## NORTH CAROLINA

Department of Transportation


## Material Escalation Price Adjustment Request Submittal Process

Wiley W. Jones III, PE
August 4, 2022

## Participating in the Q\&A Session



## Today's Webinar Topics

- NC General Assembly, Session Law 2022-74
- July 12, 2022 Memorandum from Chief Engineer
- Material Price Escalation Claim Form
- Examples of Documentation needed
- Answering some common questions


## NC General Assembly, Session Law 2022-74 Time Limited Cost Escalation Adjustment

- The General Assembly’s Budget Bill provided for a TimeLimited Cost Escalation Adjustment.
- Intent is to assist the road and highway construction industry to maintain resilience as it is confronted with extreme rise in construction material costs


## NC General Assembly, Session Law 2022-74 Time Limited Cost Escalation Adjustment

- Funds shall be used based upon increased construction material cost, if all of the following are met:

1. Department Awarded contract on or before March 1, 2022, and either Contract performance was not completed, or Final estimate of the total contract cost was not completed by this date.
2. Vendor makes claim, on form developed by the Department, within 60 days of enactment of this act.

## September 10, 2022

## Chief Engineer's Memo

State of North Carolina DEPARTMENT OF TRANSPORTATION

July 12, 2022
Memorandum To
From:

$$
\begin{aligned}
& \text { C.A. Peoples, pe } \\
& \text { Chief Engineer }
\end{aligned}
$$

Subject.
Material Price Escalation Requests
Due to the recent volatility of materials, the North Carolina General Assembly, under Session Law 2022-74, has appropriated funding to support price adjustments for materials on N contracts. Price adjustments will be considered for materials that have been or will be permanemly incopporated into an work on contracts awarded on or before March 1 , 2022 , where
either contract pefformance was not completed, or the final estimate was not paid by this date.
Requests for price adjustments on contracts meeting the criteria above should be submitted by the prime contractor. Subcontractor and/or suppliers should submit price adjustment requests, along
with supporting information, to their respective prime contractors. Requests submitted to NCDO with supporting information, to their respective prime contractos. Requests submitted to NCDO by subcontractors and/or supp

All request for a price adjustment shall be submitted by no later than close of business $o$ September 10, 2022. Any request submitted after close of business on September 10,2022 , will not be considere
The following conditions shall apply:

- Adjustments shall only apply to materials purchased after July 1,2020
- Adjustments shall only apply to materials that have been or will be permanently
incorporated into the work.
For materials that have been permanently incorporated into the work, an adjustment will be made based upon the invoice pricing at the time of purchase compared to the material pricing at the time of bid.
For materials that mill be permanently incorporated into the work, an adjustment will be made based upon the current quotes, invoices, or purchase orders compared to the
Adjustments shall be considered for
transportation charges, etc.
Adjustments shall not include profit or other markup.


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Requests should be submitted using the attached Microsoft Excel Spreadsheet titled 2022 Material Price Escalation Claim Form The form can be downloaded from the following website: $⿳$ https://connect ncdot. gov/proiect//construction/Papes/Construction-Resources. aspx. Please save a copy of the form using one of the following appropnate naming convention:
C20xxxX_Material_Price_Escalation_Request_2022-MM-DD.xls or DXxXXXX_Material Price Escalation_Request 2022-MM-DD.xls
The form, along with all supporting documentation, should be emailed to $\frac{\text { NCDOTM atenialEscalationRequestancdot_gov. Please use the naming convention shown above }}{\text { in the subject line. }}$
Requests will be reviewed by the Department and a supplemental agreement will be executed to add a lump sum price adjustment to the contract. The lump sum price adjustment will be paid based upon the actual progress of the line items associated with the materials. Prime contractors price adjustment for the applicable work in accordance with Article 109-4(B) of the 2018 Standard Specifications for Roads and Structures.
Questions should be submitted to NCDOTMaterialEs scalationRequest $a$ ncdot gov.
Attachment
CC: $\quad \begin{gathered}\text { ML } \\ \text { M. . Sylvester } \\ \text {, PE }\end{gathered}$
G.W. Bums, PB
$\underset{\text { Givision Enginee }}{\text { G.W. Burs }}$
Division Construction Engineers
Resident Engineers
E.B. Tharnington, PE
B.C. Skeens, $P E$
W.W. Jones, II. PE
MH Gaddy PE
MH Gaddy, PE
Area Contruction Engineers
A. Earwood, PE
Victor Barbour, PE
Ellis Powell, $P \mathrm{PE}$
Ellis Powell, PE
John Sullivan, PE
Brad Hibbs, PE

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\section*{Chief Engineer's Memo Highlights}
- All requests for price adjustments shall be submitted by no later than close of business on September 10, 2022.
- Requests should be submitted by the prime contractor and should be submitted as a single submittal per contract.
- Subcontractors and/or supplier should submit price adjustment price adjustment requests, along with supporting information, to their respective Prime Contractors.

