



ALABAMA DEPARTMENT OF TRANSPORTATION

Bureau of County Transportation

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Kay Ivey
Governor


John R Cooper
Transportation Director

August 2, 2017

MEMORANDUM 2017-9

To: County Engineers

Cc: Regional County Transportation Engineers

From: 
D.E. (Ed) Phillips, Jr., P.E., State County Transportation Engineer

RE: Use of Federal Aid Funds for Force Account Work

This memorandum overrides Memorandum 2007-09 and Memorandum 2008-02.

Counties have traditionally completed a number of work items "at no cost to the project" associated with federal aid construction projects, either prior to contractor award or subsequent to maintenance acceptance. These items of work have been performed by the counties at their own expense due to generally higher contractor costs and lower quantities. Examples of these items of work that will now be eligible for Federal aid force account reimbursement include but are not limited to:

Prior to Contractor Award:

- Shoulder widening
- Pipe replacement/rehabilitation/extension
- Guardrail installation
- Removal of non-conforming mailboxes

Subsequent to Contractor Maintenance Acceptance:

- Shoulder flushing
- Sign installation
- Mailbox reset

Outlined below are the procedures for obtaining approval by which Federal funds may be used to perform highway construction work by county forces and how a county is to be reimbursed on a force account basis. Force account reimbursement for work performed

by a county will only be allowed when in conjunction with another Federal aid project to be let to contract. Two Federal aid project numbers will be assigned. One for the force account work, and another for the work to be let to contract. Both project numbers should be referenced in all correspondence.

The county should include in the initiation documents that force account reimbursement for work performed by a county is requested. If not included when the project is initiated, the county should notify the County Transportation Bureau as soon as possible in order to reduce any possible delays in project authorization. All requests for county force account work for reimbursement shall be detailed in the Scope Of Work report and must be concurred by the applicable Region representative.

Requests for county force account work shall be reviewed and approved on a case-by-case basis. Upon review of Title 23 CFR 635 Subpart B and after consultation with the Federal Highway Administration (FHWA), the expenditure of Federal funds under force account for work performed by county forces will only be approved when the county can demonstrate that it is cost effective as defined in the Federal Code.

Any Federal aid funds used for highway construction are subject to normal environmental clearances and right-of-way, railroad, and utility certifications. This will be accomplished through the normal processes in place. These clearances and certifications can be obtained for both projects (force account and contract) at one time. Submitted clearances and certifications should include both force account and contract project numbers on all documents.

The county should also be aware that any work performed by a county and reimbursed by Federal aid shall conform to ALDOT specifications, and all necessary testing of materials shall conform to the latest edition of ALDOT's testing manual.

There will be two distinct types of force account projects. One where work will be performed by the county in advance of the construction project let to contract. The other where work will be completed by the contractor prior to the county being allowed to perform remaining work items by force account.

FORCE ACCOUNT IN ADVANCE OF CONTRACT WORK:

The county should obtain all necessary environmental clearances, obtain an approved project engineering record (PER) and submit the required right of way, railroad and utility certifications. Again, these clearances, PER and certifications can be obtained for both the force account project and contract project at one time within the same set of documents. Ensure both Federal aid project numbers are referenced on all documents.

Once the environmental clearances, approved project engineering record (PER) and required certifications are obtained, the county shall submit a request to undertake highway construction work by force account. The county shall submit a written request to the Region County Transportation Engineer identifying and describing the project and the

kind of work (pay items and item numbers) proposed to be performed by county forces, estimated quantities for each item, the estimated Federal funds to be requested, and the reason or reasons that force account for the project is considered cost effective. Included in this request shall be the force account estimated cost breakdowns and the contract estimated costs (if the project were to be let to contract).

The Region County Transportation Engineer shall ensure the estimates are entered into WebTransport and review the request for their concurrence. The Region County Transportation Engineer shall then forward a copy of the request and supporting estimates to the County Transportation Bureau. The County Transportation Bureau will review the request in consultation with the Office Engineer Bureau. The County Transportation Bureau will coordinate with the county and, if approved, execute a funding agreement for the Federal Aid force account project. Once executed, the county will be issued a notice to proceed for the force account work by the Office Engineer Bureau after obtaining project authorization.

