

FINALS

CHAPTER 11

See Appendix F, Construction Documentation, for the required final construction documentation.

11.1 Conduct Final Project Inspection

The Local Agency shall notify the Resident Engineer two to three weeks prior to the completion of the project to schedule the final inspection of the project. The Resident Engineer will schedule the final inspection with the Local Agency. Local Agency attendance is mandatory.

11.2 Write Final Project Acceptance Letter

Upon acceptance of the project, the Local Agency shall submit a project acceptance letter to the Contractor and send a copy to the Resident Engineer. Standard requirements for the acceptance letter are in Section 100 of the *CDOT Construction Manual*. The letter should identify any documents that need to be submitted by the Contractor. The Contractor's retainage may be reduced in accordance with subsection 109.06 of the *CDOT Standard Specifications*.

Distribution by the Resident Engineer of the acceptance letter will be as follows:

- CDOT Records Management
- CDOT Projects and Grants
- Region Finals Engineer
- Region Civil Rights Manager
- Contracts & Market Analysis
- Region Business Office

11.3 Advertise for Final Settlement

Immediately after project acceptance the Local Agency shall advertise the project for final settlement. The notice shall be published at least twice in a public newspaper of

general circulation published in the counties where the work was contracted for and performed, or electronically on the website where the project was originally advertised. The final settlement date is the first business day at least ten days after the second publication date (refer to *Colorado Revised Statute 38-26-107, Supplier may file statement – notice – withholding funds*). The Local Agency shall send a copy of the final settlement notice to the Resident Engineer.

11.4 Prepare and Distribute Final Plans

The Local Agency shall prepare As-Constructed plans in accordance with Section 100 of the *CDOT Construction Manual*. If the project is on the NHS, State highway system or State right-of-way, the Local Agency shall submit three half-size (11" x 17") sets of the As-Constructed plans to the Resident Engineer. The As-Constructed plans should include the location of underground obstructions, removals, and all utility locations.

The as-constructed plans shall be distributed as follows:

- Records Management
- Right of Way
- Resident Engineer

For Local Agency projects that include construction of a major or minor structure, one set of As-Constructed plans and specifications shall be submitted to Staff Bridge per Section 19.6 of the *Bridge Design Manual*.

11.5 Prepare EEO Certification and Collect EEO Forms

The Local Agency shall assure that certified payrolls were received from all contractors for all personnel on the project. The certified payrolls must be checked for Davis-Bacon compliance by an individual who has attended the Certified Payroll training. Monthly interviews shall be conducted and CDOT Forms 280, Interview Form, kept in the project records. The Local Agency Project Engineer shall assure that approved CDOT Forms 205, Sublet Permit Applications, are in the file, along with CDOT Form 1418 and the final CDOT Form 1419. The EEO certification letter must be completed by the Local Agency and submitted to CDOT.

11.6 Check Final Quantities, Plans, and Pay Estimate; Check Project Documentation; and Submit Final Certifications

The Local Agency shall designate one individual to be responsible for reviewing and processing final documentation as outlined in Section 100 of the *CDOT Construction Manual* and shall notify the Resident Engineer, in writing, of this designation. All project documentation will be checked and signed by the Local Agency. The Local Agency shall prepare the final pay estimate. The Local Agency's licensed Professional Engineer will complete the Local Agency Final Construction Acceptance Certification (see samples in Appendix F) and submit them to CDOT with the required forms designated in the certification.

11.7 Check Material Documentation and Accept Final Material Certification

The CDOT Project Manager will review the materials documentation listed in section 9.10 of this manual. The CDOT Project Manager will complete Form 1199, Finals Materials Documentation Review and Audit Checklist.

11.8 Obtain CDOT Form 1419 from the Contractor and Submit to the CDOT Project Manager

The Contractor shall complete CDOT Form 1419-DBE Participation Report and submit it to the Local Agency. The Local Agency shall check the Form 1419 for completeness, attach copies of all supporting (approved) Form 1420s and forward the original to the CDOT Project Manager. The final Form 1419 must summarize all participation on the contract. The CDOT Project Manager will submit the original form to the CDOT Civil Rights and Business Resource Center (CRBRC) with a copy to the Region Civil Rights Manager. Form 1419 needs to be completed even if the DBE goal is zero or there are no DBEs used on the project. (See Appendix A for a link to Form 1419.) The Local Agency is responsible for evaluating progress toward the contract goal throughout the project.

The CDOT Project Manager and the Region Civil Rights Manager will review the submittal from the Local Agency. If the Contractor fails to fulfill the commitments or fails to meet the contract goal, the CDOT Project Manager and the Region Civil Rights Manager shall determine the applicable payment reduction and inform the Local

Agency. The Local Agency shall subject the Contractor to a payment reduction at the end of the project, either by reduced payment or by held retainage.

If the payment reduction results in the Local Agency not meeting its matching portion of the contract in accordance with the term of the IGA, the Local Agency will issue a credit memo to CDOT/FHWA, with a copy to the CDOT Project Manager and the Region Civil Rights Manager. The credit memo shall only be to the extent required to ensure the matching portion is met. In the alternative, CDOT will short pay the final Request for Reimbursement to the Local Agency to withhold the payment reduction due to noncompliance.

Refer to the Standard Special Provision, *Disadvantaged Business Enterprise (DBE) Program Requirements*, dated December 26, 2013 (or latest version thereof) for additional information.

11.9 FHWA Form 47 – Statement of Materials and Labor Used ...– Discontinued

11.10 Complete and Submit CDOT Form 1212 - Final Acceptance Report (by CDOT)

Upon completion of the final inspection, and receipt of the Final Construction Acceptance Certification (see Project Finals Documents in this chapter), the Resident Engineer will complete the Form 1212 (see Appendix A). The Resident Engineer will verify that all items shown in the remarks section have been addressed. The Resident Engineer will distribute the form as follows:

- Federal Highway Administration (FHWA), original
- Local Agency
- CDOT Projects and Grants
- CDOT Records Management
- Region Finals Engineer
- Resident Engineer
- CDOT Contracts and Market Analysis Branch

11.11 Process Final Payment

The Local Agency shall resolve all liens, claims and disputes for Contract adjustments before processing final payment to the Contractor.

The Local Agency shall review final pay quantities with the Contractor. It is recommended that the Contractor approve final pay quantities by a signed statement.

The CDOT Form 96 - Contractor Acceptance of Final Estimate may be used for a signed statement (see Appendix A for a copy of the form).

When all project costs have been established, the Local Agency shall submit a final project billing to the Resident Engineer. The Local Agency shall submit the final bill within six months after project acceptance. If a time extension is needed, the Local Agency shall submit a letter of explanation to the Resident Engineer. The letter must be submitted to the Resident Engineer prior to the expiration of the six-month period. See Section 100 of the *CDOT Construction Manual* for more information.

The Local Agency's final billing to the Resident Engineer shall include a letter requesting project closure and a statement indicating there will be no further billings. The Resident Engineer will forward copies to the Region Business Manager and the Finals Engineer.

11.12 Complete and Submit CDOT Form 950

CDOT is responsible for CDOT Form 950- Project Closure. The local agency should have the final billing request paid before the Form 950 is completed. The CDOT Project Manager should distribute Form 950 to the Local Agency.

11.13 Retain Project Records for Six Years from Date of Project Closure

The Local Agency will retain project documentation and records for six years from the date of project closure. See CDOT Procedural Directive 51.1 for more information.

11.14 Retain Final Version of Local Agency Contract Administration Checklist

Copies should be kept as shown on the Checklist.