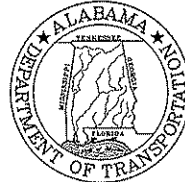




BOB RILEY  
GOVERNOR

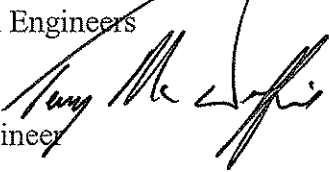
**ALABAMA**  
**DEPARTMENT OF TRANSPORTATION**  
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JOE MCINNES  
TRANSPORTATION DIRECTOR

March 5, 2009

Construction Information Memorandum Number 1-2009 (replaces CIM 4-2007)

TO: ALDOT Division Engineers  
FROM: Terry McDuffie   
Construction Engineer  
RE: Vegetation Establishment and Project Acceptance Procedures

It is the intent of the Chief Engineer's office as well as this office that a satisfactory stand of permanent vegetation of the required species be established prior to any project being accepted for maintenance. Due to seasonal limitations, ALDOT currently does not have a year round seed mix for permanent vegetation for medians and front slopes.

When requested by the Contractor in writing and if it is in the best interest of ALDOT, the Division Engineer may consider accepting for maintenance a completed portion of the project prior to all work items being completed. Under no circumstances will individual items of work that have not been satisfactorily completed be considered for acceptance. Additional costs for completing the remaining items of work as a consequence of a partial acceptance beyond that required by and provided for in the contract, shall be borne by the Contractor.

Vegetation Bonds may be required at the discretion of the Division Engineer to guarantee sustained vegetation growth provided that they are required in accordance with requirements given in Subarticle 105.15(c) and cover all costs related to establishing the permanent vegetation should it become necessary. Costs to be considered should include, but not be limited to, those for labor, materials and equipment for traffic control, temporary erosion and sediment control and permanent vegetation establishment. Vegetation bonds should not be used as a substitute for established vegetation of a permanent species.

The procedures for Partial Acceptance for Maintenance and Final Acceptance for Maintenance have been clarified and are a part of this memorandum. The procedures may also be used for partial acceptance of projects for reasons other than vegetation establishment. The procedures apply to all projects let to contract through the ALDOT Bureau of Office Engineer and administered by the Construction Bureau.

TM/BF  
Attachment

pc: Mr. D.W. Vaughn  
G.M. Harper  
Mr. Larry Lockett  
Mr. D.E. Phillips  
Mr. Lamar McDavid  
FHWA

CIM File

## Procedure for Partial Acceptance for Maintenance (ref. 105.15):

1. The Contractor provides written notice of presumptive completion of a portion of the project and requests Partial Acceptance for Maintenance.
  - Time charges continue unless partial acceptance is requested due to vegetation establishment being restricted by seasonal limitations and all other contract items are complete.
  - Otherwise, time charges may be suspended or extended based on seasonal limitations after the satisfactory application of seed prescribed by tables in 860.
    - The decision to suspend or extend contract time shall be based on the applicable type of time specified in the contract and shall be in accordance with 108.07(c) or 108.09.
2. A Construction Acceptance Inspection is performed.
  - The inspection should take place within two weeks of the notice from the Contractor.
  - All pertinent personnel (applicable Division construction, project, county transportation and maintenance personnel, FHWA, county, municipal or other owner representatives) shall be invited and should be present.
  - A summary of items for correction and completion prior to acceptance should be provided to the Contractor as soon as possible.
3. The Division Engineer accepts for maintenance all completed items requested.
  - Areas of required vegetation are not accepted if not satisfactorily established in accordance with 652.
  - Areas where vegetation has not been established due to seasonal limitations must be stabilized using a seed mix designated for use during Fall and Winter.
    - Temporary erosion and sediment control BMPs are installed and maintained by the Contractor as required.
4. The Contractor and State Construction Engineer are notified by the Division Engineer that ALDOT will assume maintenance of the accepted items.
  - Items accepted and items not accepted should be clearly listed.
  - The disposition of time charges should be addressed in the letter to the Contractor.
    - Time charges should be resumed or contract time extended based on the first available date to apply permanent vegetation as shown in the seed mix tables.
  - The Contractor's written request for partial acceptance should be included with notification to the state construction engineer.
  - The Division Engineer may consider approving removal of traffic control devices if requested by the Contractor.
5. The State Construction Engineer notifies the Materials and Tests Engineer of the partial acceptance and requests that the materials record check begin.
6. The Contractor completes any items not previously accepted for maintenance.
  - Permanent vegetation is applied in the Spring in accordance with seed mix tables in 860.01.
  - Costs associated with the Contractor's request to partially accept the project such as temporary traffic control and remobilization costs would be at the Contractor's expense.
7. The Contractor follows Procedures for Final Acceptance for Maintenance.

## Procedure for Final Acceptance for Maintenance (105.15):

1. The Contractor provides written notice of presumptive completion of the entire project and requests Final Acceptance for Maintenance.
  - The Contractor should not presume completion of the entire project until permanent vegetation is established.
  - Time charges may end after the satisfactory application of seed prescribed by tables in 860 if all other items of work are complete.
2. A Construction Acceptance Inspection of areas previously not accepted for maintenance is performed by Division office personnel.
  - Inspection should take place within two weeks of the notice from the Contractor.
  - All pertinent personnel (applicable Division construction, project, county transportation and maintenance personnel, FHWA, county, municipal or other owner representatives) shall be invited and should be present.
3. A letter summarizing items for correction and completion prior to acceptance are provided to the Contractor as soon as possible.
  - Disposition of time charges and notice of possible resumption of time charges should be included in the letter.
4. The Contractor is allowed a maximum of four weeks for completion of all work.
  - Time charges should resume if work is not completed within four weeks.
5. The Division Engineer accepts remaining items for maintenance if complete.
6. The Division Engineer recommends to the State Construction Engineer that the project be accepted for maintenance.
7. The State Construction Engineer notifies the Bureau of Materials and Tests of the acceptance for maintenance and requests a final materials record check.
8. The Division Engineer requests NPDES Permit Termination within 10 Days of the Final Acceptance for Maintenance. (ref. 107.21(d))
  - The Contractor is responsible for correcting problems associated with onsite erosion and off site sediment deposition until NPDES Permit Termination or for 30 days after the submittal of the request for permit termination.
  - Where ALDOT is not listed as the owner on the NPDES permit, the listed owner will request termination of the permit coverage within 10 days of the final Acceptance for Maintenance.
9. The Contractor is notified by the State Construction Engineer that ALDOT will assume maintenance of the project.
  - Final acceptance is subject to the record check of materials and workmanship.
  - The Contractor is directed to provide required final estimate documentation. (ref. 109.12)
  - The Division office continues to work toward completion of the Final Estimate.
10. The Materials and Tests Engineer provides notice of the completed records check to the Division Engineer and the State Construction Engineer.
11. The Division Engineer submits the Final Estimate and notifies the State Construction Engineer of completion of Division project records check, materials record check and Contractor provided final estimate documentation including the proof of Contractor advertisement.
12. The State Construction Engineer issues the notice of Final Acceptance to the Contractor.
13. The State Construction Engineer forwards the Final Estimate to the Finance Bureau.