It should be noted that the county shall be responsible for obtaining any environmental permits and implementation of best management practices (BMPs) for any work to be reimbursed with Federal aid funds in advance of contract work.

CONTRACT WORK IN ADVANCE OF FORCE ACCOUNT:

The county should follow the normal procedure for Federal aid projects. As previously mentioned, the county should obtain all necessary environmental clearances, obtain an approved project engineering record (PER) and submit the required right-of-way, railroad and utility certifications. Again, these clearances, PER and certifications can be obtained for both the force account project and contract project at one time within the same set of documents. Ensure both Federal aid project numbers are referenced on all documents.

Once an approved project engineering record (PER) is obtained, the county shall submit a request to undertake highway construction work by force account. The county shall submit a written request to the Region County Transportation Engineer identifying and describing the project and the kind of work (pay items and item numbers) proposed to be performed by county forces, estimated quantities for each item, the estimated Federal funds to be requested, and the reason or reasons that force account for the project is considered cost effective. Included in this request shall be the force account estimated cost breakdowns and the contract estimated costs (if the project were to be let to contract).

The Region County Transportation Engineer shall ensure the estimates are entered into WebTransport and review the request for their concurrence. The Region County Transportation Engineer shall then forward a copy of the request and supporting estimates to the County Transportation Bureau. The County Transportation Bureau will review the request in consultation with the Office Engineer Bureau. The County Transportation Bureau will coordinate with the county and, if approved, notified to proceed with plan preparation.

Project plan development, project notes and separate summaries of quantities will be included in the plans denoting work to be performed by the county. Plans are to be submitted to the Region County Transportation Engineer with a copy forwarded to the County Transportation Bureau for review. The County Transportation Bureau will execute separate funding agreements for the contract and force account projects. Once the contract project has been let to contract, constructed and accepted for maintenance, the county shall submit a written request to the Region County Transportation Engineer to perform the force account work. This request should be forwarded to the County Transportation Bureau. The Office Engineer Bureau will then issue a Notice to Proceed to the county once the project is authorized.

County Memorandum 2014-15 shall remain in effect and should be referred to for additional guidance.

FORCE ACCOUNT REIMBURSEMENT:

Force account reimbursement for work performed by county forces on Federal aid projects will generally follow ALDOT Standard Specification 109.04(b). Force account records in the ALDOT Specification are comprised of four separate sections of information.

The first is labor costs. Force account records should include payrolls for labor costs. Actual labor costs will be allowed plus an audited labor additive (Social Security, FICA, retirement, etc.). A notarized statement from the County listing their audited labor additive and its components should be included. However, the 20% addition to labor costs, as allowed in the ALDOT Specification representing profit, will not be allowed.

The second section is an allowance for bond, insurance and tax. No costs for bonds or tax will be approved, since in this context they are not applicable for governmental entities. However, a prorated amount for insurance (workman's compensation, liability, etc.) applicable to the labor payrolls included will be allowed. A notarized statement from the County listing their audited insurance rates should be included.

The third section is material costs. Force account records should include material receipts. However, the 15% addition to material costs, as allowed in the ALDOT Specification representing profit, will not be allowed.

The fourth section is equipment costs. Force account records should include equipment usage worksheets where adjusted hourly rental rates are obtained from the "Blue Book" published by EQUIPMENT WATCH, a unit of PRIMEDIA Information Incorporated.

Force account records should be submitted to the Region County Transportation Engineer for review and approval. Once approved, the Region County Transportation Engineer shall forward the force account records to the Bureau of County Transportation for final review, approval and payment.

Each and every project may be unique and require special handling and requirements. If you should have any questions or comments concerning this matter, please feel free to contact me at (334) 242-6203.

DEP/dep

Cc: Mr. John R. Cooper, Transportation Director
Mr. Don T. Arkle, Chief Engineer
Mr. Ed Austin, Assistant Chief Engineer, Policy and Planning
Mr. Clay McBrien, State Office Engineer
Mr. Winston Powe, State Construction Engineer
Mr. Sonny Brasfield, Executive Director, ACCA
Mr. Mark Bartlett, FHWA Division Administrator
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