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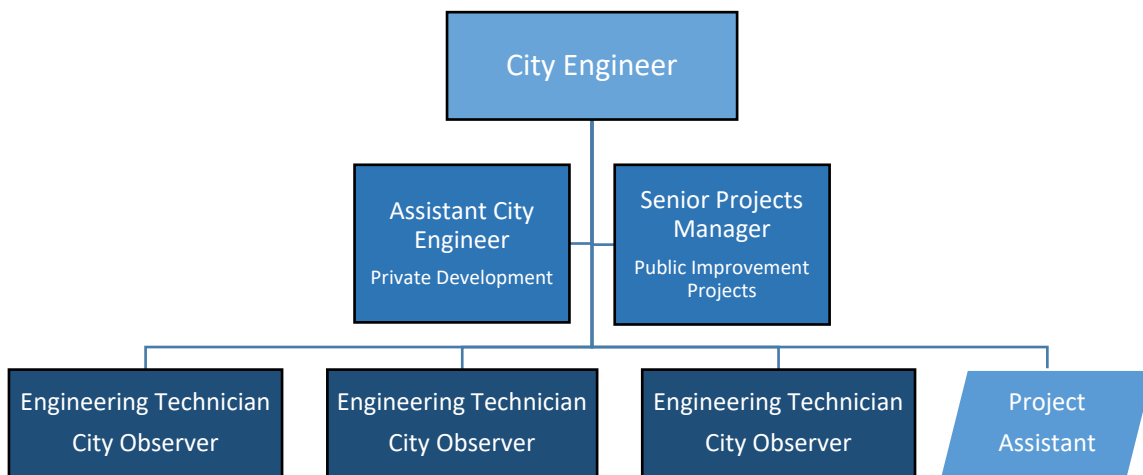
## SECTION 8 - CONSTRUCTION OBSERVATION

### AUTHORITY AND PURPOSE

The purpose of this document is to provide clear expectations for design and construction of public infrastructure accepted for City ownership and maintenance by Contractors, Developers, Engineers of Record and City staff.

Private development projects must include provisions governing the structure of the City’s observation authority. For Development projects, authorization to observe construction and verify that materials, methods, and workmanship used by the Contractor to meet the requirements of the approved engineered specifications and construction documents lies with the Project Engineer and their Resident Project Representative.

The City Engineer authorizes the Approved Representative and City Observer to visit right-of-way (ROW) construction sites, both private development and public improvements, to observe the progress and quality of Contractor’s work. The City does not intend these observations to be the sole review services provided for a private development project nor are these observations meant to be exhaustive. The Project Engineer shall provide construction inspection services. The City Engineer shall designate an approved representative as the primary point of contact for the City during the construction period. All initial inquiries, clarifications, documentation and communications shall be coordinated through the designated representative. The authorized representative shall coordinate with the City Engineer and other City Departments as needed throughout the construction period.



City Observers authorized to represent the City Engineer perform the following:

- Observe work performed and materials furnished including, without limitation, the preparation, fabrication, or manufacture of materials used.
- Orally reject defective materials or work and confirm such rejection in writing.
- Orally suspend work for improper prosecution pending City Engineer’s decision.
- Exercise additional delegated authority.

City Observers do not represent the City Engineer for the following:

- Address apparent Contractor safety concerns (unless as otherwise stated).

- Accept work or materials, except as delegated by the City Engineer.
- Alter or waive provisions of the Contract Documents.
- Provide instructions or advice inconsistent with the approved Contract Documents.

## ROLES AND RESPONSIBILITIES PRIVATE DEVELOPMENT

### Developer

As the project's owner, financier, and applicant, the Developer is responsible for all project financing. May be involved in processing plan submittals and questions during construction.

### Project Engineer

The Project Engineer is the person responsible for the design of public improvements in accordance with the Newport Standards and Specifications. Project Engineer may provide construction phase services during the construction period of the project. The Project Engineer shall immediately report any discrepancies or issues that would adversely affect the quality of work as defined in the approved plan set or have a significant impact on existing or proposed City facilities to the City Engineer or authorized representative for evaluation and final determination.

On private developments, as the contractor is an agent of the Developer and not under City contract, the City works through the Project Engineer to resolve field conflicts and address problems during construction. City personnel do not have authority to direct private contractors, other than to stop work if necessary, and therefore will not answer Contractor questions directly, but work through the Project Engineer, who then works with Developer/Owner to resolve conflicts and answer questions.

