

NORTH CAROLINA Department of Transportation



2018 TMSD LSC Task Order Training for Engineering Firms Dom Ciaramitaro, P.E., Staff Engineer

August 28, 2018

Outline

- Roles of the Project Manager and NTP Issuer
- What's new from PMSU
- Highlights of 2018 LSC
- Project Management Paradigm
- Scoping for PMs
- NTP for new POs
- Supplements
- Invoices
- Assess and Evaluate
- Comments



NC DOT Project Manager

- Accountable for the success or failure of a project
 - Face of NC DOT to a Private Engineer Firm
 - Manages money, scoping, negotiations, project progress, invoicing, closing out the project, assessing and evaluating
- Requires empathy and rigidity
 - Has to understand what is being asked of the firm
 - Has to hold the firm to the same standard as the NC DOT and others
 - If facing an ethical dilemma, conflict of interest, or any gray area; don't go it alone – ask for help
 - Always remember; manage the State's money how you would manage your own money

NTP Issuer

- Responsible for issuing a Notice To Proceed
 - Instructs the firm to start work on a specified date; obligates the State
 - Indicates an independent review of the final negotiated cost proposal and makes a determination that it is consistent with a LSC's salaries and rates
- Requires fairness
 - Can not do own NTP (Issue NTP and negotiate contract)
 - Rigid process and step driven; subject to Federal audits
 - Most critical "checker" throughout the whole process
 - If facing an ethical dilemma, conflict of interest, or any gray area, contact Unit Head or Division Staff Engineer to address

NTP Issuers for TMSD

- **Division**: Dom Ciaramitaro
- Traffic Safety: Jeff Jaeger, Chris Oliver
- Signing & Delineation: Mitch Eaton, Dale Stokes, Jose Martinez
- Traffic Management: Joe Hummer
- ITS / Signals: Tim Williams
- Traffic Operations: Zach Clark

Updates from PMSU

- Memo from January 24, 2018
- Increasing Standard Fee over 9%
 - Takes into account the size, complexity, duration, degree of risk involved in the work and schedule
 - Approval by PMSU and STE
- Limited Notice to Proceed
 Maximum value of \$50,000
- Manday Estimates and Negotiations will no longer use NCDOT in-house rates
- PSMU NTP Process

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	STATE OF NORTH CAROLINA			
DI ROY COOPER	EPARTMENT OF TRANSPORTATI	ION JAMES H. TROGDON, III		
GOVERNOR		SECRETARY		
January 24, 2018				
MEMORANDUM TO:	Division Engineers Business Unit Heads			
FROM:	Christopher M. Werner, PE Director of Technical Services Division	Aristopher M. Verner		
SUBJECT:	Professional Service Contract Negotiation Notice to Proceed	as, Fees, and Limited		1
This memo serves to est task order fees and auth	tablish updated procedures for task order negotiati ority to issue a Limited Notice to Proceed.	ons, determination of		
Policy and Procedures, account the size, comple fee higher than the stand writing by the Professio	(profit margin) is 9%, with a maximum of 15%. E the establishment of a fee shall be project-specific sciry, duration, degree of risk involved in the work lard fee is utilized, it must be justified by the firm nal Services Management Unit (PSMU) Unit Heas Division Entrinser. This must occur prior to the cor	and shall take into : and schedule. When a and approved in d, the NCDOT	unti such time the sfinal approval ess for wage rates NCDOT will, in respective firm's	
Limited Notice to Proce NCDOT uses various ty with the interest of expe scope of services for the negotiation process and from scoping to NTP wi a Limited NTP. The NO	ed pes of contracts with assignments issued on a task diling project delivery. firms often begin work on task order are determined, but are availing the co formal Notice to Proceed (NTP). While it is and il occur within 20 days, exceptions may occur and DOT Butiness Unit, Division Engineer, or deleg bolow with <u>a maximum value ar55,000</u> . If you	ce the details of the mupletion of the ipated the process I justifying the need for the may issue a Limited	scope of services and prepare a cost of staffing e cost of the scope rates, the firm's Division <u>mun</u> inte level of detail a these changes, of contracts with	nates were were needed) and scribed tolerances
work on the abo the authorizatio amount is consi	serve as your limited Notice to Proceed (not to exe we-mentioned project with the understanding that on of the Purchase Order and all other project sets dered a portion of the final NTP amount and not fe anticipate having a formal Notice to Proceed so	we will work through p documentation. This additive to the final	vfessional services, sonal services cope, estimate, and hall adhere to the e respective LSCs to	roposal has been the appropriate of Inspector General he cost proposal arent-LSC or project than that line items
Mailing Address: NC DEPARTMENT OF TRANSPORTATI TECHNICAL SERVICES 1516 MAIL SERVICE CENTER RALEGER, NC 27699-1516	Telephone: (919) 207-2540 ON Website: www.nadot.gov	Location: 1 SOUTH WEMINGTON STREET RALEIOH, NC 27601	the task order and he "NCDOT Scope terrors and to	e appropriate cost signed by the firm. US-2 forms ms, certification , and any other
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- Notice to Proceed Dates for most: June 29, 2018 (2 yr contract w/ option to extend for 1 yr)
- Description of Work Required: Traffic Management, ITS & Signals, Traffic Systems Operations, Traffic Safety, Signing & Delineation, Mobility and Safety (*Not by discipline code – must be prequalified, though*)

• Subconsultants:

- Permitted
- Must maintain same qualifications (ERM, COI, prequalifications) as Prime
- Primes can't be subs
- Can either be previously identified on LOI or during project proposal
- NC DOT can approve or reject the Prime's or Sub's PM, project engineer, design engineer, technicians, and other technical or supervisory personnel assigned to project

