

APPENDIX J

Erosion and Sediment Control Inspection Forms, Related Construction Forms & Memoranda

Completed forms must be maintained on active project sites at ALL times.

CONSTRUCTION RUNOFF CONTROL INSPECTION FORM

VDOT Road & Bridge Specification 107.14(a)



Project Name/ID: _____

24-hr Rainfall (in.): _____

Contractor: _____

Time: _____

Type of Inspection: After Rainfall During Rainfall Weekly Other

| Item # | Inspection Questions | N/A ¹ | YES ² | NO ² |
|--------|--|-------------------------------------|--------------------------|--------------------------|
| 1. | Have all denuded areas requiring temporary or permanent stabilization been stabilized? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. | Have disposal/borrow and soil stockpiles (on-site and off-site) been stabilized with seeding and/or protected with sediment trapping measures? Do off-site areas have VDOT approved ESC plans? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. | Does permanent vegetation provide adequate stabilization for completed project areas? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.a. | Have perimeter controls been constructed as a first step in land disturbing activities (includes clearing OR grubbing)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.b. | Are perimeter and other erosion and sediment control structures and systems being maintained, inspected and repaired to ensure functionality (4VAC 50-30-60 also)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. | Have earthen structures, such as dams, dikes, and diversions, been immediately stabilized? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. | Have sediment basins and traps been constructed according to plans, specifications, and/or standards? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. | Are finished cut and fill slopes adequately stabilized? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. | Is concentrated water flowing through adequate slope drains, flumes, or non-erodible channels on cut or fill slopes? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. | Do slope faces have drainage or protection from water seeps? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. | Do all operational storm sewer and culvert inlets have inlet protection in accordance with plans, specifications, and/or standards? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. | Are stormwater conveyance channels stabilized with channel lining and/or outlet protection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. | Is in-stream construction conducted using measures to minimize channel damage? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. | Are temporary stream crossings of non-erodible material installed where construction equipment crosses? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14.a. | Are all VDOT water quality permit requirements being adhered to? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14.b. | Are material/equipment handling/storage areas clean and free of spills, leaks, or other deleterious materials and are related protective measures adequate? If there is an SPCC Plan for this project, is it being adhered to? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. | Is re-stabilization of in-stream construction complete before leaving the area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16.a. | Are utility trenches stabilized properly according to the specifications? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16.b. | Is effluent from dewatering operations being filtered (including in-stream structure dewatering)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. | Are construction entrances adequately protected, being maintained and public roadways kept clean from soil and mud? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. | Have all temporary control structures that are no longer needed been removed and such areas been stabilized? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 19.a. | Are properties and waterways adjacent to development adequately protected from pollutant discharge, erosion, flooding, and sedimentation? Has encroachment outside of the project limits been prevented? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20. | Are dust control measures being implemented? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 21. | Have all deficiencies from previous reports been addressed? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

1 - N/A: not applicable; 2 - YES: All items related contract requirements, plans, specifications, standards, and permits pertaining to this question are being satisfied

| | | | |
|---|---|--|------------------------------|
| 3 - In accordance with the terms of the Contract and/or permit(s), the Contractor above, shall correct all noted deficiencies as indicated by "NO" boxes checked above and any other documented deficiencies attached to this form (see continuation sheets) by the following corrective action date: | | | Corrective Action Date |
| This report was written by a VDOT ESCCC in accordance with specification 107.14 (a): | _____ <small>Print Name of Contractor ESCCC</small> | _____ <small>Contractor ESCCC Signature</small> | _____ <small>Date</small> |
| This report is accepted and confirmed by a VDOT Project Inspector as designated by the Resident Engineer: | _____ <small>Print Name of Project Inspector</small> | _____ <small>Signature</small> | _____ <small>Date</small> |
| Copy 1 - Contractor | Copy 2 - VDOT Project Inspector | Copy 3 - Project Engineer/Manager/File | |

Completed forms must be maintained on active project sites at ALL times.

CONSTRUCTION RUNOFF CONTROL INSPECTION FORM
 VDOT Road & Bridge Specification 107.14(a)
 Continuation Sheet



Project Name/ID: _____

Date: _____

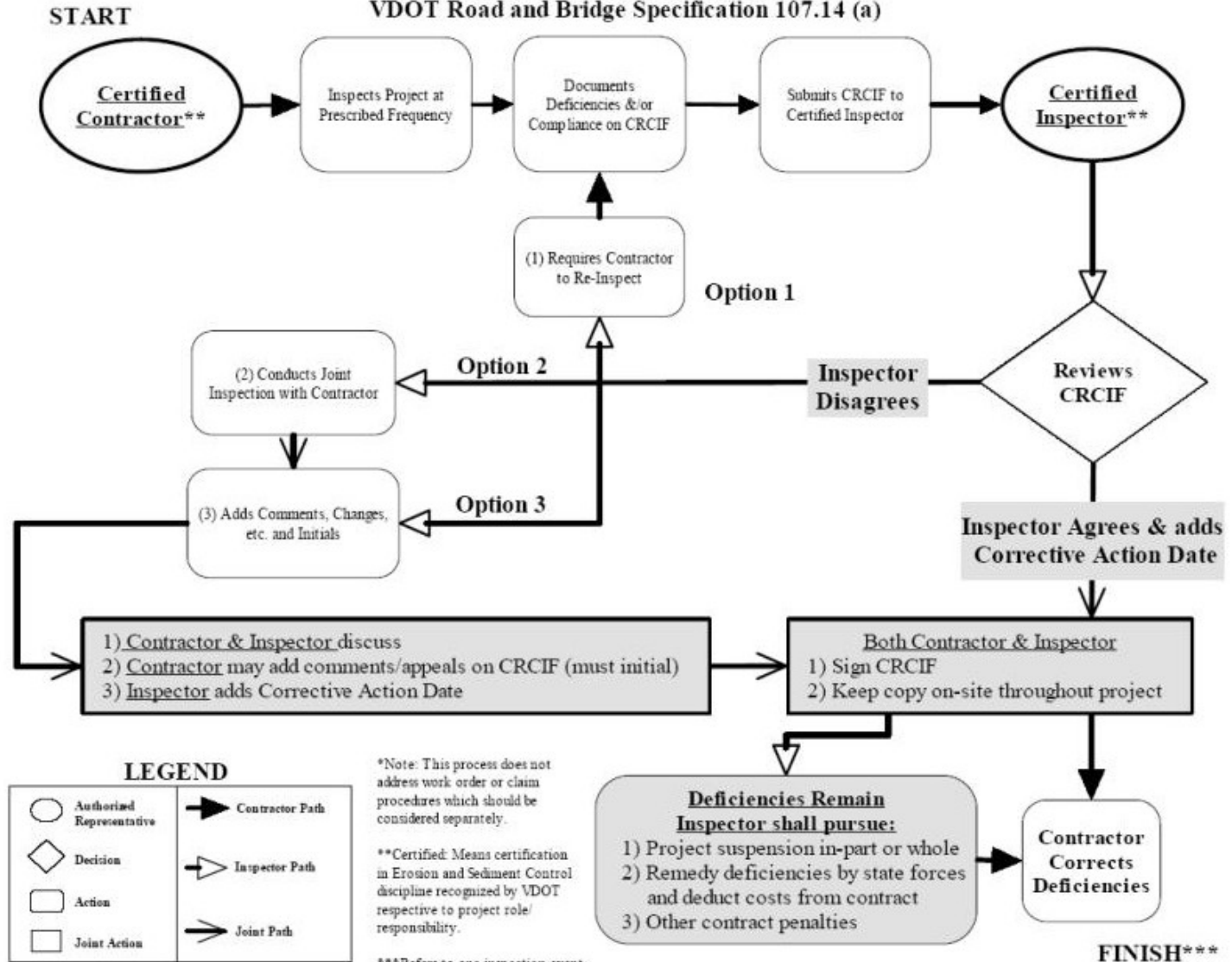
| Item # <small>(See sheet 1)</small> | Station | Description of problem, location, and corrective action ^{3 (see back)} | To be corrected by (date): |
|--|---------|---|-------------------------------|
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CONSTRUCTION RUNOFF CONTROL INSPECTION FORM (CRCIF)

