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Issue Number 69, September 2014

# State Aid E-Scene

## Time is running out to use 2005 MnDOT Specs!

By: Mitch Bartelt, Construction Engineer

This is a friendly reminder that the time to turn in plans that make reference to the 2005 MnDOT Standard Specifications for Construction is growing short.

The [State Aid Technical Memorandum 13-SA-02](#) (PDF, 160 KB) regarding the implementation of 2014 edition of the MnDOT spec book was released last November. This set a timeline for when local agencies are to comply with the new spec book. While MnDOT jobs were forced to adopt the 2014 specs for all jobs bid on or after December 13, 2013 (see [MnDOT Tech Memo No. 13-15-TS-05](#) (PDF, 110 KB)), the State Aid tech memo gave local agencies one extra year to make that adjustment.

Projects that meet either or both of the following conditions shall utilize the 2014 edition of the MnDOT Standard Specifications for Construction:

- Projects turned into SALT after November 1, 2014
- Projects in which construction activities are to begin in 2015 or later

Please note: projects for which plans and special provisions were completed using the 2005 Spec Book but have remained shelved, will need to be modified to conform with the 2014 Spec Book if neither the 11/1/14 plan turn-in

the prior to 2015 construction dates are met. This will ensure that after an appropriate transition period, projects will ultimately be constructed using the same spec book in a consistent fashion.

Please contact Mitch Bartelt at [mitch.bartelt@state.mn.us](mailto:mitch.bartelt@state.mn.us) or 651-366-3832 with any questions or concerns.



# 2014 Emergency event

By: Lynnette Roshell, Federal Aid Agreement & Special Programs Engineer

Most of you are aware that the excessive rains in May and June caused many of our waterways to overflow into places we would have preferred to remain a bit drier. As a result, much of the state is covered by either a Presidential Disaster Declaration, Governor's Emergency Order or both. Those of you with damage to major collectors or roadways of a higher classification should have already submitted a Detailed Damage Inspection Report to your DSAE. If damage at a site exceeds \$150,000 the FHWA wants to review the site as well, preferably before it is fixed. Damage on minor collectors or lower will be handled by FEMA if the county on the map is colored in green or yellow. Counties that are blue should contact Paul Stine at 651-366-3830 or [paul.stine@state.mn.us](mailto:paul.stine@state.mn.us) to determine if they are eligible for the

State Aid disaster account funding. Minnesota has been granted \$5 million in emergency quick release funding and an additional \$5 million in emergency funding. MnDOT has given the local agencies priority in expending these funds. We are in the process of requesting authorization for all of the emergency work: permanent work done concurrently with emergency repairs and permanent preliminary engineering work. You may send in the financial documentation of any work completed to your DSAE at any time, as there are still funds available to pay work that has been completed.

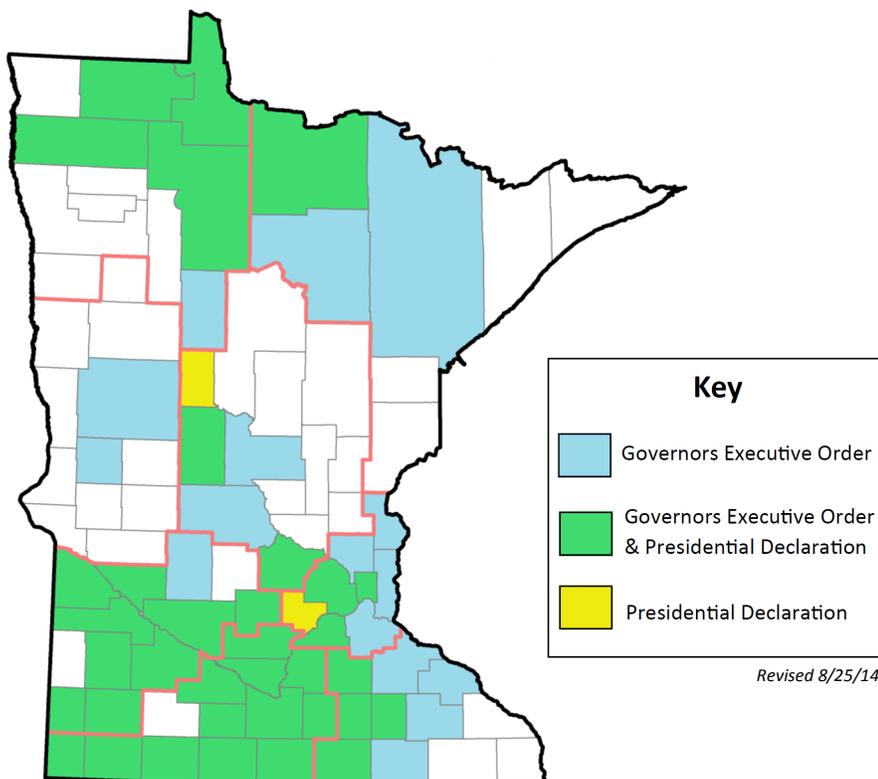
Permanent work will need an environmental document completed. The document is located on the [Flood & Disaster Relief webpage](#) under the FHWA Emergency Relief. You will still need to contact

