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CHAPTER 4

TASK ORDER ADMINISTRATION

4.1 OVERVIEW

After the task order award, the COTR is the key Government official responsible for ensuring successful contract performance. The COTR and the CO work as a team to ensure that task order administration actions protect the Government's interest.

The COTR stays informed about the A/E's progress, takes appropriate and timely action in dealing with performance deficiencies, keeps the CO informed and maintains adequate documentation. During administration of the task order, the COTR keeps a contract file available for inspection by authorized representatives of the Government and the A/E consultant for making audits, excerpts, transcriptions or examinations. The CO also keeps an "official" file.

The SOW for each task order requires a post-award orientation meeting or kickoff meeting. This meeting can be a conference call or a formal meeting, depending on prior experience with the A/E and the complexity and importance of the project. The meeting includes discussion of particular contract clauses, critical milestones, reporting and quality control requirements, and billing and payment procedures. Through this meeting, the COTR ensures that all parties to the task order share a common understanding of the contract; ensures that the Government and the A/E have set up appropriate processes to monitor and evaluate technical performance, quality and cost performance; and establishes the necessary lines of communications. In addition to this meeting, the COTR later conducts review meetings to ensure milestones established in the SOW remain on schedule.

In addition to the review meetings, the COTR monitors the A/E consultant's performance through progress reports, timely review of deliverables, other meetings and assessment of compliance with stated requirements. The COTR may hold performance evaluation meetings to provide constructive feedback, encourage communication and bring continuous improvement.

Technical monitoring of the project includes progress review, identification of problems or issues not addressed in the task order, requests for needed assistance, technical review by functional discipline experts and instructions for corrective action. The COTR performs quality assurance as an ongoing activity to determine whether deliverables conform to task order requirements and Division standards.

The COTR also reviews invoices and recommends approval or disapproval, and plays an important role in cost monitoring. The COTR reviews payment requests based on satisfactory project progress and in accordance with contract payment criteria.

When conditions change or extra work is needed on a project, the COTR coordinates a task order modification to address these changes with the CO. In some cases, the Government can terminate a task order for poor performance by the A/E consultant or for other reasons.

4.2 PROGRESS REPORTS

The COTR receives progress reports from the A/E consultant, who presents these reports on a periodic basis. (See Exhibit 4.2-A, Exhibit 4.2-B and Exhibit 4.2-C.) Typically, these reports accompany the A/E's invoice.

The A/E consultant should provide enough detail on a progress report to inform the COTR of progress made in completing the task order, of anticipated barriers and of potential solutions to barriers and problems. The A/E consultant's progress report should also describe the specific items of completed work for which an invoice for payment is being submitted. While the completed work may exceed the amount invoiced, the A/E should never invoice for more work than was completed.

The COTR communicates to the A/E consultant the sufficiency of progress reports submitted. If the COTR and A/E consultant cannot reach an agreement on content, or if they have any disputes on this or other issues, then the COTR immediately informs the CO.

If the COTR finds the progress report satisfactory, the COTR endorses it, follows the established routing process and places a copy in the design file.

4.2.1 Forms and Templates

To view or download a progress report template, use the link below:

- Progress Report.

Exhibit 4.2-A PROGRESS REPORT 1

In reply, please refer to:

March 23, 2005

Mr. Steve Arnold, P.E.
Contract Officer's Technical Representative
U.S. Department of Transportation
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, Virginia 20166-6511

Reference: US 209 Delaware Water Gap Recreational Area
PRA-DEWA 14(6)
Contract No. DTFH71-02-C-000
Progress Report No. 17

Dear Mr. Arnold:

Services rendered from the restart of the project on January 29, 2005 to February 25, 2005.

A. **WORK PERFORMED DURING REPORT PERIOD**

1. At the south end of the project limits, a continuous left turn lane was designed for multiple left turns from both sides of the road. The CLT lane extends from the southern entrance to the Meeting Center up to Creek Road. A separate left turn lane for Bushkill Falls Road and the taper back into two travel lanes north of the intersection were also finalized. This completed the revisions to the paving limits of the roadway throughout the project.

2. Work continued on the remainder of the 70% plans. The finalized paving limits were transferred to the typical sections and cross sections. Striping and signing plans were initiated.

3. A consolidated FHWA Standards and EFLHD Details list was developed to account for the actual Microstation (dgn) drawings provided on the FHWA furnished CD. The list combines the standards and details together under applicable payment categories, includes a comments column, and will be used as a final checklist by all Project Engineers.

4. Compilation of the Special Contact Requirements continued. Appropriate LOS clauses were incorporated.

Exhibit 4.2-A PROGRESS REPORT 1
(Continued)

Mr. Steve Arnold
March 23, 2005
Page 2

5. The Engineer's Estimate was revisited from the 30% submittal. Backup calculations were also retrieved from the design study previously furnished to and are being used as templates for the 70% submittal.

6. The revised Extra Work Fee Proposal for Contract Modifications No. 2 was sent electronically to the FHWA. The renegotiated fee was informally approved. The signed version by was sent to the FHWA on February 22, 2005 for final approval.

B. **UNUSUAL PROBLEMS ENCOUNTERED**

1. None

C. **DELAYS IN PROSECUTING WORK**

1. None

D. **APPROVAL ACTION REQUESTED**

1. None

Sincerely,

Task Manager

MPH:slm

Exhibit 4.2-B PROGRESS REPORT 2

[redacted]

MONTHLY PROGRESS REPORT NO. 01
FOR PERIOD ENDING NOVEMBER 1, 2003
CONSTITUTION AVENUE
PROJECT PRA-NACC 10(2)

The scope of work for this task order is to provide Engineering Services for Design and Preparation of Plans, Specifications and Estimates (PS&E) for project PRA-NACC 10(2), Constitution Avenue, from 23rd Street to 15th Street in Washington, D.C. This monthly report summarizes the work accomplished during the time period from the last progress report through the date shown above.

ACCOMPLISHMENTS AND SIGNIFICANT FINDINGS THIS MONTH:

Phase I - Preliminary Activities **95 % Complete**

- Attended the Predesign conference and received notice to proceed on October 14, 2003.
- Prepared and submitted the *Draft* Predesign conference meeting minutes for FHWA review on October 22, 2003.
- Prepared and submitted the *Final* Predesign conference meeting minutes, including FHWA comments, on October 27, 2003.
- Prepared and submitted our proposed Quality Assurance Plan, Survey Plan, Utility Investigation Plan, and Design Schedule on October 29, 2003.

Phase II - Conceptual Plan Activities (30%)	0% Complete
Phase III - Intermediate PS&E Activities (70%)	0% Complete
Phase IV - Pre-Final PS&E Activities (95%)	0% Complete
Phase V – Revised Pre-Final PS&E Activities (99%)	0% Complete
Phase VI – Construction Staking	0% Complete
Phase VII - Final PS&E (100%)	0% Complete

Exhibit 4.2-B PROGRESS REPORT 2
(Continued)

SCHEDULE:

Work Phases	*Scheduled Submittal Dates vs. Actual Submittal Dates*	
	Proposed	Actual
Phase I	**October 29, 2003**	**October 29, 2003**
Phase II	March 7, 2004	
Phase III	August 6, 2004	
Phase IV	December 2, 2004	
Phase V	March 3, 2005	
Phase VI	-	
Phase VII	April 7, 2005	

PROBLEMS ENCOUNTERED:

There were no problems encountered for this progress-reporting period.

CONSTRUCTION COST ESTIMATE:

For this Progress Report we are estimating the construction cost to be the amount shown in the Project Design Scoping Report, which is $6,800,000. A more detailed construction cost estimate will be developed as the project progresses.

Exhibit 4.2-C PROGRESS REPORT 3

Progress Report
Eastern Federal Lands Highway Division
Federal Highway Administration
Contract No. DTFH71-00-C-000

Project Number:	**PLH-NACC 25(1)**
Project Title:	**Lincoln Memorial Circle Rehabilitation**
EFLHD Project Manager:	**Jeff Johnson**
Reporting Period:	**Nov 28, 2003**
Job No.:	
Project Manager:	

Work Accomplished This Period:

The following work was accomplished during this period since the end of August 03:

- Completed changes to design plans related to relocation of perimeter barrier bollards and walls.
- Updated tabular quantities and schedules on plans, reflected latest take-off.
- Completed Phase V plans and other contract documents, October – Red Cover.
- Attended meeting at request of D-B contractor with DDOT, MOT department.
- Attended US Commission of Fine Arts meeting, Nov.
- Attended meeting with NPS & EFLHD, regarding MOT provisions for Design-Build contract.

Plans for Next Period:

The following work is planned for the next period:

- Await final NCPC meeting action for final project approval, before proceeding to Phase VI and VII.

Schedule:

Completion is constrained by schedule of NCPC meeting/action.

Potential Problems and Recommended Solutions:

DDOT, MOT review and requests for changes. D-B contractor is developing pricing for three maintenance of traffic schemes. Developing new MOT, not in scope.

, has no contract to provide services during construction, although D-B contractor is underway and making requests for assistance/clarification/modifications. D-B will need to do the best they can until NPS takes action to develop an contract with , for these services.

4.3 SUBMITTALS AND DELIVERABLES

Each Division has processes and procedures for providing oversight and quality assurance/quality control of the submittals and deliverables developed under the contract task order. The A/E is responsible for the quality control and quality assurance throughout the project, while the Government performs quality assurance reviews on the deliverables. The COTR follows these processes to ensure that all parties meet the contract terms and fulfill the quality-level expectation.

The COTR schedules periodic progress meetings to review deliverables. In-house, cross-functional teams and partner agencies also perform reviews within the time frame indicated in the contract. In addition, Government staff may visit the A/E consultant's office to verify project progress to date and use of a quality control program. As required by a design task order, the A/E consultant must submit a Quality Assurance Plan. See the EFLHD server at M:\Projects\AE Manual\4.3 (where M: = fhfl15ntc\data) for an example of such a plan.

In addition to specific contract requirements for documentation, the COTR maintains a complete, accurate written record of all written and oral communications, as well as actions taken and decisions made. The exhibits in this chapter provide examples of some of this correspondence. Exhibit 4.3-A, Exhibit 4.3-B, Exhibit 4.3-C and Exhibit 4.3-D provide examples of review request correspondence. Exhibit 4.3-E and Exhibit 4.3-F show submittal cover letters from the A/E consultant, while Exhibit 4.3-G and Exhibit 4.3-H provide examples of Notice to Proceed letters to the next phase.

4.3.1 Forms and Templates

To view or download review forms and templates, use the links below:

- PS&E Design Review Checklist.
- Advertisement PS&E Review Checklist.
- PS&E Review Comment Sheet.

Exhibit 4.3-A 30% FIELD REVIEW LETTER

Refer to: HFHD-15

<insert name>
FLHP Coordinator, Southeast Region
National Park Service
Atlanta Federal Center, 1924 Building
100 Alabama Street, SW
Atlanta, GA 30303

Dear <insert name>:

A 30 percent Field Review for Blue Ridge Parkway Project PRA-BLRI 1N18 has been scheduled for July 15. We will meet at 8:30 AM at the Vinton/Roanoke Maintenance Area (Break Room) near Milepost (MP) 112. The project consists of pavement resurfacing and other miscellaneous work from MP 121 to 136. The project is scheduled for advertisement in FY 2004 with a preliminary construction estimate of $X,XXX,XXX.

