Chapter 7 – Schedules, Time Extensions & Suspensions

1-700 Scheduling

1-700A Plan Reviews

1. 60 % Plan Review:

The District staff assigned to perform the 60% plan review should look for and comment on the list of major elements as part of the plan review. The following paragraphs give guidance on what should be expected.

The "list of major elements" should be included in the 60% complete package of plans and specifications sent out for review. At a minimum, this list should include a breakdown by individual structure or stage, including major components of each. The following is provided as an example only and is not meant to be all-inclusive (or all-applicable).

**** Project Management items
-Winter shutdowns
-Environmental permit "window" periods
-Milestones and commitments
-Third Party approvals
-Long lead time items
-Fabrication of major elements (Structural steel, precast units, span poles, etc.)
-Adjacent Work by others

Award
Notice to Proceed
Signing (Construction, temporary and/or permanent, by location)
Mobilization
Permit Acquisition
Field Office
Utility Relocations
Submittals/shop drawings/working drawings/product data
Material procurement/fabrication

Construction of Waste Stock pile area
Clearing and Grubbing
Earthwork (Borrow, earth ex, rock ex etc.)
TPCBC
Temporary markings
Roadway Construction (Breakdown into excavation, fill, subbase, membrane, pavement, curbing, sidewalk, guiderail etc.)
Drainage (Breakdown into excavation, bedding, pipe, manholes, catch basins, backfill, rip-rap etc.)
Culverts

**** For bridges, include major components such as: Abutments, wingwalls, piers, decks and retaining walls; further breakdown by footings, wall sections, parapets etc.

Temporary Sheeting
Cofferdam and Dewatering
Structure Excavation
Piles/test piles

Temporary Structures
Removal of Superstructure
Bearing Pads
Structural Steel (Breakdown by fabrication, delivery, installation, splicing, painting, etc.
Illumination
Signalization
Pavement Markings
Plantings
Turf Establishment
Clean-up

Traffic signal, incident management, lighting, planting and guiderail projects will be driven more by multiple locations, than multiple operations. Therefore, the list of major elements should be broken down first by location, then by operation e.g. Route 2 and 165 – "Trenching and backfilling", Rte 12 and Rte 184 – "Span pole installation". Other major elements of these types of projects should include, but are not limited to:

Material submittals
Material procurement/fabrication
Installation of anchors
Driving posts
Foundations
Trenching and Backfilling
Installation of Span poles/mast arms
Installation of luminaries
Installation of cameras
Installation of VMS
Hanging Traffic Signal Heads
Saw Cut loops
Energized by power company
Pavement markings
Excavation of plant pits
Setting Plants
Establishment Period
Fertilization

2. 90% Plan Review:

The District staff assigned to perform the 90% plan review should again look for and comment on the list of major elements (in following with the 60% plan review), as well as the proposed bar chart and contract time (generated by the designer). The key elements to look for are mentioned in the paragraph below. The reviewer should keep in mind the feasibility or constructability of the project as illustrated by the proposed schedule.

As part of the 90% plans and specification review package, the number of required calendar days shall be computed and a proposed bar chart schedule for the project using the above list(s) as a guide shall be included. All milestones, environmental permit "window" periods, winter shutdowns etc. should be identified and included in the bar chart schedule under the corresponding dates.

1-700B Pre Award Submittal

The Bidding and Award Manual language has been revised to include requirements for the pre-award submission of a comprehensive bar chart schedule by the low bidder, for all projects. This pre-award bar chart is to meet the requirements of Section 1.05.08 (this bar chart will become the "baseline" bar chart referred to in Section 1.05.08).

Within two to three weeks after the bid opening the District should receive the pre-award bar chart submission from the Division of Contracts. If the bar chart schedule is not received by this time the District should contact the Division of Contracts and the Office of Construction to inquire as to why the required submission has not been received.

Once the District receives the bar chart schedule they shall review it in accordance with Section 1.05.08 of the Contract and return any comments to the Division of Contracts prior to award. If the District feels there are significant issues with the pre-award bar chart that reflect a lack of understanding of the work required to complete the project, the need for a pre-award meeting to discuss the schedule shall be communicated to the Division of Contracts (depending on the project requirements, a major issue may range from missing a structure or phase of the project to something like critical submittals).

If the District indicates there are particular areas of concern, the Division of Contracts will meet with the Contractor and District to discuss any issues prior to the award of the contract.

1-700C After Contract Award

The post award procedure for the scheduling requirement depends upon the Scheduling Specification that applies to the subject project. If the Project Coordinator item exists as a special provision in the contract it will supersede Section 1.05.08 after the award of the contract and the District should proceed in accordance with the requirements of that specification.

