

ADMINISTRATION TEAM

January 23, 2015

9:00 am

**WSDOT Fife Project Office
6610 16th Street E., Suite A
Fife, WA 98424**

Attending:

✓	Aleta Borschowa WSDOT NWR		Craig McDaniel WSDOT Construction	✓	Ken Shovlin Guy F. Atkinson
✓	Jerry Brais King County	✓	Kyle McKeon WSDOT LP	✓	Chad Simonson WSDOT ER
✓	Corey Christensen KLB Construction	✓	Tina Nelson Kitsap County/APWA	✓	Denys Tak WSDOT Construction
✓	John Cichosz Tappani Construction		Roger Palfenier Totem Electric	✓	Greg Waugh Max J. Kuney Const.
	Jon Deffenbacher WSDOT OR	✓	Jim Prouty Granite Construction	✓	Jay Byrd 1 Alliance Geomatics
	Susan Ellis FHWA	✓	Glenn Schneider WSDOT SWR		
✓	Mike Hall Tucci & Sons	✓	Mark Scoccolo SCI Infrastructure		

OPEN MEETING

Guest: Rick Smith, WSDOT Fish Passage Program Director
 Dave Ericson, WSDOT Construction Engineer, Roadway
 Greg Bell, WSDOT External Civil Rights Branch Manager

WSDOT Fish Passage Program Update

Rick Smith provided the team with the current status of the fish passage program. In the current biennium the program has asked the legislatures to allow the fish passage program to shift approximately 80 million dollars per year from WSDOT's Safety and Preservation programs to get some projects designed and constructed. In order for the program to completely address approximately one thousand fish blockage structures they need approximately \$300 million per year. The majority of these projects are in the NW portion of Washington based on tribes included in the Stevens Treaty. The barriers both up and downstream from WSDOT barriers are also to be addressed based on the available habitat gained by providing the fish passage. WSDOT is working with cities, counties, tribes, and other interest groups to address barriers that will help open large habitat areas.

WSDOT has four specialized design teams working on 34 projects that are available or anticipated construction funding. These projects are all planned for the traditional design bid build project delivery method. These teams will not be able to provide all barrier project designs if the funding provided at the level requested to address all these barriers. It is anticipated that WSDOT may have to ramp up some staffing and use other project delivery methods to deliver all these projects.

The team discussed various constraints these projects will be experiencing, structure type/availability, and construction methods, advance procurement of structures, providing large enough construction staging/lay down areas, and specialized/centralized project administration team to be considered as part of the program.

Rick is considering an open forum for the program with the contracting community to seek more input in March and when scheduled, he will send out the invitation.

Lump Sum Erosion Control and Transfer of Construction Storm Water General Permit

Dave Erickson discussed the new General Special Provision that will transfer the construction storm water general permit to the contractor as part of the L.S. Erosion Control bid item. This GSP will be used on projects with construction storm water general permits with exceptions based on each project conditions to not use this GSP. The contractor is responsible for the permit conditions after the contract execution. The adaptive management work for erosion control is the responsibility of the contractor. The intent of this GSP was partly derived from some contracts experiencing a large overrun of the estimated erosion control costs, two pilot projects, and to provide the contractor with the maximum amount of flexibility and control in addressing erosion control efforts as the result of their work.

Members expressed concerns that with the limited amount of time provided to develop a plan and estimate the cost of this bid item, how change orders are negotiated to include erosion control work when the change order work extends the contract work into winter season, and DOE staff's inconsistent compliance can also create difficulty to price the bid item. Members also felt that WSDOT environmental staff and project staff has developed a good working relationship and this has a potential to unravel this good progress made with DOE. It was also suggested several different ways to implement this bid item to include contracts being very specific on winter shutdown time, L.S. bid on the erosion control identified in the plans but all other adaptive management erosion control and unforeseen work to be compensated via force account.

Prompt Pay Specification

Based on the recent DBE subcontractor complaint investigation, WSDOT reviewed the prompt pay specification and discovered that it lacked the notification process to the affected subcontractor including the amount being withheld, the reasons for it, and a direction as to what they need to do to get paid the full amount. Also, this notice must be sent to WSDOT PE office. If the Contractor does not resolve the issue, WSDOT will withhold that amount in the next payment to the Contractor. A monthly contractor's report showing subcontractors amounts paid, deferred, and released retainage.

Members had difficult time seeing the value of the monthly subcontractor payment report requirements.

Taxes on Force Account Work

The force account work follows the tax rule in effect for the area the force account work is completed. WSDOT will put more emphasis on the taxes paid on this work to be consistent with the rest of the contract.

Upcoming statewide DBE open forum and OEO Statewide training

Planned by WSDOT Office of Equal Opportunity, DBE opportunity forum is planned for 5 to 7:30 pm at region offices. The region staff will be sharing upcoming projects, available to network and answer any questions DBE contractors/subcontractors have on these projects and the DBE program.

Statewide OEO training sessions for both internal staff and external stakeholders are planned for February and March. The training sessions are similar to the past training sessions provided by OEO staff and State Construction office staff will discuss changes to DBE staff.

Schedule and location of future meetings:

Planned meeting dates for 2015 – March 27, April 24, May 22

Meeting location: WSDOT Fife Project Office Conference room

Planned WSDOT Fish Passage Project Advertisements IF \$80M Budget Request is Passed

January 23, 2015

In order to continue to ramp up for compliance with the Federal injunction on Fish Passage, WSDOT has requested that the Legislature appropriate from existing revenues enough to fund \$80M per biennium for this work. This amount will not fund complete compliance with the injunction by the completion date required, but will allow us to address a substantial portion of the high-habitat barriers soon.

