


DATE October 20, 2020

TO District Engineers, District Construction Engineers, Assistant District Construction Engineers, Project Managers

FROM James J. Knott, NDOT State Construction Engineer 

SUBJECT DIRECTIVE CONSTR 20-01
CONSTRUCTION PROJECT COMMUNICATION AND DECISION GUIDE

CONSTRUCTION DIRECTIVE

BACKGROUND:

This Directive provides policy to document a mutual understanding of escalation authority on a construction project. The intent of this document is to facilitate the decision-making process by identifying who to escalate project related issues to when agreement cannot be reached by the parties. The “NDOT Construction Project Communication and Decision Guide” will identify the key individuals at each level who may be utilized for project decision resolution. When agreement cannot be reached at the first level, the next person identified in the *NDOT Construction Project Communication and Decision Guide* may be contacted by either party while still maintaining open communication on the project. The decision authority will progressively move to the next levels as necessary.

POLICY:

The Project Manager will collect the required information from the Contractor and fill out the *NDOT Construction Project Communication and Decision Guide* for every project.

The Project Manager will distribute the *NDOT Construction Project Communication and Decision Guide* at the project pre-construction meeting and attach it to the minutes of the meeting. The Project Manager will upload the *NDOT Construction Project Communication and Decision Guide* to OnBase with the project pre-construction meeting minutes.

If the project pre-construction meeting has been held without completing the *NDOT Construction Project Communication and Decision Guide* and the project is still active, the Project Manager will complete the *NDOT Construction Project Communication and Decision Guide* and upload it to OnBase to the NDOT DIST Contract Correspondence document type. The Project Manager will also distribute the document to the Prime Contractor.

In the case of Local Public Agency-owned projects, the NDOT Project Manager (State Representative) should review the LPA/NDOT agreements with the Local Assistance Division to determine if NDOT was delegated authority to act as the LPA’s agent. If the NDOT was

delegated decision-making authority, then the *NDOT Construction Project Communication and Decision Guide* should be completed. If the LPA is using their own forces for project management or hiring a consultant engineer as a project manager, the *NDOT LPA Construction Project Communication and Decision Guide* should be completed. This will normally be the case for 'Existing Traditional LPA Agreement' entities: Omaha, Lincoln, Ralston, Papillion, LaVista, Bellevue, Douglas County, Sarpy County, and Lancaster County. The *Construction Project Communication and Decision Guide* should be distributed to the prime contractor, the LPA Responsible Charge, and uploaded to OnBase.

Since we have no contractual relationship with subcontractors, decisions relating to subcontractor work should be managed through prime contractor.