Back of C-107(a)

Chain of Documented Communication*

VDOT Road and Bridge Specification 107.14 (a)



| Note (1-2): Non-compliant, non-compliance, or deficient is defined as documented evidence of 1) off-site damage in the form of sedimentation, unauthorized dewatering or pollutant discharge, erosion, flooding, encroachment outside of the project/permit limits, or a permit condition deficiency, 2) on-site damage in the form of significant erosion, flooding, or sedimentation, or 3) a repeat deficiency of related specifications. | | | | |
|--|--|--|--|--|
| Note (3): The table below provides a brief correlation of Virginia's Erosion and Sediment Control Regulations (VESCR) to VDOT's Road and Bridge (R&B) Specifications and Standards. This table is not all-inclusive and is not intended to be the only means for determining whether or not a deficiency of a specification exists for the project identified in this inspection. This table may be utilized as a quick reference for identifying potential contract deficiencies related to applicable stormwater and water quality related environmental laws, regulations, and permits during VDOT construction and maintenance activities. Refer to the project contract, the approved site specific plan, VDOT Road and Bridge Specifications, VDOT Road and Bridge Standards, and any applicable environmental permit conditions obtained for the project referenced in this report for the detailed information needed to ensure compliance with all environmental laws and regulations. Please see guidance manual for details on regulations, permit conditions, VDOT R&B Specifications and VDOT R&B Standards. | | | | |
| Virginia Erosion and Sediment Control (ESC) Regulations 4VAC 50-30-40 | | Virginia Department of Transportation Approved Specifications and Standards | | |
| MS | General Title of Minimum Standard (MS) | Road and Bridge Specification Title | Refer to appropriate Spec. year | Refer to appropriate Std. year |
| | | | Spec. # | Standard # |
| 1 | Permanent or Temporary Soil Stabilization | Incremental Seeding Seeding, Mulch | 303.03(b) 603, 244 | Roadside Development Sheet |
| 2 | Soil Stockpiles and Borrow Areas | Borrow, Disposal Topsoil Stockpiles | 106.03, 106.04, 303.04(a) | Numerous, site & plan specific |
| 3 | Permanent Vegetation | Incremental Seed Seeding, Sodding, Planting Soil Ret. Coverings | 303.03(b) 603, 604, 605 606 | Roadside Development Sheet |
| 4 | First Step Control Measures | Erosion and Siltation Control | 303.03 | 114.06, 114.10 |
| 5 | Earthen Structure Stabilization | Temp Diversion Incremental Seed | 302.04 303.03(b) | 113.01, 114.10, 114.02, 114.03 |
| 6 | Sediment Traps and Basins | Sediment Basin | 303.03(f) | 114.08, 116.04 |
| 7 | Cut and Fill Slopes | Earth Berms & slope drains Incremental Seed Removal of Unsuitable Material, etc. Stabilization of Slopes | 303.03(a) 303.03(b) 303.04(e-h) | 114.04 |
| 8 | Concentrated Runoff on Slopes | Earth Berms & Slope Drains | 303.03(a) | 115.02 |
| 9 | Water Seeps From Slope | Riprap Underdrains | 414 501 | 115.01 |
| 10 | Inlet Protection | Erosion and Siltation Control Temporary Silt Fence & Barriers Drop Inlet Silt Trap | 107.14(a) 303.03(e) | 114.06 114.07 |
| 11 | Stormwater Conveyance Channels & Outlet Protection | Temp. Diversion Channel Lining Riprap Check Dams Outlet Protection | 302.04 414 | 113.01, 114.02, 114.03 115.01 114.05 114.01 |
| 12 | Work in Live Watercourse | Water Permits, Erosion and Siltation Control, Structure Excavation Dismantling & Removing, Riprap | 107.14(b)1, 303.03, 401 413, 414 | Numerous, site & plan specific |
| 13 | Temporary Stream Crossing | Water Permits | 107.14(b)1 | Numerous, site & plan specific |
| 14 | Live Water Course Permits and Laws | Laws to be observed: Water Quality Permits, Certificates, Licenses | 107.01 107.02(abc) | Numerous, site & plan specific |
| 15 | Water Course Bed and Bank Stabilization | Legal Relations, Water Permits Incremental Seeding Seeding, Sodding, Planting, Soil Retention Coverings, Gabions | 107 303.03(b) 603, 604, 605, 606, 610 | Numerous, site & plan specific |
| 16 | Underground Utility Construction | Protecting Water Supplies Dewatering Basin | 520.03a&b | 114.09 |
| 17 | Temporary Construction Entrances | Erosion and Siltation, Opening to Traffic | 107.14(a), 107.15, 512.03 | 115.01 |
| 18 | Temporary Control Removal | Erosion and Siltation Control - 4 th Paragraph | 303.03 | |
| 19 | Stormwater: Downstream Protection | Laws to be observed: Water Permits Air Pollution, Dust Control | 107, 107.01, 107.14(b). 1. 107.14(b) 2., 511, 239 | Numerous, site & plan specific |
| | 4VAC 50-30-60 | Maintenance & Inspection Requirements | 107 | |