WSDOT's plans for the next few years if this amount is appropriated are as follows:

Construction Season	Number of Projects	Estimated Total Project Cost	Structure Type
2015 (not dependent on budget request)	5 (2 just awarded)	\$18M	3 culverts, 2 bridges
2016	17	\$56M	15 culverts, 3 bridges
2017	9	\$77M	3 culverts, 8 bridges



ADMINISTRATION TEAM

February 27, 2015

9:00 am

WSDOT Fife Project Office
 6610 16th Street E., Suite A
 Fife, WA 98424

Attending:

✓	Aleta Borschowa WSDOT NWR		Craig McDaniel WSDOT Construction	✓	Ken Shovlin Guy F. Atkinson
✓	Jerry Brais King County	✓	Kyle McKeon WSDOT LP	✓	Chad Simonson WSDOT ER
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✓	Susan Ellis FHWA	✓	Glenn Schneider WSDOT SWR		
✓	Mike Hall Tucci & Sons	✓	Mark Scoccolo SCI Infrastructure		

OPEN MEETING

Guest: Guy Alston, WSDOT Tort Claims Manager
 Greg Bell, WSDOT External Civil Rights Branch Manager

WSDOT Tort Claims Process

Guy Alston explained to the team about the process, history, and how we got to where we are today regarding the State Tort Claims process. The Tort Claims form and the process is managed by the department of Enterprise Services for claims against all State agencies. The form is for all claims including WSDOT construction zone claims. Establishing the loss claims with construction projects can take some time to verify the information. After it has been verified, the claims office notifies the contractor and their commercial general liability insurance company or the claim has been tendered and provide 60 days to resolve the claim or communicate (acknowledgement and status) with the claimant in getting the claim resolved. When an error has occurred in identifying the parties involved in the claim after it has been tendered, the claims office will provide a new 60 day period for the claims to be resolved. Often this 60 day period passes without any communication between the contractor and the claimant, this is

when the process can involve legal actions by claimants. The resolution of the claim is resolved, compromised, or denied by the contractor and their insurer.

In the past, the claims office would tender the claim to the contractor, OCP provider, and the contractor's insurance broker with a statement that indicates that a lack of response within the 60 day period will cause the claims office to contact the CGL insurer. The new process of tendering claims directly to the contractor's CGL insurance company is causing a contractor's frequency & loss rating and their premium to increase based on these small and large claims. A claim such as \$11 car wash can be counted towards the contractor's insurance ratings and the insurance company may note that the contractor has no control of their work.

Guy noted that the change was driven by the non-responsiveness of contractors and their insurance brokers within the 60 day period to resolve these claims, and to protect the WSDOT's exposure in these claims. He estimated approximately 50% of WSDOT construction zone claims are non-responsive.

The team identified the notice of a tendered claim may not be reaching the right person within a company or the contractor's risk manager. Tendered claims sometimes do not have the right insurance number, and there is inconsistency in how the notice and information appear on the claim. These are some of the factors that may be contributing to the non-responsiveness.

Guy noted that his office has recently changed from "all paper" to electronic notification process. He did say that not having accurate e-mail addresses for the contractors and the transition from paper to electronic process has been a challenge.

Guy asked if any contractors have ever addressed the liability on behalf of WSDOT as an additionally named insurer. The insurer has to respond for the contractor as well as on the behalf of WSDOT. Guy has indicated that the insurer has the obligation to answer on behalf of WSDOT as the additionally insured.

To improve the responsiveness of tendered claims, it was suggested by the team to include the PE at the time of a tendered claims notification. Also, the notification should be sent to the contractor's risk manager, and the claims office needs to make sure the contact information for the risk managers is up to date.

Prior to 2010, WSDOT allowed a contractor to substitute the required OCP with an additional insured position as part of the contractor's general liability insurance for the period between the substantial to physical completion.

Currently, WSDOT requires contractors to acquire OCP. Adding WSDOT as an "additionally insured" from contract award to physical completion would be expensive in large contracts. It was suggested that this premium may be an opportunity for WSDOT to reduce project insurance costs, especially for the coverage period between substantial completion to physical completion.

Guy will review the notes and it was suggested that he may return in April or May to provide an update of any changes made or considered.

Temporary Stream Diversion GSP

The team reviewed the GSP that has been developed by the Roadway team. It was noted that the contract should identify the flow rate for the contingency flow diversion system to assist contractors from bidding this work. Noted the plan must be stamped by an engineer. Comments received will be forwarded to the Roadway team for consideration. Fish screen size will be provided in the contract and it may vary with the location of the project.

Prime Contractor's Performance Report

The revised Prime Contractor's Performance Report form was shared with the team. Question was asked about the NPDES permit requirement that may prevent contract closure process to extend beyond 90 days. It was mentioned that the PCPR rating should take in consideration of items such as this that are not within the contractor's control.

Contract DBE Training

Denys and Greg shared the presentation material used at Statewide DBE training.

Schedule and location of future meetings:

Planned meeting dates for 2015 – March 27, April 24, May 22

Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

March 27, 2015

9:00 am

**WSDOT Fife Project Office
6610 16th Street E., Suite A
Fife, WA 98424**

Attending:

	Aleta Borschowa WSDOT NWR		Craig McDaniel WSDOT Construction	✓	Ken Shovlin Guy F. Atkinson
✓	Jerry Brais King County		Kyle McKeon WSDOT LP	✓	Chad Simonson WSDOT ER
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✓	Susan Ellis FHWA	✓	Glenn Schneider WSDOT SWR		
	Mike Hall Tucci & Sons		Mark Scoccolo SCI Infrastructure		

OPEN MEETING

Reviewed the last month's meeting summary for posting.

Membership

Ken Shovlin announced this is his last meeting. Ken has accepted a position with American Bridge Company out of Pittsburg as an international corporate estimator. Ken has been with the team since 2009 and his soft spoken demeanor and active participation on the team will be missed. Atkinson will be proposing a replacement member to the team.

AGC/WSDOT Equipment Rental Agreement – Standby Definition

The team discussed the status of where and how to proceed with completing this work. One option is to draft the Construction Manual language for the Standby hour definition and applications. The other option is to revisit the 2007 AGC/WSDOT Equipment Rental agreement and update the agreement to include the improved standby hour definition. The team decided to check further with other States' to see how they applied equipment standby hours. At a minimum, the team needs to decide at, or prior to, the May meeting as to how to proceed in updating the standby hours. Local agencies can

also benefit from the consistent application of how the equipment standby hours are applied and mentioned the benefit of having the language in the Standard Specifications.

