

# ADMINISTRATIVE POLICY STATEMENT

## *Utilization of Uniformed Law Enforcement Officers in INDOT Work Zone Safety Management*

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### I. Purpose

The purpose of this memorandum is to summarize administrative policy governing the utilization of law enforcement officers (“LEOs”) in INDOT work zone safety management. LEOs are a scarce and valuable resource, and it is therefore necessary to limit their utilization to projects and circumstances where the presence of uniformed law enforcement officers provides the most value, as determined by the Department. Pursuant to INDOT Standard Specification 108.07, uniformed law enforcement officers, like all individuals operating on an INDOT work site, are subordinate to the direction of Department personnel and the stipulations of governing rules and requirements.

This document provides a succinct outline of prevailing law and policy regarding the engagement of LEO services on INDOT work sites, including contracting procedures. This memorandum is *not* intended to govern or define the scope of allowable LEO services or qualification requirements, which are set forth in INDOT Recurring Special Provision (RSP) 801-R-672 and Ind. Code §8-23-2-15(b). Furthermore, this document is a *statement of existing policy* and does not create any new requirements. The contracting procedures set forth below are consistent with Department requirements for the delivery of construction pay items.

This administrative policy statement, in conjunction with INDOT RSP 801-R-672, is published in accordance with 23 CFR 630.1106(a), which requires that every state DOT maintain written guidelines for the use of LEOs.

### II. Administrative Policy Statement- Utilization of LEOs in INDOT Work Zone Safety

The utilization of LEOs in the delivery of INDOT contracts is subject to the following stipulations:

- (1) Only contracts containing INDOT RSP 801-R-672 may utilize LEOs in Department work zones
- (2) If LEO pay item and INDOT RSP 801-R-672 is not included in the original contract, the prime contractor must obtain a zero dollar Change Order for the inclusion of RSP 801-R-672
- (3) LEOs procured directly from a government agency or local entity do not require subcontract
- (4) If LEO is provided by a private company, the company must execute a subcontract, which must be approved by INDOT before LEO services are commenced on site
- (5) DBE credit is only available where the LEO is employed by a certified DBE company
- (6) LEO services are limited to the activities provided in Ind. Code §8-23-2-15(b) and RSP 801-R-672- individuals offering services outside the scope of these provisions are not LEOs
- (7) LEOs must satisfy all personnel requirements of RSP 801-R-672

The above stipulations account for all existing policy and law governing the use of uniformed law enforcement officers in INDOT work zone safety management.

### III. Conclusion

In order for services provided by law enforcement officers to be properly classified as LEO services, all of the above applicable stipulations, along with all other referenced requirements, must be satisfied. In order to be legitimate, and in turn compensable, LEO services provided by private companies must be delivered by virtue of an executed subcontract containing RSP 801-R-672. A subcontract containing RSP 801-R-672 is required for both DBE and majority companies providing LEOs for INDOT projects. In the event questions arise on the jobsite regarding the proper utilization of LEOs, please contact the INDOT project staff.