Jason Alcott at 651-366-3605 or [jason.alcott@state.mn.us](mailto:jason.alcott@state.mn.us) about federal animals and Cultural Resources about historic features at [culturalresources.dot@state.mn.us](mailto:culturalresources.dot@state.mn.us). The forms are also on the website. Be sure to tell them that it's for the emergency event, they have been very quick in getting us responses so far. Permanent work not done concurrent with emergency repairs **MUST BE AUTHORIZED** and must comply with all federal contracting rules. Plans to be submitted include: Right of way, Utility Certifications, permits, etc. It's almost exactly like a normal federal aid project.

If your county is colored green or yellow on the map, then FEMA is also responsible for debris removal even if the roadway work is eligible for FHWA funds. You will need to file the correct FEMA paperwork to get reimbursement. If your county is colored blue FHWA will cover the debris removal.

As part of the deal to get the \$5 million in quick release funds, all unobligated emergency funds from 2012 and before have been returned to Washington, D.C.. Any expenses on old ER events should be turned in **ASAP** so these projects can be closed out.

If you have any questions or concerns please contact Lynnette Roshell at 651-366-3822 or [lynnette.roshell@state.mn.us](mailto:lynnette.roshell@state.mn.us), or Sulmaan Khan at 651-366-3829 or [sulmaan.m.khan@state.mn.us](mailto:sulmaan.m.khan@state.mn.us).



# Draft of MSAS Decision Chronicle

By: Marshall Johnston, Needs Assistant

After 3½ years of study, the Municipal Screening Board has approved the revisions to the method of computing Needs that was recommended by the Needs Study Task Force. Each city's January 2015 Needs Allocation will be calculated using this new method. The Needs Allocation will then be combined with the Population Allocation and each city will receive its Total Allocation which will be split into its construction and maintenance allotments.

A draft of the documentation of the changes made in calculating Needs has been sent out to all city

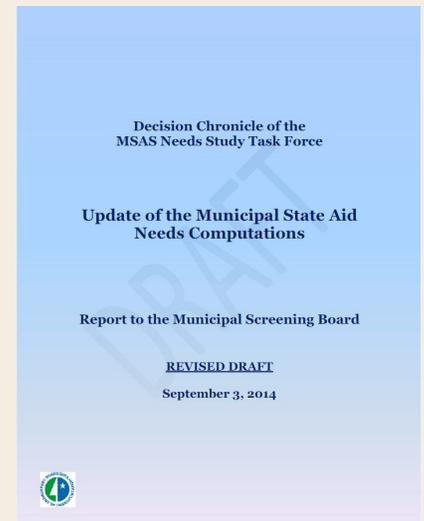
engineers. This draft version has also been posted on the [MSAS webpage](#) under "Task Force."

This Decision Chronicle will continue to be considered a draft until after the MSB meeting on October 21st and 22nd. Please use the time between now and your district Prescreening Board meeting to review the Decision Chronicle.

If you have any revisions, please get them to your district MSB representative for discussion at the MSB meeting.

After the October MSB meeting the draft status will be removed

from the document.



