**Tracking Permanent Water Quality Mitigation Pool Money**

**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. However, some transportation projects must treat runoff from the project’s limits because they have a greater chance of impacting water quality. These projects are considered Priority Projects. Guidance on determining Priority status and other PWQ requirements can be found on the PWQ website:

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

**General PWQ and Pool Requirements**

1. Work with the region Water Quality Specialist and Hydraulic Engineer to determine if PWQ is required onsite (Priority Project) and if so, whether it is eligible to receive Pool funds and whether the project must be submitted to and selected by the Permanent Water Quality Mitigation Pool Committee to receive those funds.
2. The Region Planning and Environmental Manager (RPEM) and the PWQ Program Manager may be consulted on questions regarding PWQ requirements and regulations. PWQ Program requirements and guidance and flow charts for determining project category and funding process can be found at:

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

1. In order to avoid double-dipping, when RAMP projects participate in PWQ mitigation pool reimbursement, the same amount of RAMP money must be returned to the RAMP pool as was originally estimated for the project.
2. Regardless of funding source, all Priority Projects must build onsite Water Quality.

**Tracking Requirements:**

1. PWQ must be determined at scoping and at a minimum will be re-evaluated at the FIR and FOR milestones (see #1 under General PWQ and Pool Requirements).
2. The PM and RE determine whether the Pool will be used for Design cost by balancing the amount of money that can be received by the effort of tracking the Pool expenditures. It is recommended that projects with PWQ Design costs under $25,000 consider using other projects funds instead of PWQ Pool funds.
3. If the project decides to use Pool funds the PM must provide a PWQ Estimate so that funds may encumbered for the project. This may be done either with a detailed PWQ Estimate based on specific project assumptions or by using the following cost assumptions for PWQ Design Estimates using the following assumed percentages:
4. The PWQ Design is generally 10% of the PWQ Construction Estimate
5. The PWQ Construction estimate is generally 4.2% of the total project costs for projects with a total cost of under $20 million dollars or 2.2% for projects over $20 million.

Estimates must be tracked on 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>

1. The Project Manager (PM) and Resident Engineer (RE) must account for the Pool funds separate from other funds. In the plans (including Plan sheet tabulations) the Designer will label the PWQ work and quantities to clearly differentiate from other work.
2. The PM will develop PWQ Scoping, FIR and FOR cost estimates and will send a copy of the estimate to the PWQ Program Manager. The PWQ Program Manager will use this information both to ensure Pool funds are budgeted and to meet regulatory requirements. Since the Pool funds are not guaranteed, submitting the estimate early increases a project’s chance of receiving funds.
3. The NDRD Evaluation and Tracking Form (the Form) must be completed and reviewed by the PWQ Manager prior to funds being transferred (may be preliminary and not a final version). The PM will work with Region Environmental to complete the Form and submit it to the Headquarters PWQ Program Manager.
4. In preparation for the construction phase setup Category 1300 in Transport:

The same basic functionality for transferring projects from Trns\*port Accessories into web Trns\*port Pre-construction will remain, except that when choosing the Category select the 1300 Category for tracking PWQ.

For assistance with the Trns\*port transfer and set up; please consult the web Trns\*port Pre-construction Quick Steps found on the Trns\*port web

[http://internal/trnsapps/docs/WP%20QUICK%20STEPS.pdf](http://internal/trnsapps/docs/WP%20QUICK%20STEPS.pdf%22%20%5Ct%20%22_blank)

**Determining What the Pool Can Pay For**

1. The Pool will only be used for elements necessary for the design and construction of the PWQ features and that exist solely for the PWQ. The Pool will not pay for elements of the project that would exist irrespective of the PWQ feature. For example, the Pool would pay for an inlet that has the sole purpose of routing flows to a feature such as a pond. The Pool would not pay for an inlet that would be necessary without the PWQ feature, solely for drainage purposes.
2. The Pool will not pay for items that are required for the project like the Field Office, the Field Laboratories and Sanitary facilities.
3. 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 for inclusion in the PWQ cost estimate.
4. 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 tracked separately. An example is *Seeding*.
5. The PM and RE may include a planned force account for the Minor Contract Revisions (MCR) related to the PWQ work. The Project Manager will budget the PWQ portion with a MCR force account at 4% of the Pool dollars encumbered for the project.
6. Pre-construction phase charges, such as Design, Right of Way, Environmental, etc., to develop the PWQ features will be funded by the Pool. This includes PWQ work done by CDOT personnel and consultants. The Project Manager will develop a design estimate and work with the PWQ Manager, Region Business Manager and the Office of Management and Budget (OFMB) to budget the appropriate pre-construction and construction phase funding.
7. The PWQ work is not exempt from the Construction Engineering (CE) and Indirect rate. When you budget the Construction phase of the PWQ work you will need to account for the associated CE rates.

If you have questions regarding whether water quality is required on site, please first consult the RE, the region Water Quality Specialist, region Hydraulic Engineer, and 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.

For questions regarding WebTransport please contact Lekshmy Sankar at (303) 757-9980 or Lekshmy.Sankar@state.co.us.

**References:**

Permanent Water Quality Guidance can be found at:

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

Design Bulletins can be found on the CDOT website at:

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