents. The Contractor is to provide access to all side streets and driveways throughout construction. Prior to reconstruction of a residential or commercial driveway, the Contractor must provide at least 24-hour notice to the owner and at least one driveway to a commercial or public property must remain open during business hours.

The Contractor is required to provide advance notice of construction activities to the City of Rochester Fire Department, City of Rochester Police Department, Ambulance Services, City of Rochester School District, and RGRTA, such that they have sufficient time to make any adjustments to their operations that may be necessary. Notes to this effect are included in the Work Zone Traffic Control Notes within the Contract Plans.

f. Commitments Contained in the Design Approval Document That Are to Be Fulfilled During Construction

None.

g. Special Requirements

None.

h. As Built Preparation

The Construction Inspection team will be responsible for maintaining a record of field changes made during construction as "red-lines" on a copy of the Contract Plans. At the end of construction, these "red-line" drawings shall be turned over to the BA Project Manager for the creation of electronic as-built drawings. BA shall then provide a copy of the as-built drawings to the City of Rochester for retention as part of the permanent project record.

SECTION III: CONTRACT ADMINISTRATION

a. Subcontractor Approval Process

The Subcontractor approval shall be as described in Section 6.06 of the General Conditions contained in the Contract Proposal book. A List of proposed Subcontractors shall be provided by the Contractor to the EIC upon notice to proceed. The EIC shall review the following lists and databases for each Subcontractor to ensure their responsibility and report the results of that review to the Sponsor's Project Manager.

- General Services Administration's List of Debarred, Suspended, or Voluntarily Excluded Firms Ineligible for Federal Aid.
- NYS Department of Labor's Debarred and Willful Violations List
- NYS Department of State's Corporation Database
- Office of Safety and Health Administration Database

The EIC will remind the Contractor of the requirements of Form FHWA 1273.1.2 which states that the Contractor shall insert all of the stipulations of the Contract into contracts with the subcontractors and that the (Prime) Contractor is responsible for the compliance of all subcontractors. Any subcontract found lacking these stipulations will not be eligible for federal reimbursement.

b. Change Order Approval Process

The process for the approval of Change Orders shall be as described in Article 10 of the General Conditions contained in the Contract Proposal book, Section 104-02 of the NYSDOT Standard Specifications, and the Federal Contract Requirements published in the Contract Proposal book. Where requirements differ, the stricter provision shall apply.

Change orders shall be processed using the current NYSDOT Order on Contract forms. The EIC shall recommend approval to the Sponsor's Project Manager who will have final approval of all Change Orders.

After project sponsor review and before final approval, a copy of all Change Orders shall be sent to the RLPL. The RLPL's approval shall be requested for any change order that:

1. Adds significant new items
2. Changes the character of the work materially, in kind or nature from that included in the original proposed construction contract
3. Changes the quantity of any major item of work, fixed quantity item, or composite item (as defined in the Contract) above 125% or below 75% of the original Contract quantity
4. Proposes changes outside the Contract limits
5. Proposed changes outside the Contract scope
6. The value of the proposed change order exceeds the contingent amount established in the State/Local Agreement.

c. Procedures to Ensure DBE Compliance

The DBE Goal for this project shall be as published in the Contract Proposal book. The Contractor shall provide documentation and the EIC shall monitor DBE Compliance according to Section 105-21 of the NYSDOT Standard Specifications and Federal Contract Requirements published in the Contract Proposal book. Where requirements differ, the stricter provision shall apply.

The Contractor shall make a good faith effort to utilize DBE's as subcontractors. The Contractor shall complete form AAP19c and AAP 20. The Sponsor and the Contractor shall collaborate on all DBE reporting requirements.

The Contractor shall complete and provide a Uniform Report of DBE Commitments/Awards and Payments to the EIC and Consultant Project Manager at project award and project close out.

d. Procedures to Ensure Equal Opportunity Compliance

The Contractor will be required to submit a copy of the City of Rochester's Equal Opportunity Certification with their bid and comply with the Equal Employment Opportunity Requirements for Federal Aid Contracts contained in the Contract Proposal Book, including the appointment of an EEO Officer.

The EIC shall interview the Contractor's Equal Employment Officer (EEO) officer to ensure that the Contractor is fully familiar with the Code of Federal Regulations, Title 41, Chapter 60, 60-1.1., Equal Opportunity Clause and 60-4, Construction Contractors, Affirmative Action Requirements, and Form FHWA 1273.III, Non-Segregated Facilities, all of which are included in the Contract Documents.