\section*{Chief Engineer's Memo Highlights}

\section*{Eligibility Requirements}
- Contracts awarded on or before March 1, 2022, where either contract performance was not completed, or the Final Estimate was not paid by this date.
- Material Adjustment Requirements
- Material must be purchased after July 1, 2020
- Material must have been or will be permanently incorporated into the work
- Adjustments are for materials only
- Does not include labor, equipment, transportation charges, profit, markup, etc.

\section*{Chief Engineer's Memo Highlights}

\section*{Work Already Performed}
- For Materials that have been permanently incorporated into the work, an adjustment will be made based on
- Invoice pricing at the time of purchase
- Material pricing at the time of bid

\section*{Work To Be Installed}
- For Materials that will be permanently incorporated into the work, an adjustment will be made based on
- Current quotes, invoices, or purchase orders
- Material pricing at the time of bid

\section*{Chief Engineer’s Memo Highlights}
- Requests should be submitted using excel spreadsheet
- Excel spreadsheet can be downloaded at:
https://connect.ncdot.gov/projects/construction/Pages/Construction-Resources.aspx
- Should be named using one of the following approved conventions:
- C20XXXX_Material_Price_Escalation_Request_2022-MMDD.xls or
- DXXXXXX _Material_Price_Escalation_Request_2022-MMDD.xls

\section*{ncdot.gov}

\section*{How to find the spreadsheet? Google}


\section*{ncdot.gov}


\section*{ncdot.gov}

ncdot.gov
(5) Construction Project Support \(\times+\)
\(\leftarrow \rightarrow\) C 人 - connect.ncdot.gov/projects/construction/Pages/default.aspx


\section*{Construction Project Support}

Support for administration of NCDOT construction projects.
- Connect NCDOT Projects - Construction

\section*{Construction Manuals}

Construction and Stakeout Manuals
Read More \(\rightarrow\)

\section*{Project Closeout}

Construction Project Closeout Documents, and Final Acceptance Letters.
Read More \(\rightarrow\)

\section*{Contract Administration Guidance}

New processes, procedures, guidelines, or policy memorandums related to the administration of contract construction projects.

Read More \(=\)

Construction Resources
Construction forms, engineers maps, federal project resources, and roadway and structure bulletins.
Read More \(\rightarrow\)

Pavement Construction Documents
Worksheets, guides and specification sheets for pavement construction projects.
\(\qquad\)

Equipment Watch Blue Book Renta Rate Web Service 2019-12-03 10:24:31

Contract Payment Repor 2017-05-10 16:18:50

Revised Inspector Daily Diary 2019-08-06 14:47:31

Project Closeout Report Application 2015-09-23 11:57:05

Highway Construction and Materials System (HiCAMS) Resources

HiCAMS User Manual
Highway Construction and Materials System (HiCAMS) User Manual
ncdot.gov


\section*{Construction Resources}

Construction forms, engineers maps, federal project resources, and roadway and structure bulletins
- Connect NCDOT Projects Construction - Construction Resources
\begin{tabular}{l}
\hline Forms \\
\hline Roadway Bulletins \\
\hline
\end{tabular} Structure Bulletins Federal Project Resources \(n\) Engineers Maps


\section*{Employee Directory}
Staff contacts for Construction Unit.

