



# Standard Operating Procedure for Construction Management Plans

Design Division  
2024

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# Standard Operating Procedure

The purpose of this Standard Operating Procedure (SOP) is to establish uniform guidelines for the development, submission, and approval of a Construction Management Plan ("CMP" or "plan") for statewide construction let projects. This SOP supersedes any prior memos or directives regarding CMPs.

At letting, projects can be considered either as having clear or unclear certifications. To be considered a clear project, all certifications must clear before letting. Projects with unclear certifications after letting, will include any of the following conflicts: right-of-way (ROW) acquisition, ROW encroachments, ROW relocation, utility (UTL) conflicts, state-owned utility conflicts, railroad agreements and/or environmental conflicts. While the goal is to let clear projects, the CMP is a tool that allows a project to proceed to letting with unclear conflicts. **A CMP must be completed for every project with unclear certification(s) clearing after letting to ensure compliance with [23 CFR §635.309](#)** and must demonstrate that construction can be completed without delays due to these conflicts.

## Definitions

Term	Definition
000 Special Provision	Special Provision required for projects with unclear certifications. All details in the certifications, including clearance dates, must match the corresponding details in the required 000 Special Provision (SP) for the project except the phase start date, critical start date and buffer.
Buffer	Buffer times are the calculated difference (in months) between the affected construction phase or step start date (per the schedule) and the estimated clearance date of the conflict.
Clear	All certifications clear before letting.
Construction Management Plan (CMP)	An executive summary of the steps that will be shown in the plans to complete the project while mitigating the risk of delays in construction due to unclear certifications.
Convenience Delayed Start	Delay may not be included in the buffer calculation. See the <a href="#">Delayed Start SOP</a> .
Compulsory Delayed Start	Delay may be included in buffer calculation. See the <a href="#">Delayed Start SOP</a> .
Critical Date	The date work can be done within the affected phase up until the conflict exists.
Description of Construction	Description of the construction impacted if the conflict does not clear by the clearance date.
Unclear	A project with unclear certifications after letting.
Joint-Bid Utilities	Utility work to be included in the highway construction contract. Joint-bid utilities do not need to be included in the CMP.
Non-Joint Bid Utilities	Utility work to be completed prior to construction performed by the utility company or their subcontractor. Non-joint bid utilities must be included in the CMP.
Possession and Use Agreement (PUA)	Allow TxDOT to gain irrevocable possession of a parcel while at the same time allowing the landowner to continue contesting the ultimate compensation through the litigation process. (Section 31, ROW Acquisition Manual)

# Construction Management Plan

## Overview

A CMP must define the steps of construction that have been developed in the PS&E that mitigate the risk of delays in construction due to unclear certifications. Districts are encouraged to develop the CMP early in the PS&E Development process, in coordination with the TCP, to allow ample time to evaluate clearance dates, clear conflicts prior to letting and develop plan documents accommodating the conflicts.

To effectively communicate the plan with the contractor, construction steps must be included in the Traffic Control Plan (TCP) phase narrative, conflict layout, and the construction time determination ("CTD" or "schedule"). The plan must clearly communicate not only where a contractor cannot work due to the conflicts, but it must also show work the contractor can perform. It must demonstrate that there is sufficient work, away from the conflict areas, to allow the contractor to work continuously, without adding substantial time to the overall project duration.

A complete CMP includes the following documents:

- Cover Memo (signed)
- Certifications (signed)
- CTD (signed)
- TCP Phase Narrative (signed & sealed)
- Conflict Layout (signed & sealed)

Final CMPs may be submitted to the Design Division's Final PS&E Processing Section (DES-FPP) for review without signatures but must be signed before the CMP can be sent to TxDOT Administration.

## Cover Memo

The cover memo is an executive summary prepared for TxDOT's Administration describing the steps that will be shown in the plans to mitigate the risk of delays in construction due to unclear certifications. It should summarize the plan but not duplicate the data that will be provided in the appendices. Cover memos must be signed by the District Engineer (D.E.) or the District TP&D Director.

The cover memo must include:

- General project information.
- A statement whether there is a convenience or compulsory delayed start, the length of delay and the reason for the delay.
- A summary of each certification type.
- Relevant details of the plan to clarify level of risk, complexity and how the plan mitigates possible delays from unclear certifications.
- Any other information describing why the CMP is necessary.

## Certifications

Certifications should succinctly provide all pertinent information regarding the status of unclear ROW acquisition, ROW encroachments, ROW relocations, UTL relocations, state-owned utility conflicts, railroad agreements, and environmental surveys/permits. Details required in every certification include conflict location, estimated clearance date, affected construction phase and/or step, affected construction phase/step start date, buffer, and a description of construction.

Certifications are submitted at least twice during the PS&E development process as draft certifications and final certifications and must utilize the certification templates.