WSDOT Construction Zone tort claims follow up

The team discussed the tort claims process based on the information shared at last month's meeting. It was recommended to invite Guy Alston and possibly Streater Johnson back to the May meeting to review any changes considered by Guy and provide some additional feedback based on sharing the information with the contractor's staff. The team identified some improvements to WSDOT internal process and the team will provide additional input when Guy returns to the meeting in May.

Std. Spec. 1-04.1 Intent of the Contract

The current specification was revised significantly in the mid 1990's to include the reference to bid items. Based on reviewing other DOT and larger cities, the WSDOT specification is very unique when compared to others. It is WSDOT's recent experience and observation that many claims are filed based on the reference to the missing bid item. WSDOT also believe this specification, over time, has progressed to upsetting the level playing field at the time of bid. As currently written, contractors has no incentive to bring to WSDOT's attention, the missing bid item to work that is clearly identified in the contract during the advertisement period. Contractors have an obligation to bring this type of information to WSDOT's attention when discovered. When notified WSDOT can choose to address the issue via addendum to ensure all bidders bid their work the same. WSDOT is considering revision to the specifications to be more in line with other owners while not creating different issues. Specifically, revise to remove the reference to the missing bid item. Inconsistent use of the work included in a bid item was mentioned to avoid some of these claims when the reference to a missing bid item is omitted. Some members indicated that this is one of the reasons why WSDOT is considered as an attractive owner to work for and often the bid prices reflect these specifications.

It was mentioned the economic conditions of the last several years may be one of the causes to increased claims filed.

Std. Spec 1-02.6 Change to Cumulative bidding award process

WSDOT has made a change in the cumulative bidding award process to allow WSDOT to seek additional funding to award only the base bid. Currently the specification does not allow WSDOT to award the base bid when the base bid is greater than the available funding.

DBE Utilization Certification and Joint Check Request Forms

WSDOT is making changes to the DBE Utilization Certification form to address the force account work discount at the time of the bid opening. The changes are intended to minimize any confusion and potential bid rejections. The changes made in the instructions and an additional column added is intended to clearly show the subcontract

amount and the amount applied towards the goal. It was mentioned the subcontracted to DBE amount being different than what is listed in the written confirmation form as the result of the discount applied to the regular dealer and now force account work can be an awkward conversation between the contractor and the DBE subcontractor. It was recommended to list an optional DBE subcontracted amount on the DBE Written Confirmation form to keep the DBE subcontractors informed and for their benefit.

DBE Joint Check Request form was developed to assist DBEs and contractors in getting the joint checking process efficient and clear on the use of joint check. The request to use joint check must come from the DBE and the only approved use is for the materials and/or supplies purchased by the DBE. The request is unique to each contract and three parties involved.

Std. Spec 1-04.3 Reference Information

WSDOT created a new specification to address all reference files, including electronic design files that are not part of the contract. Later this year, 2 pilot projects per region will make electronic reference files available during the project advertisement period. The format and other details are being worked out. A disclosure form is also being considered as part of receiving the project electronic design reference files. This was well received by AGC members and being a reference document is well understood by all.

Schedule and location of future meetings:

Planned meeting dates for 2015 – April 24, May 22

Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

April 24, 2015

9:00 am

WSDOT Fife Project Office
6610 16th Street E., Suite A
Fife, WA 98424

Attending:

✓	Aleta Borschowa WSDOT NWR	✓	Susan Ellis FHWA		Glenn Schneider WSDOT SWR
	Jerry Brais King County		Mike Hall Tucci & Sons	✓	Mark Scoccolo SCI Infrastructure
✓	Jay Byrd 1 Alliance Geomatics	✓	Craig McDaniel WSDOT Construction	✓	Chad Simonson WSDOT ER
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✓	Jon Deffenbacher WSDOT OR		Roger Palfenier Totem Electric		
✓	Brandon Dully Guy F. Atkinson	✓	Jim Prouty Granite Construction		

Guests

Jacky Bayne, Business Development & Compliance Consultant, WSDOT Office of Equal Opportunity

Lily Keeffe, Project Director, U.S. Dept. of Transportation Office of Small and Disadvantaged Business Utilization

OPEN MEETING

Reviewed the last month's meeting summary for posting.

Membership

Brandon Dully, Operations manager joined the team representing Guy F. Atkinson to fill a vacancy left by Ken Shovlin.

Std. Spec 1-04.1 Intent of the Contract

WSDOT is looking to revise this specification based on the history of disputes that references this specification among others reasons when it became obvious during the dispute resolution process the contractor has clearly overlooked or missed it in their bid and using this as the basis of their argument. The changes made in the early 1990s was

meant to address issues that arise from what is considered incidental to the work or bid items even when the missing work may be a major item of work and/or identified as a bid item and paid as such on previous contracts. WSDOT also feels the specification is written so broadly that bidders are not obligated to bring the owners' attention to missing bid items during the advertisement period. This specification, when compared to other owners' specification, is very unique in the way it addresses missing bid items. WSDOT is listening and will consider the revisions to address issues fairly while keeping a level playing field for bidders.

AGC members felt by just changing this specification it will not be the solution to the problem WSDOT is experiencing. Along with this change, adjustments and changes must be made in measurements and payment sections along with plan sheet details showing the work involved. Without making improvements in another part of the contract plans and specifications, the old problems that drove the current specification will likely surface again.

Project Question/Answer during Advertisement

A member mentioned that recently they experienced the project Q/A did not answer all their questions asked. They felt someone was either filtering questions or answers are sent directly back to the bidder and are not necessarily posted. It is WSDOT's policy to address all questions and answers on the project Q/A page. It is recommended that contractors alert the State Ad & Award office of any inconsistencies in the Q/A process regardless of how simple the question may appear, it was noted that all questions should be answered and posted.