\section*{Contact Form}

For cuestions \& fee.dhack

\section*{Chief Engineer's Memo Highlights}
- Excel spreadsheet includes sheet titled 'Instructions' that provides guidance on how to fill out each column included in the form
- Please do not add columns to the form. Additional rows may be added as necessary to complete the submittal

\section*{Completing Excel Spreadsheet}
- Form should be completed by the Prime Contractor and should include all requests received from subcontractors/suppliers
- Columns 1-3
- Provide the NCDOT Contract Number, the name of the Prime Contractor, and the Date this form is being submitted
- Column 4
- Provide the name of the subcontractor requesting price adjustments
- If the request is from the prime, this can remain blank

\section*{Completing Excel Spreadsheet}
- Column 5
- Provide the name of the supplier the materials were purchased from
- Column 6
- Enter the Contract Line Item Number the price adjustment is being requested for (Leave Blank for Design-Build contracts)
- Column 7
- Enter the Line Item Description for the item the price adjustment is being requested for (Leave Blank for Design-Build contracts)

\section*{Completing Excel Spreadsheet}
- Column 8
- Enter the materials associated with the Line Item in Column 6
- Additional rows may be needed if multiple materials are associated with the Line Item
- Column 9
- Enter the Unit of Measure of the Material in Column 8.
- This is for the material, not the Line Item.
- For example, if the Line Item is Guardrail, the Line Item Unit of Measure is Linear Feet. However, the Material Unit of Measure could be Each for some of the materials (Posts, Bolts, etc.)

\section*{}
- Column 10
- Enter the Material unit price at Time of Bid for the material on that row
- Column 11
- Quantity of material that has been installed and permanently incorporated into the work at the time of the request.
- No units are necessary in this column
- Column 12
- Enter the Installed Material unit price for materials that have been permanently incorporated into the work.

\section*{Completing Excel Spreadsheet}
- Column 13
- This Column will calculate automatically. There is no need to input any data in this column
- Column 14
- Quantity of materials that will be permanently incorporated into the work prior to project completion
- Column 15
- Current Material unit price based on recent quotes/invoices
- Column 16
- This Column will calculate automatically. There is no need to input any data in this column

\section*{Submitting Excel Spreadsheet}
- The Excel spreadsheet, along with all supporting documentation, should be emailed to NCDOTMaterialEscalationRequest@ncdot.gov
- The Subject Line shall have the same naming convention as the excel spreadsheet
- All questions regarding these requests should be directed to
NCDOTMaterialEscalationRequest@ncdot.gov

\section*{Submitting Excel Spreadsheet}
- All questions regarding these requests should be directed to NCDOTMaterialEscalationRequest@ncdot.gov

\section*{ncdot.gov}

\section*{Examples of supporting documentation}

Material Price Escalation Claim Form for Industry Partners
\begin{tabular}{|c|c|}
\hline Contract Number (1) & DG00534 \\
\hline Prime Contractor (2) & \\
\hline \multicolumn{2}{|c|}{ Date Submitted (3) }
\end{tabular}


\section*{ncdot.gov}

\section*{Quote Information}

\section*{Nய토뭉 \\ skyline steel lle}
```

Sales Rep: Mar Stephens
Phone: (TTO) 212
Phone: (770) 242.9507
Fax ( 7701242.0055
Emall: mant stephens @nuccrsisyliee.com
Addross: $\quad 3550$ Corporats Way Suite

```

Quote \# Q-41377
\begin{tabular}{|c|c|c|c|}
\hline Project Name & Ou te Date & Bid Dote & Ovote Expiration Date \\
\hline NCDOT - DIV. 7 - ORANGE COUNTY - DG00634 & Tupdidy, November 16, & Thursday, Noverber 18, 2021 & Thursday, November 25, 2021 \\
\hline
\end{tabular}

ALL BIDDING CONTRACTORS - GA
\begin{tabular}{|c|c|c|}
\hline Customer Contact & Billing Address & Shippling Lecation \\
\hline estimating & 3550 Corporale Way Sule E DULUTH GA 770 USA & AEPLACE BRIDOE U99 OVEA NEW HOPE CREEK ON SA 1723 (NEW HOPE CHURCH ROAD) ORANGE COUNTY NC \\
\hline \multicolumn{3}{|l|}{Quote Totals} \\
\hline Net Weloht & Met Toms & Net Amount \\
\hline \(11,452.00 \mathrm{lb}\) & 573 & 29,543.70 \\
\hline
\end{tabular}

General Remarks
- Froight included - CPT (incolems 2021) Orange Courcy. NC
- Prices do NOT include iax

Price in ellect \(x\) time of order piacernent andor mill roling
Prices are quetod as New Domosio, Blare Steel and AS7250, uniess otherwiso noted below.