We have enclosed one set of the Conceptual Plans, Preliminary Engineer's Estimate, and Environmental Recommendations Memorandum for your review. By copy of this letter, the documents are also being sent to the Superintendent of the Blue Ridge Parkway. Also by copy of this letter, the Conceptual Plans and Preliminary Engineer's Estimate are being sent to other meeting stakeholders, for review and comments.

If you have any questions or comments, please contact <insert name>, at 703-XXX-XXXX.

Sincerely yours,

<insert name>
Project Manager

Enclosure

cc:
<insert name>, Superintendent, BLRI, NPS, Asheville, NC w/copy of enclosure
<insert name>, Chief of Engineering and Maintenance, BLRI, NPS, Asheville, NC w/two copies of enclosures
<insert name>, Project Manager, DSC, NPS, Denver, CO w/copy of enclosure
<insert name>, Landscape Architect, DSC, NPS, Denver, CO w/copy of enclosure
<insert name>, Project Supervisor, NPS, Kingsport, TN w/copy of enclosure
<insert name>, FLHP Liaison, Southeast Region, NPS, Atlanta, GA w/copy of enclosure

cc: Official File Copy, Chrono, PD Reading, Bridge, P&P, Technical Services, PD (LD), PD (TS) all letter only

Exhibit 4.3-B 70% INTERNAL REVIEW REQUEST

Page 1 of 1 Pages

Form FHWA-201
(Rev. 11-67)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

MINUTE - MEMO

Use this form in lieu of transmittal slips within Dept. of Trans. when message comment is to be retained as file material. Do not prepare carbons. Not to be used in lieu of Form FHWA-121 for informal correspondence.

SUBJECT

PRA-CUGA 10(1): Phase 3 – 70% PS&E Review

TO	MESSAGE/COMMENT	FROM/DATE
Construction **Technical Services** <insert name>, **Project Support Engineer** CC: <insert name>, Project Manager	Attached are copies of the Phase 3 deliverables prepared by the A/E firm <insert name of A/E>. These deliverables include the following:	<insert name> 12-12-03

Item	Construc-tion	Technical Services	Project Support
Plans	2	5	1
Special Contract Requirements	2	5	1
Engineer's Estimate	2	5	1
CPM	2	5	1
Design Narrative	2	5	1
Highway Design Standards	2	2	-
Quantity computations	-	-	-
Unit Price Analysis	-	-	-
Geotechnical, Final Report	1	1	-
Hydraulics, Final Report	1	1	-

Please review the documents and provide comments by **January 22, 2004**.

7-Sep-05

Exhibit 4.3-C 70% FIELD REVIEW MINUTES COVER LETTER

Refer to: HFHD-15

<insert name>
FLHP Coordinator, Southeast Region
National Park Service
Atlanta Federal Center, 1924 Building
100 Alabama Street, SW.
Atlanta, GA 30303

Dear <insert name>:

A 70 percent Field Review (Plans-in-Hand) for Blue Ridge Parkway Project PRA-BLRI 1N18 was conducted on November 5. The project consists of pavement resurfacing and other miscellaneous work from MP 121 to 136. The project is scheduled for advertisement in FY 2004 with a preliminary construction estimate of $X,XXX,XXX.

Enclosed are two (2) copies each of the Plans-in-Hand Meeting Minutes. Please note the items which need follow up for additional coordination. By copy of this letter, the Field Meeting Minutes are also being sent to the Superintendent of the Blue Ridge Parkway and to the Denver Service Center.

If you have any questions or comments, please contact <insert name>, at 703-XXX-XXXX.

Sincerely yours,

<insert name>
Project Manager

Enclosure

cc:
<insert name>, Superintendent, BLRI, NPS, Asheville, NC w/copy of enclosure
<insert name>, Chief of Engineering and Maintenance, BLRI, NPS, Asheville, NC w/two copies of enclosure
<insert name>, Project Manager, DSC, NPS, Denver, CO w/copy of enclosure
<insert name>, Landscape Architect, DSC, NPS, Denver, CO w/copy of enclosure
<insert name>, Project Supervisor, NPS, Kingsport, TN w/copy of enclosure
<insert name>, FLHP Liaison, Southeast Region, NPS, Atlanta, GA w/copy of enclosure

cc: Official File Copy, Chrono, PD Reading, Construction, Bridge, P&P, Technical Services, PD (LD), PD (TS), all w/copy of enclosure

Exhibit 4.3-D COMMENTS COVER LETTER TO A/E

Refer to: HFHD-15

<insert name>
Project Manager

<insert name of A/E>
<insert address of A/E>

Reference: Contract No. DTFH71-02-XXXX
Chesapeake and Ohio National Historic Park
Project PRA-CHOH 102(1)

Dear <insert name>:

The National Park Service/C&O Canal National Historical Park (NPS/CHOH) has reviewed the *Phase I Archeological Investigations Within the Great Falls Section of the Chesapeake and Ohio Canal National Historical Park*, dated August 2003. Enclosed are comments from NPS/CHOH. Please address the comments and provide the required number of hard and electronic copies of the final report within seven days of receipt of this letter as specified in Contract Modification Number 001.

If you have any questions or comments, please contact <insert name> at 703-XXX-XXXX.

Sincerely yours,

<insert name>
Project Manager

Enclosure

cc:
cc: Official File Copy, Chrono, PD Reading, PD (TES), P&P (JV)

Exhibit 4.3-E A/E PHASE II PLAN SUBMITTAL LETTER

[redacted]

To: Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, Virginia 20166

Date: December 15, 2003

Re: Contact No. DTFH71-02-D-000'
(Task Order 0004)
New River Gorge National River
PRA-NERI 4(1)
Rehabilitation and Improvement of
Turkey Spur Road
Raleigh County, West Virginia

Attention: Mr. Thomas Shifflett

☒ We are submitting
☐ We are forwarding
☐ We are returning

☒ Herewith ☐ Under separate cover

Qty.	Description
	Phase II re-submittal includes the following:
16 each	Conceptual Plans (half size) Replacement Sheets; 5, 10, 11, 12, 13, 24, 25, 27 – New Sheets; 27A, 27B
1 each	Concept Plans (full size) Replacement Sheets; 5, 10, 11, 12, 13, 24, 25, 27 – New Sheets; 27A, 27B

Remarks: Please contact me with any questions at 410-316-7892.

☐ In accordance with your request.
☒ For your review.
☒ For processing.
☐ Plans reviewed and accepted.
☐ Plans reviewed and accepted as noted
☐ Conference requested at your convenience.

☒ For your use.
☐ For revision by you.
☐ Please call when ready.
☐ Please return to this office.
☐ Approval requested.

For further information, please contact me at 410-316-7892.

Very truly yours,

Enclosures

cc: File

RECEIVED
DEC 15 2003

Project Manager

M:\2002\0102046.g\Submtls\Phase II - Letter of Transmittal 12-15-03.doc

Exhibit 4.3-F A/E PHASE III PLAN SUBMITTAL LETTER

[redacted]

December 5, 2003

Ms. Melisa L. Ridenour, P.E., Division Engineer
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166

Attn: Mr. Thomas Shifflett, COTR

Re: HFAC-15, DTFH71-02-D-000
Task Order No. 0003, CGNHP-Skyland Road
Project PRA-CUGA 10(1)
Bell County, Kentucky
Phase III - Intermediate Plan Activities Submittal

Dear Mr. Shifflett:

In accordance with the referenced contract task order and the Phase III deliverables described in Section E, we are submitting the following items:

- 2 copies of the QA Checklist
- 4 copies of the Traffic Safety Study and Recommendations Memorandum
- 4 copies of the Final Geotechnical Report (under separate cover)
- 4 copies of the Final Hydraulic Report
- 26 half size (11x17) Intermediate Plan sets
- 26 copies of the Special Contract Requirements
- 26 copies of the preliminary Engineer's Estimate
- 3 copies of the Unit Price Analysis
- 3 copies of the Design Quantity Computations
- 26 copies of the CPM Construction Schedule
- 26 copies of the Design Narrative
- 14 copies of the Highway Design Standards Form
- 1 CD containing the electronic copies of the Traffic Safety Study and Recommendations Memorandum, Final Hydraulic Report, Plans, SCRs, Engineer's Estimate, Unit Price Analysis, Design Quantity Computations, CPM, Design Narrative, and Highway Design Standards Form.

RECEIVED
DEC 08 2003
BY: [redacted]

Exhibit 4.3-F A/E Phase III PLAN SUBMITTAL LETTER
(Continued)

Mr. Thomas Shifflett
December 5, 2003
Page 2

The Environmental application forms, analysis, plans, sketches and other data needed to obtain permits and approvals for construction will be prepared and submitted after such time the information needed is requested.

It should be noted that since the Conceptual Plan Review meeting, held on September 10, 2003, the decision has been made by EFLHD to not include any bridge or retaining wall work in this submittal. For to include this work, a Contract Modification will be required since the work was not included in the original SOW.

According to the schedule the Plan-in-Hand Meeting should be held after a 45 day Government review time which will put the meeting being held during the week of January 19, 2003. Please advise us of the date that this meeting can be held.

If you have any questions or comments on this submittal, please contact our Project Team Leader, or me at your convenience.

Respectfully submitted,

Project Manager

Enclosures

Exhibit 4.3-G NOTICE TO PROCEED LETTER TO PHASE II

Refer to: HFHD-15

<insert name>
Project Manager
<insert name of A/E>
<insert address of A/E>

RE: D1-F0001185.01-3.2 (Phase I Deliverables)

Dear <insert name>:

We have reviewed your April 22, 2002, submittal of the Phase I - Preliminary Activity deliverables for Project PRA-DEWA 14(6).

Enclosed you will find the comments from our review. Please review all of the comments and provide a resolution for each. Please provide the resolution response within two weeks of receipt of this letter.

The Quality Assurance Plan, the Survey Plan, the Field Investigation Plan, and the Utility Investigation Plan are approved, subject to the adequate resolution of the enclosed comments.

With the approval of these deliverables, you are hereby given the Notice to Proceed for Phase II - Conceptual Plan Activities.

If you have any questions or comments, please contact me at 703-XXX-XXXX.

Sincerely yours,

<insert name>
Project Manager

Enclosures

cc.
<insert name>, Facility Manager, NPS-DEWA, Bushkill, PA w/enclosures and Phase I Deliverables

cc: Official File Copy, Chrono, PD Reading, PD (TES), Technical Services

Exhibit 4.3-H NOTICE TO PROCEED LETTER TO PHASE III

Refer to: HFHD-15

<insert name>
Project Manager
<insert name of A/E>
<insert address of A/E>

Subject: PRA-DEWA 14(6), Delaware Water Gap National Recreation Area
Notice to Proceed for Phase III

Dear <insert name>:

As discussed during our September 22, 2004 phone conversation, you are hereby given the Notice to Proceed (NTP) for Phase III - Intermediate Plan Activities (70%PS&E), effective October 1, 2004.