In either case once the project has been awarded, the District will be responsible to review and approve the baseline schedule, as well as review all monthly updates and bi-weekly schedules. They will provide feedback as necessary to the contractor and will ensure that all concerns are incorporated in future submittals. If necessary, the District will direct the preparation of recovery schedules in order to get a delayed project back on track. It will be the responsibility of the Department's on-site staff to ensure that all requirements of the specification are complied with (e.g. cover letter narratives, critical path identified, % complete etc.).

The second payment for mobilization may be withheld if no schedule, or an inadequate schedule has been submitted. Likewise, if the contractor fails to provide the required monthly updates, or if they are deemed unacceptable, 10% of the monthly estimate may be withheld, until such time as an acceptable schedule update has been provided. These schedules and updates shall form the basis of any request for additional contract time, or the assessment of liquidated damages.

Office of Construction Claims and Litigation Unit will provide assistance to the District personnel, if requested, for the review of proposed schedules, and any procedural questions related to the scheduling requirement.

1-701 Documentation of Delays and Affect on Project

The *Standard Specifications* allows the Contractor to present in writing a request for an extension of Contract time if the time needed to complete the work increased due to added or extra work, or due to causes beyond the Contractor's control. Any delay that the inspector is aware of should be well documented in the Daily Work Reports. The information on the Daily Work Reports will be essential for evaluating the time extension request in a fair and equitable manner.

Information that should be reported in the Daily Work Reports includes:

- Date the delay first arose.

- Date the delay ceased to exist.
- The cause for and a description of the delay.
- Effect of delay on entire project.
- Operations in progress during the delay.
- List labor and equipment, in detail, that was idled each day of delay. Photographic documentation should also be made.
- Orders to work in other areas.

1-702 Time Extensions Procedures

The following procedures are used for evaluating, approving, and issuing time extensions:

1-702A Time Extension Authority

The authority for granting time extensions is found in Article 1.08.08 of the Standard Specifications. This article covers acceptable reasons for a time extension "for completion of the work due to extra or added work or delays resulting from unforeseeable causes beyond the control and without the fault or negligence of the Contractor."

When the District is uncertain the reasons given by a Contractor to support a request for an extension are acceptable under Article 1.08.08, they should discuss the issue with the Construction Administrator or Construction Division Chief.

1-702B Time Extension Requests

Time extensions must be requested by the Contractor in a timely manner. Contract provisions require that time extension requests with adequate substantiation be provided by the Contractor "within 60 calendar days of the event that is the basis of the request or of the first effect of such an event on the work." The Contractor is responsible for providing the necessary documentation to support the reasonableness of the additional time requested. This will include the number of days requested (including dates) and proving documentation.

The Project Engineer will provide written acknowledgement of each Contractor's time extension request. If the information is determined to be incomplete, or fails to meet the requirements of the Contract, the Project Engineer will reject the time extension request. See Figure 1-7.1.

Figure 1-7.1 Sample Letter Project Engineer Time Extension Response

Date:

Contractor Name/Address
Town, State, Zip Code

Subject: Project No.
FAP No.
(Project Description)
Town
Time Extension Request

Dear Sir or Madam:

On (date), you submitted a request for an extension of Contract time for Project No. _____.

(This request has been received and is presently under review. Upon completion of the Department's review, you will be notified of the Department's finding.)

Or

(The information you submitted is incomplete and is being returned. Upon receipt of complete information, we will continue to review your request.)

Or

(Your request fails to meet the requirements of the Contract for consideration for the following reasons:) (State Reasons)

VTY

Project Engineer

bcc: DE-ADE-PE-SE, Project

1-702C Time Extension Analysis

The District staff should prepare its own written analysis of each time extension request including:

- A description of the request.
- An evaluation of the request based on the field records. Each specific delay needs to be identified and explained in detail including the periods of the delay on the critical path of the project as well as explaining any time determined to be concurrent with another delay on the project.
- A conclusion.
- A recommendation
- A time chart comparing the Contractor's anticipated and actual schedules and the effect of each cause of delay, including the Contractor's original time charts.

When preparing an analysis you will need to consider the following:

- Did the condition causing the delay exist at the time bids were received?
- Was the condition discussed at the Preconstruction Meeting?
- Do you believe the Contractor might have reasonably expected to have full knowledge of the conditions causing the delay?
- Could the delay be attributed to the Contractor's method of operation?
- Did the Contractor have other areas in which to operate?
- Was the Contractor advised to work in other areas, to utilize idled workers and equipment?
- What other operations were in progress during the delay?
- Did the delay affect the entire project?
- Was the delay beyond the Contractor's control?
- Was the contractor responsible for any portion of the delay which could have been concurrent with the requested delay period.

The analysis is to be forwarded to the Assistant District Engineer by memorandum for approval / disapproval. Figure 1-7.2 shows the layout of the transmittal memorandum.

When the time extension, if granted, will expose the Department to liability for costs incurred during or resulting from delay of project work, it must be discussed with the Office of Construction (Transportation Principal Engineer level or higher) before approval.