Note (3) continued: Provide as much detail as possible. If a deficiency of a contract specification or plan item is noted, the description must contain 1) the VDOT specification #, 2) permit condition deficiency (if applicable), 3) description of the deficiency, 4) a corrective action deadline – should be a reasonable time frame to correct the deficiency unless damages may be exacerbated if not addressed immediately, and 5) recommended solution or approach. If this is a follow-up inspection, previously addressed deficiencies that have been corrected must be documented as such. This section of the inspection form should also be utilized to note positive items such as exceeding the performance expectations or time frames set by a specification. If conformity to specifications and plans is being achieved but site conditions indicate that plan or specification adjustments may be needed to address environmental concerns, such conditions should be immediately referred to the Resident Engineer and Hydraulics Engineer for plan modifications.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
REPORTING STARTING AND COMPLETION OF PROJECTS

County _____ Date _____
District _____ Residency _____
State Proj. No. _____ Contract Id. No. _____
Federal Project No. _____
PPMS No. _____
Contractor _____

| | DATE STARTED | DATE COMPLETED |
|---------------------|--------------|----------------|
| Contract Work | _____ | _____ |
| State Force Account | _____ | _____ |
| R.R. Work | _____ | _____ |
| Utilities | _____ | _____ |

All work on the Agreement Estimate dated _____ was completed _____
and this project is ready for final inspection by the Federal Highway Administration.

The above project was inspected on _____ by _____
(Name)
_____ and found to be clear of all encroachments except permissible utilities otherwise
(Title)
noted below.

All entrances have been inspected prior to final acceptance, as set forth in the Construction Manual, and found to be satisfactory excepts as noted below.

Unless otherwise noted below, the project termini were not altered during construction.

REMARKS OR EXPLANATIONS:

Residency Administrator

District Administrator

Copy:

- Scheduling and Contract Engineer
- Asset Management Division Administrator (Maintenance Projects, Schedules, and State Force Projects)
- Programming Director
- Location and Design Engineer
- Environmental Division Administrator
- Materials Engineer
- Right of Way and Utilities Director
- Fiscal Manager
- Director of Rail, Department of Rail and Public Transportation (Projects Involving Railroads only)
- State Traffic Engineer
- Local Assistance Director
- Administrative Services Division Administrator (Capital Outlay Projects Only)
- Construction Engineer
- Project Inspector
- Contractor (Starting and completion of contract work only)
- Division Administrator, Federal Highway Administration

(CONTINUED)

INSTRUCTIONS

This form is to be prepared immediately subsequent to the starting and completion of each phase of work shown hereon.

The statement relative to clearance of encroachments is to be completed on the form reporting final completion

The Residency Administrator is to sign and forward the completed form to the District Administrator for review and distribution.

Each successive form is to include all information shown on previous forms and an explanation of the change.

The form bearing notice of final completion is to be signed by the District Administrator.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION

WORK ORDER

Job Des. or Contract ID. No.: _____ FHWA No.: _____ Work Order No.: _____

State Project No.: _____

Original Contract Value \$ _____ Total of Other Work Orders \$ _____

NOTE: If additional space is needed, use an additional sheet(s) and label as Attachment by Number and Heading Name.

I. LOCATION AND DESCRIPTION OF PROPOSED WORK:

II. ENGINEER'S EXPLANATION OF NECESSITY FOR PROPOSED WORK:

III. FUNDING SOURCE/CHARGE _____

IV. A TIME EXTENSION OF _____ (use O if no change) ADDITIONAL CALENDAR DAYS IS GIVEN FOR THIS WORK or
NEW FIXED COMPLETION DATE OF _____ (use N/A if no change) IS ESTABLISHED FOR THIS CONTRACT

V. ESTIMATE OF PROPOSED WORK:

| ITEM CODE | SPEC. NO. | ITEM DESCRIPTION | (QUANTITY) | UNIT | UNIT PRICE | INCREASE | DECREASE |
|------------------------|-----------|------------------|------------|------|------------|----------|----------|
| | | | | | | | |
| NET Increase/Decrease: | | | | | | | |
| NET TOTAL | | | | | | | |

I/WE hereby agree to perform and/or nonperform as indicated, the work described herein and at the unit prices set forth and that such work shall be performed in accordance with the contract provisions and specifications and/or other provisions incorporated herein. Further I/WE hereby agree that the quantities set forth herein will be subject to adjustment and, unless otherwise stated, the unit prices set forth herein will be applicable to the adjusted quantities.

Contractor _____ BY _____
(Firm's Name) (Officer of the Firm) Date

RECOMMENDED FOR APPROVAL:

| | | | |
|----------------------------------|---------------|---------------------------------|---------------|
| _____ RESIDENCY ADMINISTRATOR | _____ DATE | _____ DISTRICT ADMINISTRATOR | _____ DATE |
| _____ ASST. CONSTR. ENGR. | _____ DATE | _____ CONSTRUCTION ENGINEER | _____ DATE |

APPROVED:

APPROVED BY (VDOT) _____ TITLE _____ DATE _____

APPROVED:

APPROVED BY (FHWA) _____ DATE _____

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION

SHUTDOWN

Date _____

Contract Id. No. _____ Route: _____ District _____

Project No. _____

Federal Project No. _____ County _____

Contractor _____

This project is hereby placed on _____ shutdown.
(Type)

From A. M. _____ To P. M. _____ due to reason noted.

Suspension due to _____ Shutdown issued on _____ for the above project is
(Type)
hereby lifted as of P. M. _____

Total of _____ days during shutdown.

Extension of _____ days due contractor.

Reason: _____

Inspector or Residency Administrator

COPY

- Construction Engineer (1 Copy)
- District Administrator (1)
- Residency Administrator (1)
- Inspector (1)
- Federal Highway Administration (2)

ORDER NO.:

CONTRACT PAYMENT BOND

Know all men by these presents. That we _____

Hereinafter called the "Principal" and _____

(hereinafter called the "Surety"), are held and firmly bound unto the Commonwealth of Virginia (hereinafter called the "Surety"), are held and firmly bound unto the Commonwealth of Virginia (hereinafter called the "Owner"), in full and the just sum of _____

Dollars (\$ _____) lawful money of the United States of America to be paid to said "Owner." Its successors, and assigns, to which payment well and truly to be made we bind ourselves, executors, administrators, successors, and assigns jointly and severally and firmly by these presents:

Whereas, The above bounden "Principal" has entered into a contract with the said "Owner" by and through the Commonwealth Transportation Commissioner of the Department of Transportation, said contract being attached hereto, for constructing or otherwise improving

Project: _____

Located: _____

upon certain terms and conditions in said contract more particularly mentioned: and

Whereas, It was one of the conditions of the award of the "Owner" pursuant to which said contract was entered into, that these presents shall be executed:

Now: Therefore. The conditions of this obligation is such that if the above burden "Principal" shall promptly pay all just claims for labor and material (including public utility services and reasonable rental of equipment when such equipment is actually used at the site) performed for or supplied to said "Principal" or any subcontractor in the prosecution of the work contracted for then this obligation is to be void; otherwise; to be and remain in full force and virtue in law.