Things to Check (all firms to be tracked on a single spreadsheet)

- **ERM:** Experience Rate Modifier (Collected by TMSD)
 - Numeric representation of a business' claims history and safety record as compared to other businesses in the same industry, within the same state
 - Determined by insurer for worker's compensation, NC Rate Bureau, or National Council on Compensation Insurance (NCCI)
 - > 1.0: Riskier than average
 - = 1.0: No more or no less risky than average
 - < 1.0: Safer than average
 - Contract requires ≤ 1.3 ERM, provided on an annual basis; confidential
- Insurances: (Certificate of Insurance (COI) Collected by TMSD)
 - Worker's Compensation
 - Automobile Insurance
 - General (Prime and Subs) and Professional Liability (Prime Only)

CONFIDENTIAL		CONFID	ENTIA
-	EXPERIENCE R/	ATE MODIFIER	
Name of current or potential of	contractor/vendor:		
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Enter most current ERM here	- OR	- Not eligible for an ERM"	
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Signature		Date	
Printed Name		Title	
	[This Form Mu	st Be Signed]	

- Progress Reports: covers accomplishments to date, % of tasks completed, current and updated project schedules, and identify outstanding issues or problems
 - With invoice, provide cumulative total of all payments to subs, regardless of a sub's current engagement on the tasks

• Payments

- Either partial payment for lump sum or payment of actual costs incurred on cost-plus
- Monthly basis upon submission of progress report
- Prime pays subs for work performed w/i 7 x days after prime gets paid
- Salary Rates: Update after first year of LSC (o/a July 2019 for relook)
- No guarantee of Need for Services
 - LSC is not a funding source, it's "availability" Unit still has to identify the funding

Supplemental Agreements

- When expenditures approach 75% of NTE amount, Prime notifies PM in writing
- PM and Prime review work progress and determine probability of cost overruns
- Review doesn't interrupt work
- Prime must notify PM when cumulative value of all Task Orders approach 90% (I.E. \$900K of \$1Mil)

Consultant Responsibilities

- If Prime is directed to do work outside of SOW, all work suspended until resolved
 - Prime notifies PM in writing of the description and justification for extra work
 - Does not continue work until issued a new NTP (a supplement)
- If Prime receives incorrect instruction or direction on a SOW
 - Contact NC DOT PM with the details of the work beyond the negotiated SOW
 - Prime and DOT PM will mutually agree upon what direction to pursue before any additional work is undertaken for that specific assignment
 - If additional services are required, then DOT will prepare a new SOW (a supplement)

- Changes, Delays, Extensions, Termination/Abandonment
 - Changes: need supplements
 - Delays: must have mutual written consent
 - Termination / Abandonment: PM notifies Prime 30 days in advance, Prime immediately ceases work – but brings tasks to a reasonable stage of completion, and turn-over all work to PM, final fee paid to Prime should be proportional to % work completed

• Subletting, Assignment, or Transfers

- No assignment, subletting or transfer of the interest of the Prime without the written consent of the NC DOT
- Prime may, with prior notification, sublet property searches and related services without further approval of the DOT

• Endorsement of Plans

- Prime will sign and professional seal all environnemental documents, reports, surveys, computations, maps, plans, specifications, estimates, and engineering data furnished by it

New 2018 LSC Updates

Firm	LSC #
Accelerate	7000019051
AECOM	7000019052
Atkins	7000019053
Davenport	7000019054
Dewberry	7000019055
DRMP	7000019056
Exult	7000019057
HDR	7000019058
НМТВ	7000019059
Kimley-Horn	7000019060
Kittelson	7000019061
Mattern&Craig	7000019062

Firm	LSC #
Mekuria	7000019063
Mott MacDonald	7000019064
Parsons	7000019065
Patriot Transportation	7000019066
Ramey Kemp	7000019067
RKK	7000019068
RS&H	7000019069
Stantec	7000019070
Summit	7000019071
Three Oaks Engineering	7000019072
VHB	7000019073
WSP	7000019074

Data Collection Contract As of: June 30, 2017

- For firms selected for a LSC and are prequalified for traffic data collection, they can do traffic data collection via their LSA contract # if:
 - LSC firm was currently prequalified for traffic data collection (discipline 309)
 - Cost of the data collection did not exceed the maximum amount for that type/location on the bid contract
 - Cost of the data collection for the LSC task order work was incidental to the overall cost of the work (i.e. 1%-2%)
 - Requires State Traffic Engineer approval each time this condition is considered <u>prior</u> to submitting any estimates

But wait, what about the 2016 LSC?

- 2016 LSC firms extended through February 2019
- Intent is to fully transition to new 2018 LSC
- Existing POs on 2016 LSC: Should only have supplements on the 2016 LSCs
- New POs on 2016 LSC: Unit Head to State Traffic Engineer approval