Standard Specifications 1-07.1 Laws to be observed

A revision to the specifications now includes the following language;

A copy of all safety plans (e.g., fall protection work plan) that are developed by the Contractor shall be submitted to the Engineer as a Type 1 Working Drawing. When requested by the Engineer, the Contractor shall provide training to WSDOT employees working on-site for any activity covered by a safety plan.

Members asked the specifics on the training that is required. Certain training courses required for Contractors' employees has a cost per person and requiring WSDOT employees can be additional costs that were unanticipated, or difficult to plan for it at the time of bid. Members suggested the following revision for WSDOT consideration;

A copy of all safety plans (e.g., fall protection work plan) that are developed by the Contractor and required by Engineer shall be submitted to the Engineer as a Type 1 Working Drawing. When requested by the Engineer, the Contractor shall provide ~~training~~ a safety plan orientation to WSDOT employees working on-site for any activity covered by a safety plan.

Contractor's Construction Process Evaluation

WSDOT receives very few evaluations per year and would like to see more feedback to get a better sense on how the process is working from contractor's perspective.

Members were encouraged to fill out this form at the end of every project. The Members' suggestions include making this part of the contract requirements in the close out process, and not necessarily giving it directly to the project engineer but to the State Construction office, and provide the interim evaluation for longer contracts.

DBE Subcontracting class scheduled for May 21st in South Seattle

WSDOT developed an informational subcontracting flyer for DBE subcontractors and based on the feedback received from the DBE community, a training class is scheduled to cover all aspects of being a DBE subcontractor working on WSDOT projects. Members' suggestions include annual certification for DBE regular dealers instead of the current practice of contract to contract basis, mentor-protégé program, including Buy America requirements, Force account work requirements, Lien/Lien release, joint checks, and estimating work.

Small Business Transportation Resource Center

Lilly's program provides workshops on bonding education and short term lending programs to Small and Disadvantaged business in OR, WA, ID, and AK. Once signed up for the short term lending program, a subcontractor can get paid up to 85 percent of the payments quickly and at the interest rate of 2 percent. The program is good for one year but it is renewable up to 5 times. Next scheduled bonding workshop is scheduled in Vancouver in early June 16 and 17. She is also looking for Contractors to partner in the bonding education workshops.

Force Account Standby hours

The team reviewed how Caltrans determine the operating vs standby hours on the force account work. In use, idle, and standby hours discussion has been going on since 2013 and the level of effort varies on where the additional language will be inserted. The team's recommendation is to proceed in finalizing the clarification language drafted in early 2014 by Glenn and others.

Construction Safety Item

Construction entrance is a safety hazard for workers walking on the quarry spall surface and some projects have the walking path choked with smaller material to reduce the safety hazards. The team recommended the Roadway team to address this issue.

Schedule and location of future meetings:

Planned meeting dates for 2015 – May 22

Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

May 22, 2015

9:00 am

WSDOT Fife Project Office

6610 16th Street E., Suite A

Fife, WA 98424

Attending:

✓	Aleta Borschowa WSDOT NWR	✓	Susan Ellis FHWA	✓	Glenn Schneider WSDOT SWR
	Jerry Brais King County	✓	Mike Hall Tucci & Sons		Mark Scoccolo SCI Infrastructure
	Jay Byrd 1 Alliance Geomatics		Craig McDaniel WSDOT Construction		Chad Simonson WSDOT ER
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✓	Jon Deffenbacher WSDOT OR		Roger Palfenier Totem Electric		
✓	Brandon Dully Guy F. Atkinson		Jim Prouty Granite Construction		

Guests

Guy Alston, WSDOT Risk Enterprise manager

OPEN MEETING

Reviewed the last month's meeting summary for posting.

Construction Safety Item

Safety training provided by the contractor, when there is a cost associated it, would be a good and efficient practice to pay the training company directly when possible. Using the change order process is another consideration but the PE's should understand the mark up costs associated the change.

No status to report on the 1-04.1 Intent of the Contract specification.

Work Zone Claims Process

Guy Alston came back to share the work zone claims notice and processing procedures being considered based on the previous meeting. The primary claims contact person for the contractors was one piece of information that is not identified for each contract. The claims staff often has to rely on the names identified in the contract insurance documents thru WSDOT CAPS staff and it was noted that the contractor claims manager needs to be identified early in the project and send this contact information to the Claims office to

ensure contract work zone claims gets tendered to the appropriate contractor's representative.

A tendered claims notice does not include the project PE because the tendering process involves the PE to verify the accuracy of the claims. However, it was suggested to include the tendered claims status on the regularly scheduled contract meetings to ensure a timely response.

Claims tender-action selection criteria

1. The claim is filed as of conditions or circumstances which are related to contractor's action taken in connection with contract work but not related to the WSDOT work. The claims office will send these tendered claims to the contractor and the CGL provider, with notifications to the claimant and the contractor's insurer.
2. The claim is filed out of conditions or circumstances which are related to contractor's actions and un-related to contract work. The claims office will send these tendered claims to the contractor and the CGL provider, with notifications to the claimant and the contractor's insurer.
3. The claim if filed out of conditions or circumstances which are un-related to contractor's actions and related to contract work. The claims office will tender the claim to the OCP insurer and any insurer providing "Additional Named Insured" coverage to WSDOT, with notification to the contractor and the contractor's insurer.
4. The claim is filed out of conditions or circumstances wholly un-related to contractor's actions and un-related to contract work. The claims office will resolve the claim and not tendered to the contractor.

WSDOT maintenance is responsible to maintain the area and work not assigned to the contractor within the project limits. For example, a contractor who replaces signals system is not responsible for claims associated with potholes within the project limits. These claims will not be tendered to the contractor.

The contractor's CGL providers were sent the tendered claims directly due to the lack of response by the contractor within the allowable 60-day period. Previously, the tendered claims were sent to the contractor and their insurance broker.