Witness, the signature of the "Principal" and the signature of the "Surety" by its Attorney-in-fact and its corporate seal duly attached by their Attorney-in-fact,

hereunto affixed this _____ day of _____ in the year _____

(Principal)

(Surety Company)

By: _____
(Officer, Partner or Owner) (SEAL)

By: _____
Attorney-in-fact (SEAL)

(Address)

(Address)

Order No.:

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
CONTRACT PERFORMANCE BOND

Know all men by these presents. That we _____

Hereinafter called the ("principal") and _____

(hereinafter called the "Surety"), are held and firmly

bound unto the Commonwealth of Virginia (hereinafter called the "Owner"), in full and just sum of _____

Dollars (\$ _____) lawful money of the United States of America to be paid to said

"Owner." Its successors, and assigns, to which payment well and truly to be made we bind ourselves, executors, administrators, successors, and assigns jointly and severally and firmly by these presents:

Whereas, The above bounden: "Principal" has entered into a contract with the said "Owner" by and through the Commonwealth Transportation Commissioner of the Department of Transportation, said contract being attached hereto, for constructing or otherwise improving

Project: _____

Located _____

upon certain terms and conditions in said contract more particularly mentioned: and

Whereas. It was one of the conditions of the award of the "Owner" pursuant to which said contract was entered into, that these presents shall be executed:

Now: Therefore. The conditions of this obligation is such that if the above burden "Principal" shall in all respects comply with the terms and conditions of said contract and his obligations thereunder, including the "Specifications", with amendments thereto, "Special Provisions," "Proposal," and plans therein referred to and made a part thereof, and such alterations as may be made in said plans and specifications as therein provided for, and shall indemnify and save harmless the said "Owner" against or from all cost, expenses, damages, injury or as loss to which the said "Owner" may be subjected by reason of any wrongdoing, misconduct, want of care or skill, negligence or default, including patent infringements, delay or failure to comply with contract provisions, on the part of said "Principal," his agents or employees, in the execution or performance of said contract, including errors in the plans furnished by the "Principal," and shall pay all just claims for damages and injury to property then this obligation to be void; otherwise, to be and remain in full force and virtue in law.

Witness, The signature of the "Principal" and the signature of the "Surety" by its Attorney-in-fact and its corporate seal duly attached by their Attorney-in-fact,

hereunto affixed this _____ day of _____ in the year _____

(Principal)

(Surety Company)

By _____
:
(Officer, Partner or Owner) (SEAL)

By: _____
Attorney-in-fact (SEAL)

(Address)

(Address)

(Continued)

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
COMPUTATION OF EXTENSION OF TIME AND OF LIQUIDATED DAMAGES OR BONUS

Date: _____

Project No.: _____ Contract ID No.: _____

County: _____ Route: _____

Project/Schedule: _____

Date Bids Received: _____ Date Contractor Notified to Start Work On: _____

Date Work Started: _____ Contract Time in Days: _____

Contract Time Limit Date: _____

Cost of Work to Date \$ _____

Adjustment For Non-Compliance _____

Net Cost of Work \$ _____

Dollar Value of Original Contract \$ _____

Total Face Value of Work Orders \$ _____

Adjusted Contract Value \$ _____

Dollar Value of Extra Work \$ _____

The dollar value of the original contract \$ _____ divided by the Contract Time in Days _____
equal Daily Dollar Value of \$ _____

The Dollar Value of Extra Work \$ _____ divided by the Daily Dollar Value \$ _____
equals _____ days time extension for extra work.

Contract Time Limit Date _____, plus _____ days for extra work, _____ days specified on
Work Orders, _____ days Shutdown and _____ days (see remarks) equals _____ Extended Time Limit.

Work was completed _____

Between _____ extended time limit date and _____ date work was completed,
there are _____ calendar days at _____ per day equals _____ (liquidated damages)
(bonus).

Remarks: _____

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
CONTRACTOR'S PERFORMANCE REPORT**

Contractor: _____ Date: _____
 Address: _____
 Project No.: _____ Contract ID.: _____
 Vendor No.: _____

I. C-36 INTERIM SCORES

| DATE | SCORE | DATE | SCORE | DATE | SCORE | DATE | SCORE | DATE | SCORE | DATE | SCORE |
|------|-------|------|-------|------|-------|------|-------|------|-------|------|-------|
| | | | | | | | | | | | |

INTERIM AVERAGE SCORE (AVERAGE OF C-36 INTERIM SCORES)

II. RESIDENCY OR DISTRICT EVALUATION

A. QUALITY (Total Point Value: 30)

| | SCORE | POSSIBLE |
|---|----------------|--------------|
| . Project management encouraged exceeding specifications requirements | _____ / | _____ |
| . Project management supported and cooperated with inspection process | _____ / | _____ |
| . Project work force demonstrated positive attitude | _____ / | _____ |
| . Company management demonstrated positive attitude | _____ / | _____ |
| TOTAL SCORE | _____ / | _____ |

B. COMPANY MANAGEMENT OF PROJECT (Total Point Value: 30)

| | SCORE | POSSIBLE |
|--|----------------|--------------|
| . Preconstruction preparations | _____ / | _____ |
| . Cooperation with residency / district | _____ / | _____ |
| . Providing resources for continuous prosecution of work | _____ / | _____ |
| . Scheduling and coordination prosecution of work | _____ / | _____ |
| . Management responsiveness to changed conditions | _____ / | _____ |
| . Completed on time per specifications | _____ / | _____ |
| . Problem resolution at lowest management level | _____ / | _____ |
| TOTAL SCORE | _____ / | _____ |

C. COMMUNICATION (Effectiveness and Timeliness) (Total Point Value: 20)

| | SCORE | POSSIBLE |
|---|----------------|--------------|
| . Communication between contractor & residency/ district | _____ / | _____ |
| . Communication between contractor & public | _____ / | _____ |
| . Communication between contractor & adjacent property owners | _____ / | _____ |
| TOTAL SCORE | _____ / | _____ |

D. SAFETY (Total Point Value: 10)

| | SCORE | POSSIBLE |
|---|----------------|--------------|
| . Demonstrated positive management attitude | _____ / | _____ |
| . Company compliance | _____ / | _____ |
| TOTAL SCORE | _____ / | _____ |

E. ENVIRONMENTAL (Total Point Value: 10)

| | SCORE | POSSIBLE |
|---|----------------|--------------|
| . Demonstrated positive management attitude | _____ / | _____ |
| . Company compliance | _____ / | _____ |
| TOTAL SCORE | _____ / | _____ |

RESIDENCY OR DISTRICT EVALUATION TOTAL SUM of CATEGORY SCORES: _____ / _____
Score(S) Possible(P)

SCORER'S SIGNATURE: _____ SECTION SCORE (S:P) *100 =

III. BONUS AREA

Award of Bonus Points are intended for contractors who go beyond and consistently exceed contract requirements and exhibit exceptional performance in areas of quality, public relations, safety, environmental and any project related activities. (Contractors are eligible to receive bonus points only if they have scores equal to or greater than 80% of each category score.)