2016 Firms not on 2018 LSC

- CDM Smith
- ICA
- Progressive Design Group
- SEPI
- STV

2018 Firms not on 2016 LSC

- Dewberry
- DRMP
- Exult
- Kittelson
- Ramey Kemp
- Summit
- Three Oaks

2016 Mobility and Safety Limited Services Contract Availability									
Firm Name	LSC#	Contract Amount							
Accelerate	7000016599	\$ 1,000,000.00							
AECOM	7000016700	\$ 5,500,000.00							
Atkins	7000016701	\$ 3,000,000.00							
CDM Smith	7000016702	\$ 1,000,000.00							
Davenport	7000016703	\$ 500,000.00							
HDR Engineering	7000016704	\$ 1,500,000.00							
Hatch Mott	7000016705	\$ 5,000,000.00							
HNTB	7000016706	\$ 7,500,000.00							
ICA	7000016707	\$ 2,000,000.00							
Kimley Horn	7000016708	\$ 3,500,000.00							
Mattern & Craig	7000016709	\$ 1,000,000.00							
Mekuria	7000016710	\$ 1,000,000.00							
Parsons	7000016711	\$ 1,000,000.00							
Patriot	7000016712	\$ 2,000,000.00							
Progressive Design Group	7000016713	\$ 1,500,000.00							
RK&K	7000016714	\$ 500,000.00							
RS&H	7000016715	\$ 3,500,000.00							
Sepi	7000016716	\$ 1,000,000.00							
Stantec	7000016717	\$ 6,500,000.00							
STV	7000016718	\$ 2,000,000.00							

700001671

7000016720

\$

VHB

WSP

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1.000.000.00

54,500,000.00

The Project Management Paradigm



- Establishes roles
- Sets goals for a 30day timeline
- Outlines required activities and deliverables
- Breaks down into:
 - Scoping
 - NTP Process

The Project Management Paradigm

Project Manager &

NTP Issuer

"Limited (optional per memo)"

NTP Timetable (Calendar Days):

- Notify Firm Day -X (7 to 14 days before Scope Contact depending on task complexity)
- Scope Contact (Meeting / Teleconference / Email Exchange / Questions) - Day 0
- Scope Response from Firm Day 6
- Scope Concurrence Day 10
- Initial Estimates Due Day 20
- Negotiation Complete Day 24
- Notice to Proceed Day 25
- Forms Returned to NCDOT Day 28
- Process Complete Day 30 "Executed NTP"

Project Manager

– NTP Issuer

Scoping Process (1 of 5)



Scoping Process (2 of 5)

- Identify Project Needs
- Develop Project Fact Sheet

Links to current forms: <u>Professional Services Management</u> <u>Guidelines and Forms</u>

- Basic Project Information (SPOT #, WBS, project description, <u>contract</u> <u>type</u>, etc)
- Expected Project Task Description
- Other Important Information (special considerations, milestones, NTP timetable and the <u>"Issuer"</u>, etc)
- Select Firm
 - Check availability and capacity with TMSD Business Officer
 - Check availability and capacity with potential firms
 - Try to use full breadth of 23 firms selected
 - Identify potential #2 and #3 firm
- Unit Approves Firm (via email or other written form)
- Notify Firm / Provide Fact Sheet



Identify Project

Needs

Develop Project Fact Sheet

Select Firm

From LSC

Day -X Notify

Firm and

Supporting

Units

DOH / Unit Approves Firm

Notify

Firm / Provide

Contract / Payment Type Lump Sum vs Cost-Plus

Lump Sum

- PEF is responsible for completing the project within the agreed-upon fixed cost
- If the PEF completes project under total cost, PEF keeps the difference
- Supplements only allowed for extra work (not poor scoping)
- Risk: DOT Lower, PEF Higher
- Advantages: easy to manage, payments based on % work completed
- Disadvantages: dealing with cost overruns and lack of flexibility (poor estimates during scoping cause problems)

Cost Plus

- Cannot initially or sufficiently detail SOW
- PEF reimbursed for actual cost of work (plus overhead and profit); typically has an agreed upon Not To Exceed amount (NTE)
- **Risk:** DOT Higher, PEF Lower
- Advantages: Ideal for fast-tracked projects or situations, allows most flexibility to increase amounts or change things as project proceeds
- Disadvantages: Cost can rise quickly unit must verify all costs;

Scoping Process (3 of 5)

Pre-scoping

- Business unit needs to understand their own practices
 - Man day estimates to do tasks
 - Level of effort for each task
- TMSD units have different methods of determining work effort
- Scoping is about time and effort to complete and less about \$ (must use the firm's rates)
- NCDOT
 - Verify Project Schedule
 - Submit a projected estimate to reserve amount to Business Officer
 - Develop preliminary scope of work and tasks, and preliminary man-day estimate
 - Establish NTP timetable with milestones
 - If multiple units involved, determine lead for each unit and lead for overall project
- Firm
 - Develop preliminary scope of work and tasks, and preliminary man-day estimate

Scoping Process (4 of 5)

Scope tasks with firm

- Should be about 6 days to scope, and 4 days to agree
- Must agree / have shared understanding:
 - Required tasks
 - Need for sub consultants
 - NTP milestones
- Can do via email, meetings, teleconferences, etc (involve all unit POCs and subs)
- Normally, firm completes final scope of work documents
- Typically covers (firm / unit specific)
 - Glossary
 - Project Overview (Problem Statement and Goals)
 - Tasks
 - Responsibilities of Firm / Subs and DOT
 - Deliverables
 - Schedule and Milestones



Less descriptive SOW

- Higher risk to not get what you want Too descriptive SOW (a novel)
- Higher risk to not get what you want

Scoping Process (5 of 5)

Complete Independent Estimates

- Firm (w/ subconsultants)
- NCDOT PM (w/ supporting unit PMs)
- Should take 7 days to complete initial manday and cost estimates
- PM reviews supporting unit estimates and firm reviews subconsultant estimates (~ 3 days)
- By day 20, initial estimates submitted to NTP issuer

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Scope and Manday Estimate Form (1 of 9)