It was suggested that a contractor and their insurance broker have a chance to resolve the claim first, without including the CGL provider. This would introduce one more process within the 60-day period. AGC members would like to have a chance to resolve the tendered claims within the first 30 days out of 60. Another option to consider is to introduce an informal notice or "pre-tendered" process to the contractor in advance of the claim being tendered. This process would provide the contractor a copy of the claims at the same time it is sent to the PE to verify the claims content. The contractor and PE must validate the claims information within 10 business days. This process may involve contractors with potentially more claims to review since WSDOT has not verified the location and the applicability of the claims.

The team agreed to identify the contractor's claims manager at the preconstruction meeting and send the information to the claims office. The information must contain the name, address, phone number, and e-mail address.

WSDOT will work on the additional Construction Manual language and include Guy's claims process flow chart after the new process is finalized by the Claims office. The information also will be considered for the statewide PE conference agenda.

WSDOT Project Information on Seattle Daily Journal of Commerce

WSDOT would like to shorten the call for bids project information as part of the reducing the costs involved. State law requires the date, time, place for receiving and opening the bids, brief description of location and extent of the work, and contains special provisions or specifications as the department deems necessary to be published. The reduction of call for bids project information is to limit the information that is required by law and at the same time keeping the interested contractors informed. AGC members indicated that they all read the call for bids section on a regular basis but agree the listing of all bid items and quantities is not necessary. They suggested that we keep the working days and the total number of items along with the required information.

Amendment to Section 1-06.1(4) Fabrication Inspection Fee schedule

Amendment to the fabrication inspection costs change was developed while working with the Structures team. The team members would like to take this back and discuss it with their fabricators. If necessary, they will provide some feedback to WSDOT.

Schedule and location of future meetings:

Planned meeting dates for 2015 – September 18, October 23, and December 11, 2015

Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

June 26, 2015

9:00 am

WSDOT Fife Project Office

6610 16th Street E., Suite A

Fife, WA 98424

Attending:

	Aleta Borschowa WSDOT NWR	✓	Susan Ellis FHWA	✓	Glenn Schneider WSDOT SWR
	Jerry Brais King County		Mike Hall Tucci & Sons	✓	Mark Scoccolo SCI Infrastructure
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✓	Jon Deffenbacher WSDOT OR		Roger Palfenier Totem Electric		
	Brandon Dully Guy F. Atkinson	✓	Jim Prouty Granite Construction		

Guests

Dave Erickson, WSDOT Roadway Construction Engineer

Kyle Caufman, WSDOT Fabrication – Coatings Engineer

Reggie Wageman, Guy F. Atkinson

OPEN MEETING

Reviewed the last month's meeting summary for posting.

Fabrication Inspection Spec changes

Kyle explained that the latest specification has addressed most of the concerns raised by the fabricator communities and contractors. It appears that the administrative team was provided with a previous version of the specification that had many concerns and resistance from the industries. The goal of the new specification is to make sure the fabricators are truly ready for the inspections. The fabrication inspection team is small and every trip to a fabrication plant that is not ready delays other inspections and/or product delivery.

The changes are meant to require fabricators to be better prepared for the inspection. If the fabricator is not ready when the inspector arrives, they will be charged for re-inspection. It is possible some newer fabrication companies may take a little getting used to working with WSDOT.

When a WSDOT fabricator inspector visits multiple fabrication plants on a given day, they will split the days inspection/re-inspection cost between all of those projects. The applicable inspection charges in the contract will be passed onto the contractor, but the inspectors overall time is charged internally to WSDOT projects as part of the construction engineering.

Members acknowledged that the fabrication costs are pass-thru charges to the material provider/subcontractor.

The team was relieved to see the latest version that addressed the majority of the initial concerns. This will be included in the August, 2015 amendment to the Standard Specifications.

Members asked for prompt invoicing of the inspection charges, preferably within the same pay estimate or within 2 weeks of the inspection. Kyle will look into expediting the billing process, but explained that his charges are sent to PE, Assist. PE, and Office engineer at the end of the pay period with the labor charges. Kyle agrees that charges to Contractors can be sent out ahead of the inspector's labor charges to the project.

Electronic Plans & Specifications

Electronic version of Specifications and contract documents were discussed and the team was not in favor of moving towards electronic Std. Specifications without having some sort of implementation time period. However, as for contract plans and specifications, they were ok with having only electronic copies for advertisement purposes, but after award the team members prefer printed contracts.

Sound Transit and other owners are already providing only the electronic copies of contract and contractors have to rely on commercial printing services when hard copies are needed.

This issue is tabled and it was agreed to discuss it further when WSDOT has a plan to share with the industries and customers.

Force Account Equipment hours

The team discussed the following draft provided by Glenn Schneider;

The WSDOT Construction Manual says that "operating rates include the cost of daily servicing of the equipment, including the replacement of small components such as pumps, carburetors, injectors, filters, belts, gaskets and including the worn lines. The operating rates also include the cost of expendables such as fuel, lubricants, filters, tires and ground engaging components, such as pads, blades, bucket teeth, etc.". So if the equipment is not running, why would WSDOT pay for this? But that is what the AGC/WSDOT Agreement says WSDOT should do, that is, "The hourly operating cost for each hour the equipment is in use. "In use" shall mean that the presence of the equipment is necessary for the operation and that the equipment is present and is not being used for other activities while the force account work is underway". This sentence implies that the equipment can be present and turned off but should still get paid for operating. I believe this is where the confusion comes in. The Agreement says, "Standby time shall be defined as the time during which the equipment is idled and...". So what if the equipment is present and idle?

My recommendation would be to replace the sentence in the Agreement from, “In use” shall mean that the presence of the equipment is necessary for the operation and that the equipment is present and is not being used for other activities while the force account work is underway”, to “In use” shall mean the equipment is operating or being operated and is not being used for other activities while the force account work is underway”.

On a different topic but related, the Agreement says, “When ordered by the Engineer, standby time shall be paid at one-half of the rate established in accordance with this agreement”. I don’t see anywhere in the Agreement this is established?

Finally, the Agreement says, “The operating cost shall not be included in the calculation for establishing the standby rate”. But I believe this is not true. Today the rates are provided in the Blue Book, but if you do the math the formula translate to $(\text{Rental Rate} - \text{Operating Cost}) / 2$.