TOTAL BONUS POINTS (10 Points Maximum)

IV. SCORING SUMMARY

| | | | | |
|--|-------|-------|---------|-------|
| INTERIM AVERAGE SCORE (from front page) | (I) | _____ | X 0.7 = | _____ |
| RESIDENCY OR DISTRICT EVALUATION TOTAL (from front page) | (II) | _____ | X 0.3 = | _____ |
| TOTAL BONUS POINTS | (III) | _____ | X 1.0 = | _____ |

CONTRACTOR'S PERFORMANCE EVALUATION SCORE (I + II + III)

V. VDOT REPRESENTATIVE'S REMARKS/COMMENTS

VI. CONTRACTOR'S REMARKS/COMMENTS

VII. SIGNATURES

Residency Administrator: _____ Date: _____

District representative: _____ Date: _____

Contractor's representative: _____ Date: _____

By signing this as a representative of the contractor you are acknowledging that you have reviewed the scores. Your signature does not necessarily indicate agreement with the scores shown.

**COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF TRANSPORTATION
 PROJECT PERFORMANCE INTERIM REPORT**

Contractor: _____ Date: _____

Contract ID: _____ Possible Scores Agreed By: _____

Project No.: _____

VDOT Initials Contractor Initials

A. QUALITY (Total Point Value: 30)

| | SCORE | POSSIBLE |
|---|---------|----------|
| . Project management encouraged exceeding specifications requirements | _____ / | _____ |
| . Project management supported and cooperated with inspection process | _____ / | _____ |
| . Project work force demonstrated positive attitude | _____ / | _____ |
| . Company management demonstrated positive attitude | _____ / | _____ |
| | _____ / | _____ |
| TOTAL SCORE | _____ | _____ |

B. PROSECUTION of WORK (Total Point Value: 30)

| | SCORE | POSSIBLE |
|---|---------|----------|
| . Plan of operation | _____ / | _____ |
| . Continuous prosecution of work | _____ / | _____ |
| . Managing and coordinating work of subcontractors | _____ / | _____ |
| . Managing resources (labor, material, equipment, etc.) | _____ / | _____ |
| . On schedule and/or completed on time | _____ / | _____ |
| . Flexibility to modify work activities | _____ / | _____ |
| | _____ / | _____ |
| TOTAL SCORE | _____ | _____ |

C. PROJECT COMMUNICATION (Total Point Value: 20)

| | SCORE | POSSIBLE |
|---|---------|----------|
| . Daily communication between contractor and VDOT project personnel | _____ / | _____ |
| . Joint resolution of problems | _____ / | _____ |
| . Completeness and timeliness of project documentation | _____ / | _____ |
| | _____ / | _____ |
| TOTAL SCORE | _____ | _____ |

D. SAFETY (Total Point Value: 10)

| | SCORE | POSSIBLE |
|---|---------|----------|
| . Traveling public | _____ / | _____ |
| . Project personnel (VDOT and contractor) | _____ / | _____ |
| . Maintaining work zone | _____ / | _____ |
| . Setup and transition between operations | _____ / | _____ |
| | _____ / | _____ |
| TOTAL SCORE | _____ | _____ |

E. ENVIRONMENTAL (Total Point Value: 10)

| | SCORE | POSSIBLE |
|--|---------|----------|
| . Proper installation | _____ / | _____ |
| . Proper maintenance and inspection | _____ / | _____ |
| . Effectiveness of intended function | _____ / | _____ |
| . Review after storm events and responsiveness | _____ / | _____ |
| | _____ / | _____ |
| TOTAL SCORE | _____ | _____ |

SUM of CATEGORY SCORES: _____ / _____

SCORER'S SIGNATURE: _____

Score(S) Possible(P)

INTERIM SCORE (S÷P) *100 =

INSPECTOR'S REMARKS AND COMMENTS

CONTRACTOR'S JOBSITE REPRESENTATIVE COMMENTS

Provide any comments or remarks that are relative to each category.

A. QUALITY

B. PROSECUTION of WORK

C. PROJECT COMMUNICATION

D. SAFETY

E. ENVIRONMENTAL

VDOT representative: _____ Date: _____

Contractor's representative: _____ Date: _____

By signing this as a representative of the contractor you are acknowledging that you have reviewed the scores. Your signature does not necessarily indicate agreement with the scores shown.

**COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF TRANSPORTATION
 CONTRACTOR'S PERFORMANCE REPORT
 (SUBCONTRACTOR EVALUATION)**

Subcontractor: _____ Contract ID.: _____
 Project No.: _____ Vendor No.: _____
 Prime Contractor _____ Date: _____

I. PROJECT PERFORMANCE – INSPECTOR EVALUATION

| | SCORE | / | POSSIBLE |
|--------------------------|-------|---|----------|
| A. Quality | _____ | / | 30 |
| B. Prosecution Of Work | _____ | / | 30 |
| C. Project Communication | _____ | / | 20 |
| D. Safety | _____ | / | 10 |
| E. Environmental | _____ | / | 10 |

PROJECT PERFORMANCE TOTAL : _____ SUM of CATEGORY SCORES: _____ / _____ 100
 Score(S) Possible(P)

SCORER'S SIGNATURE: _____

DATE: _____ SECTION SCORE (S:P) *100 =

II. RESIDENCY OR DISTRICT EVALUATION

| | SCORE | / | POSSIBLE |
|---|-------|---|----------|
| A. Quality | _____ | / | 30 |
| B. Company Management Of Project | _____ | / | 30 |
| C. Communication (Effectiveness And Timeliness) | _____ | / | 20 |
| D. Safety | _____ | / | 10 |
| E. Environmental | _____ | / | 10 |

RESIDENCY OR DISTRICT EVALUATION TOOL : _____ SUM of CATEGORY SCORES: _____ / _____ 100
 Score(S) Possible(P)

SCORER'S SIGNATURE: _____

DATE: _____ SECTION SCORE (S:P) *100 =

III. BONUS AREA

- Quality
- Public relations
- Safety
- Environmental
- Ahead of schedule

Award of Bonus Points are intended for contractors who go beyond and consistently exceed contract requirements and exhibit exceptional performance in areas of quality, public relations, safety, environmental and any project related activities. (Contractors are eligible to receive bonus points only if they have scores equal to or greater than 80% of each category score.)