- Located on PMSU Site or TEPPL
- NCDOT preferred method for estimating
 - Verified calculations
 - Merges all units into estimate
 - Auto-populates many fields
 - Primes, Subs, and PMs should use
- Provides
 - Overall Summary of Project
 - Ability to Select Disciplines
 - Account Initiation Request (AIR)
 - Individual tabs for discipline estimates
 - Consolidated costs comparison
 - Initial and final estimate tool for negotiations



Scope and Manday Estimate Form (2 of 9)

• Step 1. Select Disciplines

- Go to Discipline Selection
 Worksheet
- Click "Yes" to select a discipline
- Click "No" to unselect a discipline
- WZTC, Signing, Signals, ITS, Congestion Management, etc (Subs use SUB version)
- Can delete all other disciplines if not being used

** **Note:** Complete all **Orange** Worksheets before completing Yellow Worksheets

FORM	INSTRUCTION SUMMARY	Note: Initially all di	sciplines will be not	be selected.	
LAST	FIRST: Choose the discipline for which you have an interest in creating a				ottom of this list
UPDATED	By selecting the "Yes" icon next to the discipline,	Green shading be	hind Yes will indicate	e the selection, revealing the desired disciplin	e-specific scop
11/00/10	If you choose the discipline by mistake, select the "No" icon next to that disc	ipline. Green shading	g behind No will displ	ay, removing the discipline-specific scope ar	nd manday estim
	If the prime discipline or sub discipline will not be used on this project,	you have the option t	o delete that discipli	ine from this project's form in order to reduc	e the file size.
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Disciplines					
That Are "Not	NEXT: Proceed to all worksheets following this worksheet and fill out all		sections for all tabs	exposed by the selection process on this w	/orksheet.
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00100100	There are one or more worksheets per discipline selected, however they a	l begin with a yellow	worksheet tab.	Fill out all worksheet tabs that are orange pr	<mark>ior t</mark> o starting a
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YES	Roadway	NO			
YES	Work Zone Traffic Control (WZTC)	NO			
YES	Final Pavement Marking & Markers	NO			
YES	Hydraulics	NO			
YES	Erosion Control	NO		Signing	
YES	Structures	NO			
				πs	
YES	Location Surveys	NO			
YES	Geotechnical	NO			
YES	Signing	NO			
YES	Signals	NO			
YES	Signal Communications	NO			
YES	ΠS	NO			
YES	Municipal Signal Systems	NO			
					-
- N.	Instructions DISCIPLINE SELECTION OVERALL SUM	IMARY Acct I	nitiation Request	PEF CLASSIFICATION SHEET	SIGNING

Scope and Manday Estimate Form

(3 of 9)

• Step 2. Complete Overall Summary

- Fill out all Green blocks (may have some pull-downs)
- TIP #, County, Task Order #, Estimate Submittal #, Other ID, Description, <u>Managing DOT</u> <u>Unit, Firm, Firm Contract #,</u> *Contract Type, Payment Type,* Preparer / Approver, Reason for Supplemental, PO #, Sup #

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Scope and Manday Estimate Form

(4 of 9)

• Step 3. Complete AIR

- Firm and PM have different responsibility
 - Firm fills out all Blue-Green (WBS) blocks (may have some pull-downs)
 - PM fills out all Green and Blue-Green (WBS) blocks
 - PM Clicks "Populate Units Selected"
 - You can Hide / Unhide unused rows

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Scope and Manday Estimate Form

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- Step 4. Complete PEF Classification Sheet
 - Fill out all Green blocks
 - Per Discipline
 - Add a Consultant Name
 - Select Classification Level
 - Add name for each classification level (follow format)
 - Add hourly rate per position / name
 - Add Overhead, fee, and cost of capital rates

Must have same names and rates between NCDOT & Firm

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	WB\$ NUMBER(s):						
	COUNTY:	0					
	DESCRIPTION:	0					
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	& manday estimate(s) for this project.	DISCIPLINE, Indicate the classification or	to document this unless the raw hourly rate in the	classification rate	consultant	indicated	consultant
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Scope and Manday Estimate Form (6 of 9)

- Step 5. Complete each Discipline Worksheet
 - Fill out all Green blocks
 - Each discipline has a unique worksheet
 - May need to add tasks
 - Add mandays for all tasks and for each individual
 - Add quantities or notes as needed
 - Add direct cost quantities as needed
 - Can hide or unhide rows

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Must be independent from NCDOT and Firm!

Scope and Manday Estimate Form (7 of 9)

• Step 6. Hide or Unhide

- On the worksheets, hide unused rows and columns (delete, too)
- Decreases size of workbook
- Check:
 - Discipline Selection
 - AIR
 - PEF Sheets
- Step 7. Repeat steps 5 & 6 for all PEF sheets

	Hide Unused Rows	Hide Unused Columns	Unhide all Columns and Rows	I I	
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Scope and Manday Estimate Form (8 of 9)

- Step 8. Review Overall Summary
 - Check values for gross errors (check w/ supervisor if required)
 - Save as:
 - DOT: TIP # Firm DOT SAP Code (TRA ...) – SUPP or PO# - DOT – Estimate Submittal #
 - Firm: TIP # Firm DOT SAP Code (TRA ...) – SUPP or PO# - DOT – Estimate Submittal #
 - Example: B2500 AECOM TRA Signals – Supp 1 – DOT Initial V1

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Scope and Manday Estimate Form (9 of 9)

• Step 9. Initial and Final Estimates

- For initial estimate: Place "1" in orange field, press lock Initial Estimate Results
- If estimate meets thresholds, use
 PEF estimate for actual #s
- For final estimate: Work through steps 5-8 again (and negotiate)
- If estimate meets thresholds, use
 PEF estimate for actual #s