## Employee news

Congratulations to Mel Odens on his new job as Kandiyohi County Public Works Director. Mel has served as MnDOT's District 8 DSAE since 2010. Rick Kjonaas has come back part time for two months through MnDOT's PRO (post retirement option) plan and will be acting as District 8 DSAE until the position is filled.

Julie Skallman, State Aid Engineer, has announced that she plans to retire from MnDOT on December 5th. The goal is that the new State Aid Engineer will start mid-November to help ensure a smooth transition.

## Construction reminder: ask for a schedule

By: Mitch Bartelt, Construction Engineer

Many local agencies have begun to get their feet wet using the new 2014 Edition of the MnDOT Standard Specifications for Construction. One of the clearest differences between the 2014 MnDOT Spec Book and the previous 2005 version is the dispute resolution process. The goal MnDOT had when writing the new version was to reduce the list of disputed items at the end of the job and ensure in writing that these disagreements were resolved in a more timely fashion. This was discussed in greater detail at the spec book training sessions held this past winter by MnDOT's Office of Construction and Innovative Contracting.

In order for this streamlined dispute resolution process to work as intended, it's imperative that the contractor produce a schedule in

accordance with Specification 1803. The contract is the basis for all of the other specifications that make reference to the dispute resolution process.

When dealing with a contractor that is reluctant to provide a schedule, note that it's clearly and unambiguously spelled out in the contract documents. It's suggested that the contractor provide this schedule at the pre-construction meeting and be notified to do so in the meeting notice.

Please note, if an agency has a strong preference to either the Bar Chart Schedule or a Critical Path Method Schedule, MnDOT has suggested language in its Boiler Plate Specifications for Specification 1803 for those who want to mandate one type of schedule.



# Special provisions for local projects – beware of the MnDOT boilerplate

By: Ron Dahlquist, Federal Plans Specialist

We in State Aid appreciate the time and effort that our local agency partners put into their plans and specifications, especially on federal aid projects. We would like to remind our local partners about the hazards of using MnDOT boilerplate specs in local contracts, **especially anything in Division 1.**

As you know, we maintain an [Electronic Proposal Document table](#) on our website, which can be useful for **all local agency projects** and try to keep it as up-to-date as best possible. In addition, we send out a DCP packet to assist local agencies in preparing proposals for federal aid projects. Those two resources should provide you with much of what you need for your particular Division I special provisions. The EPDT and DCP packet also include certain sections for Division II (the 2000 series), construction details (which are updates) or are **especially worded for local agencies.**

Division II (the 2000 series) is where local agencies have the most leeway in making additions to their proposals; it's where they can include construction details specific to their projects. The MnDOT pre-letting unit has some construction detail specs available that may be used by local agencies from time to time. This MnDOT boilerplate verbiage (Division II) is suitable for technical specs, such as: excavation, pipe culverts, aggregate base, etc.

However, the one area where local agencies can get into trouble is

when they borrow language from MnDOT, most notably Division I – General Requirements. **Much of MnDOT's "administrative" or "front-end" language (Division I online boilerplate) doesn't apply to local agencies.** From time to time some counties and cities dig up things from the MnDOT pre-letting boilerplate that they should probably leave alone. For example, a local agency (or their consultant) recently inserted a MnDOT Division I section into their federal aid project proposal which required electronic submission of payrolls. This particular section really only applies to MnDOT projects, it's **not intended for State Aid Projects.** In the materials State Aid sends out to our local partners for assembly of their contract proposals, the certified payroll issue is already addressed in the Special Provisions Division A section of the contract.

Division A clearly states that the payroll records may be submitted

in any form, provided that the submittal includes all of the required information. There have been other instances over the years where other MnDOT Division I provisions have been used when they shouldn't have been - **this can cause trouble and confusion.** Please take care when preparing your Division I portion of the proposal.

The point we are trying to make is that for your project proposals, especially those for federal aid projects, please use the materials we provide for you when assembling sections relating to the Division I requirements and take care when adding further special provisions beyond those that we provide. **For any project, please contact us with any questions or concerns you may have regarding special provisions,** particularly if you have any doubts or reservations about adding or revising verbiage to a Division I section.

