



2018

Emergency Declaration Procedures



Bureau of Engineering and Construction
Connecticut Dept. of Transportation

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Emergency Declaration Procedures

Introduction

The Department responds to emergencies of varying sizes and urgency which may affect different transportation services and modes. This guidance establishes procedures and provides guidance to the Bureau of Engineering and Construction for situations where all of the following conditions are met:

- Natural or human events have resulted in actual or potential imminent, serious public harm or disruption involving a highway or bridge;
- Responsible and timely response by the Department to the condition is not possible using routine business processes or resources;
- The Governor of Connecticut has not proclaimed a state of civil preparedness emergency for the condition.

Emergency situations and response actions are so varied it is not possible to define the specific course of action for all situations. Bureau staff should seek regular guidance from their supervisory chain as the emergency response develops.

Under normal circumstances most Department actions involve deliberative planning, design, regulatory and coordination processes. While standard operating procedures are appropriate for the orderly delivery of planned infrastructure projects, they may not be appropriate during an Emergency Declaration (ED).

When formulating a response to the emergency situation, standard procedures and business practices should be employed whenever possible. Departures from standard procedures should be proportional to the need and reasonable in their context. Initiative, innovation and cooperation are critical success factors in emergency response situations across all Bureaus.

This document is not intended for non-emergency situations or projects that require an expedited or compressed timeline for delivery in order to prevent a possible emergency situation. In those cases, the Engineering Administrator will issue specific direction on a case-by-case basis on how to proceed based upon the situation or project.

Evaluating the Need for an Emergency Declaration

The recommendation to declare an emergency is brought to the attention of the Chief Engineer, who will then discuss it with the Commissioner. If preliminary information indicates a likely threat to public safety or significant disruption related to a highway or bridge, the Chief Engineer, or designee, will assign a Lead Engineer with primary responsibility for carrying out these procedures. In some (e.g., large-scale, catastrophic) cases, the respective Bureau Chief will personally lead the evaluation and response effort.

The Lead Engineer(s) may be from the Office of Construction, the Office of Engineering, or both offices may jointly lead. As soon as the Lead Engineer is designated, an organizational meeting shall be convened to discuss a strategy for responding to the emergency condition. Attendees shall have decision-making authority and may include:

- Bureau of Engineering and Construction
 - District Construction
 - Office of Construction
 - Office of Engineering

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- Rights of Way Division
- Bureau of Finance and Administration
- Bureau of Highway Operations
- Bureau of Policy and Planning (as appropriate)
- Bureau of Public Transportation (as appropriate)

At the discretion of the Lead Engineer, units that clearly have limited involvement may be excluded, and units beyond those listed may be invited.

The principal objectives of the organizational meeting are to evaluate the initial response plan and to determine if the proposed plan of action warrants an ED. The Lead Engineer will be responsible for decisions and actions related to the potential emergency. The meeting should include a briefing (e.g., background, condition, status of any immediate response) based on the best available information, while recognizing such information may be preliminary, and therefore, not necessarily be complete or totally accurate.

An Emergency Response Concept Plan (Concept Plan) addressing the following elements should be developed:

- Scope (e.g., repairs, temporary traffic control, etc.),
- Means, methods and impacts,
- Urgency and time sensitivity, and
- Required resources (budget, internal and external engineering, construction).

Based on a review of the Concept Plan, a determination will be made on the need for an ED. If the response can be executed by merely expediting standard procedures, for example using the Bureau of Highway Operations resources, an ED should **not** be pursued.

Prepare and Process an Emergency Declaration

If the Chief Engineer determines that emergency procedures are needed to carry out the response, the respective Bureau Chief will assign staff to draft an ED using the current form and format, modified to describe the specific situation/conditions.

[Template For Emergency Declaration](#)

The respective Bureau Chief will transmit the proposed ED to the Commissioner based on the Lead Engineer's findings recommending its signature. When the ED is signed, copies will be distributed to the following:

- Deputy Commissioner
- All Bureau Chiefs
- Engineering Administrator
- Construction Administrator
- District Engineer
- District Maintenance Manager
- Director of Environmental Planning
- Office of Communications
- Any other offices as appropriate

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Emergency Concept Plan Response and Execution

After an ED has been executed, the Chief Engineer, or his designee, will affirm or change the Lead Engineer and assign lead and support units from design and construction for the emergency work. The Concept Plan will be reviewed and refined to include overall strategies, a general timeline, and updated resource requirements.

The emphasis of the revisions to the Concept Plan should be on timely action. Perfect documentation, such as detailed plans and specifications, are not required at this stage in the response. This allows the Concept Plan to be dynamic and evolve in consideration of additional and improved information and changing conditions. To the extent feasible, and without causing undue delay, the Concept Plan should be consistent with FHWA policies and procedures to maintain eligibility for federal funds, should they become available.