	RY			Merge OVERALL SUMMARY into this file.				
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NTP Process for TMSD (1 of 14)

All up-to-date forms and docs in TEPPL
 NTP Checklist: Primes and Subs





SUB NTP Checklist

NTP Process for TMSD (2 of 14)

Step	Description
1	Receive Business Unit (BU) Information: (a) verification of Unit Head approval for work (b) verification of amount reservation by Staff Engineer/Business Officer (c) project scope (d) in-house cost estimate (NCDOT Scope and Manday Estimate Form or TSU template) (e) account initiation request (AIR) form, if not included in (d) (f) fee negotiation form, if used and approved by the State Traffic Engineer (g) approved rates - Prime (h) approved rates - Subs (provided by the Prime, if Subs are to be used)

- Information gathered by Project Manager
- Scope and Manday Estimate Form or Simplified Form

** Reminder:

- Salary rates are locked-in for 1st year for Primes
- OIG maintains current lists (new hires, cost of capital, and overhead rates)

4

NTP Process for TMSD (3 of 14)

Verify that the AIR form states the specific discipline(s) being used for both the Prime and any Subs (i.e. Prime - 458, 459;
Sub 1 - 309, Sub 2 - 250)

If discipline(s) are not specified, or if they are not specified by Prime/Sub, request an updated AIR form

- 3 Receive Prime's cost estimate
 - If Subs are used, complete the Subconsultant Checklist (one checklist per Sub used)

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oject: itep	Vendor # PO # Description	Date
1	Verify the Sub is prequalified for each discipline code listed for them on the AIR form If not prequalified then reject - Subs must be prequalified in a discipline code before they can do that work	Date
2	Verify the Sub has a compliant Experience Rate Modifier (ERM) <u>and</u> that the ERM was reviewed in the last twelve (12) months If the ERM is not present or is out of date contact the Division Staff Engineer - the Sub cannot be used until the ERM is current If the ERM is not compliant then reject - the Sub cannot be used until they have an acceptable ERM	
3	Verify the Sub has compliant insurance coverage <u>and</u> that the insurance coverage was reviewed in the last twelve (12) months If insurance is not present or is out of date contact the Division Staff Engineer - the Sub cannot be used until insurance is current If the insurance is not compliant then reject - the Sub cannot be used until they have acceptable insurance coverage	
4	Verify the Sub was not selected as a Prime on the LSC If so, then reject - Primes are not allowed to be Subs	
5	Verify the Sub's overhead (OH) and cost of capital (CC) rates with PSMU If rates are NOT correct on either estimate, request revised estimate(s) as appropriate	
6	Verify the Sub's salary rates with PSMU (or Prime's contract if less than one year from contract date)	

NTP Process for TMSD (Subs)

	Step	Description
Slide 5 of 14	1	Verify the Sub is prequalified for each discipline code listed for them on the AIR form
	1	If not prequalified then reject - Subs must be prequalified in a discipline code before they can do that work
		Verify the Sub has a compliant Experience Rate Modifier (ERM) and that the ERM was reviewed in the last
	2	twelve (12) months
	2	If the ERM is not present or is out of date contact the Division Staff Engineer - the Sub cannot be used until the ERM is current
Slide 4 of 14		If the ERM is not compliant then reject - the Sub cannot be used until they have an acceptable ERM
51102 4 01 14		Verify the Sub has compliant insurance coverage <u>and</u> that the insurance coverage was reviewed in the last
	3	twelve (12) months
		If insurance is not present or is out of date contact the Division Staff Engineer - the Sub cannot be used until insurance is current
		If the insurance is not compliant then reject - the Sub cannot be used until they have acceptable insurance coverage
LSC Slide	4	Verify the Sub was not selected as a Prime on the LSC
LSC Slide	7	If so, then reject - Primes are not allowed to be Subs
	5	Verify the Sub's overhead (OH) and cost of capital (CC) rates with PSMU
Slide 6 of 14	,	If rates are NOT correct on either estimate, request revised estimate(s) as appropriate
	6	Verify the Sub's salary rates with PSMU (or Prime's contract if less than one year from contract date)

NTP Process for TMSD (4 of 14)

	Verify the Prime has a compliant Experience Rate Modifier (ERM) and that the ERM was reviewed in the last twelve (12)
5	months
5	If the ERM is not present or is out of date contact the Division Staff Engineer - the Prime cannot be used until the ERM is current
	If the ERM is not compliant then reject - the Prime cannot be used until they have an acceptable ERM
	Verify the Prime has compliant insurance coverage and that the insurance coverage was reviewed in the last twelve (12)
e	months
6	If insurance is not present or is out of date contact the Division Staff Engineer - the Prime cannot be used until insurance is current
	If the insurance is not compliant then reject - the Prime cannot be used until they have acceptable insurance coverage

- Since ERMs are confidential, NC DOT PMs and NTP Issuers only have access to spreadsheet that indicate either Go / No-Go (Primes and subs, as needed)
- ** "Red" in the row means no-go **
7

NTP Process for TMSD (5 of 14)

Verify the Prime is prequalified for each discipline code listed for them on the AIR form If not prequalified then reject - Primes must be prequalified in a discipline code before they can do that work

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Search Firm Name on Prequalification Site

NTP Process for TMSD (6 of 14)

0	Verify that the BU in-house cost estimate uses contractor employees names and salary rates (prime and sub)
	If rates are NOT correct, request a revised BU estimate
9	Verify the Prime's overhead (OH) and cost of capital (CC) rates with PSMU If rates are NOT correct on either estimate, request revised estimate(s) as appropriate
	If rates are NOT correct on either estimate, request revised estimate(s) as appropriate
10	Verify the Prime's salary rates with PSMU (or contract if less than one year from contract date)
10	verify the Frine's salary fates with FSIVIO (of contract inless than one year non-contract date)
11	Verify that both cost estimates have employee names listed and use the correct salary rates

If rates are NOT correct, or names are NOT listed, request revised estimate(s) as appropriate

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What if Firm wants to use a higher level employee to do entry level work?