## PM Writer 2 update

By: Gary Reihl, Federal Aid Project Development

We have made lots of progress on PM Writer 2, however it will not be ready for a little while yet. The new program is about half written and the first section on project details is currently being tested by a testing team comprised of two consultants, two State Aid staff and one county user. The testing teams are impressed with the

initial program release and are giving great feedback. We plan to release the second section on social, economic and environmental impacts to the testing team in October.

We plan that the program will be ready for use by December. Plan to use the web template for all the 2015 PMs.

# Federal Lands Access Funds

By: Lynnette Roshell, Federal Aid Agreement & Special Programs Engineer

Last fall we had a call for projects for the Federal Lands Access Funds program (FFY 2013 and 2014). The three successful projects in the the City of Burnsville and Beltrami and Dakota County, should all be authorized by December 31, 2014.

Projects eligible for FLAP funds are those that provide access to federal properties. This access can be in the form of a road, bridge or a trail. While the federal lands do not need to be recreational type properties, there are additional points in the scoring if they are. There are about 41 of

the 87 counties that have federal lands that may be eligible for this type of funding. The FLAP funds must follow all of the normal FHWA rules. The funds come from Eastern Regions Federal Lands Office rather than the Minnesota Division office so there are a few extra steps in the process.

As we look ahead to the next solicitation, the plan is to solicit for a four year program, 2015 through 2018. Under the current formula, Minnesota receives about \$1.5 million per year. There is a 20 percent match requirement. The next solicitation will be announced

later this fall and proposals will be accepted for about four months. Stay tuned for more information, but put on your thinking caps for projects that could use these funds that may not be eligible for other funds. Funds cannot be ACed but there is a loan-borrow process if more funds are needed before they are available.

If you have any questions contact Lynnette Roshell at 651-366-3822 or [lynnette.roshell@state.mn.us](mailto:lynnette.roshell@state.mn.us).

## SRTS solicitations coming soon

By: Mao Yang, Assistant Project Development Engineer

This fall MnDOT will be announcing three different state funded solicitations for local communities to support more active students walking and bicycling safely. Join the [MnDOT Safe Routes to School mailing list](#) for updates and email announcements on the solicitations.

**Infrastructure solicitation:** \$1 million in state funds will be provided through a competitive grant process for local communities to improve the built environment around the schools for students to safely walk and bike to and from schools.

**School mini-grant solicitation pilot program:** Through partnerships with Regional Development Commissions and other regional stakeholders, MnDOT will provide mini-grants up to \$2,500 for items

to support schools or communities with SRTS activities.

**Bicycle fleets and trailers:** Through partnership with the Bicycle Alliance of Minnesota, MnDOT will announce a solicitation for communities interested in a bicycle fleet and trailer to implement the [Walk! Bike! Fun! Bicycle and Pedestrian Safety curriculum](#) in schools.



## Master Technical Certification List

By: Mitch Bartelt, Construction Engineer

MnDOT has recently published a [Master Technical Certification List](#) (PDF, 1MB) that can be easily accessed online. This should be quite helpful for local agency staff in planning certification and recertification activities. City and county engineers are encouraged to check through this list and ensure their personnel are appropriately certified.

Mitch Bartelt is the State Aid representative for the Technical Certification Committee and John Mischeau of MnDOT is the chairperson. Please contact either Mitch at [mitch.bartelt@state.mn.us](mailto:mitch.bartelt@state.mn.us) or 651-366-3832, or John at 651-366-4201 or [john.micheau@state.mn.us](mailto:john.micheau@state.mn.us) with any questions regarding this, particularly if there are any possible discrepancies in this database.

# \$14 - \$15 million available for LRIP

By: Mao Yang, Assistant Project Development Engineer

Cities, counties and townships are invited to apply for competitive grants through the Local Road Improvement Program to reconstruct or construct road projects on their local roadway system. Funds will be available for projects that meet the Routes of Regional Significance Account or the Rural Road Safety Account criteria identified in [MN statute 174.52](#).

Applicants must complete and

submit an application to the MnDOT State Aid Office by January 2, 2015 for consideration. Each project submitted must have a State Aid city or county sponsor identified. The application and guidance on the LRIP solicitation are available on the [LRIP webpage](#).