This NTP includes all design activities that were previously excluded by our March 13, 2003 letter outlining the limited NTP.

As also discussed, it was determined that approximately 88 working days were still required to complete the Phase III requirements. It was also determined that the completion date for Phase VII - Final PS&E Activities (100% PS&E) would still be December 2, 2005.

Please submit a revised design schedule (in calendar and working days) that reflects the above completion date. If you have any questions or comments, please contact me at 703-XXX-XXXX.

Sincerely yours,

<insert name>
Project Manager

cc: Official File Copy, Chrono, PD Reading, PD (SAA)

4.4 INVOICES

The COTR receives and reviews invoices from the A/E consultant (see Exhibit 4.4-A and Exhibit 4.4-B) and compares each invoice with the amount of work completed as indicated on the progress reports. The COTR completes actions on invoices in accordance with the A/E Invoice Approval Procedure (see Exhibit 4.4-C) and the steps outlined below.

4.4.1 Review

The COTR reviews invoices both for accuracy concerning acceptable progress on the project and for allowable charges. The practice in this Division is to retain 10 percent of the payment until the work is satisfactorily complete. The Government cannot pay for services considered incomplete or not acceptable. Likewise, the Government can only pay for allowable charges. For example, if the consultant replaces a piece of equipment during the job for a surveying task order, the consultant cannot charge the equipment replacement to the project because it is standard for the survey company to have the equipment, which it likely will use on other jobs. The COTR may adjust an invoice downward if it includes unallowable costs or if it includes incomplete or unacceptable services. The COTR should always notify the contractor of any downward adjustments to invoices. (See Exhibit 4.4-D and Exhibit 4.4-E.)

4.4.2 Invoice Stamping

On the invoice, the COTR includes the information below to indicate actions for Finance.

Contract #_____ (This may be either a “C” number such as DTFH70-0X-C-0000X for solicited A/E projects or a “D” number such as DTFH70-0X-D-0000X for projects completed as a task order under an IDIQ contract.)

Task Order #_____ (This indicates the order number for the project awarded against an existing IDIQ. If the contract is a “C” type, this item remains blank.)

Type: ___ FFP ___ LH ___ CPFF ___ Other _____ (This indicates the type of contract/task order to which the payment is applicable. The types are firm fixed price (FFP), labor hour (LH), cost plus fixed fee (CPFF) or other.)

Recommend Payment _____ Date _____ (COTR action as indicated in Section 4.4.3 below.)

Approve Payment _____ Date _____ (Action as indicated in Section 4.4.3 below.)

4.4.3 Approval Actions

On FFP or LH task orders, the COTR holds approval authority for all invoices *except for the final invoice*. Only the CO can approve the final invoice. For all but the final invoice, the COTR stamps and completes the required information, sends the original to Finance using the most recent routing slip and maintains a copy for the COTR files.

After completion of the project, the COTR reviews the final invoice and recommends it for approval, if warranted, then submits the final invoice to the CO as part of the overall closeout package (see Chapter 5). Before, or coinciding with, submission of a final invoice, the COTR

prepares a letter to the A/E consultant requiring completion of a final voucher, SF 1034 Public Voucher for Purchases and Services Other Than Personal (see Exhibit 5.2-A), and a Release of Claims form. The COTR then forwards to the CO for approval both the signed final invoice and the release.

On CPFF task orders, only the CO holds approval authority for invoices. The COTR reviews the invoice, indicates “Recommend Payment” on the invoice, if warranted, and forwards it to the CO for approval action.

4.4.4 Forms and Templates

To view or download the routing and transmittal slip, use the link below:

- Invoice Routing and Transmittal Slip.

Exhibit 4.4-A A/E INVOICE 1

November 26, 2003

Ms. Melisa Ridenour, Division Engineer
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, Virginia 20166-6511

Attn.: Mr. Jeff Johnson, COTR

Re: HFAC-15
DTFH71-02-D-000 Task Order NO. 0005
Constitution Avenue
Project PRA-NACC 10 (2)
Invoice and Progress Report No. 01

Dear Mr. Johnson:

Attached are the original and one copy of our Progress Report and associated voucher for the referenced project for the billing period ending November 1, 2003.

Should there be any questions or comments, we request that you contact me so that they may be resolved as quickly as possible.

Thank you for your attention to this matter.

Respectfully submitted,

Project Team Leader

Exhibit 4.4-A A/E INVOICE 1
(Continued)

RECEIVED
JUL 21 2005
BY: _____

REQUEST FOR PAYMENT INVOICE

Contract No. DTFH71-02-D-00
Project # 71553
Invoice No. 352816
Month Ending: 1-Jul-05
Voucher No.: 71553-10
TIN: 95-2661922
Date: July 19, 2005

To: Federal Highway Administration Eastern Federal Lands Highway Division
Re: Task Order #2,

SUMMARY thru July 1, 2005

	Total Fee	% Complete to Date	Amount Complete to Date	10% Retention to Date	Previously Invoiced	Amount Due This Invoice
Phase I - Preliminary Activities *Sub-Total*	$45,243.00	100.0%	$45,243.00	$4,524.30	$40,718.70	$0.00
Phase IIA - Development of Conceptual Plans *Sub-Total*	$855,174.00	90.0%	$769,656.60	$76,965.66	$684,994.37	$7,696.57
Phase IIB - Preliminary Plan Activities *Sub-Total*	$749,732.00	13.0%	$97,465.16	$9,746.52	$67,475.88	$20,242.76
Phase III - Intermediate PS&E Activities *Sub-Total*	$426,173.00	0.0%	$0.00	$0.00	$0.00	$0.00
Phase IV - Pre-Final PS&E Activities *Sub-Total*	$204,968.00	0.0%	$0.00	$0.00	$0.00	$0.00
Phase V - Revised Pre-Final PS&E Activities *Sub-Total*	$105,037.00	0.0%	$0.00	$0.00	$0.00	$0.00
Phase VI - Construction Staking Information *Sub-Total*	$56,967.00	0.0%	$0.00	$0.00	$0.00	$0.00
Phase VII - Final PS&E Activities *Sub-Total*	$103,606.00	0.0%	$0.00	$0.00	$0.00	$0.00
TOTALS	$2,546,900.00		$912,364.76	$91,236.48	$793,188.95	$27,939.33

I hereby certify, under the penalties of perjury, that to the best of my knowledge and belief this accounting represents a true and complete statement for services rendered in conformity to the terms of the contract.

By: Title: Project Manager Date: 7/19/05

Please remit payment to:

Project No. _____ Task Order No. DTFH71-02-D-00 T.O. No. 0002
Recommended for Payment: _____ Date: 7/25/05
Approved for Payment: _____ Date: 7/25/05
Amount 27,939.33
Account No. 155100 1110 151551 33000 34 551.D0. 4170.51

Exhibit 4.4-B A/E INVOICE 2

Invoice No.: 17
Invoice Date: July 8, 2005
Month Ending: July 1, 2005
Voucher No.: 682583
FEIN: 94-3077384

RECEIVED
JUL 25 2005
BY:

Eastern Federal Lands Highway Division
Federal Highway Administration
21400 Ridgetop Circle
Sterling, Virginia 20166

RE: US 209 Delaware Water Gap National Recreation Area
Contract No. DTFH71-02-
Project PRA-DEWA 14(6)

For Professional Services for the period through July 01, 2005

	PROJECT PHASES	TOTAL FEE	% COMPLETE TO DATE	AMOUNT COMPLETE TO DATE	10% RETENTION TO DATE	PREVIOUSLY INVOICED	AMOUNT DUE THIS INVOICE
I.	Preliminary Activities	$12,147	100%	$12,147.00	$0.00	$12,147.00	$0.00
II.	Conceptual PS&E (30%)	$236,759	100%	$236,759.00	$0.00	$236,759.00	$0.00
III.	Intermediate PS&E (70%)	$222,487	80.00%	$177,989.60	$17,798.96	$100,119.15	$60,071.49
IV.	95% Complete PS&E	$44,789	0%	$0.00	$0.00	$0.00	$0.00
V.	99% Complete PS&E	$20,502	0%	$0.00	$0.00	$0.00	$0.00
VI.	Construction Staking	$23,610	0%	$0.00	$0.00	$0.00	$0.00
VII.	Final PS&E	$17,206	0%	$0.00	$0.00	$0.00	$0.00
	TOTALS:	$577,500		$426,895.60	$17,798.96	$349,025.15	$60,071.49

Certified True and Correct.
Payment Not Previously Received.

By

Project Manager

Project No. PRA-DEWA 14(6) Task Order No.
Recommended for Payment: Date:
Approved for Payment: Date: 8/1/05
Amount $60,071.49
Account No. X417-05-14-417655-154244-
DAA 242432000BAD

Exhibit 4.4-C INVOICE APPROVAL PROCEDURE

A/E Invoice Payment Procedure
Firm-Fixed Price Contracts Only
Project Delivery
June 2005

Various offices within the Division receive invoices for payment for engineering and technical services supplied by our Architect-Engineer (A/E) contractors. Some invoices are received or delivered directly to the Finance office while others may be delivered directly to the Branch Office or the Contracting Officer's Technical Representative (COTR), normally the Design Project Manager or Team Leader. A/E invoices that are delivered directly to the Finance office shall be redirected to the appropriate EFLHD Branch office for processing and payment.

This procedure applies to firm-fixed price contracts only. Processing and payment of an A/E invoice is a contract action required by the Federal Acquisition Regulation (FAR) 52.232-26, Prompt Payment for Firm-fixed Price Architect-Engineer Contracts. Any payment delayed beyond 30 calendar days from the receipt of a proper invoice to actual payment is subject to an interest penalty paid to the A/E contractor. The FAR 52.232-10(b), Payments Under Firm-fixed Price Architect-Engineer Contracts, also requires a retainage of 10 percent of the contract amount until substantial completion of the contract.

Administrative Services will open all mail and stamp the receipt date of the invoice on the face of the invoice. Administrative Services will hand-carry the invoice to the appropriate Branch Office or COTR for processing. Upon receipt of an invoice from an A/E contractor, the designated COTR for the A/E contract will:

1. Enter the invoice into the correspondence tracking system to document receipt.

2. Within five (5) calendar days of receipt, review the invoice to determine the following:

    a. A proper invoice is received in accordance with FAR 52.232-26 (see clause for specific items).
    b. If the work invoiced has been completed in accordance with contract requirements.
    c. If the amount of the invoice is within the unexpended and obligated available amount within the contract and based upon invoice tracking records (See Item 7).
    d. The retainage withheld from the invoice payment.

3. If there are any discrepancies in the invoice, the COTR will contact the A/E Contractor for immediate correction. Some corrections, as agreed with the A/E Contractor and documented on the invoice, may be processed without a new invoice. A follow-up letter to the A/E Contractor, written within seven (7) calendar days of receipt of the invoice, may be necessary to document the reason for a discrepancy and to request a revised invoice. Upon receipt of a revised invoice, return to Step 1 above.