and ordering process.
- All 5 kyline TAC's apply

Droduct Dotaile
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline Product Name & Plieces & Urits & Weight & Unit Price & ded Price & Optional \\
\hline H PLLE - 12X053-A57250 & 1 & 210.00 f & 11,130.c0 lb & 540.47\% & t8,498.70 & \\
\hline \multicolumn{7}{|l|}{OFFERING LENGTHS UP TO AND INCLUDNG 50 FEET} \\
\hline H-PILE POINT - 12 PAR12T A148-96 & 14 & - & 32200 lo & 575.00\%ea & 31,050.ce & \\
\hline \multicolumn{7}{|l|}{ADD \$15:EA TO ATTACH} \\
\hline
\end{tabular}

\section*{Installed Information}



\section*{ncdot.gov}

\section*{Examples of supporting quote documentation}


JMS Rebar (the Seller) purposes to fumish:
The necessary reinforcing steel meeting the requirements of ASTM A615 grade 60/A615M-96a Grade 120 (atast rev.) steel aut, bent

Sundiod and lagood, hevoling placing crawngs, in accorcanco whit ith projed plans and spocifcections, and the CRSI Manval of
This quotation is offered for acceptance within 3 days, after which it is subject \(t\) after which it is subject to confirmation

Unit Price ASTMMA615 Grade 60 plain rebar at \(\$ 0.7595 \mathrm{fb}\)
Unit Price ASTIN/A775 Grade 60 Epoxy Coated rebar at \(\$ 1.3150 / \mathrm{ll}\)
Engineering Cost incurred for cancelled, or postponed projects will be invoiced @ \$75.00/ hour
The following are excluded:
a) Precast liem of any kind, including but not llmited to lintels, sllis,
interior tile lintels or masonry dur-owal type reinforcing.
b) Reifforcing where welded to structural steel.
c) Side form supports or spacers for pourod walls or masonny.

Bar supports to support bottom layer of feinforcing bars or mesh in slabs on grade
Smcoth rund bas and threaring cf any kind, urloss specifally
entioned above
Supporis for upper layer rebar in concrete slabs more than 4 feet thick.
Cost of any Supply Bonds.
Sheared Bar Lengths under 2.-0' for bar sizes \#6 through \#18
k) Pust Tensioning bars \& suppurts.

Masonny rebar
Due to variations in the World Steel Industry we are forced to quote our prices on a day by day basis. We will adjust prices according to the industry behavio. We sugest that you include this in
your contract in order for you to be able to make changes if necessary
We will invoice according to cost at time of delivery.
SUBJECT TO THE TERMS AND CONDITIONS HEREIN AND THOSE PRINTED UNDER "TERMS AND CONDITON OF SAIE, which are herefy referred to and made part of tis quolation,

\section*{ncdot.gov}

\section*{Examples of supporting installed documentation}

PURCHASE ORDER

\begin{tabular}{|c|c|c|c|c|c|c|}
\hline \[
\underset{\#}{\text { ITEM }}
\] & \[
\begin{aligned}
& \text { CLIN } \\
& \#
\end{aligned}
\] & description & EStIMATED QUANTITY & UNIT & UNIT PRICE & extension \\
\hline 6 & & BRIDGE REBAR ACCESSORIES/SUPPORTS & \multirow[t]{4}{*}{1} & \multirow[t]{4}{*}{LS} & \multirow[t]{4}{*}{\$430.00} & \multirow[t]{4}{*}{\$430.00} \\
\hline \(6 . a\) & & \multirow[t]{3}{*}{\[
\begin{gathered}
70 \mathrm{LF} 3^{\prime \prime \prime} \mathrm{BB} \\
280 \mathrm{LF} 4^{\circ} \mathrm{SBU} \\
280 \mathrm{LF} 5-14^{\prime \prime} \mathrm{CHCU}
\end{gathered}
\]} & & & & \\
\hline 6.6 & & & & & & \\
\hline \(6 . \mathrm{c}\) & & & & & & \\
\hline 7 & & MISC BRIDGE MATERIAL & & & & \\
\hline 7.a & & 30\# FELT & 2 & ROLL & \$15.10 & \$30.20 \\
\hline 7.6 & & 7BOLT GUARDRAIL ANCHOR PLATES WITH (7) \(78^{\prime \prime} \times 16^{\prime \prime}\) HDG BNW & 4 & SET & \$127.75 & \$511.00 \\
\hline 7.6 & & 2'X6' BACKER ROD & 12 & EA & \$2.60 & \$31.20 \\
\hline & & & & & TOTAL & \$22,096.532 \\
\hline
\end{tabular}