Developer may fill this role if Project Engineer is no longer attached to the project. These services include, but are not limited to, the following:

- **Pre-Construction Meeting**  
Attend and participate in the City's mandatory pre-construction meeting prior to commencement of any work on the site. Included in this meeting are all contractors associated with work in the right-of-way (ROW).
- **Schedules**  
As work in the ROW may take place during various stages of private construction, it is the Project Engineer's responsibility to keep the City informed about Contractor schedules to determine applicability of the schedule to the major project milestones and critical path elements in the ROW that require City observer to be on-site to monitor testing, record progress of ROW work, and document compliance of work to City of Newport Standards.
- **Site Visit Reporting**  
The Project Engineer shall submit to the designated City Observer a Monthly Project Status Report on the progress of construction. The report shall include a summary of activities that were performed during that month, including but not limited to:
  - Description of work performed
  - Identify any construction or design issues.
  - Document any approved field changes, change orders or design revisions.
  - Updated construction schedule
  - Summary of any public agency contacts

- Summary of any citizen complaints or contacts.

The City may elect to require more frequent reporting based on the complexity and construction schedule of the project or forgo a written report for weekly or bi-weekly progress meetings instead. If the reports become more than two weeks in arrears, or are significantly deficient as determined by the City, the City Engineer, or authorized representative may post a stop work order on the project site.

- Submittals

Project Engineer shall submit all shop drawings and material cut sheets pertaining to proposed City infrastructure to City Engineer for review and approval.

City Engineer shall review the following submittals listed as required but not limited to:

- Drainage Structures (manholes and inlets) Shop Drawings
  - Work Containment Plans and Systems
  - Bridge Removal Plans
  - Shoring and Falsework Calculations and Drawings
  - Reinforcing Steel Shop Drawings
  - Prefabricated Steel Shop Drawings
  - Prefabricated Concrete Shop Drawings
  - Concrete Mix Designs
  - Pavement Designs
  - Material Submittals and Certifications
  - Pile and Driving Equipment submittal
  - Bridge Rail and Protective Fencing Shop Drawings
  - Retaining Wall Calculations and Drawings
  - Drilled Shaft Submittals
  - Lighting Pole and Traffic Signal Pole Submittals
- Substitutes and “Or Equal”  
Review and provide a recommendation to the City Engineer indicating the acceptability of Contractor’s request for substitute or “as-equal” materials and equipment.
  - Special Inspections and Tests  
Receive and review all certificates of special inspections and test results from an independent testing laboratory as required by the Contract Documents. The Project Engineer, for purposes of determining that certified results indicate compliance with the Contract Documents, shall be entitled to rely on the results of such tests. The review does not constitute an independent evaluation that the methods for inspections and test results comply with the requirements of the Contract Documents.
  - Clarifications and Interpretations  
Issue necessary clarifications and interpretations as initiated by the Contractor in reference to the Contract Documents.
  - Modifications or Change Orders  
Provide recommendations of approval or denial to the City Engineer of any project modifications or change orders that directly alter the Contract Documents.

- **Defective Work Notification**  
If, during the course of construction, the Project Engineer observes or is informed of any defective work not meeting requirements in the approved Contract Documents, the Project Engineer shall immediately notify the designated City Authorized Representative. The Authorized Representative will determine whether any work shall be uncovered for observations, corrected, rejected, or requires special testing, inspection, or approval of the City Engineer.
- **System Start Ups and Testing**  
Verify authorized personnel conduct tests, schedule observer oversight during startup and testing, arrange equipment trials/systems start-ups, as well as arrange any operation and maintenance trainings with the appropriate City personnel. These requirements shall be identified at the pre-construction meeting. Schedule observation services and training a minimum of forty-eight (48) hours prior to activity. Forty-eight (48) hour advance notice does not include holidays or weekends in hour count.
- **Substantial Completion**  
After notification from the Contractor that the project is in substantial completion with the Contract Documents, the Project Engineer shall visit the project to determine if the work is substantially complete and it is time to submit the Final Acceptance Request to the City Engineer. If the work is not substantially complete, then the Project Engineer shall provide an itemized punch list to the Contractor, and the City Observer, for remedy prior to submitting the Final Acceptance Request to the City.
- **Final Acceptance Request**  
Upon receipt of the Final Acceptance Request from the Project Engineer, the City Engineer shall schedule a final site visit to determine if the contractor's completed work is acceptable to the City.
- **Final Acceptance As-Builts**  
Coordinate with the Contractor, special inspectors, and independent testing laboratories to receive, compile, and review all required as-built information.
- **Resident Project Representative**  
Project Engineer may elect to provide a qualified Resident Project Representative to assist the Project Engineer in monitoring the progress and quality of the Contractor's Work. Project Engineer shall designate a Resident Project Representative as an authorized representative at the project site who shall act as directed by, and under the direct supervision of, Project Engineer. The existence of a resident project representative shall not limit, extend, or modify Project Engineer's responsibilities or authority. Project Engineer shall verify that the resident project representative has competent work related experience appropriate for the requirements for each project and submit a copy of that work experience to the City.