EFLHD Procedures Page 1

Exhibit 4.4-C INVOICE APPROVAL PROCEDURE
(Continued)

4. If payment will be approved, stamp the bottom of the invoice and complete the following information:

   Contract No: DTFH71-_____
   Project No.: _____ Delivery/ Task Order No.: _____
   Recommended for Payment: _____ Date: _____
   Approved for Payment by COTR: _____ Date: _____
   Amount(s): _____
   Account No(s).: _____

   The COTR may designate an individual to review the invoice and sign as recommending for payment. Only the designated COTR for the contract may sign to approve payment. Approval stamps may be manufactured and provided for use to COTRs.

5. Approve (by signature) either full or partial payment within seven (7) calendar days of receipt of the invoice. Provide the invoice amount and the appropriate account number to be charged. Provide separate amounts and account numbers if multiple accounts are to be billed.

   Final invoices must be approved by the Contracting Officer. The COTR shall review and recommend approval only. A final invoice must be accompanied by the Contractor's executed DOT F 4220.4, Contractor's Release. See A/E Contract Closeout Procedures.

6. Update the project reconciliation and contract invoice tracking spreadsheets to record the payment of the invoice.

7. Record the invoice into the correspondence tracking system to document approval and transmittal to Finance. Provide two copies of the approved invoice for the project and reconciliation files.

8. Forward the approved invoice to Finance for payment through Inter-office mail. A cover "routing slip" may be attached to the invoice to ensure proper routing through the mail.

Owner of Procedure: Highway Design Branch

Approved: Donald W. Miller
Director, Project Delivery

EFLHD Procedures Page 2

Exhibit 4.4-D INVOICE ADJUSTMENT LETTER

Refer to: HFHD-15

<insert name>
Project Team Leader

<insert name of A/E>
<insert address of A/E>

Dear <insert name>:

We have received your Invoice No. 11, dated October 16, 2004, for the period ending September 27, 2004, for the Blue Ridge Parkway Project PRA- BLRI 1N18, and it will be processed in the following manner:

	PROJECT PHASES	TOTAL FEE	% COMPLETE TO DATE	AMOUNT COMPLETE TO DATE	10% RETENTION TO DATE	PREVIOUSLY INVOICED	AMOUNT DUE THIS INVOICE
I.	Preliminary Activities	$ 21,538	100%	$ 21,538	$0	$21,538	$ 0
II.	Conceptual PS&E (30%)	$364,506	100%	$364,506	$0	$364,506	$ 0
III.	Intermediate PS&E Activities (70%)	$ 91,068	95%	$ 86,515	$ 8,652	$ 40,981	$36,882
	TOTALS			$472,559	$ 8,652	$427,025	$36,882

Invoice No. 11 will be processed for a total amount due of $36,882.

If you have any questions or comments, please contact me at 703-XXX-XXXX.

Sincerely yours,

<insert name>
Project Manager

cc: Official File Copy, Chrono, PD Reading, PD (BCB)

Exhibit 4.4-E INVOICE ADJUSTMENT E-MAIL

From: <insert name of Project Manager>
Sent: Wednesday, May 25, 2005 3:08 PM
To: <insert name of A/E contact>
Subject: RE: DEWA Invoices

<insert name of A/E contact>,

See below. The recent invoices have been labeled incorrectly:
Invoice #13, dated April 21, 2005, for period ending April 1, for $10,011.91, should actually be #14.
Invoice #14, dated May 6, 2005, for period ending April 29, for $6,007.15, should actually be #15.

Please make the necessary corrections for the next submittal.

Thanks,
<insert name of Project Manager>

-----Original Message-----
From: <insert name of Project Manager>
Sent: Wednesday, April 13, 2005 11:42 AM
To: <insert name of A/E>
Subject: DEWA Invoice

<insert name>,

The Invoice dated March 7, 2005 (Voucher #682583 for month ending February 25, 2005) has been sent on to our Finance Office for payment. It was labeled as #12 when it should've actually been #13. Hopefully our finance people won't reject it. Please let your finance people know to use the correct # on the next invoice.

Thanks,
<insert name of Project Manager>

4.5 TASK ORDER MODIFICATIONS

During administration of the task order, certain conditions of the task order may need to be changed. The very nature of design often requires changes to the process. A task order may be modified to incorporate revised performance requirements, to handle contingencies that develop during the performance period, to deal with situations that were neither anticipated nor expected or to provide additional funding, alter delivery schedules or add work. Justifications for additional A/E consultant compensation may include extra work required by the Government or a change in the character or complexity of the work.

The IDIQ contract specifies the modification process to avoid later misunderstandings and minimize subsequent disputes. In many cases, the COTR's monitoring becomes the basis for the need to modify the task order. The COTR works with Acquisitions to add the modification. In addition, the COTR drafts the SOW and IGE, and makes recommendations as they relate to technical requirements and costs in the modification. Procedures for negotiating task order modifications are similar to those for negotiating the A/E proposals described in Chapter 2. Any written administrative changes by the CO that do not affect the A/E's cost, price or delivery schedule are made in a unilateral task order modification.

Modifications to the terms and conditions of the contract include the task order SOW, the pricing and the description of the products, services or results to be provided. All changes need to be formally documented in writing and approved before being implemented. Exhibit 4.5-A through Exhibit 4.5-S map out the process and show the paperwork required during each step in the process. In the future show the IDIQ contract and task order numbers on all paperwork.

Other considerations for task order modifications include the following:

- A modification should be prepared, processed and executed by all parties to the contract prior to authorizing work. Advance authorization of work is only given under certain rare circumstances.
- The A/E consultant is entitled to an equitable adjustment in cost, price or delivery schedule.
- The changes should be closely related to the original scope of work. Modifications should not be used to add work of a different type than that authorized by the original SOW.
- The A/E consultant must proceed promptly with a modification as issued.
- The COTR needs to take the initiative when there is a significant change in the scope of services, especially budget reductions.

4.5.1 Forms and Templates

To view or download forms and templates, use the links below:

- Letter Requesting Signature for Task Order Modification.
- Cover Letter for Executed Task Order Modification.
- Task Order Modification Form.

Exhibit 4.5-A INITIAL COTR REQUEST

From: <insert name of COTR>
Sent: Friday, January 14, 2005 2:12 PM
To: <insert name of CO>
Cc:

Subject: DEWA 14(6)

FYI - we are developing a CM#3 for Contract DTFH71-02-D-00XX dealing with wetland delineation and stream boundary identification.

We will submit the SOW and IGE thru the A/E Coordinator once finalized.

<insert name of COTR>

Exhibit 4.5-B LETTER SENDING DRAFT SOW TO A/E

From: <insert name of COTR/Project Manager>
Sent: Friday, January 14, 2005 2:32 PM
To: XXXXX (E-mail); XXXXX (E-mail)
Cc:
Subject: DEWA Delineation SOW

<insert name of A/E Project Manager>,

Attached is a draft SOW that we will be using for the RFP to add the delineation work to our current contract.

Please review the draft SOW to confirm your understanding of the tasks. Hopefully the draft SOW is in line with what you were anticipating. Please provide any comments that you may have.

This e-mail is an advance notification of the RFP. Please do not submit anything until you receive the official RFP. We can discuss the specifics of the RFP when you receive it.

If you have any questions, please contact me. Thanks.

<insert name of COTR/Project Manager>

Exhibit 4.5-C DRAFT SOW

DRAFT

Delaware Water Gap National Recreation Area
Project PRA-DEWA 14(6)
Monroe and Pike Counties, Pennsylvania

PROPOSED WETLAND AND STREAM DELINEATION STATEMENT OF WORK

The contractor will perform the following tasks of work as related to activities and occurrences resulting from current Eastern Federal Lands Highway Division construction at along US Route 209 in the Delaware Water Gap National Recreation Area. All survey work will be conducted within the right-of-way of the National Park. This project has been designated PRA-DEWA 14(6).

Tasks –

1) Prepare a wetland and stream delineation report. Provide field delineation and graphic plan sheets of jurisdictional wetlands and waters of the US (as defined by the Army Corps of Engineers) and a separate delineation (graphic) by Cowardin classification within the limits identified in this document. The Consultant will plot the streams and both types of wetlands GPS points on the project's design plans.

Wetland Delineation Report Outline and Contents

1. Delineate the potential wetland areas within the project's potential impact area for the following:
   A. Cove Wetlands (as annotated on the NPS marked-up plans dated December 2001) - where retainage measures are proposed. This area of delineation includes the area immediately south of the Cove Wetlands and identified on the December 2001 plans as "wetlands associated with spring discharge".
   B. MP 3.2 Rt - the area across from the rock outcrop, and any adjacent areas that could be impacted by the proposed realignment of US Route 209.
   C. Bushkill Access - where the December 2001 plans identifies "replacement wetlands".

2. Provide the stream boundaries within the project's potential impact area for the following:
   A. Sand Hill Creek (MP 0.8 arch culvert and MP 0.9 retaining wall)
   B. Bushkill Creek (MP 1.2)
   C. "Unnamed tributary to Delaware River"* (MP 2.5, Sta. 4+022±)
   D. Randall Creek (MP 2.7)
   E. "Unnamed tributary to Delaware River"* (MP 4.0, Sta. 6+080±)
   * As annotated on the NPS marked-up plans dated December 2001.

3. Review USGS Geological Survey 7.5 minute topographic maps, USDA Soil Conservation Service county soils survey, US Fish and Wildlife Service, National

Exhibit 4.5-C DRAFT SOW
(Continued)

DRAFT

Wetland Inventory (NWI) maps to identify the presence of jurisdictional and Cowardin wetlands within the identified project areas.

4. Identify Plant community and soils assessment procedures based in accordance with the USACOE, 1987 Wetlands Delineation Manual and the Cowardin classification system as adopted by the NPS. (See Attachment A: Standard Wetlands Delineation Protocol for the NPS.)

5. Delineate the wetlands using the parameters acceptable to USACOE and flagged approximately every 50 feet. Identify the boundaries of all wetlands including jurisdictional wetlands and other "waters of the United States" under the authority of Section 404 of the Clean Water Act, and all wetlands for which Director's Order #77-1 procedures apply.

6. Prepare a Wetlands & Waters of the U.S. Delineation report to summarize Project Description, Objectives, Methods, and Results; with location, soils, NWI, and delineation maps included in the Appendices.
   A. Identify Cowardin classification for each delineated wetland.
   B. Calculate acreage figures (nearest 0.01 acre) for each delineated wetland. If a wetland site includes more than one Cowardin type, break the acreage of that site down by type.

7. Potential Mitigation Measures
   A. Identify potential mitigation measures.
   B. Identify potential monitoring and evaluation plan to measure the success or failure or the mitigation measures.
   C. Identify a fallback or emergency action that would be enacted should the mitigation measures fail.