1-702D Federal Agency Approval

Before approving a time extension for federal oversight projects, the Assistant District Engineer will submit by letter the time extension request and analysis to the FHWA Division Administrator for approval. Figure 1-7.3 shows a Sample letter to FHWA requesting concurrence and participation in a time extension. The request for concurrence should briefly explain the reasons for the request. Upon written concurrence from the FHWA, the Assistant District Engineer may act on the time extension recommendation.

1-702E Assistant District Engineer Approval/Disapproval

Before approving any time extension, the Assistant District Engineer should ensure that the District's analysis is complete and, that the Contractor, as well as the District, has provided the required documentation and that said documentation adequately supports the recommendation. If the Assistant District Engineer disapproves or modifies any time extension recommendation, the reasons for disapproval or modification will be documented, and the documentation attached to the package.

Upon approval or disapproval of any time extension request, a copy of the recommendation package, including all substantiating documentation, will be forwarded to the Office of Construction.

Once the Assistant District Engineer has approved the time extension, the time extension will be incorporated into the Contract by Construction Order.

Figure 1-7.2 Time Extension Approval/Disapproval Memorandum

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
OFFICE OF CONSTRUCTION

Memorandum

subject: Project No.
FAP No.
(Project Description)
(Town)

date:

to: (Name)
Assistant District Engineer
Bureau of Engineering and
Highway Operations

from: (Name)
Supervising Engineer
Bureau of Engineering and
Highway Operations

Attached, for your review and approval, is a copy of the justification for a (#) day (non-compensable) time extension for the completion of work on the subject project.

Project No.: _____
FAP No.: _____
Towns: _____
Standard Specifications: _____
Original Contract Value: _____
To Date Contract Value: _____
Award Date: _____
Order to Start Date: _____
Actual Start Date: _____
Original Calendar Days: _____
Original Completion Date: _____
Actual Completion Date: (*include only if completed)* _____
Days Used: (*include calendar, winter and suspension*) _____
Calendar Days Allowed: _____
Winter Days (*or other period time not counted*): _____
Suspension Days: _____
Previous time Extension Granted: _____
Apparent Time Overrun: _____
Time Extension Recommended: _____
Revised Completion Date: _____
Liquidated Damages Recommended: _____

Please indicate your approval/denial by your signature in the appropriate space.

Approval:_____ Disapproval:_____

Assistant District Engineer Assistant District Engineer

Date:_____ Date:_____

Attachments
cc: Construction Administrator-Construction Division Chief
District Engineer-Assistant District Engineer
Supervising Engineer-Project Engineer
Chief Inspector

Figure 1-7.3 Sample Letter to FHWA Requesting Concurrence with Time Extension

Date:

Mr. (Division Administrator)
Division Administrator
Federal Highway Administration
Connecticut Division
628-2 Hebron Avenue, Suite 303
Glastonbury, CT 06033-5007

Attention: (FHWA Engineer)

Re: Project No.
FAP No.
(Project Description)
(Town)
Recommendation on Time Extension Request

I am writing to request FHWA's concurrence and participation in a time extension of (____) days for completion of work on the above noted project. Project No. (_____), FAP No. (_____) is a Federal oversight project. Enclosed is the District's evaluation of the subject time extension request.

Our analysis concludes the following time extension item(s) is/are justified.

(List each item, number of days requested and number of days granted, and short summary of the basis for the decision to grant time)

If you concur with the justification please sign and return the enclosed memorandum.

Very truly yours,

Assistant District Engineer
Bureau of Engineering and Highway Operations

Enclosures

bcc: Construction Administrator-Construction Division Chief-Liaison Engineer
District Engineer-Assistant District Engineer-Supervising Engineer
Project Engineer
Chief Inspector

1-703 Temporary Suspensions and Resumptions

The District Engineer has the authority to suspend the work wholly or in part for such period or periods as necessary, in the best interests of the State or in the interests of public necessity, convenience or safety. Before a temporary suspension is issued the matter should be discussed with the Construction Administrator or Construction Division Chief.

When temporary suspension is granted by the District Engineer through the Assistant District Engineer, the Assistant District Engineer notifies the Contractor in writing of the effective date of such suspension and resumption date (if known).

Whenever a project is wholly suspended a Contract Status Report (CON-100) must completed within seven days of the suspension date and within seven days of the resumption date. See Section 1-205 for more information.

Notification of resumption following a temporary suspension is handled in the same manner as the Notice to Proceed. When establishing the resumption date, remember to take into consideration the time required for the Contractor to remobilize his workforce.

No suspensions will be granted for a time period excluded from the Contract. For conventional construction projects (highways and bridges), this period is from December 1 through March 31 provided Contract provisions don't designate the winter period as chargeable Contract time. In determining Contract time, it is assumed that no construction operations are performed during excluded time periods.