For the three examples above (and probably more after close review), I believe we need to look at rewriting the Agreement (last revision 9 years ago). Then we can focus on the Construction Manual.

The issue in the field is a disagreement over which equipment is on stand-by, especially from contractors who specialized on force account work who wants to maximize the equipment rates paid. This is especially true when the contractor do not have another job where the equipment can be utilized.

Generally speaking, the team agree the equipment must be on or running in order to be paid at the operating rate. However, this must be applied while looking at the full operation of the work.

The standby rate is for the purpose of compensating, partially, for the presence of having the necessary equipment at the rate based on the rental rate/ownership cost minus operating cost divided by two. If the equipment is a necessary part of completing the work during a shift, the equipment should be paid at the operating rate. Standby rate is meant for outside of the immediate work operation and when ordered by the project engineer to be on standby. The project engineer may require the equipment to be demobilized when it is anticipated the equipment will be on standby for a long duration. One recommendation made by the team was to alter the first sentence by replacing the “idle” with “when equipment is not in use”. This would clarify the intent of equipment rates paid during force account work.

The team would like to see a revision to the standby rate calculation to be compensated for the full ownership cost instead of at the fifty percent. This is especially true for a situation where that equipment on standby can be fully utilized elsewhere. However, the members said putting equipment on standby mode is not the norm on most projects.

Some attachment pieces are on the equipment but only paid the operating rate when it is used and a member would like to have the ownership cost of the attachments paid or full rate of the equipment mobilized. It was noted that WSDOT can be more specific on the equipment requested and having an equipment list from the contractor would help in identifying which equipment to mobilize.

Members discussed a need to have more than one regional adjustment factor for WA and OR in Equipment Watch.

These changes discussed will be considered the next time the AGC Equipment Agreement is updated but the team decided to leave the agreement as is.

Changes to Apprenticeship program due to House Bill 1595

How the Law has changed:

"Labor hours" means the total hours of workers receiving an hourly wage who are directly employed (~~on the site of~~) upon the public works project. "Labor hours" includes hours performed by workers employed by the contractor and all subcontractors working on the project. "Labor hours" does not include hours worked by foremen, superintendents, owners, and workers who are not subject to prevailing wage requirements.

WSDOT will look for the apprenticeship advisory committee to provide guidance on how to proceed with this change.

Members discussed the change is to include all encompassing hours on a contract and closely tied to WA prevailing wages application.

Schedule and location of future meetings:

Planned meeting dates for 2015 – September 18, October 23, and December 11, 2015

Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

September 18, 2015

9:00 am

WSDOT Fife Project Office

6610 16th Street E., Suite A

Fife, WA 98424

Attending:

✓	Aleta Borschowa WSDOT NWR	✓	Susan Ellis FHWA		Glenn Schneider WSDOT SWR
✓	Jerry Brais King County	✓	Mike Hall Tucci & Sons	✓	Mark Scoccolo SCI Infrastructure
✓	Jay Byrd 1 Alliance Geomatics		Craig McDaniel WSDOT Construction	✓	Chad Simonson WSDOT ER
✓	Corey Christensen KLB Construction	✓	Kyle McKeon WSDOT LP	✓	Denys Tak WSDOT Construction
✓	John Cichosz Tappani Construction	✓	Tina Nelson Kitsap County/APWA	✓	Greg Waugh Max J. Kuney Const.
	Jon Deffenbacher WSDOT OR		Roger Palfenier Totem Electric		
✓	Brandon Dully Guy F. Atkinson	✓	Jim Prouty Granite Construction		

OPEN MEETING

Susan Ellis is returning to FHWA, Western Federal Lands and Anthony Sarhan has been identified as her replacement on the team representing FHWA.

Reviewed the last month's meeting summary for posting.

Compensation for Increase tax changes on materials or fuel used in or consumed for the project

1-07.1 allows WSDOT to adjust payments to compensate for federal/state taxes on materials or fuel used in or consumed for the project. These are based on the actual costs and contractors must submit the supporting documents identifying the unanticipated tax increase on the project for WSDOT HQ Construction office consideration. The increase has to be more than \$500 and the tax change must occur after the Bid opening date.

M/W Business Participation in Local Agency projects

Members noted that M/W owned business participation on non-federal funded projects in cities and counties are not being reported and compiled statewide like WSDOT projects. The overall State reporting ignores this potentially large M/WBE contractor/subcontractor participation.

Implementing transit, bicycle, or pedestrian elements on Connecting WA projects

A legislative requirement to capture and report the implementation cost information is being developed within WSDOT. More information will follow but some ideas were discussed from pulling the information from the Engineer's estimate, setting up a group for these items, and setting up bid items.

Recycled Construction Materials Use and Reporting per ESHB 1695

Dave Ericson's group consisting of industries representatives came up with the specification (Amendment to SS 1-06.6) and the reporting form to be filled out by the contractor for WSDOT projects.

APWA is working on this reporting requirement and how to address local government's contracting process, requests and accepting bids that includes the use of recycled materials. Tina and Jerry will provide APWA's implementation plan status at the next meeting

Subcontractor Monthly Payment Summary Form

Suggestions to the form;

- Check box that states "All Subcontractors Paid" or only list exceptions
- Summary/Remark box to explain partial payment conditions
- "Work Completed" and "Retainage Released" appears to be redundant for every subcontractor as these are one time occurrence per subcontractor
- The 20 days reporting requirement may be a problem for lower tier subcontractors to be reported in the same month

The form is meant to monitor and track contractor's prompt payment record and when necessary, it will be used by WSDOT to withhold the subcontractor's unpaid amount from the contractor.