8. Appendix
   A. References cited
   B. Maps of surveyed areas
   C. Maps of NWI, soils, and wetlands delineation on base maps provided by FHWA

Schedule

TASK	Schedule
Task 1	30 days after notice to proceed (weather dependent)

Exhibit 4.5-D ROUTING SLIP TO A/E COORDINATOR

U.S. Department of Transportation
Federal Highway Administration

Route Slip

Distribution:

To: Name	Date:	Org/Rtg Symbol:
<insert name of A/E Coordinator>	February 16, 2005	

- ☐ Per Your Request
- ☐ For Your Information
- ☐ Per Our Conversation
- ☐ Note and Return
- ☐ Discuss With Me
- ☐ For Your Approval
- ☐ For Your Signature
- ☐ Comment
- ☒ Take Appropriate Action
- ☐ Please Answer
- ☐ Prepare Reply For Signature Of:

Remarks:

A/E Design Contract DTFH71-02-D-00XXX Project PRA-DEWA 14(6)

Attached are the **REVISED** SOW and **REVISED** IGE for the proposed CM #3 to add wetland delineation and stream boundary identification tasks to the current contract.

Please use these as replacements for the previous versions.

The REVISED total for the IGE is $23,000.

Please process ASAP as current design is dependant on completion of this proposed work.

Please call or e-mail if there are any questions. Thanks.

From: Name	Telephone	Org/Rtg Symbol
<insert name of COTR/Project Manager>	XXX-XXXX	HFHD-15

Form DOT F1320.9 (Rev. 4-01) Supersedes All Previous Editions *U.S. Government Printing Office: 1991 -525-056/40223

Exhibit 4.5-E REVISED SOW

Delaware Water Gap National Recreation Area
Project PRA-DEWA 14(6)
Monroe and Pike Counties, Pennsylvania

PROPOSED WETLAND AND STREAM DELINEATION STATEMENT OF WORK

The contractor will perform the following tasks of work as related to activities and occurrences resulting from current Eastern Federal Lands Highway Division construction at along US Route 209 in the Delaware Water Gap National Recreation Area. All survey work will be conducted within the right-of-way of the National Park. This project has been designated PRA-DEWA 14(6).

Tasks –

1) Prepare a wetland and stream delineation report. Provide field delineation and graphic plan sheets of jurisdictional wetlands and waters of the US (as defined by the Army Corps of Engineers) and a separate delineation (graphic) by Cowardin classification within the limits identified in this document. The Consultant will plot the streams and both types of wetlands GPS points on the project's design plans.

Wetland Delineation Report Outline and Contents

1. Delineate the potential wetland areas within the project's potential impact area for the following:
   A. Cove Wetlands (as annotated on the NPS marked-up plans dated December 2001) - where retainage measures are proposed. This area of delineation includes the area immediately south of the Cove Wetlands and identified on the December 2001 plans as "wetlands associated with spring discharge".
   B. MP 3.2 Rt - the area across from the rock outcrop, and any adjacent areas that could be impacted by the proposed realignment of US Route 209.
   C. Bushkill Access - where the December 2001 plans identifies "replacement wetlands".

2. Provide the stream boundaries within the project's potential impact area for the following:
   A. Sand Hill Creek (MP 0.8 arch culvert and MP 0.9 retaining wall)
   B. Bushkill Creek (MP 1.2)
   C. "Unnamed tributary to Delaware River"* (MP 2.5, Sta. 4+022±)
   D. Randall Creek (MP 2.7)
   E. "Unnamed tributary to Delaware River"* (MP 4.0, Sta. 6+080±)
   * As annotated on the NPS marked-up plans dated December 2001.

3. Review USGS Geological Survey 7.5 minute topographic maps, USDA Soil Conservation Service county soils survey, US Fish and Wildlife Service, National

Exhibit 4.5-E REVISED SOW
(Continued)

Wetland Inventory (NWI) maps to identify the presence of jurisdictional and Cowardin wetlands within the identified project areas.

4. Identify Plant community and soils assessment procedures based in accordance with the USACOE, 1987 Wetlands Delineation Manual and the Cowardin classification system as adopted by the NPS. (See Attachment A: Standard Wetlands Delineation Protocol for the NPS.)

5. Delineate the wetlands using the parameters acceptable to USACOE and flagged approximately every 50 feet. Identify the boundaries of all wetlands including jurisdictional wetlands and other "waters of the United States" under the authority of Section 404 of the Clean Water Act, and all wetlands for which Director's Order #77-1 procedures apply.

6. Prepare a Wetlands & Waters of the U.S. Delineation report to summarize Project Description, Objectives, Methods, and Results; with location, soils, NWI, and delineation maps included in the Appendices.
   A. Identify Cowardin classification for each delineated wetland.
   B. Calculate acreage figures (nearest 0.01 acre) for each delineated wetland. If a wetland site includes more than one Cowardin type, break the acreage of that site down by type.

7. Prepare environmental application forms, analysis, plans, sketches and other data needed for the Government to use when preparing or obtaining any environmental, archeological, or land use permits or approvals required for construction of the project.

8. Prepare an Appendix that includes the following:
   A. References cited
   B. Maps of surveyed areas
   C. Maps of NWI, soils, and wetlands delineation on base maps provided by FHWA

Additional Work Required on an As Needed Basis

Provide the following work as required by the COTR:

Option A - US Army Corps of Engineers (USACOE) Jurisdictional Determination
   A. Prepare mapping for a Jurisdictional Determination with USACOE.
   B. Attend Jurisdictional Determination field review.

Option B - Potential Mitigation Measures for Impacts to Existing Wetlands
   A. Identify potential mitigation measures.
   B. Identify potential monitoring and evaluation plan to measure the success or failure or the mitigation measures.
   C. Identify a fallback or emergency action that would be enacted should the mitigation measures fail.

Exhibit 4.5-E REVISED SOW
(Continued)

Schedule

TASK	Schedule
Task 1	30 days after notice to proceed (weather dependent)

Exhibit 4.5-F FOLLOW-UP COTR REQUEST

From: <insert name of COTR>
Sent: Thursday, February 17, 2005 7:53 AM
To: <insert name of CO>
Cc: <insert name of Program Engineer>
Subject: DEWA 14(6) CM#3

A/E Design Contract DTFH71-02-D-0XXXX
Project PRA-DEWA 14(6)

Attached is the revised SOW (with an attachment) that was given to the A/E Coordinator for standard routing and processing.

The revised IGE is now at $XX,XXX.

The SOW/IGE is broken down into a basic work statement with an option A and option B.

Please use this version of the SOW for the RFP. I also have a package of material to deliver with the RFP to the A/E.

Thanks,

<insert name of COTR>

Sow 146 cm3 v2.pdf Sow 146 cm3 v1 attach A.pdf

Exhibit 4.5-G PROCUREMENT REQUEST

READ INSTRUCTIONS ON REVERSE *NO CARBON REQUIRED* PAGE OF PAGES

DEPARTMENT OF TRANSPORTATION

PROCUREMENT REQUEST
PROCESS RAPIDLY

PROCUREMENT REQUEST NO.

DATE RECEIVED

1. NAME, PHONE NUMBER, AND ROUTING SYMBOL OF PERSON TO CONTACT
<insert name of AE Coordinator and COTR > <insert phone number>

2. TYPE OF REQUEST *(Check one)*
A. ☑ NEW REQUEST
B. ☐ CHANGE TO PENDING PR NO. ____
C. ☐ MODIFICATION TO CONTRACT OR ORDER NO. ____

3. ORIGINATING OFFICE DATA

4. ADDITIONAL INFORMATION *(Suggested supply sources, security data, etc.)*

5. APPROVALS

APPROVING OFFICIALS (A)	ROUTING SYMBOL (B)	DATE (C)	INTERNAL ROUTING INITIALS (D)	INTERNAL ROUTING ROUTING SYMBOL (E)
(1) AUTHORIZED REQUISITIONER <insert name of Branch Chief>				
(2) ACCOUNTING CERTIFICATION OFFICER <insert name of Program Manager>				
(3) <insert name of Admin Program Coordinator				
(4)				

6. CONSIGNEE AND DESTINATION

7. DATE(S) REQUIRED

8. GOVERNMENT FURNISHED PROPERTY
☐ YES ☑ NO *(If "YES," see par. 8 of Instructions on reverse.)*

9. DESCRIPTION OF ITEMS OR SERVICES

ITEM NO. (A)	ITEM OR SERVICE *(Include Specifications and Special Instructions)* (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST UNIT (E)	ESTIMATED COST AMOUNT (F)
1.	Funds for AE Task Order Modification for <insert name of project> <insert name and address of A/E consultant> Contract No. DTFHXX-XX-D-XXXXX Task Order No. XX-XXX SOEN: Required to meet our program schedule.	1	EA		
				TOTAL ESTIMATED COST	

10. ACCOUNTING DATA
<insert account number>

FORM DOT F 4200.1 (3-71)

Save Data Only | Clear Form | Save Data & Form

Exhibit 4.5-H ROUTING SLIP

PROJECT DEVELOPMENT

A/E PROC. (D&F, PR)

ROUTING AND TRANSMITTAL SLIP

		FOR			
	THRU:	Signature	Approval	Initials	Date
	<A/E Coordinator> (HFHD-15)				
	TO:				
1.	<Branch Chief> (Sign PR)	X	X		
2.	<CO>				
3.	<PA Secretary> (Log-in)				
4.	<Program Manager> (Funds)			X	
5.	<Fin. Manager> (Initial PR)			X	
6.	<Admin. Prog. Co.> (Sign PR)	X	X		
7.	<A/E Coordinator> (Log-in)				
8.	<CO> (Action)				

REMARKS: Please process PR for task order modification.

SUBJECT: <insert name of project>
<insert contract number>
<insert task order number>
<insert name and address of A/E firm>

FROM:	
<A/E Coordinator>	Phone No.

H:\PROJ_DEV\a&e\ROUTE_SLIP_AE.doc

Exhibit 4.5-I RFP LETTER 1

Refer to: HFAC-15

<insert contact name>
<insert name of A/E>
<insert address of A/E>

Subject: Contract No. DTFH71-02-D-000XX
Project PRA-DEWA 14(6), US 209 Delaware Water Gap Recreational Area
Request For Proposal

Dear <insert contact name>:

This is a Request For Proposal issued to your firm due to an increase in the Federal Government's requirements on the contract cited above. Modification No. 003 has been tentatively assigned to this action.

The proposed modification will add the tasks outlined in the enclosed Statement of Work (SOW) entitled "Proposed Wetland and Stream Delineation." The following Government-provided data is enclosed with this letter:

Attachment A, Standard Wetlands Delineation Protocol.
Hard copy of wetland delineation file, 67 pages.
One floppy disk with pictures of wetland.
One CD containing McDade Trail Environmental Assessment.
Plan View Sheets, 10 Pages.

This office requests that your firm submit a firm fixed priced itemized proposal utilizing the same Excel format used for the current SOW to the above address by March 15, 2005. The proposal shall be in three independently priced parts: part one, for the main SOW, paragraphs one through eight; and parts two and three, for the two options (A and B) on page 2 of 3 of the SOW.

Your cost proposal for the addition of the Wetland and Stream Delineation requirement shall only reflect any **additional** effort that is required to include this work.

Exhibit 4.5-I RFP LETTER 1
(Continued)

ASSUMPTIONS SHOULD NOT BE MADE. If you have questions or concerns that require clarification, please contact the Contracting Officer's Technical Representative, <insert name>, at XXX-XXX-XXXX, or the Contract Specialist, <insert name>, at XXX-XXX-XXXX.