SHIP TO:
SR 1723 New Hope Church Road - Replace Bridge \(\pm 99\) Oter New Hope Creek Project Chapel Hill NC 27516
(Exact Location and or address to be provided)
Hereinatter "project site" or "jobsite"
Subject to CONTI's attached Standard Tems and Conditions, which are incorporated herein by reference and are an integral part of this Purchase Order, CONTI hereby orde
delivery to CONTI's above-referenced project jobsite:

IIEMS TO BE SUPPLIED
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline \[
\begin{array}{|c}
\hline \text { ITEM } \\
\#
\end{array}
\] & \[
\left.\right|_{\#} ^{\text {CuIN }}
\] & DESCRIPTION & ESTIMATED QUANTITY & UNIT & \[
\begin{aligned}
& \text { UNIT } \\
& \text { PRICE }
\end{aligned}
\] & Extension \\
\hline 1 & 0063 & Reinforcing Steel (BRIDGE) PLAIN REBAR ASTM/A615 GRADE 60 & 9,588 & LB & \$0.8445 & \$8,097.066 \\
\hline 2 & \[
\begin{aligned}
& 0068 \\
& 0069
\end{aligned}
\] & Reinforcing Steel (CONCRETE PARAPET) EPOXY COATED REBAR ASTMA775 GRADE 60 & 4,127 & LB & \$1.4950 & \$6,169.865 \\
\hline 3 & 0062 & Reinforcing Steel (APPROACH SLAB) PLAIN REBAR ASTMA 615 GRADE 60 & 2,848 & LB & 50.8445 & \$2,405.136 \\
\hline 4 & 0062 & Reinforcing Steel (APPROACH SLAB) EPOXY COATED REBAR ASTMA775 GRADE 60 & 2,087 & LB & \$1.4950 & \$3,120.065 \\
\hline , & -002 & Approach Slao Maternal & & & & \\
\hline \(5 . a\) & & TYPE1 FABRIC MIRAFI 140N 12.5 'X360' & 1 & ROLL & \$432.00 & \$432.00 \\
\hline \(5 . \mathrm{b}\) & & 4"X10'BELL END SCH40 PVC AASHTO
M278 & 8 & EA & \$46.00 & \$368.00 \\
\hline 5.0 & & \(4^{\prime} \mathrm{X} 20^{\prime}\) BELL END SCH40 PVC & 2 & EA & \$205.00 & \$410.00 \\
\hline 5.d & & 4"PVC CAPS & 2 & EA & \$18.00 & \$36.00 \\
\hline 5.0 & & 4"60DEG ELBOWS & 2 & EA & \$28.00 & \$56.00 \\
\hline
\end{tabular}

Conti Enterarises 12/11

\title{
Examples of documentation needing more supporting information
}


The original line item amount is \(\$ 18,551.63\) The current line item amount is \(\$ 24,956.45\) The requested escalation amount is \(\$ 6,404.82\)
The NCDOT provided spreadsheet is attached to this correspondence
If you have questions, comments, or need more information, please contact project manager.
or 704 -

July 27,2022


NCDOT Contract DG00
Project: Replace bridge
County: Orange
Reference: Material Price Escalation Request for Two Bar Metal Rail

Inc. requests material price escalation in
accordance with NCDOT memorandum dated July, 12, 2022 from Chief Engineer, C.A. Peoples, PE.
fumish and install 194.38 linear feet of NCDOT standard two bar metal rail on the new bridge.
\(\square\) has not installed any materials on the project. \(\square\) will purchase the two bar metal rail system from Structural Materials, Inc.

The original two bar metal rail system price was \(\$ 89.40\) per linear foot plus NC and County, NC tax at \(6.75 \%\), or \(\$ 95.44\) per linear foot.

The current two bar metal rail system price is \(\$ 120.27\) per linear foot plus NC and County. NC tax at \(6.75 \%\), or \(\$ 128.39\) per linear foot.

\section*{Common Questions}
- What are materials permanently incorporated into the work?

Any material which remains incorporated into the work at the time of project acceptance.

\section*{Common Questions}
- How to address multiple invoices for the same material?
- If a material that has been permanently incorporated into the work was purchased separate times at different unit prices, please add rows as necessary to show the quantity purchased and corresponding unit price from each invoice.

\section*{Common Questions}
- If a subcontractor has completed their portion of the work on an eligible contract, but the Final Estimate has not been paid, Can the subcontractor still submit an escalation request?
- Yes, The contract is eligible for material escalation requests. The Subcontractor should work through the Prime Contractor to submit their request.```

