

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
CONSTRUCTION DIRECTIVE MEMORANDUM**

GENERAL SUBJECT:	<u>Maintenance of Traffic</u>	NUMBER:	<u>CD-2007-7</u>
		DATE:	<u>September 10, 2007</u>
SPECIFIC SUBJECT:	<u>Guidelines for the Use of Lump Sum Maintenance of Traffic Provision</u>	SUPERSEDES:	<u>NA</u>
DATE EFFECTIVE	<u>Immediately</u>	SUNSET/ EXPIRES:	<u>September 10, 2012</u>

**Original with signature on file in the office of the
Scheduling & Contract division.**

W. BYRON COBURN, JR., P.E.
STATE CONSTRUCTION ENGINEER

Purpose: The purpose of this memorandum is to provide policy guidelines for the use of lump sum payment of Maintenance of Traffic items in contracts

DIRECTED TO - DISTRICT ADMINISTRATORS

The Department recognizes there are certain types of construction and maintenance contracts where Traffic Control (maintenance of traffic) is best addressed on a lump sum payment basis. (See Attachment) The Scheduling and Contract section has tailored a special provision to meet such needs, however, it must be pointed out that this Special Provision is for limited use as governed by projects meeting the following conditions for the use of Lump Sum Measurement and Payment for Traffic Control.

- The limits of construction activity are clearly defined and unlikely to change during the duration of the Contract.
- Scope of work should not be subject to change over the life of the project.
- There should be potential advantages to traveling public, the Contractor or VDOT.
- The appropriate traffic control layouts can be obtained from the Virginia Work Area Protection Manual (VWAPM) or Manual for Uniform Traffic Control Devices (MUTCD) and applied to site conditions by experienced personnel without significant modification.*

*Alternately, site-specific drawings may be provided in the Contract for all conditions the Contractor will encounter during the life of the project.

While the lump sum basis of payment includes many standard traffic control items it is not to be viewed as a "catch-all" for the inclusion of large ticket or high cost items or for items that may be adversely affected by normal VDOT maintenance operations, such as tape pavement markings or markers which will likely be damaged during snow removal operations. Such items should still be estimated, summarized and

paid for as directed by their planned usage, MUTCD and Virginia Work Area Protection Manual and standard specification language.

It is also the intent of the provision that where the MUTCD or the VWAPM specify items such as electronic arrows, Portable Changeable Message Signs (PCMS) or Truck Mounted Attenuators (TMA) in their traffic control layout sketches such items and the quantities shown will be considered standard to the operation and incidental in the lump sum price. Adjustments to the layouts that do not result in a change in the quantities specified or that are merely made to accommodate lane shifts of traffic will not be viewed as alterations to the character of the work. In the event the Engineer decides that due to safety or other concerns additional items or quantities of such items are necessary he will authorize these with the Contractor and the Contractor will be compensated for these items at the predetermined prices stated elsewhere in the contract or in accordance with the provisions of Section 109.05.

Types of projects where this provision may be advantageous are: Bridge and approach contracts, bridge painting contracts, certain bridge repair contracts where comprehensive or multiple lane transitions or shifts are not required. **The attached provision is not to be used on asphalt schedule work where Traffic Control is usually an included item.**

District and residency personnel are urged to contact the State Contract Engineer, State Construction Engineer, or the Specifications Section of the Scheduling and Contract division to discuss the use of this provision prior to requesting its inclusion in the contract.

wskjr.\

CC: Commissioner
Deputy Commissioner
Commissioner's Staff
Division Administrators
District Construction Engineers
District Maintenance Engineers
District Materials Engineers
District Preliminary Engineering Managers
District Location and Design Engineers
District Civil Rights Managers
District Contract Administrators
Regional Operations Directors
Residency Administrators
Area Construction Engineers
Construction Managers
Project Inspectors
Federal Highway Administration
Office of the Attorney General
Virginia Department of Minority Business Enterprise
Virginia Transportation Construction Alliance
Old Dominion Highway Contractors Association
Virginia Asphalt Association
American Concrete Pavement Association
Virginia Ready-Mixed Concrete Association
Precast Concrete Association of Virginia
Division Library

ATTACHMENT

VIRGINIA DEPARTMENT OF TRANSPORTATION SPECIAL PROVISION FOR LUMP SUM MAINTENANCE OF TRAFFIC

September 10, 2007

SECTION 512 of the Specifications is amended as follows:

Section 512.03 - Procedures is amended to replace the second paragraph with the following:

The Contractor shall submit a plan sequenced with a plan of operations, for maintenance of traffic to the Engineer for review prior to commencement of work. The plan shall be in accordance with the *Virginia Work Area Protection Manual* and the *MUTCD*. When the Department provides a sequence of construction plans and estimated quantities for maintenance of traffic items, the plans and items are for estimating purposes only.

The structural integrity and alignment of barricades and safety devices shall be maintained at all times. Reflectorized surfaces and warning lights shall be maintained in a clean and visible condition at all times. All safety devices shall be inspected at least daily, and deficiencies shall be immediately corrected. Safety and protective devices furnished by the Contractor will remain the property of the Contractor and shall be removed from the project site upon completion of the work or as directed by the Engineer.

Section 512.03 (a) - Signs is amended to include the following:

(a) Signs: The Contractor shall furnish temporary sign panels necessary for the project, unless designated to be provided by the Department.

Section 512.04 - Measurement and Payment is replaced with the following:

Maintenance of traffic flagger service, pilot vehicles, electronic arrows, warning lights, channelizing devices, traffic barrier service, traffic barrier service guardrail terminals, impact attenuator service, temporary signalizations, construction pavement markings, construction pavement message markings, temporary pavement markers, eradication of existing pavement markings, temporary detours, aggregate material, Type III barricades, construction signs, and truck mounted attenuators will be paid for on a lump sum basis wherein no measurement will be made. The Contractor's price bid shall include, but not be limited to, furnishing, placing, maintaining, replacing, relocating, adjusting, aligning, removing, flagger service, pilot vehicles, warning lights, electronic arrow, channelizing devices, traffic barrier service, traffic barrier service guardrail terminals, impact attenuator service, temporary signalizations, construction pavement markings, construction pavement message markings, temporary pavement markers, eradication of existing pavement markings, temporary detours, aggregate material, Type III barricades, construction signs, truck mounted attenuators, and all labor, material and equipment incidental to completing this work in accordance with the *Virginia Work Area Protection Manual* and traffic engineering principles. Site specific adjustments to maintenance of traffic operations, quantity, location, or spacing of traffic control devices, within construction limits or on any approaches to the project, required by the Engineer to improve traffic operation or safety shall be considered an alteration to the character of work.

The Contractor will be paid 30-percent of the lump sum bid price upon satisfactory installation of the required maintenance of traffic items to commence construction operations and active prosecution of the work. Contingent upon active pursuit of the work, the Contractor will receive monthly payments for maintenance of traffic based on the daily dollar amount of the bid price for maintenance of traffic until 90-percent of the unit bid price is paid. The remaining 10 percent will be paid for after all maintenance of traffic items are removed at final acceptance of the Contract.

Payment will be made under:

Pay Item	Pay Unit
Maintenance of traffic	Lump sum