Sincerely yours,

<insert name>
Contracting Officer

Enclosure

cc: Official File Copy, Chrono, AC Reading, COTR: S. A.

Exhibit 4.5-J RFP LETTER 2

Refer to: HFAC-15

<insert name of contact>
<insert name of A/E>
<insert address of A/E>

Subject: Project No. BLRI 2H13, J16, Contract No. DTFH71-02-D-000XX
Task Order No. 0002, Request For Proposal

Dear Mr. Name:

This is a Request For Proposal (RFP) issued to your firm due to a change in the Federal Government's requirements on Task Order No. 0002 of Federal Highway Administration Contract No. DTFH71-02-D-000XX. Task Order Modification No. 02 has been tentatively assigned to this action. This office requests that your firm submit a proposal to the above address by September 1, 2004, addressing the following change:

> Project No. BLRI 2H13, J16: The project mileage has increased by a total of 0.4 mile, by the addition of roadway from milepost 298.6 to milepost 299.0.

It is anticipated that this increase will only affect the **Direct Cost** portions of the Task Order as follows:

- Phase II - Survey & Mapping Geotechnic
- Phase III - Survey (mark centerline)
- Phase VI - Construction Staking

It is also anticipated that your Project Manager's time may be affected (increase) by this change; i.e., subcontractor modification negotiations and paperwork.

Based on the preceding, provide a fixed priced itemized proposal addressing these specific four cost items only. If your firm concludes that other cost items will be affected by this change, provide them as separately priced items that can be added or deducted during the negotiations.

Exhibit 4.5-J RFP LETTER 2
(Continued)

Also note, due to late comments on this project, the Statement of Work has been revised, and is enclosed for your review (revised portions are highlighted). If your firm has no issues with these changes, this Statement of Work will be incorporated into Task Order No. 0002 when Modification No. 02 is issued.

ASSUMPTIONS SHOULD NOT BE MADE. If you have questions that require clarification, please contact the Project Manager, <insert name>, at XXX-XXX-XXXX, or the Contract Specialist, <insert name>, at XXX-XXX-XXXX.

Sincerely yours,

<insert name>
Contracting Officer

Enclosures

cc: Official File Copy, Chrono, AC Reading, PM: TS

Exhibit 4.5-K E-MAILS MONITORING REVIEW OF A/E PROPOSAL

Exhibit 4.5-K Email Monitoring Review AE Prop

From: COTR
Sent: Monday, April 04, 2005 10:37 AM
To: CO
Subject: RE: US 209 - Extra Work fee Proposal for Contract Mod 2

As requested, attached are the revised SOW and revised IGE.

COTR

-----Original Message-----
From: CO
Sent: Monday, April 04, 2005 8:36 AM
To: COTR
Subject: RE: US 209 - Extra Work fee Proposal for Contract Mod 2

Please provide me with your revised IGE and SOW (remove Option B)

<name>
Contract Specialist
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166
XXX-XXX-XXXX

-----Original Message-----
From: COTR
Sent: Thursday, March 31, 2005 3:18 PM
To: CO
Subject: RE: US 209 - Extra Work fee Proposal for Contract Mod 2

Attached is the full Technical Evaluation.

COTR

-----Original Message-----
From: CO
Sent: Tuesday, March 22, 2005 7:24 AM
To: COTR
Subject: FW: US 209 - Extra Work fee Proposal for Contract Mod 2

Here is the A/E proposal - please provide me with a written analysis of your findings and what we need to negotiate (if anything) so I can write up my negotiation memorandum.

Thanks

Page 1

Exhibit 4.5-K E-MAILS MONITORING REVIEW OF A/E PROPOSAL
(Continued)

Exhibit 4.5-K Email Monitoring Review AE Prop

<name>
Contract Specialist
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166
XXX-XXX-XXXX

-----Original Message-----
From: A/E Project Manager
Sent: Monday, March 21, 2005 4:46 PM
To: CO
Cc:
Subject: US 209 - Extra Work fee Proposal for Contract Mod 2

As discussed with <name>, please find the pdf attachment for the proposal that has been corrected for your address.

Thanks.

~~~~~~~~~~~~~~~~~~
A/E Project Manager
A/E Address
~~~~~~~~~~~~~~~~~~

(See attached file: US 209 Contr Mod 2 - Mar 21 2005.PDF)

Page 2

Exhibit 4.5-L A/E PROPOSAL

In reply, please refer to:

March 21, 2005

Mr.
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle, Room 310B
Sterling, Virginia 20166

Reference: Contract No. DTFH71-02- -000
Modification No. 003
HFAC-15
Project PRA-DEWA 14(6), US 209 Delaware Water Gap Recreational Area
Extra Work Fee Proposal

Dear Mr.

is pleased to submit two copies of the fee proposal for the referenced project in response to your request and Statement of Work dated February 28, 2005. The following are clarifications and explanations of our understanding of the scope of work:

1. As directed by the FHWA letter from dated February 28, 2005 (HVAC-15), the attached man-hour estimates have been divided into 3 independently priced parts as noted below for Task 1, Option A, and Option B.

2. The man-hour estimate labeled Task 1 includes all work listed for the 8 subtask items listed under Task 1 in the Statement of Work attached to the FHWA letter. This work is for the main SOW that involves the delineation of wetlands and streams throughout the project.

3. The work for Task 1 includes the additional effort for the permitting for the following 2 items: the McDade Trail Bridge that is now located further downstream from the US 209 bridge over Bushkill Creek; the Beck Road Bridge Removal that is located upstream from the US 209 crossing over Randall Creek. These items were not part of the original scope of work, and have only been recently added to the project under Contract Modification No. 00002 (CM 2).

4. We have not requested additional permitting hours for the lengthening of the project from MP 4.1 to MP 4.3, since this addition to the project under CM 2 appears to have negligible effect with respect to the permitting efforts listed under the original scope of work.

Exhibit 4.5-L A/E PROPOSAL
(Continued)

Mr.
March 21, 2005
Page 2

5. The work for Option A will only apply if is directed by the FHWA to perform the subtasks related to a USACE jurisdictional determination that may be required for the project.

6. The work for Option B will only apply if is directed by the FHWA to perform the subtasks related to identifying potential mitigation measures for impacts to existing wetlands. This mainly involves the work efforts that will be needed to locate actual mitigation sites that are adjacent to, or near, the project area.

We will begin this extra work within 30 days of receipt of a Notice-to-Proceed letter. The scheduled dates of completion for each phase of the extra work will need to be established in further discussions with the FHWA. We anticipate the completion of the Task 1 work for Phase III lagging behind the submittal date for the Phase III design package, but the Task 1 work for Phase IV being completed by the submittal date for the Phase IV design package.

We propose to provide the services described in the Modification 003 Statement of Work for a lump sum fee of $15,500 for Task 1, a lump sum fee of $3,900 for Option A, and a lump sum fee of $19,400 for Option B.

Please feel free to call if you have any questions. We look forward to hearing from you.

Sincerely,

Project Manager

Attachments

Exhibit 4.5-L A/E PROPOSAL
(Continued)

OJECT: US 209/ DEWA, MOD. NO. 3

A-E FEE ESTIMATE
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION

Sheet 1 of 7

PHASE III -- INTERMEDIATE PS&E (70%)

TASK	PERSONNEL CATEGORIES / MANHOURS									TASK TOTALS
	GM-14 Principal	GM-13 Project Manager	GS-12 Team Leader	GS-11 Lead Designer	GS-11 Staff Engineer	GS-09 Technician	Registered Surveyor	3 person Survey Party	GS-05 Clerical	
TASK 1										
Initial Wetland and Stream Boundary Delineation				64						64
Draft Delineation Report		1	4	16		12				33
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
SUBTOTAL (hrs)	0	1	4	80	0	12	0	0	0	97

Exhibit 4.5-L A/E PROPOSAL
(Continued)

PROJECT: US 209/ DEWA, MOD. NO. 3

A-E FEE ESTIMATE
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION

Sheet 2 of 7

PHASE III – 70% COMPLETE

	PERSONNEL CATEGORIES / MANHOURS									
	GM-14 Principal	GM-13 Project Manager	GS-12 Team Leader	GS-11 Lead Designer	GS-11 Staff Engineer	GS-09 Technician	Registered Surveyor	3 person Survey Party	GS-05 Clerical	TOTAL
TOTAL HOURS:	0	1	4	80	0	12	1	0	0	97
X AVERAGE SALARY:										
DIRECT LABOR COST:	$0.00						$0.00	$0.00	$0.00	$3,631.10

DIRECT COSTS

ITEM	QUANTITY	UNIT COST	COST
CADD use (Hour)	0	$0.00	$0.00
PC use(Hour)	0	$0.00	$0.00
Travel (miles)	450	$0.325	$146.25
Printing half-size sheets	20	$0.57	$11.40
Printing full -size sheets	0	$1.17	$0.00
Photocopies	100	$0.08	$8.00
Express Mail	0	$25.00	$0.00
Lodging (per person per night)	4	$80.00	$320.00
Meals (per person per diem)	6	$30.00	$180.00
GPS Rental	1	$300.00	$300.00
TOTAL DIRECT COSTS:			$965.65

SUMMARY OF FEE

A. TOTAL DIRECT LABOR COST:	$3,631.10	
B. OVERHEAD (Factor * x A)	$4,756.74	
C. A + B =	$8,387.84	
D. PROFIT/FEE (DOT 4220.32)	$838.78	
E. DIRECT COSTS	$965.65	
TOTAL FEE C + D + E =	$10,192.28	Phase III

* Overhead Factor 1.31

Exhibit 4.5-L A/E PROPOSAL
(Continued)

ROJECT: US 209/ DEWA, MOD. NO. 3

A-E FEE ESTIMATE
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION

Sheet 3 of 7

PHASE IV -- 95% COMPLETE

TASK	PERSONNEL CATEGORIES / MANHOURS							TASK TOTALS
	GM-14 Principal	GM-13 Project Manager	GS-12 Team Leader	GS-11 Lead Designer	GS-11 Staff Engineer	GS-09 Technician	GS-05 Clerical	
TASK 1								
Final Delineation Mapping				2		4		6
Final Delineation Report			1	4				5
Additional Environmental Permitting		1	4	16		8		29
- Offset McDade Trail Bridge and Beck Road Bridge Removal								
SUBTOTAL (hrs)	0	1	5	22	0	12	0	40

Exhibit 4.5-L A/E PROPOSAL
(Continued)

PROJECT: US 209/ DEWA, MOD. NO. 3

A-E FEE ESTIMATE
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION

Sheet 4 of 7

PHASE IV -- 95% COMPLETE

	PERSONNEL CATEGORIES / MANHOURS							
	GM-14 Principal	GM-13 Project Manager	GS-12 Team Leader	GS-11 Lead Designer	GS-11 Staff Engineer	GS-09 Technician	GS-05 Clerical	TOTAL
TOTAL HOURS:	0	1	5	22	0	12	0	40
X AVERAGE SALARY:								
DIRECT LABOR COST:	$0.00				$0.00		$0.00	$1,457.96

