



# INDIANA DEPARTMENT OF TRANSPORTATION

*Driving Indiana's Economic Growth*

## Memorandum

September 19, 2007

### CONSTRUCTION MEMORANDUM 07-22

TO: District Deputy Commissioners  
District Highway Operation Directors  
District Construction Engineers  
District Testing Engineers  
District Area Engineers  
Project Engineers/Supervisors

FROM: Mark A. Miller, Director *Mark Miller*  
Division of Construction Management

SUBJECT: Use of IC-124 to Report Controlling Operation

Reference is made to Construction Memorandum 06-26 which instructed Project Engineers/Supervisors to use a weekly report similar to the IC-124 to report the controlling operation of work. There have been questions from the field on use of the IC-124; therefore, this memorandum is intended to clarify how to determine the controlling operation, how to complete the IC-124 and how to resolve disputes about the controlling operation.

#### **Determining the Controlling Operation**

Section 40 of the General Instructions to Field Employees (GIFE) provides guidance on determining the controlling operation and should be used as a reference by the PE/S. From the GIFE, the three criteria to consider for a controlling operation are:

1. Is it a constructive operation the contractor can perform to move the job one day closer to completion?
2. Is it an operation which would delay other operations if it is not done?
3. Is it an operation which should be in progress to insure the orderly completion of the project within the specified time?

In the case where a critical path method schedule is provided by the contractor, the controlling operation should be an operation on the critical path. If it is not, then a revised schedule should be provided by the contractor.

A bar graph schedule can also be used to help determine the controlling operation by noting which activity is scheduled for work at the current time. In the case where several activities are scheduled for the same period of time on a bar graph schedule, the three criteria listed above can be used to help determine which operation is controlling. In any case, it is best if the controlling operation can be agreed upon at the time by both the PE/S and the contractor.

### **Completing the IC-124 for Controlling Operation**

This following information is provided to clarify how to complete the IC-124 for work day, calendar day and completion date contracts using CRA and Site Manager electronic versions as well as the paper version.

- Work Day Contracts
  - *Paper* – Instructions for use of the paper version of the IC-124 are provided in the GIFE in Section 40 under “Weekly Reports”.
  - *CRA* – The information required for the IC-124 in CRA is entered when completing the header portion of the Engineer’s Daily. The field labeled “Available Days” will already be filled in based on the number of work days allotted to the contract. The PE/S must complete the fields labeled “Control Operation”, “Fraction Day Workable”, “Day Charged” and “Reason Charged/Not Charged” for each day. The fields labeled “Days Used” and “Days Remaining” will be calculated and updated automatically. The IC-124 can then be created by selecting it from the “Reports” menu.
  - *Site Manager* – The information required for the IC-124 in Site Manager is entered in the “Diary/Authorize” and “Diary/Charge” tabs under the “Daily Work Reports” tab. Under “Diary/Authorize”, use the Remarks scroll list to enter “PE/S Controlling Operation” and “PE/S Frac Day Workable”. Enter appropriate information in “Remarks” for each one of these selections. Under “Diary/Charge”, select the “Charge Type”, either “Full Day” or “No Charge”. If “No Charge” is selected, use the “Credit Reason” scroll down box to select the reason for not charging a work day. Note that only the PE/S should enter the information above in the Diary window to avoid duplication of data on reports. The IC-124 can then be created using the Site Manager Reports webpage on the internet.
- Calendar Day and Calendar Completion Date Contracts
  - *Paper* – The IC-124 is completed similar to that for Work Day contracts with the exception that the spaces for “Contract Working Days”, “Work Days Previously Reported”, “This Report”, “Total to Date”, “Balance Remaining” and “Work Days Charged” should be left blank. The space for “Reasons for Reporting as a Work Day or Non-Work Day” may be used to briefly describe any delay to the controlling operation.
  - *CRA* – The information required for the IC-124 in CRA is entered when completing the header portion of the Engineer’s Daily. The PE/S must complete the fields labeled “Control Operation” and “Fraction Day Workable”. Do not make any entries in the

fields labeled "Day Charged" and "Reason Charged/Not Charged". In the "Memo" portion of the daily, the PE/S should note any delay to the controlling operation.

- *Site Manager*-- The information required for the IC-124 in Site Manager is entered in the "Diary/Authorize" tab under the "Daily Work Reports" tab. Under "Diary/Authorize", use the Remarks scroll list to enter "PE/S Controlling Operation" and "PE/S Frac Day Workable". Enter the appropriate information in "Remarks" for each one of these selections. Note that only the PE/S should enter the information above in the Diary window to avoid duplication of data on reports. Do not enter any information on the "Diary/Charge" tab. The IC-124 can then be created using the Site Manager Reports webpage on the internet.

### **Resolving Disputes about Controlling Operation**

After an IC-124 has been completed for a given week, the PE/S should provide a copy to the contractor. By specification 108.08, the contractor has one week after receipt to file a written protest if they believe the information on the IC-124 is in error. If a protest is not filed within a week, the IC-124 will be assumed to have been accepted as correct.

As stated earlier, it is always best if the PE/S and the contractor can agree on the controlling operation on an on-going basis while the work is progressing. Many times, the controlling operation will remain the same for a lengthy period of time and the PE/S and contractor need to be aware of when the operation changes.

If the contractor files a written protest about an IC-124, the PE/S should meet with him to discuss the issues and make every effort to resolve the difference of opinion. The PE/S can revise the IC-124 if the contractor provides timely information that the PE/S can verify.

If the PE/S and contractor are unable to resolve a dispute over the IC-124, the PE/S should contact the Area Engineer and the issue should be moved to the next level, again with the goal to resolve as quickly as possible. On jobs with an item for partnering, the partnering charter should identify the steps and timeline for resolution of disputes.

Remember that it is always best to resolve disputes at the lowest level and as quickly as possible while all the applicable facts are still fresh in everyone's mind.

Field personnel should address any questions concerning the IC-124 or controlling operation to the District. The Districts should address any questions on this subject to the Division of Construction Management.

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