



# Sunrise JTA Project Jobs and Transportation Act





## Purpose

- How the delivery of fuel has evolved on the project.
- How the monitoring of fuel consumption has evolved and tools used to monitor.
- Interpretation of 49 CFR 26.55 – how DBE participation is counted toward goal.

## General Information

- Project Cost: \$53 mil (bid items)
- June 2013 – June 2016
- Type of Work:
  - 2 miles of new alignment
  - 550k CY Embankment, 85k tons HMAC
  - 6 bridges, 18 walls, 18 WQ facilities



# Sunrise JTA Project

## Jobs and Transportation Act



## General Information

- DBE Commitment- 9.07% (\$4,828,808)  
Survey, illumination, flagging,  
trucking, liquid asphalt, diesel fuel
- Diesel Fuel: \$1,396,780  
80% of the fuel consumption was  
estimated for stone embankment and  
general embankment.

# Monitoring of Fuel Consumption

## *July 2013*

- Form 3A approval – offsite fuel storage for regular deliveries. Fuel storage tank located 5 minutes away. We were told it would be dedicated to the project.
- Started mass haul of stone embankment and diesel fuel deliveries.

# Monitoring of Fuel Consumption

***Sept 2013***

- We discovered the storage tank was *NOT* dedicated to the project.
- Fuel from this tank was being used at three other projects throughout the Metro area.

# Monitoring of Fuel Consumption

## ***Sept 2013 (cont'd)***

- Contractor had completed 60% of the stone embankment quantities which represented \$310k of the \$1.4 million as estimated in the DBE Breakdown.
- Fuel delivery thru Sept 2013 was only at \$110k based on the SPSR.



# Monitoring of Fuel Consumption

## ***March 2014***

- Finalized evaluation of fuel usage based on the Dec 2013 Progress Estimate and compared it to the DBE Breakdown.
- This was provided to the Contractor and indicated a \$900k shortfall.

# Monitoring of Fuel Consumption

## ***March 2014 (cont'd)***

- Contractor stated they estimated \$900k of fuel usage for it's on/off road equipment and ...
- They were working with their Supplier to make up \$500k through delivery of rock products.

# Monitoring of Fuel Consumption

***June 2014***

- Agreed to a proposal from the Contractor to provide fuel to it's for Supplier delivery of rock products.
- Contractor started providing records of it's fuel consumption and rock delivery summaries from it's Supplier.

# Monitoring of Fuel Consumption

## ***Oct 2014***

- Evaluated the work through Sept 2014 using Daily Fuel Logs and Daily summaries of rock products delivered as provided by the Contractor.
- These were compared to the performed to date quantities for Sept 2014.



## Results of Sept 2014 Evaluation

- Project was at 43% complete, all BI's.
- Contractor had submitted fuel delivery tickets for four locations, two were located 45 minutes from the project.
- The total quantity delivered and listed on the SPSR was \$1.1 million.

## Results of Sept 2014 Evaluation

### ***Prime Contractor Participation***

- The bid items included in the DBE Breakdown were at 70% complete based on the Sept 2014 estimate.
- Daily Fuel Logs supplied only totaled \$208k and should be at \$640k.

## Results of Sept 2014 Evaluation

### ***Supplier Participation***

- Fuel delivered to the Supplier - \$238k
- Independent truckers were used to deliver rock products, rather than the suppliers own fleet, and did not fuel from the “community” fuel tank.

# Results of Sept 2014 Evaluation

## *Summary*

- Overall credit toward DBE commitment
  - Contractor - \$208k
  - Supplier - 0
- Projected shortfall still as much as \$900k



## 49 CFR 26.55 Interpretation

- The DBE fuel supplier performed a CUF. He was in control of his work and delivered fuel to locations directed. Is that all that is required to receive credit towards the DBE commitment?
- Does the Contractor have to demonstrate how the fuel was used specifically for the project ?

## 49 CFR 26.55 Interpretation

- Should DBE credit be applied towards the fuel commitment for the delivery of rock products when independent truckers are hired to deliver the rock products and they did not use the fuel delivered to the “community” fuel tank located at the quarry?

## 49 CFR 26.55 Interpretation

- Does the CFR allow for double credit?

Should the Contractor receive double credit if the DBE trucking firm for the project is also delivering rock products from the quarry receiving fuel deliveries?

QUESTIONS

COMMENTS

THOUGHTS?