DIRECT COSTS

ITEM	QUANTITY	UNIT COST	COST
CADD use (Hour)		$0.00	$0.00
PC use(Hour)		$0.00	$0.00
Travel (miles)		$0.325	$0.00
Printing half-size sheets	20	$0.57	$11.40
Printing full -size sheets		$1.17	$0.00
Photocopies	100	$0.08	$8.00
Express Mail		$25.00	$0.00
Meals (per person per diem)		$30.00	$0.00
Lodging (per person per night)		$80.00	$0.00
TOTAL DIRECT COSTS:			$19.40

SUMMARY OF FEE

A. TOTAL DIRECT LABOR COST:	$1,457.96	
B. OVERHEAD (Factor * x A)	$1,909.93	
C. A + B =	$3,367.89	
D. PROFIT/FEE (DOT 4220.32)	$336.79	
E. DIRECT COSTS	$19.40	
TOTAL FEE C + D + E =	$3,724.08	Phase IV

* Overhead Factor 1.31

Exhibit 4.5-L A/E PROPOSAL
(Continued)

PROJECT: US 209/ DEWA, MOD. NO. 3

A-E FEE ESTIMATE
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION

Sheet 5 of 7

PHASE V -- 99% COMPLETE PS&E

TASK	PERSONNEL CATEGORIES / MANHOURS							TASK TOTALS
	GM-14 Principal	GM-13 Project Manager	GS-12 Team Leader	GS-11 Lead Designer	GS-11 Staff Engineer	GS-09 Technician	GS-05 Clerical	
TASK 1								
Response to comments for additional environmental permitting			1	12		4		17
SUBTOTAL (hrs)	0	0	1	12	0	4	0	17

Exhibit 4.5-L A/E PROPOSAL
(Continued)

PROJECT: US 209/ DEWA, MOD. NO. 3

A-E FEE ESTIMATE
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION

Sheet 6 of 7

PHASE V -- 99% COMPLETE PS&E

	PERSONNEL CATEGORIES / MANHOURS							
	GM-14 Principal	GM-13 Project Manager	GS-12 Team Leader	GS-11 Lead Designer	GS-11 Staff Engineer	GS-09 Technician	GS-05 Clerical	TOTAL
TOTAL HOURS:	0	0	1	12	0	4	0	17
X AVERAGE SALARY:								
DIRECT LABOR COST:	$0.00	$0.00			$0.00		$0.00	$610.76

DIRECT COSTS

ITEM	QUANTITY	UNIT COST	COST
CADD use (Hour)		$0.00	$0.00
PC use(Hour)		$0.00	$0.00
Travel (miles)		$0.325	$0.00
Printing half-size sheets		$0.57	$0.00
Printing full -size sheets		$1.17	$0.00
Photocopies		$0.08	$0.00
Express Mail		$25.00	$0.00
Meals (per person per diem)		$30.00	$0.00
TOTAL DIRECT COSTS:			$0.00

SUMMARY OF FEE

A. TOTAL DIRECT LABOR COST:	$610.76	
B. OVERHEAD (Factor * x A)	$800.10	
C. A + B =	$1,410.86	
D. PROFIT/FEE (DOT 4220.32)	$141.09	
E. DIRECT COSTS	$0.00	
TOTAL FEE C + D + E =	$1,551.94	Phase V

* Overhead Factor 1.31

Exhibit 4.5-L A/E PROPOSAL
(Continued)

PROJECT: US 209/ DEWA, MOD. NO. 3

A-E FEE ESTIMATE
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION

Sheet 7 of 7

SUMMARY

TASK	PERSONNEL CATEGORIES / MANHOURS									TASK TOTAL
	GM-14 Principal	GM-13 Project Manager	GS-12 Team Leader	GS-11 Lead Designer	GS-11 Staff Engineer	GS-09 Technician	Registered Surveyor	3 person Survey Party	GS-05 Clerical	
TOTAL HOURS PHASE I	0	0	0	0	0	0	0	0	0	0
TOTAL HOURS PHASE II	0	0	0	0	0	0	0	0	0	0
TOTAL HOURS PHASE III	0	1	4	80	0	12	0	0	0	97
TOTAL HOURS PHASE IV	0	1	5	22	0	12	0	0	0	40
TOTAL HOURS PHASE V	0	0	1	12	0	4	0	0	0	17
TOTAL HOURS PHASE VI	0	0	0	0	0	0	0	0	0	0
TOTAL HOURS PHASE VII	0	0	0	0	0	0	0	0	0	0
TOTAL HOURS PHASE VIII	0	0	0	0	0	0	0	0	0	0
TOTAL HOURS	0	2	10	114	0	28	0	0	0	154

ITEM	Direct Labor Costs	Overhead	Direct Costs	Profit	Total Costs
PHASE I	$0.00	$0.00	$0.00	$0.00	$0.00
PHASE II	$0.00	$0.00	$0.00	$0.00	$0.00
PHASE III	$3,631.10	$4,756.74	$965.65	$838.78	$10,192.28
PHASE IV	$1,457.96	$1,909.93	$19.40	$336.79	$3,724.08
PHASE V	$610.76	$800.10	$0.00	$141.09	$1,551.94
PHASE VI	$0.00	$0.00	$0.00	$0.00	$0.00
PHASE VII	$0.00	$0.00	$0.00	$0.00	$0.00
PHASE VIII	$0.00	$0.00	$0.00	$0.00	$0.00
TOTALS:	$5,699.82	$7,466.78	$985.05	$1,316.66	$15,468.29

GRAND TOTAL (rounded): $15,500

Exhibit 4.5-M TECHNICAL EVALUATION OF A/E PROPOSAL

Contract No. DTFH71-02-C-000XX
Modification No. P00003
Delaware Water Gap National Recreation Area
PRA-DEWA 14(6)

TECHNICAL EVALUATION
A/E Fee Proposal for Wetland and Stream Delineation (dated March 21, 2005)
FHWA RFP and SOW dated February 28, 2005

<insert name>
Project Manager/COTR
March 31, 2005

We have reviewed A/E subject fee proposal and have the following comments and recommendations:

Task 1 - Wetland and Stream Delineation:
A/E fee proposal = $15,500

After review of the FHWA SOW and IGE, it was determined that several salary rates and calculations were incorrect, and a key subtask was missing. A new IGE was developed and totaled $15,000.

The fee proposal was reviewed and no items of concern were noted. It is considered to be fair and reasonable for the necessary work, and acceptable for approval.

Option A - US Army Corps of Engineers (USACOE) Jurisdictional Determination:
A/E fee proposal = $3,900

The fee proposal was reviewed and no items of concern were noted. It is considered to be fair and reasonable for the necessary work, and acceptable for approval.

Option B - Potential Mitigation Measures for Impacts to Existing Wetlands:
A/E fee proposal = $19,400

The fee proposal was reviewed and several items of concern were noted. Follow-up revisions to the SOW and A/E fee proposal will be necessary before this work item can be finalized. This item of work was designated as "Required on an As Needed Basis" and the need to pursue an agreement is not critical to the design contract.

It is recommended to issue the Contract Modification for Task 1 - Wetland and Stream Delineation, as well as for Option A - US Army Corps of Engineers (USACOE) Jurisdictional Determination.

It is recommended to delay pursuing an agreement for Option B until further revisions to the SOW can be made. It may be determined that Option B may not be necessary, so it should not hold up issuing the CM for Task 1 and Option A.

Page 1

Exhibit 4.5-N REVISED SOW AND IGE BASED ON A/E PROPOSAL

Delaware Water Gap National Recreation Area
Project PRA-DEWA 14(6)
Monroe and Pike Counties, Pennsylvania

PROPOSED WETLAND AND STREAM DELINEATION
STATEMENT OF WORK

The contractor will perform the following tasks of work as related to activities and occurrences resulting from current Eastern Federal Lands Highway Division construction at along US Route 209 in the Delaware Water Gap National Recreation Area. All survey work will be conducted within the right-of-way of the National Park. This project has been designated PRA-DEWA 14(6).

Tasks –

1) Prepare a wetland and stream delineation report. Provide field delineation and graphic plan sheets of jurisdictional wetlands and waters of the US (as defined by the Army Corps of Engineers) and a separate delineation (graphic) by Cowardin classification within the limits identified in this document. The Consultant will plot the streams and both types of wetlands GPS points on the project's design plans.

Wetland Delineation Report Outline and Contents

1. Delineate the potential wetland areas within the project's potential impact area for the following:
   A. Cove Wetlands (as annotated on the NPS marked-up plans dated December 2001) - where retainage measures are proposed. This area of delineation includes the area immediately south of the Cove Wetlands and identified on the December 2001 plans as "wetlands associated with spring discharge".
   B. MP 3.2 Rt - the area across from the rock outcrop, and any adjacent areas that could be impacted by the proposed realignment of US Route 209.
   C. Bushkill Access - where the December 2001 plans identifies "replacement wetlands".

2. Provide the stream boundaries within the project's potential impact area for the following:
   A. Sand Hill Creek (MP 0.8 arch culvert and MP 0.9 retaining wall)
   B. Bushkill Creek (MP 1.2)
   C. "Unnamed tributary to Delaware River"* (MP 2.5, Sta. 4+022±)
   D. Randall Creek (MP 2.7)
   E. "Unnamed tributary to Delaware River"* (MP 4.0, Sta. 6+080±)
   * As annotated on the NPS marked-up plans dated December 2001.

3. Review USGS Geological Survey 7.5 minute topographic maps, USDA Soil Conservation Service county soils survey, US Fish and Wildlife Service, National

Exhibit 4.5-N REVISED SOW AND IGE BASED ON A/E PROPOSAL
(Continued)

Wetland Inventory (NWI) maps to identify the presence of jurisdictional and Cowardin wetlands within the identified project areas.

4. Identify Plant community and soils assessment procedures based in accordance with the USACOE, 1987 Wetlands Delineation Manual and the Cowardin classification system as adopted by the NPS. (See Attachment A: Standard Wetlands Delineation Protocol for the NPS.)

5. Delineate the wetlands using the parameters acceptable to USACOE and flagged approximately every 50 feet. Identify the boundaries of all wetlands including jurisdictional wetlands and other "waters of the United States" under the authority of Section 404 of the Clean Water Act, and all wetlands for which Director's Order #77-1 procedures apply.

6. Prepare a Wetlands & Waters of the U.S. Delineation report to summarize Project Description, Objectives, Methods, and Results; with location, soils, NWI, and delineation maps included in the Appendices.
   A. Identify Cowardin classification for each delineated wetland.
   B. Calculate acreage figures (nearest 0.01 acre) for each delineated wetland. If a wetland site includes more than one Cowardin type, break the acreage of that site down by type.

7. Prepare environmental application forms, analysis, plans, sketches and other data needed for the Government to use when preparing or obtaining any environmental, archeological, or land use permits or approvals required for construction of the project.

