State of Connecticut
Department of Transportation
Office of Construction (OOC) and Office of Engineering (OOE)

Summary of Meeting Minutes
October 24, 2011
Newington HQ, Room 4209

Attendees:

Mohammed Bishtawi	OOC/OQA	Don Ward	OOC
Anthony Kwentoh	OOC	Jan Mazeau	OOC/OQA
Terri Thompson	OOC	Charles Harlow	OOE/Traffic
Ed Brown	OOE/Traffic	Mike LaLone	OOE/Traffic
Stephen Curley	OOE/Traffic	Ken Fargnoli	D 1 & 4 Const
Richard Symonds	D 4 Construction	Joseph Sullivan	D 1 Construction
Keith Schoppe	D 2 Construction	Steve Hebert	D 3 Construction

Subject: Trafficperson Items - Lessons Learned

Purpose: Open discussion regarding issues on projects with Trafficperson items and to share related information with all concerned.

Summary of Discussion:

1. The primary reason for this meeting has to do with recurring cost overruns for the items Trafficperson (Town/Municipal Police), Trafficperson (Uniformed Flagger) and increases in State Police force accounts.
2. Original contract quantities are estimated by the designer with input from DOT Traffic and/or the District staff.
3. There is a paragraph in the "Special Provision Guidance Document for Designers" for these items (1/2008 revision) that states "Please contact the Assistant District Engineer that will be administering the contract for assistance in determining the type, and separate amounts for State Police and trafficpersons, including the rates for these items especially in the case of current rates and requirements for employing Municipal officers and vehicles". DOT staff and consultant designers will be reminded to use the guidance document.
4. It was noted that designers probably expect that the item will be reviewed during the plan review process. Traffic items are generally included in the 90% design submission. It was stated that in a District plan review the trafficperson items may not get enough attention.
5. With the way the District email boxes are set up now, plan review submissions may be forwarded to a Project Engineer not the ADE. It was suggested that designers should address a separate email regarding the Trafficperson item estimates to the attention of the ADE.

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6. Traffic was questioned whether they have access to historical data based on the type of road/project/amount of traffic to use as a tool for estimating. This information may be available from the Contract Development and Estimating unit. (**See Meeting Post Script.)
7. In the case of State Police which is paid as a project force account item, the Preliminary Estimate is sent to the District as a lump sum, no breakdown of hours. Generally, the Construction Project Engineer can request that the account be increased, through a MOD.
8. The next issue discussed was the rate for Town/Municipal Police. Traffic currently uses an estimate of $75.00/hour. It was determined that $100.00/hour should be used.
9. DOT Traffic generally includes both Municipal Police and Uniformed Flagger items in projects, sometimes with a token amount in the Flagger item to have it available. It was agreed that that is a good practice but inspection personnel report that some Towns claim that only officers should be doing trafficperson duties.
10. There is an erroneous assumption that Town police or State police have control over the work zone. But there is no evidence in the State Statutes of this.
11. There is a Policy Memo (Memorandum of Understanding or MOU) between the Department and State Police regarding traffic issues in construction projects.
12. Another related issue regarding the various Town/Municipal Police surcharges was brought up with the question whether the DOT could adopt a uniform percentage to be used by all jurisdictions. No determination was made at this meeting but that idea led to a discussion of how the Trafficperson item used to be paid.
13. In the past the item was paid as a contract bid item per hours worked. All agreed that contractors planned their work differently when especially State Police officers were paid through them as a contract item. Traffic in conjunction with OOC will look into going back to pay as a bid item, for all Trafficperson items.
14. It was also noted that we appear to be spending more on State Police since it became a direct payment (force account) item. The Work Zone Safety Committee is beginning to address this problem.
15. Many project personnel also noted that the policy (in the State Police Memorandum of Understanding and some Municipal union contracts) to pay a minimum of four hours for showing up is adding to the cost of the Trafficperson item without adding any value. Many projects on interstates are weather dependent and work that requires lane closures scheduled may be cancelled, often after the order form has been sent. This issue is also under review by the Work Zone Safety Committee, Office of Construction and the State Police.
16. A suggestion was made to take Traffic items out of the Performance Metrics measurement review. Safety should not be compromised in order to keep project costs down. It would have to be discussed with FHWA.
17. Various project scenarios were then discussed as to the need for one or more officers or if flagger(s) would be sufficient such as multiple work areas, intersections, proximity of railroad crossings, curves, etc. Some situations could be conducive to using appropriate “static” traffic controls.
18. It was noted that DOT Maintenance does their work on roads and highways without any Trafficpersons. Do they have problems with accidents and/or safety? It was unclear if any statistical evidence would be available to review.

19. Some administrative issues were then discussed including delays in receiving paperwork from State Police or municipalities, correction of clerical errors, ordering/cancelling and recordkeeping.
20. A common complaint from construction inspectors was that projects are not getting confirmation after ordering or cancelling State Police officers especially by email or fax. There have been instances that an officer does not show up. This issue will be brought to the WZS Committee's attention and the attendees were asked to provide examples.
21. In the case of a "no show" the project personnel should call the Message Center or the local barracks. It was mentioned that the State Police should realize that there is a problem if they receive many calls.
22. The form for ordering State Police was also discussed in that the contractor's signature is supposed to be provided but at times they are not available to sign when it needs to be sent. The form will be reviewed for possible change to the required signature(s).
23. It was noted that contractors sometimes propose to meet their contractual DBE requirement by subcontracting the Flagger item to a DBE firm. Rather than eliminating this practice DOT Contracts personnel have been advising contractors that they might not meet their DBE goal and the practice will not count towards a "good faith" effort. (**See Meeting Post Script.)

Conclusions: There is a need to review and, in some areas, revise estimating and payment methods for the items Trafficperson (Municipal Police), Trafficperson (Uniformed Flagger) and State Police force accounts.

We believe these minutes accurately reflect what transpired at the meeting. Unless notified in writing to the contrary within ten (10) days after receipt, we will assume that all in attendance concur with the accuracy of this transcript.

**Meeting Post Script: Subsequent to the meeting, the following information was obtained:

Regarding Item 6 above: Contract Development and Estimating states that **historical (post-construction) data is not currently available** for estimation of trafficperson items based on type of road/project/amount of traffic.

Regarding Item 23 above: DOT Contracts notes that **contractors are advised on a case by case basis** that they might not meet their goal by planning to use a DBE firm under the Trafficperson (Uniformed Flagger) item.

Submitted by:
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Janet Mazeau, P.E.

Reviewed by:
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Mohammed Bishtawi, P.E.

Reviewed by:
_____*Anthony Kwentoh*_____Date_____10/27/11_____
Anthony Kwentoh, P.E.

cc: Attendees
James P. Connery