- Can use lower rates for an individual, just as long as they don't exceed the maximum amount that they were approved for on the certified rate sheet
- Can reduce the hours of the higher level individual (gain efficiency)
- Rates should be in line with the others at the same classification
- 2 x Methods:
 - Complete DOT estimate with hours and classifications, then fill in the salary rates once you get the firm's estimate
 - Have the firm provide the rates up front when scoping the project (prior to sending initial estimates to NTP issuer)

NTP Process for TMSD (7 of 14)

12	Verify maximum allowable non-salary direct costs If costs are NOT correct on either estimate, request revised estimate(s) as appropriate
13	Verify that direct cost estimates are similar, and any non-standard direct costs are reasonable
14	Verify that tasks on both estimates (BU and Prime) are exactly the same (number and wording) If tasks are NOT the same on both estimates, request revised estimates
15	Verify the work effort by employee levels is similar on both estimates

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NTP Process for TMSD (8 of 14)

16 Cor	plete cost comparison worksheet with initial estimates
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17 If negotiations are needed, forward the Prime's initial estimate to the DOT Project Manager

18 If negotiations were needed, receive revised BU estimates

19 If negotiations were needed, receive revised Prime estimates

Wait – Didn't you say we only need to worry about mandays?

- Scope / negotiate the mandays and classifications with the firm.
- 5% Mandays is the goal
 - 5-10% Unit Head Authority
 - >10% Technical Services Director Authority
- \$ do not require higher authority signature
 - Gap in \$ is an indication that you have further negotiation needs regarding manday classification assignment
- Cost comparison worksheet flags 10% or greater differences in cost differences per unit between NCDOT and the firm
 - Flag will help you identify those instances of large manday classification assignment differences
 - Not required to use automated worksheet, but all the more reason why it's a good idea

Manday estimates and negotiations will no longer use NCDOT in-house rates NCDOT is in the process of preparing an updated assessment of reasonableness for wage rates (or establishment of wage rate benchmarks). Until this has been completed, NCDOT will, in accordance with Federal Law and Department Policy and Procedures, use the respective firm's actual salary rates during the negotiations of task orders. Once details of the scope of services are determined, the NCDOT Business Unit/Division, or its representative, shall prepare a cost estimate for the work which includes the level of effort for each classification of staffing required. Level of effort for each classification will then be negotiated. The cost of the scope of work will then be a result of the negotiated effort, the firm's actual salary rates, the firm's approved overhead rate, and the fee. Please note, the NCDOT Business Unit/Division <u>must</u> <u>prepare an in-house cost estimate for all work required</u>, and in the appropriate level of detail which will allow for negotiations of level of effort for each major task. Given these changes, detailed below are revised requirements to issue a NTP for the various types of contracts with assignments issued on a task order basis:

7. Negotiate the mandays and classifications with the firm. The firm <u>manday</u> estimate must be within 5% of the NCDOT manday estimate by discipline. The Business Unit representative may use sound judgement to exceed these limits up to 10% of mandays, provided that the Business Unit Head or Division Engineer co-signs the certification memo required herein. Any firm estimate that exceeds the NCDOT manday estimate by more than 10% will require approval by the Director of Technical Services.

Tips on Negotiating

- Goal of NC DOT: <u>Get to a reasonable cost for delivering the task within the</u> <u>time you need, within budget you have, and to the quality you require (not to</u> <u>break the firm)</u>
- Goal of Firm: Provide a service to the NC DOT that delivers a task within the time you need and the quality you require, while maximizing profit
- Understand the firm's perspective, strengths, and limitations (empathy)
 - Time and effort for a task may be different
 - Partner in growing capability, as long as it's in NC DOT's best interest
 - Is the firm pricing "risk" too high?
- Finding common ground vs. giving in
- Cadillac Escalade vs Ford Fiesta, and only \$20K
- It's ok to say no and move on to #2 or #3

NTP Process for TMSD (9 of 14)

16 Complete cost comparison worksheet with initial estimates



- Link to Cost Comparison Tool to Merge PEF and NCDOT "Scope and Manday Estimate" workbooks: <u>PMSU Cost Comparison Tool</u>
- Cost Comparison Tool provides details at the task level vs overall project



NTP Process for TMSD (10 of 14)

	20	Complete cost comparison worksheet with final estimates and sign	
	21	Email the AIR form (with the vendor number in the subject line) to the TMSD Processing Assistant and request a purchase order (PO) number <u>**Include:</u> PEF Final Estimate and Contract Type]
	22	Receive the PO number Twe 2/13/2018 12:05 PM Ciaramitaro, Dominic J PO for HNTB (Vendor# 60027), Contract #7000016706	┥
	23	<pre>verify the following in SAP: (a) Vendor (Prime) (b) Cost Type ("lump sum" or "cost + overhead + profit") (c) Amount (should equal the Prime's final estimate) (d) Short Text (should be the same as the Project Name on the AIR form) (e) WBS Element (e) WBS Element (a) A3-Consultant 6300052795 Created by Judy A. Oliver (b) Cost Type ("lump sum" or "cost + overhead + profit") (c) Amount (should equal the Prime's final estimate) (d) Short Text (should be the same as the Project Name on the AIR form) (e) WBS Element (f) A3-Consultant 6300052795 Created by Judy A. Oliver (g) Consultant 6300052795 Created by Judy</pre>	
SÆ	Purc	(f) Functional Area (g) Cost Center) Mat