A concept plan may be initially developed by the Lead Engineer and finalized into an Emergency Response Plan (ERP). The level of detail included in the ERP should be proportional to the scope of the emergency response. When complete, the ERP should be published and distributed to all involved. Updates to the ERP may be issued whenever significant revisions are necessary.

Department Resources: The Lead Engineer(s) shall estimate the Department resources needed for the response based on the required work. The Lead Engineer(s) shall coordinate with supervisory personnel in the affected units to verify the anticipated level of effort required to support the emergency response and to confirm the staff availability.

External Engineering Resources: Design resources beyond those provided by the Department must be identified and a procurement strategy developed. The appropriate Engineering Division Chief shall determine the type and extent of externally-procured resources based on the anticipated work.

- Engineering/Design Tasks:
 - When a consulting engineer is needed, the Engineering Administrator will recommend the selection method. Options may include, but are not limited to:
 - Sole source selection;
 - Use of a task-based agreement;
 - Or augmentation of an existing agreement related to the emergency condition.
 - This procurement method shall be approved by the Chief Engineer.
[Template For Contractor Selection](#)
- Construction Tasks:
 - The Construction Administer, the District Engineer and the Construction Division Chief, or any combination thereof, will consult and select a recommended contractor.
 - The recommended contractor will be submitted to the Chief Engineer for their concurrence.
[Sample Contractor Verification Information](#)
[Template For Contractor Selection](#)
- If an Emergency Work Letter of Agreement is required for the design contract, it shall be prepared by staff from the respective Office and executed by the Chief Engineer.
 - Engineering/Design:

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- It is recommended that scope descriptions for design services be broadly written to allow for flexibility as the emergency response work plan is developed.

[Template Emergency Letter Agreement HighwayBridge](#)

- Construction:
 - The Office of Construction will prepare an Emergency Work Letter Agreement for the construction contractor.

[Template Emergency Letter Agreement HighwayBridge](#)

- Plans and specifications may be developed and issued in phases, integrating design delivery with contractor construction activity.
- Utilities and railroads are sometimes impacted by emergency conditions. The Utilities Unit in the Office of Engineering will take the lead addressing and evaluating this work in conjunction with the District Utility Coordinators and the Office of Construction.
 - If work is required by a utility or railroad, it shall be expedited to the extent possible through the Utilities Unit.
 - Reimbursement for authorized expenditures by utilities and railroads will generally follow the standard procedures except that the effective date will coincide with the Department's notification/request.

Cost Estimate and Funding:

The Lead Engineer shall oversee the estimated scope, and budget to all involved, including the Offices of Capital Planning and Capital Services. A Core-CT modification will be generated to modify the budget from one based on the placeholder to one based on estimated cost.

Generally, the emergency work should only include work necessary to abate the emergency and stabilize field conditions. If significant additional work is needed for full restoration, it should be accomplished through a subsequent, programmed project. The final decision on whether to proceed with full restoration will be made by the Chief Engineer in consultation with the Engineering Administrator, Construction Administrator, respective design Division Chief, and respective District Engineer.

If appropriate, a meeting will be convened with FHWA to discuss the eligibility of the proposed work for federal participation.

A meeting should also take place with the Office of Highway Operations to discuss the requirements for filing a third party claim for damages, if applicable. This may also include incidental costs.

Regulatory Coordination and Approvals: ED action may not allow time for the issuing of environmental permits or other environmental/historical approvals. However, regulatory agencies should always be notified of ongoing and impending emergency response activity that may affect an environmental regulated area or resource to avoid, minimize and mitigate regulatory impacts. For the large majority of emergency responses, the established emergency authorization procedures of State and Federal regulating agencies can be utilized. When time permits, obtain full environmental permits (via normal or emergency authorization permitting process) prior to undertaking regulated response activities. Further information and guidance can be found at:

[Emergency Declaration OEP Procedures](#)

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Public Information: The Office of Communications shall be responsible for coordinating with emergency responders and public officials. The Office of Construction and the Lead Engineer will coordinate with the Office of Communications. Additional public information measures will be considered depending on the impact of the emergency and scope of the response. Updates will be provided consistent with conditions and public interest. The Offices of Communications and Capital Planning shall be included in the distribution of the status report.

[Sample Emergency Status Report](#)

Project Completion: ED projects should always be accomplished expeditiously. Occasionally, the unique challenges of emergencies may preclude building consensus for an adequate and timely response. The Chief Engineer, or respective Administrator, shall be consulted on contentious issues and in advance of major decisions. Project close out should proceed without undue delay in accordance with Department procedures.

This guidance has been developed to provide the Bureau of Engineering and Construction staff with the necessary tools and guidance for ED responses. The procedures outline the steps to follow to marshal resources and to execute actions commensurate with the urgency of the emergency. This guidance is not intended to circumvent normal business practices and standard procedures when emergency conditions do not exist. Questions concerning the proper course of action should be directed to your Division/District management.