**Permanent Water Quality Mitigation Pool**

**Purpose:**

This bulletin supersedes Design Bulletin 2014-12: Permanent Water Quality Mitigation Pool Combination Projects and Construction Bulletin 2014-6: Permanent Water Quality Mitigation Pool.

The purpose of this bulletin is to provide direction on tracking Permanent Water Quality (PWQ) project money. A project follows this procedure anytime PWQ Mitigation Pool funds are used (including local agency projects).

**PWQ Projects shall not be tracked as Combination Projects**.

**Background:**

CDOT’s municipal separate storm sewer system (MS4) Permit requires CDOT to implement a Permanent Water Quality (PWQ) program to address water quality from new development and redevelopment (NDRD). This program requires CDOT to install PWQ Control Measures [(CMs) or best management practices (BMPs)] on all sites that disturb one or more acres. CDOT has revised this program to be more efficient and streamlined. As part of the PWQ program, a Permanent Water Quality Mitigation Pool (the Pool)] has been created to fund water quality projects on a watershed and priority basis. As a result, fewer of CDOT’s projects will require onsite permanent water quality.

CDOT has determined the Pool will not exceed the annual PWQ Program/Permit required amount. Because of this, not every Priority project will be funded or fully funded by the Pool. Additional funds may be required from other sources to complete the PWQ project.

The Colorado Department of Public Health and Environment (CDPHE) requires CDOT to report and track how the Pool is spent. This will be done using the PWQ Cost Estimate and Expenditure Spreadsheet which can be found on the PWQ website:

<https://www.codot.gov/programs/environmental/water-quality/permanent-water-quality>

**PWQ Guidance:**

1. The Project Engineer (PE) and Resident Engineer (RE) will account for the Pool funds separate from other funds. The PWQ work and the other work shall be identified separately in the project documentation such as the Daily Diaries, Inspector’s Progress reports, and other forms to document the PWQ work.
2. A PWQ Category has been created in Trns\*port to pay for these items. The Project Engineer will record the PWQ work under the associated project Category 1300.
3. The Project Engineer and the Resident Engineer will work with PWQ Program Manager and the Region Business Manager if there is a need to add funds to the PWQ Project’s construction phase. Additional funding is not guaranteed.
4. The Pool will pay for elements that exist solely for PWQ. For example, the Pool would pay for an inlet that has the sole purpose of routing flows to a PWQ feature. The Pool would not pay for an inlet that would be necessary without the PWQ feature, solely for drainage purposes.
5. Payment for lump sum items that are required for both the PWQ work and other work and do not typically overrun will be prorated. An example is *Clearing and Grubbing*. The Project Manager and Resident Engineer will determine the percent of the total items applicable to the PWQ work compared to the other work. Decimal equivalents will then be listed in the plan sheet tabulations for the two categories of work so that the total on the Summary of Approximate Quantities is a value of one.
6. Itemsthat are not quantified as lump sum need to be analyzed and proportioned so that the total quantity for PWQ work and the other work is reported separately. An example is *Seeding*. The quantity placed for the PWQ work will be accounted for separately.
7. The Pool will not pay for items that are required for the project like the Field Office, the Field Laboratories and Sanitary facilities. If a change order is necessary, remember the Pool will only be used for elements necessary for the construction of the PWQ features. The Pool will not pay for elements of the project that would exist irrespective of the PWQ feature. For information regarding eligibility to use the Pool, contact the NDRD Program Manager.
8. Change Orders, if required, will be tracked in Category 1300. If the change order impacts both the PWQ work and other work, the Project Engineer and Resident Engineer will determine an accurate proportional difference in costs based on engineering judgment. Cost justifications will need to clearly identify the funding source, or sources for the additional work.
9. If Liquidated Damages (LDs) are necessary they will not be included in Category 1300.

If you have questions please first consult the RE, the Water Quality Specialist or the Environmental Designer. This team is critical in determining the water quality needs on the project.

The contacts for Water Quality Specialists and Hydraulic Engineers can be found on the PWQ website:

<https://www.codot.gov/programs/environmental/water-quality/permanent-water-quality>

For questions regarding the eligibility to use the Pool, NDRD Program requirements or regulations, please contact the NDRD Program Manager, Amber Williams at (303) 757-9814 or dot\_pwq@state.co.us.

For questions regarding funding the project phases, contact your region Business Office Manager.

**References:**

Please print a copy of this bulletin and keep it with your copy of the *Construction Manual*.

The *Construction Manual* and Construction Bulletins can be found on the Design and Construction Project Support web page at:

<https://www.codot.gov/business/designsupport/bulletins_manuals>.