NTP Process for TMSD (11 of 14)

24	Complete and sign the cost certification memo
25	Complete the NTP form (but DO NOT sign it yet)
26	Send unsigned NTP to the Prime requesting their signature and signed Subconsultant RS-2 form(s)
27	Receive signed NTP and Subconsultant RS-2 form(s) from Prime Subconsultant RS-2 form is required even if no Subs are being used

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The Purchase Ori approved for use	c for this project is attached for your review. Its unables shown a blow has been crusted and is ready to be reviewed and on this contract. If you have any questions, please contact Domizic Ciarmitateo (adde give or P1/4014-0102).	Adapticipation and Acceptance <u>CONSETS TANT NAME WERE</u> Free Name	NCBOT APPROVAL: Transactation Middler and Safety Striden Imma Pattern Cited Destan		 Insert TIP Number and (or Type of U) Complete the Consultant Firm name a 	ork (Limited Services) ad Federal Tax ID Number for the prima	ry firm information.
Amelesent Cost	Comparison Sheer, IDNTB	Repairsy - Pointel Name and Expansion	 Computer the Subconsultant Sub Firm assess and Federal Tax. D Number for the sub-finm information. Earner Survice Data Description – describe work to be performed by the Sub Firm Earner Anziegnen (Volumeton – assess for the value or per const works to be Subconsultant Sub Firm 				
	201911-00122	1	4) W 341 Own		 "Signatures of both Subconsultant and submitted with the Letter of Interest () Complete "SPSF Status" section - Sub 	OD) to be considered for selection	
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NTP Process for TMSD (12 of 14)

28	Sign the NTP	<u>**DO NOT SEND SIGNED NTP TO Prime PEF, YET **</u> <u>IF NEED TO START IMMEDIATELY, ISSUE "LIMITED NOTICE</u> <u>TO PROCEED", AND MUST NOT EXCEED \$50K OF WORK</u>
29	in SAP (a) NTP (fully exec (b) RS-2 (subconst (c) Certification m (d) Cost comparis (e) NCDOT estimat (f) Prime's estimat	<pre>with the standard fee) ** Combine into 1 x File using Adobe Acrobat ** ** ** ** ** ** ** ** ** ** ** ** **</pre>
30	Receive notification	that the documentation has been added to the purchase order

NTP Process for TMSD (13 of 14)

31	Verify the correct documentation has been added to the correct purchase order	In the "Attachment List"				
32 If supplement, verify additional money has been added to the PO						
33	Send an email to PSMU requesting review/approval with PO# in subject line Note that approvals are needed from the Professional Services Management Unit (PSMU), the Office of I Management (CM) office					
	Verify approval of the purchase order (PO) (a) Use SAP transaction ME23N ("Display Purchase Order")	As of July 2018, Terry Farr, Dan Shuller, Jennifer Hernandez				
34	 (b) In the "Header" section, go to the "Release Strategy" tab (c) Code "AA" is PSMU approval - green check means approved and yellow trian (d) Code "EA" is OIG approval - green check means approved and yellow triangle (e) Code "CM" is Contract Management - green check means approved and yell (f) If all codes have green checks and the "Release indicator" is set to "R" then t 	e means pending ow triangle means pending				
	IP Burchase Order Edt Gets Entrysonment System Hold <					

-				by Judy A. Olive					
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		Short Text	PO Quantity	O C Delv. Date	Net Price	Quitt.) Mati Group	Pint Contract Managem

NTP Process for TMSD (14 of 14)

35	If PO is approved, forward the executed NTP and RS-2 forms to the Staff Engineer/Business Officer and request they update the PEF spreadsheet with the actual task order amount
36	If PO is approved, forward the executed NTP and RS-2 forms to the DOT Project Manager and let them know they can begin to issue work
37	If PO is approved, forward the executed NTP to the Prime
38	Send all documentation to the TMSD Processing Assistant Not necessary if the documents didn't change

What Changes with Supplements?

- Not much must scope and negotiate (as needed) with PEF again
- Reminder on lump sums
 - Supplements only for extra work outside the scoped tasks (I.E. scoped 5 widgets, now you need 10 widgets)
 - Not for more \$ of the same task (took too long or more effort than estimated, I.E. estimated 5 man-days to complete a task, but it actually took 15 man-days)
- **Step 1:** Project Scope and Estimates only include supplement; AIR keeps same PO add a Supplement # and verify that the WBS did not change
- Step 19 and Step 20: Only receive confirmation that supplement was added to the PO and if any other adjustments were required; verify supplement was added to PO (a change in total amount, not a separate line)

What's after the Paradigm



Invoicing (TMSD Processing Team)

- PMs request to reserve funds for a PO through Business Officer during Scoping (LSA Contract #, WBS, Supplement # (if required), Reserve Estimate Amount)
- Business Officer reserves amount, responds back to PM confirming update to spreadsheet
 - If > \$300K, requires Division Chief / State Traffic Engineer approval
 - If < \$300K, requires unit head approval
- Follow NTP process through completion (includes sending final budgeted estimate to Business Officer for revising initial estimate)
 - Processing Assistant notifies the PM of the PO final approval in SAP by Contract Management
 - Limited Notice to Proceeds cannot be invoiced
- PM sends PEF sample invoice template



Invoicing (1 of 7)