8. Prepare an Appendix that includes the following:
   A. References cited
   B. Maps of surveyed areas
   C. Maps of NWI, soils, and wetlands delineation on base maps provided by FHWA

Additional Work Required on an As Needed Basis

Provide the following work as required by the COTR:

Option A - US Army Corps of Engineers (USACOE) Jurisdictional Determination
   A. Prepare mapping for a Jurisdictional Determination with USACOE.
   B. Attend Jurisdictional Determination field review.

Schedule

TASK	Schedule
Task 1	30 days after notice to proceed (weather dependent)

Exhibit 4.5-N REVISED SOW AND IGE BASED ON A/E PROPOSAL
(Continued)

Wetland Delineation Estimate					
3 people/ 3 days/ mileage/ perdiem/ M&IE/ report/ review/ finalization/ overhead/ printing/ mail/ G&A/profit					
	rates	hours	salary		
prep work					
1 Engr/Professional	38.33	4	153.32		
field work					
1 Engr/Professional	38.33	24	712.08		
1 Technician	25.20	24	581.76		
1 Technician	25.20	24	581.76		
					2028.92
	miles	mileage			
driving	400	0.375			**150.00**
	perdiem	M & IE		people	
3 days	60	31	273	3	**819.00**
	rates	hours	salary		
report generation					
1 Engr/Professional	38.33	16			**613.28**
mapping					
1 Technician	25.20	4			**100.80**
management review					
1 project Manager	68.55	2			**137.10**
finalization					
1 Engr/Professional	38.33	8			**306.64**
additional environmental permiting					
1 Engr/Professional	**38.33**	**16**			**613.28**
1 Technician	**25.20**	**4**			**100.80**
Printing					**100.00**
Mail					**25.00**
Subtotal					**4994.82**
Overhead (~~1.1957%~~ 1.31%)					**6543.21**
~~G&A (5.2%)~~					**0.00**
Profit (10%)					**1153.80**
Total					**12691.84**

Add 15% contigency and round up

= Revised Inputs/Equations

GRAND TOTAL (rounded): **$15,000**

Exhibit 4.5-N REVISED SOW AND IGE BASED ON A/E PROPOSAL
(Continued)

Option A					
US Army Corps of Engineers (USACOE) Jurisdictional Determination					
	rates	hours	salary		
Prepare mapping for a JD					
1 Engr/Professional	29.67	4	118.68		
1 Technician	24.24	8	581.76		
Attend JD field review					
1 Engr/Professional	29.67	8	712.08		
1 Technician	24.24	8	581.76		
					1994.28
	miles	mileage			
Driving	400	0.375			**150**
	perdiem	M & IE		people	
1 days	60	31	182	2	**364**
	rates	hours	salary		
Management Review					
1 Project Manager	68.55	2			**137.1**
Printing					**100**
Mail					**25**
Subtotal					**2770.38**
Overhead (1.1957%)					**3312.54337**
G&A (5.2%)					**144.05976**
Profit (10%)					**277.038**
Total					**6504.02113**

Add 5% contigency and round up

GRAND TOTAL (rounded): **$7,000**

Exhibit 4.5-O PRE/POST-NEGOTIATION MEMORANDUM

U.S. Department of Transportation
Federal Highway Administration

Memorandum

Subject: Pre & Post Negotiation Memorandum April 5 2005
Contract No. DTFH71-02-D-000XX
Modification 003
A/E

This memorandum documents pre and post negotiations for the referenced contract action in accordance with Federal Acquisition Regulation 15.406-1 & 15.406-3 and Transportation Acquisition Manual 1204.70 & 1215.406.

DESCRIPTION OF THE PROJECT/ACTION

Project PRA DEWA 14(6) is for the rehabilitation of U.S. Route 209, the main north-south highway through the Delaware Water Gap National Recreational Area. <insert name>, the Contracting Officer's Technical Representative (COTR), provided the Statement of Work (SOW) and other materials needed to add the following items to this project:

- Task 1: Wetland and stream delineation.
- Option A: US Army Corps of Engineers jurisdiction determination.
- Option B: Potential mitigation measures for impacts to existing wetlands.

Note: The breakdown above is due to funding issues and uncertainties on whether or not options A and B will actually be needed.

INDEPENDENT GOVERNMENT ESTIMATE (IGE)

The IGE was provided by the COTR, in the total amount of $23,000.00. The IGE was broke down as follows

- Task 1: $11,000.00 - 137 Hours
- Option A: $7,000.00 - 61 Hours
- Option B: $5,000.00 - 36 Hours

PROPOSAL REQUEST & RESPONSE

The Request for Proposal was issued to the contractor on February 28, 2005 and received back on March 21, 2005. The contractor's pricing was broke down as follows:

- Task 1: $15,500.00 - 160 Hours
- Option A: $3,900.00 - 43 Hours
- Option B: $19,000.00 - 190 Hours

Exhibit 4.5-O PRE/POST-NEGOTIATION MEMORANDUM
(Continued)

COTR REVIEW/ANALYSIS

The COTR provided his analysis of the contractors' proposal on March 31, 2005 (enclosed). He found the contractor's proposal for Task 1 and Option A to be acceptable as is, as such, no negotiations will be needed. The COTR stated that there is a problem with Option B, which will require revisions to the SOW and recommended that this item be excluded from the modification, as it is not a critical element of the project.

REVISED IGE

While reviewing the contractor's proposal, the COTR found errors in Task 1 and provided the Contract Specialist with a revised IGE in the amount of $15,000.00 for 157 Hours.

CONCLUSIONS

The Contractor's proposal of $19,400.00 for Task 1 and Option A is 2.7% higher than the IGE of $18,900.00 for those two items. Based on the preceding, the contractor's proposal is deemed to be fair and reasonable and it is hereby recommended that the Government accept the A/E offer and modify the contract to incorporate the additional work and funding increase. Option B will not be included in this modification.

Recommended:

<insert name>	<insert name>
Contracting Officer's Technical Representative	Contract Specialist

Approved:

<insert name>
Contracting Officer

Enclosed

COTR Review/Analysis

Exhibit 4.5-P LETTER REQUESTING SIGNATURE

Refer to: HFAC-15

<insert name of contact>
<insert name of A/E>
<insert address of A/E>

Subject: Contract No. DTFH71-02-C-000XX
Project PRA-DEWA 14(6), US 209 Delaware Water Gap Recreational Area
Contract Modification

Dear <insert name of contact>:

Enclosed for your review and signature are three copies of Modification No. 003 for the above subject project. Please return all three copies to this office at the above address as soon as possible. As soon as we receive the signed copies, we will return an executed copy of the modification for your records. If you have any questions, please contact <insert name>, Contract Specialist, at XXX-XXX-XXXX.

Sincerely yours,

<insert name>
Contracting Officer

Enclosures

cc: Official File Copy, Chrono, AC Reading

Exhibit 4.5-Q LETTER FOR EXECUTED TASK ORDER MODIFICATION

Refer to: HFAC-15

<insert name of contact>
<insert name of A/E>
<insert address of A/E>

Subject: Contract No. DTFH71-02-D-000XX
Project PRA-DEWA 14(6), US 209 Delaware Water Gap Recreational Area
Contract Modification

Dear <insert name of contact>:

Enclosed for your files is an executed copy of the Modification No. 003 for the above subject contract. Any technical questions should be directed to <name>, the Contracting Officer's Technical Representative (COTR), atXXX-XXX-XXXX. If you have any contractual questions, please contact <insert name>, Contract Specialist, at XXX-XXX-XXXX.

Sincerely yours,

<insert name>
Contracting Officer

Enclosure

cc: Official File Copy, Chrono, AC Reading, Finance, COTR (SA)

Exhibit 4.5-R NOTICE TO PROCEED LETTER 1

Refer to: HFHD-15

<insert name of contact>
<insert name of A/E>
<insert address of A/E>

Subject: PRA-DEWA 14(6), Delaware Water Gap National Recreation Area
Notice to Proceed for Modification 002

Dear <insert name of contact>:

As previously notified via e-mail, you are hereby given the Notice to Proceed (NTP), effective April 4, 2005, for the task items listed in the Contract Modification 002.

As also previously discussed, please submit for review a revised design schedule (in calendar and working days) that incorporates the CM #2 work and its deliverables. Please note that based on the October 1, 2004, NTP for Phase III - Intermediate Plan Activities (70%PS&E), you are considered behind schedule for these Phase III deliverables. Please include a written plan that will show how you intend to maintain the Phase VII - Final PS&E Activity completion date of December 8, 2005. This revised schedule and plan should include the requested 30-day extension (into January 2006) to incorporate the CM #2 work.

If you have any questions or comments, please contact me at XXX-XXX-XXXX.

Sincerely yours,

<insert name>
Project Manager

cc:
<insert name>, <insert address>

cc: Official File Copy, Chrono, HD Reading, HD (SAA)

Exhibit 4.5-S NOTICE TO PROCEED LETTER 2

Refer to: HFHD-15

<insert name>
<insert name of A/E>
<insert address of A/E>

Subject: PRA-DEWA 14(6), Delaware Water Gap National Recreation Area
Notice to Proceed for Modification 003

Dear <insert name of contact>:

As previously discussed, you are hereby given the Notice to Proceed (NTP), effective April 25, 2005, for Task 1 as listed in the Contract Modification 003 (CM #3). A NTP for Option A will be issued at a later date as necessary.

Also, as previously discussed, please submit for review a revised design schedule (in calendar and working days) that incorporates the CM #3 work and its deliverables. Please refer to the April 4, 2005, NTP for CM #2 for additional information regarding the design schedule and its requirements.

If you have any questions or comments, please contact me at XXX-XXX-XXXX.

Sincerely yours,

<insert name>
Project Manager

cc:
<insert name>, <insert address>

cc: Official File Copy, Chrono, HD Reading, HD (SAA)

4.6 TERMINATIONS

Termination of a task order may occur under any of the following circumstances:

- The Government cancels the project covered by a task order.
- The scope of a project changes dramatically, or other project issues emerge that warrant a change in how the project should be delivered.
- Issues of poor performance by an A/E consultant but only after exploration of all other possible solutions to the performance problem. Immediate attention and documentation by the COTR and CO of poor performance by an A/E consultant greatly reduces the likelihood of the task order ending in a termination.

Following are the types of terminations.

- **Termination for Convenience.** This becomes a very costly action for the Government, which must reimburse the A/E consultant for settlement expenses in addition to the settlement agreement. This could happen if the Government decides to cancel a project after award of the task order.
- **Termination for Default.** The COTR notifies the CO immediately of instances of poor performance by an A/E consultant so that the COTR and the CO can properly document performance issues and address these with the A/E consultant. Examples of poor performance include schedule irregularities, non-responsiveness to inquiries or inadequate quality assurance and quality control. Prior to entering into termination for default actions, the CO sends a Cure Notice to the A/E consultant, if time permits. The notice informs the A/E consultant that the Government is considering termination actions and that the A/E consultant must provide an immediate response to the issues identified in the notice. If time does not allow for a Cure Notice, the CO issues a Show Cause Notice to the A/E consultant requesting that the A/E show why the Government should not terminate the task order for default.

Once the Government identifies a project for termination action, the COTR duties and responsibilities are cancelled. From that point forward, the appointed Termination Contracting Officer performs all documentation and correspondence.