The Contractor shall provide documentation necessary for the EIC to monitor EEO compliance in accordance with Section 105-21 of the NYSDOT Standard Specifications and the Federal Contract Requirements published in the Contract Proposal book. Where requirements differ, the stricter provision shall apply.

The EIC shall ensure that the following forms are completed:

Monthly:

AAP-33d, Monthly Employment Utilization Report

With Each Payment:

AAP-21c, Prime Contractor Report of Contractor Payments

The Contractor and all Subcontractors will be responsible for maintaining records of EEO compliance using the NYSDOT Equitable Business Opportunities (EBO) system. The EIC will be responsible for monitoring Contractor performance using EBO. The City of Rochester will provide the EIC with the necessary password for access to the system on this project.

e. Wage Rate Compliance Procedures

New York State Department of Labor and Davis Bacon wage rate determinations are published in the Contract Proposal book. The Contractor shall provide all necessary documentation for the EIC to monitor compliance with wage rates in accordance with the Federal Contract Requirements published in the Contract Proposal book.

The Sponsor shall do the following:

1. Collect all payroll records and retain those records for a minimum of five (5) years after the completion of work.

2. Designate, in writing, the individual responsible for collecting payrolls from the Prime Contractor
3. The name of the person designated in Item 2, must be posted in a conspicuous location at the project site (e.g. Field Office).

The Sponsor shall make the (Prime) Contractor's filing of payrolls with the Sponsor a condition of payment. If the (Prime) Contractor fails to file payrolls or willfully underpays wages, the Contractor could face possible felony charges. The EIC shall audit the Contractor's Certified Payroll reports on a weekly basis. The EIC shall also conduct wage rate interviews with at least ½ of the Contractor's labor force that matches the Contractor's payroll frequency. The statement of compliance as required by Form FHWA 1273.V.2, Statement and Payrolls – Payroll Records, will be strictly enforced.

The EIC shall compare the actual pay rates and supplemental benefits paid to the labor force with the State and Federal Wage rates published in the Contract Proposal book. The Contractor will be advised immediately in writing if there is a violation of this contract requirement, and will have one week to rectify the disparity.

f. Procedures to Ensure Worker Safety

It is the Contractor's responsibility to ensure worker safety per the requirements of Articles 6.11 through 6.12 of the General Conditions, Section 107 of the NYSDOT Standard Specifications, and the Federal Contract Requirements published in the Contract Proposal book. Where requirements differ, the stricter provision shall apply.

The Contractor shall supply the EIC with a job specific safety plan prior to the start of any work on site. The EIC shall ensure that the Contractor has on site, at all times, at least one person skilled in safety and health procedures and familiar with State and Federal safety and health regulations, whose responsibility it will be to monitor methods and procedures.

This person shall attend the preconstruction meeting and shall be approved by the EIC as qualified. The EIC shall also review all safety plans and procedures the Contractor will employ during the work.

The safety of other individuals including representatives of the City of Rochester, agencies, utilities, the Consultant inspection team, etc. shall be the responsibility of said individual agencies.

g. Claim and Dispute Resolution Procedures

Claim and dispute resolution procedures shall be as written in Article 9 of the General Conditions published in the Contract Proposal book, Section 105-14 of the NYSDOT Standard Specifications, and Federal Contract Requirements published in the Contract Proposal book. Where requirements differ, the stricter provision shall apply.

h. Scheduling and Time Extensions

Procedures for scheduling and time extensions shall be as written in Article 12 of the General Conditions published in the Contract Proposal book and Section 109-05 of the NYSDOT Standard Specifications. Where requirements differ, the stricter provision shall apply.

Per Section 108-01.A, the Contractor shall submit a work schedule to the EIC within five (5) business days after the commencement of work. Progress schedule updates as required by Section 108.01 shall be submitted to the EIC on a monthly basis. The EIC and the Project Manager will review the initial schedule, all schedule updates, and monitor the Contractor's compliance.

If the Contractor does not progress the work at the rate proposed, they will be advised in writing by the EIC of failure to comply with the schedule and they will be ordered to provide an updated schedule indicating the means that they will use to guarantee the completion of the project on time.

The number of calendar days allowed for completion of the work shall be as written in the Supplementary Instructions to Bidders and will be measured from the date of the Notice to Proceed as issued by the Sponsor.