Traffic Control Summary and Traffic Control Log Forms

Work zone traffic operations staff developed a form that combines both of these forms based on feedback from users. Team members provided comments to the form but the group decided to invite the form developer to discuss the new form further. Some comments were;

- Old forms gave an accurate record of traffic control setup
- Referencing traffic control plan is good but often it is modified to fit the site specific conditions
- Contractors use the form to verify the traffic control set-up when reviewing claims

1.04-4 Change

The amendment was made to improve contractors and WSDOT responsiveness to the change order process, approval time and prompt payment of the change order work. WSDOT is also looking to accept change orders electronically to reduce the overall processing time. The change order work should be discussed, price negotiated, and the work should be vetted with subcontractor prior to receiving a change order from WSDOT. The 14 day turnaround time for contractor can be extended when requested by the contractor.

Members noted the response time should also applied to WSDOT.

Schedule and location of future meetings:

Planned meeting dates for 2015 – December 11, 2015

Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

October 23, 2015

9:00 am

WSDOT Fife Project Office

6610 16th Street E., Suite A

Fife, WA 98424

Attending:

	Aleta Borschowa WSDOT NWR		Susan Ellis FHWA	✓	Chris Tams WSDOT SWR
✓	Jerry Brais King County	✓	Mike Hall Tucci & Sons	✓	Mark Scoccolo SCI Infrastructure
	Jay Byrd 1 Alliance Geomatics		Craig McDaniel WSDOT Construction	✓	Chad Simonson WSDOT ER
	Corey Christensen KLB Construction		Kyle McKeon WSDOT LP	✓	Denys Tak WSDOT Construction
	John Cichosz Tappani Construction	✓	Tina Nelson Kitsap County/APWA	✓	Greg Waugh Max J. Kuney Const.
✓	Jon Deffenbacher WSDOT OR		Jerry Garci Valley Electric		
✓	Reggie Wageman Guy F. Atkinson	✓	Jim Prouty, Quinn Golden Granite Construction		

OPEN MEETING

Reviewed the last month's meeting summary for posting.

Guests: Dean Moon, WSDOT, Fish Passage Manager
 Guy Bowman, WSDOT AAG
 Steve Haapala, WSDOT Work Zone Training Specialist

Membership: Jeret Garcia, Valley Electric will be joining the team replacing Roger Palfenier from Totem Electric
 Quinn Golden will represent Granite as Jim Prouty has joined the AGC/Design Build team.

Force Account – It was suggested when the team open the AGC agreement for an update, the team should consider the cost of the rental equipment damage waiver to be included/negotiated as part of the equipment reimbursement. This is to protect the overhead cost from increasing as the result of damages/vandalism to rental equipment used in the force account work. The damage waiver may be an inexpensive way to protect this risk and keep the FA overhead cost steady.

WSDOT Fish Passage Program

Dean Moon, Fish Passage Manager provided the history of how the court injunction is requiring WSDOT to address all barrier crossings in fish bearing streams to provide the fish passage by 2030. WSDOT assembled design teams to start the program by designing projects to be constructed in the next two biennium's. \$87.5 million is planned for the 15-17 biennium for construction of standalone fish passage projects. There may be other fish barrier structures corrected as part of the Connecting Washington projects in addition to these projects being designed by the program.

Dean is also working with the precast concrete industries to provide heads up information to ensure the concrete structures are made available for these projects. Members expressed concerns over the supplier's ability to deliver large quantities of these concrete structures within a short window of a construction season. It was discussed the Value Engineering Cost Proposals may be a creative ways to deliver these projects using alternative structure types by contractors, pending the timing of the project advertisement as related to the HPA fish window time frame.

Dean mentioned the contracts will provide geotechnical, hydraulic, hydrology assessments/design information. He also indicated one of the challenges is in keeping the cost of temporary detour/structures low as on some projects these costs are almost as high as constructing the permanent structures. The design team is looking for a detour route whenever possible and in some situations multiple barriers may be included to utilize the same detour and lessen the traffic delay impacts to the traveling public.

Placement of streambed mix, making sure the surface flow is achieved by washing in streambed sediment and minor grading of the stream bed adjacent to the structure are all being considered completed via force account work method due to the complexity of describing them exactly in the contracts.

In order to meet the court injunction WSDOT has to replace approximately 60-70 barriers at a cost of about \$300 million per biennium. Dean has the program and project information posted on the WSDOT Fish Passage program web page.

<http://www.wsdot.wa.gov/Projects/FishPassage/>

WSDOT Standard Insurance Coverage

Guy Bowman, WSDOT AAG explained the contract insurance requirements. The concern over requiring OCP coverage between Physical Completion and Acceptance of the Contract was discussed. Especially when the delay/extended coverage is due to the conditions beyond the contractor's control and who should pay the additional costs. Guy suggested when this situation occurs the contractor should bring up the concern and the potential added cost to the project engineer's attention for consideration. Guy believes this situation is a legitimate concern and will look into this further with the Risk Management division to see if the contract OCP coverage can end at the Physical Completion instead of Acceptance of the Contract.

Guy will also look into see if all tendered claims against contractor can be sent to OCP carrier first and not to the contractor's general liability insurance carrier at the same time. This will prevent a small claim from counting against the contractor's general liability insurance.

Revision to Contractor's Daily Report of Traffic Control & Traffic Control Log forms

Steve Haapala, WSDOT Work Zone Training Specialist described the existing forms that have been used for at least for the last 20 years. He also explained the revised forms developed by WSDOT traffic operations staff as the result of feedbacks received while teaching TCS classes and looking at the form ODOT uses. Referencing TC plan is ok but it does not accurately reflect

the exact conditions and the existing form is at times more accurate record when an adjustment is made from the plan to better address the on-site conditions. Steve believes the revised forms will protect the contractors better in the event of a claim due to better documentation of the work zone. Members would like to have WSP presence including time and additional space for the labor list as some projects can have up to 15 laborers. ODOT form was also mentioned as containing some good information. Steve noted that the forms are still in draft form and can be easily modified or a form can be added to provide additional options to TCS's use. Steve asked members to review and bring their TCS's feedback to the next meeting for his consideration.