- Invoice complete packet requires
 - Invoice template completed with firm letterhead
 - DBE–IS Form (provided by firm)
 - Progress Report Form (provided by firm)
 - Invoice Payment Authorization (Internal tracking form)

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ncdot.gov

Invoicing (2 of 7)

- Invoice Template
 - Filled-in by firm
 - PEF can modify activity lines and fills in header info
 - Remit to address per W9 (firm not NC DOT)
 - Requires approval signatures on front page (PEF and PM)
 - PEF typed name and signature required
 - NC DOT PM signature block required
 - Subconsultants must be listed and match the DBE-IS Form
 - NC DOT Invoice # should be sequential and reference supplements
 - PM reviews / validates
 - %s and \$s compare to progress report
 - Reviews / validates %s and \$s of sub-consultants
 - Sub-consultant pay cannot exceed invoice amount or total sub-consultant authorization
 - Sub-consultant pay must match DBE-IS Form
 - Upon review, NC DOT PM signs
 - Unless designated, Unit Head should not sign
 - NTP Issuer cannot sign because of conflict of interest

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Invoicing (3 of 7)

• DBE – IS Form

- Filled-in by firm
 - Form is a validation that subs are being paid
 - Validation that subs are not primes (2018 LSC only)
 - Prime PEF must sign (twice)
 - Signature should match invoice approval signature
 - PM reviews / validates \$s compare to progress report
 - PM reviews / validates \$s of sub-consultants
 - Sub-consultant pay must match Invoice Template

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Invoicing (4 of 7)

- Progress Report
 - Prime PEF's template
 - Includes:
 - Accomplishments to date
 - % of tasks completed
 - Current and updated project schedules
 - Outstanding issues or problems
 - PM ensures that % work in line with rate of completion of work
 - PM clarifies with firm any questions / revisions with Progress Report
 - Signatures not required
 - If subs, submit a report with the cumulative total of all payments to subconsultants, regardless of any particular subconsultant's engagement level under a particular task order



Invoicing (5 of 7)

- Invoice Payment Authorization (Internal NCDOT)
 - Initiated by Processing Assistant
 - PM name
 - Date invoice received
 - Cost of invoice
 - Return to Processing Assistant date
 - Completed by PM
 - Yes/No pay invoice
 - Yes/No date
 - Sign only if approved for payment
 - Any discrepancies or "no" annotated in comments
 - With multiple WBSs, PM annotates amounts paid per WBS in Comments section
 - PM must respond back to Processing Assistant by due-date
 - Any "no", PM should respond back to Processing Assistant ASAP and PM resolves with firm

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Invoicing (6 of 7)

- Partial Billed / Monthly Invoices
 - PEF submits invoice to Processing Assistant / Staff Engineer via email or mail
 - Processing Assistant assembles and delivers to PM w/i 24 hrs of receiving
 - PM submits complete invoice packet to Processing Assistant by due date
 - Processing Assistant enters invoice packet into SAP
 - In transaction ZCM1, enters the PO, date of invoice, date received, firm invoice #, total amount due on invoice (per WBS, if required)
 - Records SAP documents # on invoice
 - Scan and uploads invoice documents into SAP
 - Business Officer / Staff Engineer approves releasing invoice in SAP
 - Workflow routed to OIG to Fiscal CM (no PMSU)
 - Any discrepancies, OIG contacts Processing Assistant who contacts PM to resolve with firm
 - Upon Fiscal CM approval, Prime Firm is paid (prime responsible for paying subs)



Invoicing (7 of 7)

- Closing out final invoice
 - When final invoice received, PEF must mark "final billing" on Invoice Form
 - PM reviews that final amounts are 100% spent (to the penny)
 - Invoice will be rejected by SAP if not exactly 100%
 - If there is a supplement pending,
 - Note in comments of Invoice Payment Authorization form that the invoice is "not final" (even though may be marked by PEF as final)
 - An invoice on a supplement will be delayed until PO receives final approval in SAP
 - Processing Assistant checks "final invoice" in SAP, Business Officer / Staff Engineer release
 - PO remains in SAP as "closed"
 - TMSD processing section has ability to reopen if needed

Evaluate

- Used in selection of future task orders on current LSC and future LSCs
- Upon completion of Task Order, PM completes Prime and Sub evaluations NLT 30 days
- Review work
 - Schedule: did they meet it, exceed it, fall behind? Quality needed multiple corrections?
 - Work: Reports meet, exceed, not meet expectations? Analysis correct or need corrections?
 - Cost: Accuracy of estimate overruns due to Prime?
 - Other factors: complexity, schedule, etc
- Determine an overall rating 0-10; 8 is baseline for acceptable provide justification + or 8
- Feedback to firm
 - Required for both positive and negative feedback
 - Clearly understanding and communicating the issues is more important than the # of the rating
 - Section / Unit head have responsibility to explain negative ratings to firm; elevate as required
 - Negative evaluation should not be the first time the firm hears about substandard performance (progress reports)

Assess

- Each project becomes a data point for refining future project estimates
- Highly recommend to document level of engineer expertise and supervision, and mandays required to completes tasks
- Units have different methods of documenting historical assessments of each firm and/or task; SAP, Scope and Manday Estimate Worksheet, etc
- Estimates for a task's effort level should continue to improve
 - Reduces over or underestimating and the associated "Factor of Safety" or "Fluff"
 - Stretches the State's Transportation \$

Summary

- Roles and responsibilities
- NCDOT Policy and 2018 LSC changes
- Addressed some common questions
- Illustrated how you fit into the NC DOT's Project Management Paradigm and beyond
- Scoping, NTP Issuing, Project Progress, Invoicing, and Close-out