TOTAL BONUS POINTS (10 POINT MAXIMUM):
 **Bonus points need to be explained in the comment area.

IV. SCORING SUMMARY

Project Performance Score : (I) _____ X 0.7 = _____
 Residency Or District Evaluation : (II) _____ X 0.3 = _____
 Total Bonus Points (III) _____ X 1.0 = _____

SUBCONTRACTOR'S PERFORMANCE EVALUATION SCORE (I + II + III)

BRIEF DESCRIPTION OF WORK SUBCONTRACTOR PERFORMED

APPROXIMATE VALUE OF SUBCONTRACTORS WORK \$

V. VDOT REPRESENTATIVE'S REMARKS/COMMENTS

VI. SUBCONTRACTOR'S REMARKS/COMMENTS

VII. SIGNATURES

Residency representative: _____ Date: _____

District representative: _____ Date: _____

Subcontractor's representative: _____ Date: _____

By signing this as a representative of the contractor you are acknowledging that you have reviewed the scores. Your signature does not necessarily indicate agreement with the scores shown.

****Note****

- Form C-36 S is required for each subcontractor whose contracted value exceeds \$50,000.

VDOT
Stormwater Pollution Prevention (SWPP) Plan
Contractor and Subcontractor Certification Statement

Order No.: _____ Project Number: _____

Route: _____ Contract ID. #: _____

I certify under penalty of law that I understand the terms and conditions of the project contract, plans, permits, specifications and standards related to erosion and sediment control and stormwater management requirements as approved by the Virginia Department of Conservation and Recreation and the general Virginia Pollutant Discharge Elimination System (VPDES) Construction Permit (if applicable to this project) issued by the Virginia Department of Environmental Quality that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification as described in the bid document and off-site support activities.

Signature: _____

Name: _____

Title: _____

Contracting Firm: _____

Address: _____

Phone Number: _____

Address/Description of Site: _____
(Include off-site areas)

Certified on this date: _____

(Note: This form must be returned with performance and payment bonds)

CONSTRUCTION QUALITY INDEX EVALUATION FORM

District: _____ Project Number: _____
Project Inspector _____
Construction Firm: _____
Description of work: _____
Location: From _____ To: _____
System: Interstate Primary Secondary Urban Contract Dollar Value \$ _____

INSTRUCTIONS

This form is to be prepared at one year after the completion date of the project. Please rate only those factors that pertain to the project. Type N/A for not applicable factors. Use the factor rating descriptions as defined below.

4. No maintenance problems
3. Minor maintenance problems – nothing requiring immediate attention.
2. Moderate maintenance problems – requires remedial work to be scheduled.
1. Major maintenance problems – must be fixed immediately.

Provide a brief explanation for why the rating was given with specific examples, if available. To arrive at the Project Index, add all of the scores together, divide by the number of factors used and round the number to the nearest tenth. The form is signed by the Area Superintendent and the Residency Maintenance Operations Manager and is then forwarded to the Resident Engineer for signature and distribution.

SCORE

PAVEMENT DISTRESS-The sign(s) of failure in pavement or bridge decks that is due to construction methods or design.

Comments: _____

DRAINAGE-The water conveyance items work efficiently and as planned to control and/or divert water. (i.e. pipes, culverts, ditches, drop inlets, etc.)

Comments: _____

RIDEABILITY-The smoothness of the driving surface including the transitions from new to existing surfaces.

Comments: _____

EROSION-The adequate control of erosion and siltation of waterways or adjacent properties.

Comments: _____

SCORE

INCIDENTAL CONCRETE-The sign(s) of failure in incidental concrete items which is due to construction methods or design. (i.e. curbs, gutters, paved ditches flumes, bridge drainage aprons, concrete median barriers, median strips, sign islands etc.)

Comments:

TRAFFIC DEVICES-The effectiveness of devices to handle traffic (i.e. traffic signals, traffic signs, pavement markings and markers, and delineators).

Comments:

SLOPE STABILITY-The stability of slopes or embankments (i.e. slides, top slippage)

Comments:

(A) TOTAL FACTOR SCORE _____
(B) NUMBER OF FACTORS USED _____
PROJECT INDEX (A) / (B) _____

Additional Comments:

Area Superintendent date

Resident Engineer date

Maintenance Operations Manager date

- cc: Chief Engineer
- Assistant Commissioner for Operations
- State Maintenance Engineer
- State Construction Engineer-original
- State Materials Engineer
- State Location & Design Engineer
- State Structure & Bridge Engineer
- State Traffic Engineer

- State Environmental Engineer
- District Construction Engineer
- District Maintenance Engineer
- Residency Maintenance Operations Manager
- Project Engineer
- Project Inspector
- Designers/Coordinators
- Contractor

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION**

PROJECT DIARY – DAILY GENERAL SHEET

Page No.: _____

Day: _____ Date: _____

Weather: _____ A.M.: _____ P.M.: _____

Temperature: _____ Low: _____ High: _____

Prime Contractor Worked: Hours: _____ From: _____ To: _____

Project Number: _____

Contract Id. No.: _____

Entries:

Signed: _____

Inspector Keeping This Diary

Approved by:
Initials

Project Inspector

Number of Inspector's Daily Reports attached for this date: _____

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION**

INSPECTOR'S DAILY REPORT

Date: _____

Page No.: _____

Project No.: _____

Project Id. No.: _____

Inspector: _____

Hours Worked: _____ From: _____ To: _____

Entries:

Signed: _____
Inspector Completing this Report

Approved by: _____
(Initials) Project Inspector

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION

CONSTRUCTION DIVISION MEMORANDUM

| | | | |
|--------------------------|--|-----------------------------|--------------------------|
| GENERAL SUBJECT: | <u>Environmental and Safety Responsibility</u> | NUMBER: | <u>CD-2002-9</u> |
| | | DATE: | <u>October 29, 2002</u> |
| SPECIFIC SUBJECT: | <u>Improving Compliance with Environmental and Safety Laws</u> | SUPERSEDES: | <u>N/A</u> |
| | | SUNSET/ EXPIRES: | <u>December 31, 2007</u> |

Original w/Signature on file in Construction Division

C. F. GEE
CHIEF OF OPERATIONS

DIRECTED TO - DISTRICT ADMINISTRATORS

The Department firmly believes in and is thoroughly committed to environmental stewardship and safety. Violations of the contract in these areas, especially repeated violations need to be quickly, firmly, and uniformly dealt with. Outlined herein are procedures for dealing with issues of environmental or safety non-compliance by the Contractor.