For more information contact Patti Loken at [patti.loken@state.mn.us](mailto:patti.loken@state.mn.us) or 651-366-3803.

# Borrow pits on federally funded contracts

By: Merry Daher, State Aid Project Delivery Engineer

MnDOT is adopting the FHWA's policy based on their legal counsel's findings, therefore MnDOT's Cultural Resources Unit will no longer review contractor-selected sites under the FHWA delegation of authority for Section 106 of the National Historic Preservation Act of 1966. This is a change to the current practice and was effective as of July 1, 2014. The CRU will continue to conduct Section 106 reviews of borrow and disposal sites that are "actually or effectively dictated by the FHWA's grantee (county or city) or FHWA itself in the construction contract or otherwise."

They are still working with FHWA to define "effectively dictated" sites but in essence it refers to any contract or special provision whereby the source of the material is so narrowly defined that only one site could provide said materials.

Contractors can check with the State Historic Preservation Office to determine if there are any known burial sites since private landowners have obligations under the Private Cemetery Act (MN statute 307.08) but none under the Field Archaeology Act (MN statutes 138.31 – 138.41). Contractors should be informed that this is not "SHPO clearance" since the state statutes do not require SHPO review and approval on private lands. However, since SHPO maintains the state's inventory of known sites and structures, they can provide a list of known sites so landowners can determine their risks under MN statute 307.08.



# Change to QPL for WR Latex and Epoxy

By: Mitch Bartelt, Construction Engineer

MnDOT has made a significant update to its Qualified Products List for Wet-Recoverable Pavement Markings. Potters Visimax Plus Type IV Glass Beads have been fully approved in both the Wet-Recoverable Latex and Wet-Recoverable Epoxy categories, as of August 22, 2014.

Please note that there is a slight difference in product name for the epoxy (EC/AC) and latex (UC/AC) wet-recoverable products from Potters. The coating around the outside of the beads is different and bonds particularly with either the latex or epoxy binder. It's imperative that the contractor use the appropriate product for either latex or epoxy. (This is true of the Potters and 3M products in those categories on the QPL.)

The QPL for Wet-Recoverable Pavement Markings can be found on the [Approved/Qualified Products webpage](#).

If you have questions please you may contact either the MnDOT State Aid Office or Traffic Office.

- State Aid: Mitch Bartelt at [mitch.bartelt@state.mn.us](mailto:mitch.bartelt@state.mn.us) or 651-366-3832
- Traffic: Ken Johnson at [ken.johnson@state.mn.us](mailto:ken.johnson@state.mn.us) or 651-234-7386, or Michelle Moser at 651-234-7380 or [michelle.moser@state.mn.us](mailto:michelle.moser@state.mn.us).

# New Pavement Design Assistance Tools

By: Joel Uring, Pavement Engineer

There are two new pavement design assistance tools available on the [Pavement Design webpage](#). They are PDF presentations on how to determine what soil R-value to use when designing your pavements and an explanation of what an ESAL is. I hope you find these helpful.

## **R-value determination**

Soil R-value was developed by Caltrans for pavement design. It's measured by use of a stabilometer which measures the ability of aggregate bases, subbases and subgrade soils to resist lateral spreading from wheel loads. In design actual measured, calculated or estimated R-value can be used to design pavements. It can

be determined through obtaining a soil sample and testing it (actual), calculating it from FWD data or estimating.

## **ESAL – what is it?**

Road designers know that an ESAL is equal to a single axle with dual tires carrying a load of 18,000 pounds. But what REALLY is an ESAL and what does it represent? ESAL should not be thought of as a load, but rather as a damage factor. ESAL establishes a pavement damage relationship for a mix of traffic carrying different axle loads and configurations predicted over the pavements design life. The concept of ESAL was developed from the AASHO road test in Ottawa, Illinois between 1956 and



1961. This ESAL design guidance is to help pavement designers understand what an ESAL is, how to calculate it and use it in designing pavements. BESAL (Bituminous ESAL) and CESAL (Concrete ESAL) are discussed. The SALT ESAL calculator is presented with an explanation of its background and use.

Please contact Joel Uring if you have any questions at 651-366-3831 or [joel.uring@state.mn.us](mailto:joel.uring@state.mn.us).

