

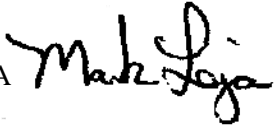
Memorandum

*Flex your power!
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To: DEPUTY DISTRICT DIRECTORS, Construction
DEPUTY DIVISION CHIEF, Structure Construction
CONSTRUCTION MANAGERS
SENIOR CONSTRUCTION ENGINEERS
RESIDENT ENGINEERS

Date: July 22, 2011

File: Division of Construction
CPD 11-2

From: MARK LEJA 
Chief
Division of Construction

Subject: Grandfathered Risk Level 1 Projects Continuing Past September 2, 2011

The State Water Resources Control Board adopted the new Construction General Permit (CGP) (Order No. 2009-0009-DWQ) on September 2, 2009. The CGP includes training qualifications and certification requirements, as well as project risk level determination. Construction procedure directives (CPD) 10-4, "Implementation of New Construction General Permit," issued May 24, 2010, and 10-9, "Implementation of New Construction General Permit Risk Levels 2 and 3," issued July 30, 2010, describe how to implement CGP requirements on Caltrans projects.

The CGP allows projects that meet certain criteria and that submitted a Notice of Construction before July 1, 2010, to be grandfathered at Risk Level 1 until September 2, 2011. This CPD provides instruction on how ongoing grandfathered projects at Risk Level 1 that will not be completed by September 1, 2011, will implement the training qualifications and the certification and risk level requirements of the CGP.

For grandfathered projects at Risk Level 1 that will not be completed by September 1, 2011, resident engineers must contact the project engineer and request a project risk level calculation. The project engineer will coordinate with the district National Pollution Discharge Elimination System coordinator to provide the risk level determination.

If the recalculated project risk level is either Risk Level 2 or 3, the project implements the requirements of the CGP using a contract change order that follows the procedure in CPD 10-9.

If the recalculated project risk level is Risk Level 1, the resident engineer issues a change order. The change order includes contractor compensation for the following:

- Hiring a water pollution control manager who meets the qualified SWPPP developer requirement of Section IV of the CGP.
- Amending the project SWPPP to include the CGP risk level requirements.
- Completing weekly stormwater site inspection reports.
- Monitoring quarterly visual non-stormwater discharge.
- Writing stormwater annual reports.

For assistance in calculating contract change order estimated costs for the water pollution control manager, weekly stormwater site inspections, and stormwater annual report refer to CPD 10-9.

This directive provides a sample change order memorandum and a sample change order (attached) for these grandfathered projects and two specifications, "Water Pollution Control" and "Construction Site Management," to help implement the new CGP requirements.

This directive serves as delegation of authority from the Division of Construction and the Federal Highway Administration for approval of change orders when implemented under their requirements. The Division of Construction must approve if the change order language is altered or has a total absolute value exceeding \$200,000 according to CPB 06-5, "Contract Change Order Approval Delegation." High-profile projects that have change orders with altered language, require time extensions or have value exceeding \$200,000 need FHWA approval.

For additional information or assistance, please contact Hamid Hakim at hamid_hakim@dot.ca.gov or (916) 653-7289.

Attachments: Sample Change Order Memorandum
 Sample Change Order
 Change Order Attachment 1, Water Pollution Control
 Change Order Attachment 2, Construction Site Management
 FHWA—Record of Blanket Prior Approval for Major Contract Change Order