The Contractor is required by the Specifications to comply with all federal, state, and local laws and regulations in accordance with the requirements of Section 107 of the Road and Bridge Specifications. If any regulatory agency, such as, but not limited to, the Department of Environmental Quality (DEQ), the Department of Professional and Occupational Resources (DPOR), the Department of Conservation and Recreation (DCR), the Occupational Safety and Health Administration (OSHA), or the Virginia Occupational Safety and Health Compliance Program (VOSHCP), issues a Notice of Violation, Notice to Comply, Notice to Suspend Work, Notice of Non-Conformity, or a Notice to Cease Work, or any variation of these notices due to the Contractor's non-compliance with the laws, rules, regulations, policies or provisions of the issuing agency or if a VDOT representative advises the Contractor of an item(s) that is non-compliant with VDOT Road and Bridge Standards, Road and Bridge Specifications, contractual requirements, permit conditions, federal or state law, or federal or state regulations, there are certain steps that must be taken immediately to document the non-compliance. The term "notice" as used in this memorandum shall mean any of the above mentioned documents issued by a local, state or federal regulatory agency having jurisdiction over the activities being preformed as part of a Department awarded contract.

The term "non-compliance" as issued by a VDOT representative is defined as documented evidence of an act, omission, or other action by the Contractor that causes:

- 1) off-site damage in the form of sedimentation, unauthorized dewatering or pollutant discharge, erosion, flooding, encroachment outside of the project/permit limits, or a permit condition deficiency or violation;

- 2) on-site damage in the form of significant erosion, flooding, sedimentation, or a permit condition deficiency;
- 3) a situation that endangers the public or worker safety;
- 4) a repeat deficiency of related specifications;
- 5) imminent danger of on-site or off-site damage or injury occurring; or,
- 6) failure to comply with the terms and conditions of the Contract

The term "non-compliance" as issued by other state or federal regulatory agencies shall be defined by the agency issuing the notice.

If the Contractor's pollutant discharge/release is considered a hazardous material, DEQ and the Department of Emergency Management must be notified immediately. DEQ must pre-approve all subsequent site investigation and corrective actions. If an acute hazard (fire, explosion, environmental emergency, etc.) occurs as a result of work performed or neglected by the Contractor, the Contractor must take immediate action to abate the hazard, regardless of whether DEQ has pre-approved the corrective work or action.

PROCEDURES

The following procedures provide both the Contractor and VDOT employees the required documentation process for addressing non-compliance notices issued by either a regulatory agency or VDOT. These procedures are not intended to be all-inclusive or address every potential non-compliance scenario. It is important to note that the issuance or timing of issuance of any order from an authorized VDOT representative or regulatory agency cannot be used as a defense against damages caused by the actions/inactions of the Contractor. A Contractor's actions or inaction to remain in or obtain compliance may dictate the extent to which potential damage claims may be brought against the Contractor. Depending on the type and severity of the violation additional items and steps may be taken to ensure comprehensive compliance with the contract.

In all cases relevant to damages off-site, the Chief of Operations will aggressively pursue all avenues at his disposal to require the Contractor to take immediate action to stop such damages from continuing to occur by continuous monitoring of the Contractor's efforts in order to ensure that damages are not exacerbated. At any time the Contractor is not responsive or is unable to stop damages from occurring, the Engineer will employ state forces to provide remedy. Once damages off-site have occurred, it may be necessary to construct or install controls or take other remedial actions that are not within the original contract documents. In addition, immediate remedy of damages offsite may be delayed due to the need to obtain access rights from adjacent property owners. The Chief of Operations or his representative will aggressively pursue agreements with property owners who have sustained such damages in order to achieve timely remedy and take corrective actions as soon as access rights are obtained.

In all cases relevant to non-compliance of the Contractor, the Chief of Operations, with assistance from District Environmental Monitor staff or the District Safety Engineer, shall document and record all site-specific conditions on a continuous basis until compliance is achieved. Such documentation shall include, but is not limited to:

- Recorded times and dates of all actions
- Written records of communication
- Inspector log books and reports

- Written reports with signed receipts by the Contractor
- Environmental Compliance Reports
- Photographs (digital or film) and/or videos with date and time imbedded in the images
- Pre- and post-damage survey records

(A) FIRST NOTICE OF NON-COMPLIANCE ISSUED BY A REGULATORY AGENCY

The Construction Inspector will notify the Contractor of any notices issued by regulatory agencies immediately upon receipt. The inspector will document the agency name and the official who issued the notice, time and date of issuance, required date of compliance, how the notice was presented to the Contractor, and any facts the inspector is aware of, leading up to and including the actual notice.

The Construction Inspector will document the Contractor's action(s), if any, upon receipt of the notice given:

If the Contractor took *immediate* action and corrected the non-compliance in accordance with VDOT specifications and standards and/or the laws and regulations of the issuing agency, no further action is necessary beyond completing documentation of all parties' actions until compliant status is obtained.

If the Contractor did not take immediate action to comply, the Chief of Operations will issue a written order to the Contractor to stop work in part or on all project activities depending upon the severity of the non-compliance in order to correct all non-compliant items. The Contractor is to begin work on correcting the non-compliance immediately upon receipt of the written work stoppage order.

The determination as to whether or not all work is to be suspended will depend on the severity of the non-compliance (i.e. Does the non-compliance have the potential of causing off-site damage, damage to natural resources, endanger the safety of the public or personnel working on the project, or has the Contractor been cited for non-compliance on this project previously?), and whether the Contractor is diligently pursuing correcting the non-compliance.

If a regulatory agency cites a violation and requires the Contractor to substitute or introduce a material or item that is not a part of the existing contract the Chief of Operations will ask for documentation from the agency showing that the existing measures (if properly installed) failed. If the documentation shows the existing measures failed, a work order will be submitted to address the agency's requirement. If the measures did not fail, the VDOT project staff will not change the contract without consulting the District Environmental Monitor or District Safety Engineer.

- The Inspector, with assistance from the district will inspect, monitor, and document actions.
- Time limits for correction for non-compliance will be determined by the date listed in the written notice along with the nature and severity of the non-compliance.
- Non-compliance with an environmental permit or with the Virginia Erosion and Sediment Control Law must be corrected within the amount of time listed on the written notice to comply or stop work order issued by the Regulatory Agency. If the Contractor cannot comply with the time limits in the notice, then the Contractor shall submit an anticipated completion date to the Inspector, who will notify the Permit Holder and the Chief of Operations of the anticipated delay and reasons of non-compliance with the notice.