# Changes to Electronic Proposal Document

By: Mitch Bartelt, Construction Engineer

Within the past year the MnDOT Traffic Office discontinued some pavement marking specifications that had been posted on its website. This is because they were considered outdated and the information was ultimately included in and superseded by the 2014 edition of the MnDOT Standard

Specifications for Construction. However, those standalone specifications were part of the information in the Electronic Proposal Document.

In order to account for this change in pavement marking specifications, the Electronic Proposal Document was altered to make things clearer. Instead of making reference to those outdated specifications, one is simply to utilize the appropriate version of the Standard Specifications for Construction.

Hopefully, this change will make things clearer and easier to understand for agencies putting together proposals. Some things such

as the difference between the Ground In and WR pay items are not necessarily intuitive to those putting together plans and proposals. The table also clearly notes for which items Boiler Plate Special Provisions language should be included.

The updated versions of the [Electronic Proposal Document](#) corresponding with the MnDOT Standard Specifications for Construction for the 2005 and 2014 Editions were posted a few weeks ago. In addition, sample boilerplate specifications for thermoplastic markings were added.

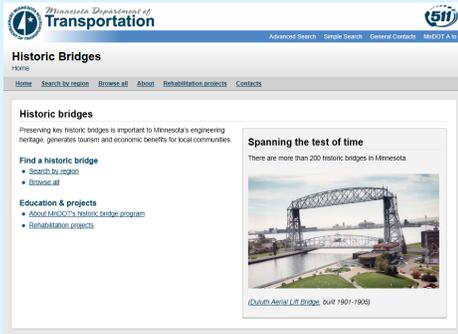
Changes were only made to the pavement marking items.



# Historic Bridge Website Update

By: Alyssa Klossner, Website & Application Support

The [Historic Bridge website](#) is newly updated. The new site features a new look, user-friendly navigation and detailed information on each bridge.



Each historic bridge in Minnesota now has a dedicated webpage that includes history and significance, key facts, images, document resources, Google map and rehabilitation activities (if applicable).

The new site also features two ways to locate historic bridges: you can now [search by region](#) using a state map to locate historic bridges, or you can [browse all](#) historic bridges by county and by bridge number/name.

The site updates were a joint effort between MnDOT's Cultural Resources Unit, State Aid and consultants LHB and Mead & Hunt.

Please share with others who may enjoy and/or find this information useful.

# Clarification on spec 1209 for local agency projects

By: Ron Dahlquist, Federal Plans Specialist

There have been a number of questions regarding the spec revision for 1209 as found on the State Aid [Electronic Proposal Document](#) table. A common source of confusion comes from contractors who read only the special provisions and forget that the requirements of the entire Spec Book apply. Hopefully this article will sufficiently explain the 1209 revision and help you to dispel any potential confusion.

Portions of some of the MnDOT Standard Specifications do not apply to State Aid projects since MnDOT has somewhat different

business practices than local agencies, especially in bidding projects. Because of the difference between MnDOT's bidding procedure and that of most local agencies, State Aid has made revisions to MnDOT 1203, 1206, and 1209 to facilitate the bidding process for locals. The State Aid version of 1209 deletes the following line from MnDOT 1209: **(6) Form 21816, "Bid Bond Form," cashier's check, or certified check**

**This does not mean that there is not a requirement for a Proposal Guaranty.** The Proposal Guaranty requirement is described thoroughly in MnDOT 1208, which is a part of the contract and is not modified for local agency projects.

MnDOT 1208 clearly specifies that the Proposal Guaranty may be in the form of a check or a bond.

The second paragraph of 1209, which is **not** modified for local agency projects, clearly explains that **both** the proposal **and** the Proposal Guaranty shall be delivered in a sealed envelope. The State Aid revision does not change this requirement.

State Aid has never required the bid bond form 21816 since it was strictly a MnDOT form and not designed or worded for local agencies. If the contractor elects to use a check for the Proposal Guaranty, the conditions are explained in 1208.

So the long and short of it is that 1208 and the revised 1209 still require the contractor to submit the 5 percent Proposal Guaranty along with their bid proposal for local agency projects.



## State Aid for Local Transportation

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