No extensions of time will be allowed unless specifically negotiated under Article 10 of the General Conditions published in the Contract Proposal book and Section 105-14 of the NYSDOT Standard Specifications. Where requirements differ, the stricter provision shall apply.

i. Record Keeping and Record Retention Procedures

Record keeping and retention procedures shall be as described in the NYSDOT Manual for Uniform Record Keeping (MURK). The EIC will be responsible for keeping all project records including daily project logs and any special daily reports included in the NYSDOT Construction Inspection Manual (CIM), including structural concrete and asphalt paving reports.

Upon completion of the project, all documents will be catalogued and copied. Original documents shall be retained by the Sponsor. Close out materials requested by the RLPL shall also be provided by the Contractor and Sponsor. All documents shall be retained for a minimum period of three (3) years after the State/Local Project Agreement has been closed.

SECTION IV: CONSTRUCTION INSPECTION

a. Inspection Plan

Full time inspection will ensure that the project is completed in conformance with the approved plans and specifications. The Consultant inspection team will consist of one NICET Level IV (EIC) (or Equivalent) field inspector, one NICET Level III (or Equivalent) field inspector, and one NICET Level II (or Equivalent) field inspector. The inspectors will share office engineer responsibilities.

Bergmann Associates (BA), the project design firm, developed the plans and specifications and will supply the inspection staff. Subconsultant inspection staff may be required on staff to satisfy Consultant Contract DBE participation goals.

In addition, BA will provide the City of Rochester with construction support services, making project designers directly available to the inspection staff to supply additional information and guidance as needed. Representatives of the Consultant design team will attend construction progress meetings on a regular basis (TBD) and will be available for additional field visits to resolve questions or concerns that may arise during construction. At least one inspector will be present in the field at all times while the Contractor is working to observe operations.

The EIC and inspector shall monitor the execution and progress of the project. They shall be responsible for ensuring conformance with the Contract Plans and Specifications. They will develop and document estimates of completed work and prepare contractor payment requisitions. They shall monitor daily construction activities of the contractor for conformance with the Contract Plans and Specifications; take measurements of all unit price items, and compute areas and volumes of completed work. They will be responsible for preparing daily inspection reports, reviewing and taking appropriate action on Contractor field work, Contractor submittals and test results, maintenance of project records, and coordinating with the Contractor, involved agencies, local representatives, adjacent business owners, and the general public. They will monitor the execution of the project's work zone traffic control plan to assure the Contractor adheres to the contract requirements.

The EIC will also be responsible for organizing and presiding over regular construction progress meetings and producing minutes of those meetings for the project record.

b. Quality Assurance / Quality Control Plan

NYSDOT specifications and procedures will be used as guides for the inspection and monitoring of construction, materials used, and procedures followed. The Contractor shall be required to use materials, suppliers, laboratories, et cetera meeting NYSDOT requirements for all items of work. In the event that NYSDOT approved sources are not available, the Contractor shall supply the details of a proposed alternative and the EIC will review for conformance and suitability.

The Sponsor shall make periodic visits to the jobsite to ensure that work is being completed in accordance with the Contract, including the Specifications. The Sponsor shall interview the EIC prior to the start of the project to ensure that they are fully familiar with the inspection procedure for any item of work on the project, prior to the start of work on that item. The NYSDOT CIM will be referenced for that assurance.

c. Material Testing Procedures

The Sponsor is ultimately responsible for material testing and acceptance. These duties cannot be assigned or delegated to the Contractor.

On-site materials certification testing will be completed by the Consultant inspection team or an independent testing company hired by the Consultant Inspection Team, as appropriate. Independent testing services shall be procured and paid for by the Consultant Inspection Team as part of their agreement with the Sponsor. Eligible amounts shall be reimbursed by the Sponsor under their agreement with the Consultant Inspection Team.

Testing completed by an independent testing laboratory shall be in accordance with the Contract Specifications. Results of the tests are to be provided directly to the EIC. Members of the construction support team will review the test results as needed to ensure compliance with the Contract Specifications.

Asphalt and Concrete material testing at the plant is the responsibility of the Sponsor. The NYSDOT periodically stations inspectors at asphalt plants when the Department is receiving material for one of its own projects. NYSDOT inspectors are not stationed at asphalt and concrete plants specifically for Locally Administered Federal Aid Projects. If a NYSDOT inspector is present at the plant selected by the Contractor for this project when materials are to be procured, the NYSDOT staff may provide inspection of materials for this project. If a NYSDOT inspector is not present, asphalt and concrete material testing shall be procured by the Consultant Inspection Team per the NYSDOT CIM as part of their agreement with the Sponsor. Eligible amounts shall be reimbursed by the Sponsor under their agreement with the Consultant Inspection Team.