- Non-compliance with safety that endangers workers or the public must be corrected immediately.
- Non-compliance with safety that is not causing imminent danger to workers or the motoring public must be corrected by the next calendar day.

The Department will issue the back-to-work order after the Regulatory Agency that issued the non-compliance notice agrees that the Contractor is back in compliance.

(B) NON-COMPLIANCE NOTED BY A VDOT REPRESENTATIVE:

The Construction Inspector will be responsible for documenting the non-compliance as it relates to the Road and Bridge Standards, Road and Bridge Specifications, contractual requirements, or environmental permits. The Inspector will document the basis for the non-compliance and how and by whom the Contractor was notified. The Resident Engineer will give written notification of a non-compliant item and the timeframe for corrections. The Construction Inspector will record the Contractor's immediate action(s), if any, upon receipt of the notice given.

The Contractor is to begin work on correcting the non-compliance immediately upon receipt of the written order.

- If the Contractor takes immediate action and corrected the non-compliance in accordance with VDOT specifications and standards, no further action is necessary other than complete documentation of remedial actions.
- If the Contractor did not take immediate action to comply, the Engineer will issue a written order to the Contractor to stop work in part or on all project activities depending upon the severity of the non-compliance in order to correct all non-compliant items.

The determination as to whether or not all work is to be suspended will depend on the severity of the non-compliance (i.e. Does the non-compliance have the potential of causing off-site damage, damage to natural resources, endangers the safety of the public or personnel working on the project, or has the Contractor been cited for non-compliance on this project previously?), and whether the Contractor is diligently pursuing correcting the non-compliance.

The Inspector, with assistance from the District Environmental Monitor, or District Safety Engineer will inspect, monitor, and document corrective actions.

The Resident Engineer will issue the back-to-work order after he determines that the Contractor is back in compliance.

(C) SECOND NOTICE FOR SAME NON-COMPLIANT ITEM

If the Contractor does not achieve full compliance within the timeframe required by the Resident Engineer or continues to disregard the notification of non-compliance following the initial suspension of work, the Contractor will be notified a second time in writing. The Construction Inspector will record the Contractor's immediate action(s), if any, upon receipt of the second notice given.

When the Contractor is given a second written notification of non-compliance, he will be taken off the bidder's list for a period of six months.

The Inspector, with assistance from the District Environmental Monitor or District Safety Engineer will inspect, monitor and document actions or non-action on the part of the Contractor

- Non-compliance with an environmental permit – VDOT will remove the Contractor from the permit site and bring in state forces or another contractor to complete the work as permitted by Section 105.13 of the Road and Bridge Specifications.
- Non-compliance with the Virginia Erosion and Sediment Control Law – VDOT will remove the Contractor from the non-compliant site and bring in state forces or another contractor to complete the work as permitted by Section 105.13 of the Road and Bridge Specifications. VDOT will rescind the Contractor's erosion and sediment control certification if issued by VDOT.
- Non-compliance with safety that endangers workers or the public - VDOT will remove the Contractor from the site specified as a safety concern and bring in state forces or another contractor to complete the work as permitted by Section 105.13 of the Road and Bridge Specifications. VDOT will have the Contractor's representative responsible for supervising safety removed from the project.
- Non-compliance with safety that is not causing imminent danger to workers or the public – VDOT will have the Contractor's representative responsible for supervising safety removed from the project.

When the Contractor is given a second written notification of non-compliance, the Department will take the Contractor off the bidder's list for a period of six months. The Resident Engineer will notify the District Construction Engineer who will notify the State Construction Engineer. The State Construction Engineer will take action to remove the Contractor from the bidders' list.

(D) ADDITIONAL NOTICES OF NON-COMPLIANCE

The Contractor will be required to review his work practices and processes as part of his progress schedule at a conference called by the Chief of Operations or his representative.

The Contractor will be required to develop a new company environmental or safety policy reflecting his concerns for protecting Virginia's natural resources or the safety of the public and his own workers to be reviewed and accepted by the Chief of Operations. This policy shall include a training plan for employees, standard operating procedures for company employees designed to protect Virginia's natural resources or the public, and designate an individual whose responsibility will be stormwater management to inspect and oversee all land disturbing activities.

VDOT will recheck the Contractor's certifications and may de-certify his erosion and sediment control contractor or safety officer.

The State Construction Engineer will remove the Contractor from the bidders list for 6-months.

If the Contractor receives a Second Notice of Non-Compliance for items not defined above from a VDOT representative and not related to the first notice:

- The Contractor will be required to review his work practices and processes as part of his progress schedule at a conference called by the Chief of Operations or his representative.
- VDOT will recheck his certifications and may de-certify his erosion and sediment control contractor or safety officer.

(E) REPEATED OR EGREGIOUS NON-COMPLIANCE

For repeated or egregious non-compliance, the Chief of Operations may proceed to immediately shut down the project, and commence debarment procedures against the Contractor.

(F) APPEAL PROCESS

The Contractor has the right to file a claim under Section 105.16 of the Road and Bridge Specifications and has the right of appeal to the Director of Planning and the Environment.

Process for Appeal to the Director of Planning and the Environment:

- If the Contractor wishes to file an appeal upon receipt of a suspension of work order as a result of a notice of non-compliance the Contractor shall, within 24-hours, submit a notice of appeal in writing to the Director of Planning and the Environment. The notice of appeal shall specify the type of appeal hearing the Contractor desires and who will represent him as counsel.
- In accordance with § 9-6.14:1 *et seq.* of the Code of Virginia the Director of Planning and the Environment will set the date, time, and place for an appeals hearing and notify all individuals to be present to present evidence.

The Resident Engineer will be responsible for keeping all documentation and accurate cost information associated with any investigation that results from any notice or VDOT Safety or Environmental Compliance Report.

DWN

c: Mr. Philip A. Shucet
Mr. Claude D. Garver, Jr.
Mr. Malcolm T. Kerley
Commissioners Staff
Division Administrators
District Construction Engineers
District Maintenance Engineers
District Materials Engineers
District Equal Opportunity Managers
District Contract Administrators
Resident Engineers
Project Engineers
Project Inspectors
Federal Highway Administration
Virginia Department of Minority Business Enterprise
Virginia Road and Transportation Builders Association
Old Dominion Highway Contractors Association
Virginia Asphalt Association
Virginia Aggregates Association Inc.
American Concrete Pavement Association
Virginia Ready-Mixed Concrete Association
Precast Concrete Association of Virginia