

**New Jersey Department of Transportation
CORRECTIVE ACTION NOTICE**

QUALITY MANAGEMENT SERVICES

Manager: Brian Strizki

Telephone: (609) 530-6363

CAN No. CAN026

Approved: B. Strizki
Date: November 5, 1999

Bureau(s) Affected: Division of Project Management
Division of Construction & Materials

Description of Problem(s):

Allowable lane closure hours are typically indicated on a project's plans. These hours are supplied by either Traffic Operations North or South and many times permit both daytime and nighttime lane closures in order to accommodate particular items of work.

There have been cases where municipalities have challenged the contractor's right to perform nighttime operations by citing the allowable daytime lane closure hours specified in the contract documents. Hence, they have attempted to force the contractor to perform specific work operations during the day, even though the intent, as indicated in the designer's schedule, was that the work be performed at night.

Corrective Action Plan:

In order to minimize potential disputes, specific construction activities that are to be performed at night (e.g. nighttime paving) must be clearly indicated **on the Traffic Control plans**. The fact that specific activities are to be performed at night must first be established during the Final Scope Development phase of the project. This will allow an opportunity for coordination with the appropriate local officials so that local support for the work can first be obtained and thereby reduce the potential for legal actions or poor public relations.

The following actions must be followed in order to ensure that this occurs:

Designer

The **Designer** will be responsible for indicating on the contract plans which specific construction activities shall be performed at night, and developing the construction schedule accordingly.

Division of Project Management

The **Project Manager** will be responsible for ensuring that the appropriate local officials are informed of the Department's intent to perform work at night, and coordinating with them in order to resolve any potential conflicts prior to advertisement.

Bureau of Quality Management Services

This office will be responsible for issuing a Baseline Document Change Announcement reflecting the addition of an item in the QA Checklist specifying that the designer has indicated this information on the traffic control plans if applicable.

By taking these actions, not only will conflicts be minimized during construction, but this will also provide an opportunity for more uniform bidding on contracts, since the contract plans will specifically state when particular work items are to be accomplished.

Implementation: *Immediately*



Superseded