If a resident project representative is utilized by Project Engineer, City reserves the right to require replacement of the resident project representative if it is determined that the resident project representative is not qualified or is missing the required competency to perform the work required by City.

### Limitations of the Project Engineer and Resident Project Representative

Observations and site visits conducted by Project Engineer and Resident Project Representative are not required to be exhaustive or to extend to every aspect of the Contractor's Work, but rather may be limited to periodic verifications, select sampling, and similar methods of general observation of the Contractor's Work based on Project Engineer's exercise of professional judgment.

The intended purpose of Project Engineer's visits, and representation by the resident project representative, if any, is to enable Project Engineer to provide the City with a greater degree of confidence that the completed public improvements will conform in general to the requirements of the Contract Documents. Based on the information obtained during site visits, the Project Engineer shall determine, in general, if the Contractor's Work is proceeding in accordance with the Contract Documents. The Project Engineer shall be required to keep the City informed of the work progress through scheduled project updates.

The Project Engineer and Resident Project Representative shall not be responsible to have control over the Contractor's work or have authority of the Contractor's means, methods, techniques, sequences or procedures of construction. In addition, the Contractor shall be responsible for all safety and security of the project site and shall be solely responsible to ensure compliance with all laws and regulations applicable to the Contractor's work. The Project Engineer's site inspection is not a guarantee of Contractor performance nor a claim of responsibility for Contractor's failure to furnish or correctly perform the work in accordance with the Contract Documents.

## CONSTRUCTION MANAGEMENT

### Pre-Construction Meeting

City shall hold a pre-construction meeting following construction drawing approval and prior to 'Notice to Proceed' for construction. Before holding the meeting, insure all necessary agreements are signed and active, all City of Newport easements are prepared and recorded, and City has received all requested payments.

Items to be discussed/supplied are:

- The Work: Construction documents, agreements, bonds, public facilities improvement agreement, and ROW permit.
- Contractor's work schedule.
- City Observer assignment.
- Traffic Control Plan/Public Notification.
- Sub-Contractors and suppliers, including testing laboratories/engineering firms.
- EOR approved material submittals proposed to be furnished (that is, type, brand, etc., trench backfill-sieve/proctor).
- Public safety requirements.
- Any work requiring inspection outside normal work hours shall require prior coordination and advance payment of an hourly rate as established in the most recent City of Newport fee resolution.
- Standard requirements for working in the City of Newport ROW.
- Change/substitution request procedures.
- See draft agenda in Appendix E – City Of Newport Pre-Construction Meeting Agenda For Private Development

Perform no work on the job site until holding a pre-construction meeting with the City.

### Progress Meetings

City Observer does not participate in progress meetings held between Developer and Contractor unless requested by private party. If City wishes to have progress meetings with Project Engineer and Contractor, City will send a request to all parties.

### Meetings with Partner Agencies

Public improvements may fall within the jurisdiction of several governmental agencies; for example, Lincoln County, ODOT, etc. When multiple jurisdictions are involved, Developer, Contractor, and/or Project Engineer shall coordinate with and obtain all necessary approvals prior to commencing work in City ROW. Contractor shall verify all approvals before starting work and inform City of approval verification. The City may stop work on any project that lacks a necessary approval.

Developer, Project Engineer, and Contractor shall copy the City on all written correspondence with authorizing agencies as pertains to work in the ROW or City jurisdiction.

### Changes to Approved Plans or Character of Work

#### *Project Engineer Generated Changes*

Project Engineer must notify City Observer of changes from the approved Contract Documents. Changes to the approved documents require approval of the City Engineer. Significant changes as determined by City Engineer shall require Developer to submit a plan revision in conformance with this document indicating the proposed changes and an explanation providing the issue and need for the design alteration. The City Engineer shall review and approve any revised plans before construction of any changes may proceed. The Project Engineer and City Observer do not have authority to approve field changes to public infrastructure.

#### *City Engineer Generated Changes*

A design that does not meet City of Newport Standards will not be allowed to go through construction because it was missed during the plan review process and approved as is. City Engineer may require a design adjusted to conform to standard drawings.

### Plan Revisions

The City defines revisions to the plans as all changes made between the date of approving the project plans and the date of accepting the Record Drawings.