- **Draft Certifications:** Draft Certifications must include all conflicts present at the time of creating the document. Draft certifications are due four months before letting. Do not exclude unclear conflicts even if clearance before letting is anticipated. Draft certifications do not need to be signed.
- **Final Certifications:** Final certifications are signed and required to be included in every statewide construction PS&E submittal. If a project has an estimated clearance date prior to or within the month of letting, the clearance date in the CMP and final certification must be moved to the first day of the following month. Buffer times are the calculated difference (in months) between the affected construction phase or step start date and the estimated clearance date of the conflict. The buffer should be maximized to reduce the risk to construction delays. A critical start date may be used to achieve a larger buffer, when necessary. The critical date is the date work can be done within the affected phase up until the conflict exists. Convenience delays cannot be included when calculating the buffer. All details in the certifications, including clearance dates, must match the corresponding details in the required 000 Special Provision (SP) for the project (excluding buffers, phase start date, and critical dates).

The following project certifications are required when unclear conflicts are not expected to clear before letting.

- **ROW –** A ROW certification is required when there are pending acquisitions, demolitions, relocations, or active encroachments within the project limits. If a ROW acquisition parcel has an executed Possession and Use Agreement (PUA), the information must be provided on the certification.
- **Environmental Surveys/Permits –** While all projects must receive environmental clearance to be ready to let, this certification captures any pending environmental activities necessary for construction and may include but not limited to:
  - Archaeological Survey
  - Army Corp of Engineer permit
- **Railroad –** A railroad certification is required when an agreement between TxDOT and the railroad(s) has not been executed. Maintenance notifications count as "agreements" and should be documented in the certifications the same as formal railroad agreements.

- Utility – The utility certification is required for all unclear publicly and privately owned utility conflicts, including, but not limited to pedestals, manholes and water valves. The utility certification must identify all known utility conflicts that are present at the time of producing the document. Pedestals, manholes and water valves, which need to be adjusted to grade during construction, can be excluded from the policy of needing a CMP if there is no chance of a delay in construction.
  - Districts should scrutinize clearance dates provided by the utility companies. The estimated clearance dates in the certifications and CMP must be the date that the district thinks the utilities will clear, not necessarily when the utility company has certified that they will clear. If a particular utility is notoriously late completing their work, the district should add additional time to the clearance date so that it is more realistic. Joint-bid utilities do not need to be included in the CMP.
  
- State-Owned Utility – A State-Owned Utility certification must list any state-owned utility conflicts that are present. Identifying state-owned utilities in the certification ensures the conflicts are accounted for and cleared during construction, if needed. These can include, but not limited to:
  - Permanent Traffic counting & WIMS (weigh-in-motion) stations
  - Illumination
  - Intelligent Transportation System (ITS)
  
- CMP Approval – A CMP approval certification is required on all CMPs to certify that all unclear conflicts are accurately identified in the certifications.

## **Construction Time Determination (CTD)**

The CTD is a logical critical-path method schedule including all construction activities in the project. All unclear conflicts must be included in the CTD as activities. Refer to the [DES-FPP website](#) for CTD guidance and Delayed Start provisions. An example is provided in Appendix A – Sample Construction Management Plan.

## **TCP Phase Narrative**

The TCP Phase Narrative provides an overview of the sequence of work shown in the traffic control plans. When a CMP is required, a note must be added to the TCP Phase Narrative restricting the contractor from working in any areas where conflicts have not been resolved and included in the plan set for the 100% PS&E submittal. An example is provided in Appendix A – Sample Construction Management Plan.