Plants producing precast concrete drainage structures need not be pre-certified by the NYSDOT, however certifications from the plant will be required to prove that all items meet applicable NYSDOT specifications.

Use of the NYSDOT CIM for guidance on the frequency and amount of testing is recommended.

Quality assurance may not be done by the approving entity.

d. Shop Drawing Approval Process

The shop drawing approval process shall be administered as per Article 6 of the General Conditions and contained in the Contract Proposal book and Section 105-16 of the NYSDOT Standard Specifications. Where requirements differ, the stricter provision shall apply.

Shop drawing review shall be the responsibility of the Consultant inspection team through the EIC with checking done by the Construction Support Staff. The review time will be as allowed by the Specifications and/or Contract Plans for the subject item.

The EIC will provide the Contractor with a standard shop drawing submittal sheet to be used for the duration of the project.

SECTION V: COORDINATION WITH OTHERS**a. Anticipated Efforts to Ensure Compliance with Permits**

The EIC shall notify all permitting agencies of the project schedule. No work may be progressed prior to the full execution of any permit. The Contractor must meet all applicable permit requirements.

The Contractor must obtain the proper City of Rochester permits for materials hauling, and other identified permits, prior to beginning that work.

b. Anticipated Efforts to Coordinate with Affected Utility Companies and Railroads

Representatives of the various involved and impacted utilities shall be invited to attend the pre-construction meeting and regular construction progress meetings to coordinate work items and maintain an open and continuous line of communication.

c. Anticipated Efforts Regarding Coordination with Other Municipalities, Emergency Service Providers, Schools, Etc.

The Contractor shall make all necessary initial and follow-up contacts with the proper representatives of emergency service providers, local businesses and neighborhood representatives, schools, transit providers, et cetera as specified in the Contract Documents. The EIC and/or City of Rochester may be asked by the Contractor to assist with subsequent efforts if required to satisfy an emergent need for additional information and/or coordination.

d. Anticipated Efforts to Ensure Satisfaction of Commitments Made in the Design Approval Document

The Contractor and EIC shall continuously coordinate with residents, businesses and institutions along the project corridor to provide accurate scheduling information.

e. Anticipated Efforts to Address Special Requirements

The Contractor shall provide weekly written updates to the EIC and City of Rochester regarding their intended construction progress, schedule of operations, and potential impacts to adjacent homes, businesses, and the traveling public for posting on the City website. The City of Rochester will be responsible for posting project information to the World Wide Web.

SECTION VI: CLOSE-OUT

a. Contract Acceptance and Close-Out Procedures

Project close-out shall be the responsibility of the Sponsor's Project Manager. Standard NYSDOT procedures for the close-out of Locally Administered Federal Aid projects shall be adhered to and all necessary approvals obtained prior to contract close-out.

At least one (1) week prior to the final completion date, the EIC shall schedule a project walk thru with the Contractor, the RLPL, and the Sponsor's Project Manager and generate a punch list of items that must be addressed prior to contract acceptance. All items on that list must be addressed to the satisfaction of the EIC, the RLPL, and the Sponsor's Project Manager. Once all items have been addressed, the Sponsor shall notify the RLPL that a final inspection can be performed.

After completion of the final inspection and approval by all parties, the Final Payment application will be completed by the Contractor and submitted to the EIC so that final payment can be made. The RLPL must also sign off on the Final Acceptance form for the project.

The EIC must submit the final estimate of the Contract to the City of Rochester within four (4) weeks after the date of acceptance of the Contract.

All project records shall also be transferred to the City of Rochester Department of Environmental Services within five (5) weeks of contract acceptance.

The Sponsor's Project Manager shall notify the RLPL and provide all required close-out information necessary to close the State/Local Agreement.

SECTION VII: SIGNATURES

We, the undersigned have read and understand the requirements of this Construction Management Plan.

Sam Priem
Sponsor Project Manager - Construction

Date

Frank DiCostanzo, P.E.
NYSDOT Regional Local Projects Liaison

Date

TBD
Engineer in Charge – Bergmann Associates

Date

Michael T. Croce, P.E.
Consultant Project Manager

Date