“Cloud” the particular area of the drawing where a major revision has been made. Place the appropriate revision number placed in a triangle in that location. The clouded area shall not be shaded or in any form of grey tones. See *Section 1 – General Specifications* for revision format and requirements.

## SITE VISITS AND OBSERVATION

### General

Project Engineer or a qualified Resident Project Representative under the direct supervision of the Project Engineer shall observe the construction of all public improvements for private development projects. City will not authorize work to begin on public improvement without designation of the Project Engineer and Resident Project Representative, if applicable, at the City’s mandatory pre-construction conference. The owner or developer shall pay all inspection costs, including required testing.



The Engineering Department’s policies on observation services for infrastructure improvements are as follows:

- **City Observation Services:** City observer will provide only “spot check” services. These services do not relieve the Developer, Project Engineer, or Contractor of responsibility for proper construction and compliance with the Contract Documents and these Standards and Specifications, nor do City observation services constitute approval of any modification to the approved construction plans. City observer’s do not make field decisions independent of City Engineer.
- **Project Engineer Services:** The Project Engineer and/or Resident Project Representative construction services are the primary construction inspection services on a project. These site visits are the responsibility of the owner, developer, and Project Engineer and shall be more comprehensive and extensive than City observation services. Further, such visits shall insure construction is meeting City of Newport design and construction requirements.

### City Observer

The City Observer is the authorized representative of the City Engineer. Observers monitor construction, keeping written reports and photographic records during construction. City Observer may represent the City Engineer in project meeting. Field communications go through City Observer to the City Engineer.

#### *Daily Inspection Reports*

Maintain a Project Log Book of site visit reports containing the following applicable information:

- Names and contact information for all Contractors, subcontractors, and major suppliers of materials and equipment.
- Site development permit number.
- Date and time (arrival and departure) of site visits.
- Weather conditions.
- A description of construction activities and equipment on site.
- Statements of directions to change plans, specifications, stop work, reject materials, or other work quality actions.
- Public agency contacts which result in plan changes or other significant actions.
- Perceived problems and action taken.
- Specific Observations to provide additional detail as in the case of observing testing procedures.
- General remarks including citizen contact or complaints.
- Information on the Erosion and Sediment Control Best Management Practices and status of applicable inspection reports.
- Digital Photo Log of Construction Activities.
- Time & Material Work & Forms
- See Appendix A - Construction Observation Tasks And Guidelines for list of areas for compliance assessments.

#### *Photograph Construction Progress*

Photographic records may include, but are not limited to:

- Construction methods
- Construction materials
- Location of bends
- Connections to structures
- Grouting
- Compliance
- Pipe connections
- Equipment

### Limitations of City Observer Services

The City Observers may make site visits to observe the progress of work and provide project coordination. These services do not relieve the Contractor of the responsibility for proper construction and compliance with the requirements of the Contractor Documents, nor do City observation services constitute approval of any modification to the approved construction plans. The City Observers shall provide, but are not limited to, the following services:

- Acting as a liaison between the designated Project Engineer, Resident Project Representative, and the City.
- Observe and report both work progress and performance testing results.
- Administrative and coordination activities as required for supporting the processing and completion of the project.
- Issuing a stop work order for the City Engineer. If the Project Engineer is not available to receive stop work order, City Observer may post the stop work order.
- Informing the City Engineer of all proposed plan changes, material changes, stop work orders, or errors or omissions in the approved plans or specifications. Any revision to approved plans must be under the direction of the Project Engineer. The City Authorized Representative has discretion as to whether the revision is significant enough to warrant review by the City Engineer.
- Coordinate observations with Public Works staff.

TABLE 8.1 Minimum Observation Requirements (Vary by Project)