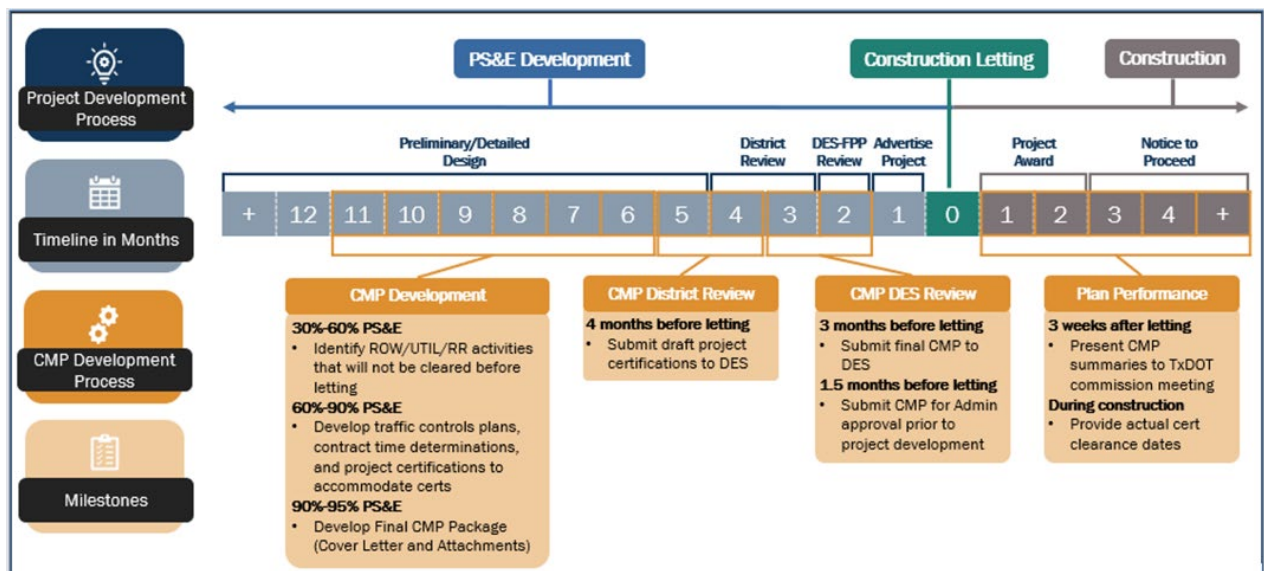


## Conflict Layout

The conflict layout depicts all phases of construction and identifies all conflicts at the time letting. Depending on the project scope or length, multiple conflict layout sheets may be appropriate. The sheet(s) must be included in the plan set for the 100% PS&E submittal. Notations for unclear conflicts must contain the utility name, parcel owner or ID, railroad name, etc. and clearance date. An example is provided in Appendix A – Sample Construction Management Plan.

## Review & Approval Process

The following graphic shows the general timeline for the development, submittal, and approval of CMPs.



All draft certifications and final CMPs, needing TxDOT Administration approval, must be sent to [DES\\_FPP\\_ePS&E@txdot.gov](mailto:DES_FPP_ePS&E@txdot.gov).

Final CMPs, needing administrative approval, are due three months before letting. DES-FPP will work with the districts to review and revise the CMP before sending it to TxDOT Administration for approval. DES-FPP strives to obtain TxDOT Administration approval before projects are advertised for letting. All CMPs are reported up to the Texas Transportation Commission (TTC).

All CMPs must go through an approval process to ensure the timely and economic completion of construction projects. There are two approval levels: district and administrative.

**The CMP Approval certification is required for any statewide let construction project with unclear certification(s) that cannot be cleared before letting.** If all conflicts listed in the CMP clear by the third month after letting, no additional approval is required. All CMPs that do not need TxDOT Administration approval will be managed at the district level and must meet the same documentation requirements as CMPs approved by TxDOT Administration, excluding DES-FPP review and TxDOT Administration approval steps.



Any project with unclear certifications expected to clear after the third month after letting requires TxDOT Administration approval. If a CMP is not approved by TxDOT Administration, the district will need to either refine and resubmit the plan for approval or move the project to a later letting.

Refer to the CMP Approval Level and Key Clearance Dates tables below.

## CMP Approval Level

Approval level required	District	TxDOT Administration
Conflict(s) clear within 3 months after letting	X	
Conflict(s) clear more than 3 months after letting	X	X

## Key Clearance Dates

Letting Month	Earliest Clearance Date Shown in Certifications*	CMP Approved by District Conflicts clear by:	TxDOT Administration Approved CMP Required Conflicts clear on or after:
January	1-Feb	31-Mar	1-Apr
February	1-Mar	30-Apr	1-May
March	1-Apr	31-May	1-Jun
April	1-May	30-Jun	1-Jul
May	1-Jun	31-Jul	1-Aug
June	1-Jul	31-Aug	1-Sep
July	1-Aug	30-Sep	1-Oct
August	1-Sep	31-Oct	1-Nov
September	1-Oct	30-Nov	1-Dec
October	1-Nov	31-Dec	1-Jan
November	1-Dec	31-Jan	1-Feb
December	1-Jan	28-Feb**	1-Mar

*\*If a project has an estimated clearance date prior to or within the month of letting, the clearance date in the CMP and final certification must be moved to the first of the following month.*

*\*\*Leap year – February 29*

## Responsible Personnel

District – The district is responsible for identifying the need for a CMP early in the PS&E development process and developing and submitting the CMP in a timely manner. It is also their responsibility to

review and revise CMPs developed by consultants prior to forwarding them to DES-FPP. Districts will approve and manage CMPs whose certifications clear within three months after letting. The D.E. or TP&D Director will have approval authority for all CMPs on projects with conflicts clearing within three months after letting.

Division – DES-FPP is responsible for assisting the districts in determining if a CMP is needed, reviewing CMPs and preparing CMPs for TxDOT Administration. DES-FPP will forward the CMP to Rail, Right of Way, and Environmental Affairs divisions for their input. DES-FPP will send finalized CMPs to the Design Division (DES) Director for review. The DES Director will send CMPs to the Director of Project Development for review, who will request approval from the Chief Engineer. DES-FPP will forward the CMP approval or rejection to the district for their records.

TxDOT Administration – TxDOT Administration will review and provide a determination for all CMPs on projects with certifications clearing more than three months after letting.

## Reports & Metrics

DES-FPP utilizes CMP data to produce performance metrics and the Ready for Construction report. DES-FPP analyzes metrics related to change orders and planned and actual clearance dates. The CMP dashboards are available on the [DES-FPP website](#).

## Appendix

The instructions, templates and a sample CMP are provided below as appendices.

Appendix A – Sample Construction Management Plan

Appendix B – CMP Best Practices and Certification Guide

Appendix C – Cover Memo Template

Appendix D – Certification Templates

Appendix E – 000SP Template