



**Bridge Factors Factual Report Attachment 57 – FDOT Construction Project
Administration Manual, Section 9.1 Maintenance of Traffic, 9.1.8 Recommended Action to
Shut Down a Project Due to MOT Deficiencies, dated April 11, 2014**

Miami, FL

HWY18MH009

(6 pages)

Section 9.1

MAINTENANCE OF TRAFFIC

9.1.1 Purpose

To establish a uniform standard for inspection and review of Maintenance of Traffic (MOT) operations used in construction projects.

9.1.2 Authority

[Section 334.048, Florida Statutes](#)

9.1.3

FDOT Specifications, [Section 8](#) and [Section 102](#)

[Manual on Uniform Traffic Control Devices \(MUTCD\), Part VI](#)

[FDOT Design Standards, Topic No. 625-010-003](#)

9.1.4 Definitions

The Department has representation in administering construction projects through engineering contracts. The authority of the Senior Project Engineer on Consultant Construction Engineering Inspection (CCEI) projects is identical to the Department Resident Engineer and shall be interpreted as such. Likewise, the role of the Consultant's personnel is identical to the Department's project personnel.

9.1.5 Selection of Traffic Control Plan (TCP)

A Traffic Control Plan (TCP) is included with each Department construction contract. The Contractor will furnish a letter to the Resident Engineer stating whether they plan to use the Department designed TCP or will submit an alternate TCP for approval. The alternate TCP must be signed and sealed by a Professional Engineer licensed in the State of Florida and shall be reviewed, discussed and approved by the Resident Engineer.

The submission of the alternate TCP will include a 11" x 17" set of plan sheets which indicate the type and location of all signs, lights, channeling devices, striping, barriers and geometrics of transitions and detours to be used for the safe passage of pedestrians, bicyclists and vehicular traffic through the project

and for the protection of the workers. The plan will indicate conditions and setups for each phase of the Contractor's activities.

When the Contractor proposes a modification to the TCP, particular attention should be given to the utility adjustment plan of the project. If the proposed TCP modification affects the scheduled adjustment of utilities in any measure, the Contractor must obtain written approval from the affected utilities. The District Utilities Engineer should be given the opportunity to review and comment on the modified TCP submittal.

The Resident Engineer shall consult/get approval from the District Design, District Traffic Operations, District Utilities and/or the District Construction Offices before approving/disapproving the proposed alternate TCP. Emergency Services should be notified in advance of any major modifications affecting traffic flow or patterns.

If the Contractor's proposed TCP does not affect the utility adjustment plan and is equal to or better than the Department's plan and is at no additional cost to the Department, the alternative proposal will be given consideration.

The TCP approval letter must include a statement to the effect that any additional costs, delay or increase to the cost of utility adjustments will be borne by the Contractor. The change will be documented by a Supplemental Agreement or Work Order with the Contractor's revised plan drawings.

In no case will the Contractor begin work using an alternate TCP until the Resident Engineer has approved such plan.

9.1.6 Discussion of Traffic Control Plan at Pre-Construction Conference

The TCP to be utilized on the project, as detailed within the contract, will be reviewed and discussed at the pre-construction conference. The review of the TCP shall consist of reviewing the different phases of work and the provisions to maintain traffic during each phase. Any errors or omissions shall be noted for corrective action.

The discussion at the pre-construction conference shall include:

- (1) Inspections performed (including daily reviews) by the Contractor and the paperwork that will be completed and submitted to document that the inspections have been performed and that any corrective actions needed have been taken.

- (2) Responsibilities of the Worksite Traffic Supervisor (WTS),
- (3) The Contractor's work notification to the Engineer,
- (4) Traffic safety,
- (5) Changes required enhancing the TCP,
- (6) Quality control of MOT devices,
- (7) Sign installations and removal or covering of existing signs,
- (8) Installation and removal of pavement markings,
- (9) Crash reporting,
- (10) Night work,
- (11) Maintenance of MOT devices,
- (12) Speed restrictions,
- (13) Work zone clearances,
- (14) Inactive work zones,
- (15) Portable changeable message boards, etc.
- (16) Proper use of Traffic Control Law Enforcement Officers,
- (17) Proper use of Speed Control Law Enforcement Officers.
- (18) Pedestrian and ADA accommodations, including proper closure of sidewalks in the construction area.

The Contractor's role in implementing any corrective actions must be clarified before the project begins. This will ensure that needed changes are performed with minimum disruption to work activities. The training requirements for flaggers will be discussed at the pre-construction conference. A list of trained flaggers must be submitted to the Project Administrator before construction begins.

9.1.7 Work Zone Inspections

As required by the Contract Documents, the Contractor's WTS will perform an inspection of work zone area and record on [Form No. 700-010-08, MOT Review](#)

Report any deficiencies found. The WTS will provide the original report to the Project Administrator weekly. Perform joint inspections with the contractor, when available.

The Department/Representative personnel will review the **MOT Review Report** and shall confirm the notations on the report (positive and negative findings) by conducting a field project inspection of the work zone. If additional deficiencies are found that were not included in the WTS's **MOT Review Report**, such deficiencies will be documented on page 3 of the **MOT Review Report** by the Department/Representative. Page 3 of the **MOT Review Report** will be given to the WTS with the understanding that the deficiencies shall be corrected within 24 hours. The Department/Representative shall review the deficient areas to verify compliance. If the deficiency still exists, then the Department/Representative will use the **Contractor's Past Performance Rating, Section 2, Form No. 700-010-25** to enforce compliance. The Department/Representative will document the date corrective action was completed on page 3 of the **MOT Review Report** and on the **Daily Report of Construction, Form No. 700-010-13**.

9.1.8 Recommended Action to Shut Down a Project Due to MOT Deficiencies

- (1) Any MOT deficiency noted that is considered a severe hazard and life threatening will require immediate corrective action by the Contractor. Failure to correct the hazard immediately is basis to shut down the project and obtain other means to correct the hazard.
- (2) If corrective action on the deficiencies of which the Contractor has been given written notification has not been corrected within the 24-hour time limit, the Project Administrator shall deduct payment for the uncorrected areas from the date shown on the **MOT Review Report, Form No. 700-010-08** until corrective action is made.

The WTS shall be disqualified if corrective action is not completed within the 24-hour time limit on three notifications to the Contractor within a twelve (12) months period.

The following shall apply to disqualification of WTS:

- **First Notification** - Verbal (documented) warning
If no other notifications are issued within one year (365 days), then the record of the first error shall be deleted from the WTS record.
- **Second Notification** - Written warning
If no other notifications are issued within one year (365 days) then all errors for the WTS shall be deleted.

- Third Notification - Suspension of qualification (all projects)
If no other notifications are issued within one year (365 days) then the record of all notifications shall be deleted.

This decision may be appealed to the District Construction Engineer. The District Construction Engineer's decision is final. Send a copy of all Notifications issued to the WTS to the State Construction Office at MS 31.

Prior to having the qualification reinstated, the WTS must take the required training course and pass the written examination including meeting all initial, conditional requirements.

9.1.9 Other Requirements

Department personnel will report crashes occurring within the project limits as described in [Section 9.3.5, Report Traffic Crashes](#).