GRADING	STREETS	SANITARY & STORM SEWERS	WATER LINE
<ul style="list-style-type: none"> <li>• Cut &amp; Fill Staking</li> <li>• Fill Placement/Compaction</li> <li>• Temporary Drainage Work</li> <li>• Dust/Erosion Control Proof</li> </ul>	<ul style="list-style-type: none"> <li>• Horizontal/Vertical. Staking</li> <li>• Curb Staking</li> <li>• Curb Forms/Pouring</li> <li>• Sidewalk Forms/Pouring</li> <li>• Base rock Installation</li> <li>• Leveling Course Installation</li> <li>• Base Compaction/ Proof Roll</li> <li>• Wearing Course Placement</li> <li>• Wearing Course Compaction</li> <li>• Power Trenching/Utilities</li> <li>• Street Light Base Installation</li> <li>• Monumentation</li> <li>• Overlay Installation</li> <li>• Sidewalk/Wheelchair Ramp Installation</li> </ul>	<ul style="list-style-type: none"> <li>• Pipe Installation/Backfill</li> <li>• Trench Compaction Testing</li> <li>• Vacuum, Mandrel, &amp; TV Testing</li> <li>• Trench Repairs/Resurfacing</li> <li>• Traffic &amp; Pedestrian Control</li> <li>• Video inspection of mainlines</li> <li>• Sewer-Pressure testing of all pipes.</li> <li>• Setting Structures</li> <li>• Tracer wire Placement &amp; testing prior to paving.</li> <li>• Outfalls/Rip-Rap</li> <li>• Connections to Structures</li> <li>• Backfill Compaction</li> </ul>	<ul style="list-style-type: none"> <li>• Pipe Installation</li> <li>• Trench Backfill &amp; Compaction</li> <li>• Pressure Test</li> <li>• Chlorination</li> <li>• Observe proper operation of all appurtenances and valves</li> <li>• Tracer Wire Placement</li> <li>• Tracer wire testing prior to paving</li> <li>• Bends, joint locks, Thrustblocks</li> </ul>

For a more complete list of observation tasks see Appendix A.

The City's observer shall have the authority to direct replacement of defective material and uncovering work not inspected as required. Contractor shall remove material rejected by the City authorized representative from the job immediately after its rejection and not use rejected material on the project.

Contractor shall respect and execute instructions given by the City authorized representative. City observer, however, shall not have the power to waive the obligations of the contractor to furnish high-quality equipment, supplies, and materials, or to perform good work.

The contractor shall notify the City observer in writing of any changed condition if Contractor encounters a condition different from that indicated by the construction documents. No work shall precede until receiving the City's written response. The City Engineer shall review the change with the contractor and the Project Engineer and issue a written directive to the contractor. Any work associated with the changed condition commenced prior to the issuance of a written directive from the City will be at the contractor's risk.

Contact your assigned Public Improvement Observer a minimum of forty-eight (48) hours before beginning any public improvement construction work within the City limits. Review Observation is required before "covering" or "pouring" anything. At a minimum, review by the City Observer is required at the start and end of each of the following work phases listed in TABLE 2.1 below.

## SCHEDULING OPERATIONS

### Construction Work

- The Contractor shall plan construction work and execute its operation with a minimum of interference with the operation of the existing public facilities. It may be necessary for Contractor to schedule work outside normal working hours of 7 AM to 7 PM in order to avoid impacting surrounding public. Work outside of normal working hours will require the approval of the City Engineer, and possibly the City Manager, depending on the request. All scheduling of work in ROW or on future City infrastructure is subject to City's approval and does not relieve the Contractor from making work available for observation.
- No connections between existing work and new work shall be made until the new work conforms in all respects to the requirements of the plans and specifications.
- Progress of Construction: construction shall proceed in a systematic manner that will result in a minimum of inconvenience to the public.

## SCHEDULING OBSERVERS

### Advance Notification for City Services

City Observer (City authorized representative) shall observe the project as necessary and shall check materials, equipment, and the construction of the project to determine whether the work is proceeding in accordance with City standards.

Please schedule City Observers at least 48-hours in advance. The City may at times be able to observe on shorter notice, but make no guarantees. Any work performed without a required observer shall be

subject to removal at City Engineer’s discretion. No such observation, however, shall relieve the contractor of their duties under these standards.

## COMMUNICATIONS

### Written Communications

Project Engineer shall issue all project communications, required documentation, interpretations, clarifications, and changes to approved plans for the Owner / Developer to the City in writing. The City Observer may provide verbal notification to the Contractor, Project Engineer, or Resident Project Representative at the job site if observing work is not conforming to the construction documents, but will follow-up with written communication when applicable. The substance of this communication will be included in the City Observer’s regular written reports. City Observer will initiate formal, written notice to the Project Engineer and City Engineer when the work does not meet the requirements on the approved plans or the City of Newport Standard Drawings.

### Public Notification

The Owner, Developer, or Project Engineer shall provide forty-eight (48) hours’ prior notice to the public of any impeding or interruptions of existing public services. Each notification shall be the responsibility of Contractor performing the work and shall be coordinated with the City Observer. City may immediately suspend Contractor activity for failure to adequately notify public of work occurring in their neighborhood. Any required street closures need two-week advance prearrangement and City approval. City will *not* arrange a street closure within a forty-eight (48) hour notice to the City or the Public.

END OF SECTION