Schedule and location of future meetings:

Planned meeting dates for 2015 – December 11, 2015

Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

December 11, 2015

9:00 am

WSDOT Fife Project Office

6610 16th Street E., Suite A

Fife, WA 98424

Attending:

✓	Aleta Borschowa WSDOT NWR		Jeret Garcia Valley Electric	✓	Chad Simonson WSDOT ER
✓	Jerry Brais King County	✓	Quinn Golden Granite Construction	✓	Denys Tak WSDOT Construction
✓	Jay Byrd 1 Alliance Geomatics		Mike Hall Tucci & Sons	✓	Chris Tams WSDOT SWR
✓	Corey Christensen KLB Construction	✓	Craig McDaniel WSDOT Construction	✓	Greg Waugh Max J. Kuney Const.
	John Cichosz Tappani Construction	✓	Tina Nelson Kitsap County/APWA		
	Jon Deffenbacher WSDOT OR	✓	Mark Scoccolo SCI Infrastructure		
✓	Brandon Dully Guy F. Atkinson		Roy Siegle FHWA		

OPEN MEETING

Reviewed the last month's meeting summary for posting.

Guests: Jenna Fettig, WSDOT, AD & Award Manager

Minority, Women, Veteran, State Small business participation on Connecting Washing projects

Denys informed the team about the work being done to increase M/W/V/SBE participation in projects funded by the Connecting Washington funding package. WSDOT is working with Department of Enterprise Services to develop a program that can be applied across all agencies on State funded projects and procurements to further increase participation of certified firms. More information will follow and the team will be informed as the program develops.

Results of the Lean Survey on Distribution of Plans, Specifications and Addenda -

Jenna Fettig shared the following information with the team;

Background

WSDOT's process for distributing plans, specifications and addenda has not changed for a very long time. We rely on mailing hardcopies to people, even if they don't want them they have to get them in order to be a proposal holder or a plan holder. Addenda are

distributed by mail, unless they have no plan sheets in which case they are faxed. Many customers tell us they would like to get rid of their fax machines. Additionally, WSDOT does not collect e-mail addresses from customers and has no way to communicate with them outside of mail or fax. We conducted a survey with our customers to further understand the problems we face and gauge customer satisfaction with various alternate approaches such as electronic distribution of documents and email notifications.

Survey Findings

- *244 customers took the survey including 58 WSDOT HQ staff, 92 WSDOT Region staff, 84 contractors and 10 Plan Centers. Eighteen of the contractors were DBE, M/WBE, SBE or some combination.*
- *105 respondents prefer to receive plans and specifications electronically compared to 76 that prefer to have paper copies mailed to them. 70% of contractors chose some method of electronic distribution as their first preference. WSDOT staff favored hardcopies.*
- *75% of all respondents and 86% of contractor respondents prefer to receive an e-mail alerting them to where an addendum has been posted online.*
- *Although the preference was for electronic documents, 41% of contractors and 36% of overall respondents indicated that the number of plan sheets in a contract or an addendum impacts the format in which they want to receive it.*
- *33% of contractors would be willing to pay additional fees to continue to receive a paper copy of plans, specifications and addenda. The rest would like the files in an alternate format for a reduced cost. 50% of contractors indicated they would be willing to pay the same amount for electronic copy that they would pay for a hard copy.*
- *68% of all respondents and 96% of contractors would like to provide WSDOT with an e-mail address in order to receive project updates by email.*
- *15% of the contractors indicated that their ability/willingness to bid/quote WSDOT contracts requires that they receive paper copies of plans, specifications and addenda.*
- *63% of overall respondents and 82% of contractors agree it is a problem that contractors that reference only electronic copies of plans and specifications do not currently show up on WSDOT's plan holder list. Additionally, 92% of contractors would like to have the option of being listed as a Proposal holder or a Plan Holder without receiving a hardcopy of the contract.*
- *Survey respondents were split on receiving award copies of contracts electronically or on paper.*

Results

The survey results indicated that WSDOT has many different customers that use plans, specifications and addenda in different ways. Because of the different ways the documents are used, various customers want the documents in different formats. In order to better serve our customers, WSDOT needs to be more flexible and allow customers to decide what format they want to receive these documents in. Additionally, WSDOT needs

to capture more contractors on the plan holder list, discontinue faxing and mailing some documents to customers, and communicate via email.

Changes Coming Soon

Orders for Plans and Specifications

- *Contractors will be asked if they want to receive a hardcopy in the mail or if they prefer to download an electronic file. Both proposal holders and plan holders can choose.*
- *Electronic plan holders will be charged \$10 and placed on the plan holder list.*
- *Electronic proposal holders will be charged \$15 and placed on the plan holder list and will receive a .pdf copy of the proposal by email.*
- *Hardcopy plan holders and proposal holders will be charged \$25 for a set as long as there is only one volume of plans.*
- *Higher fees will be assessed for hardcopies with more than one volume of plans in order to allow WSDOT to cover the cost to produce them.*
- *All contractors will be asked to provide an e-mail address when they place their order. This will be used to communicate with them during the advertisement period.*
- *No changes will be made to the process for distributing award copies.*

Addenda

- *All addenda will be posted to the project page and an email alert will go out to all plan holders and proposal holders. An addendum that would have been faxed in the past will now go out electronic only,*
- *In order to reduce delaying the opening of a contract, the PEO can decide to issue an addendum that causes a plan change or proposal change by email as long as they are providing contractors sufficient time to absorb the changes, receive new quotes, and modify their bids.*
- *All other addenda with plan changes will continue to be mailed but only to hardcopy proposal holders and plan holders. Contractors holding an electronic set will receive the email notification only.*

Electronic Communications

- *All proposal holders and plan holders will receive email notification for any new documents posted for a contract including addenda, Q&A, Reference Information and other items.*
- *Contract Ad & Award will set up a Gov Delivery account that contractors can sign up for to receive general notifications from the office such as the weekly Notice to Contractors, Contractor Bulletins, pre-advertisement notices, notification of new Design-Build and GCCM contracts and other communications. Eventually this system may replace the mailed Notice to Contractors sent each week to all pre-qualified contractors. As soon as our systems will allow, WSDOT will allow pre-qualified contractors to opt out of receiving the notice by mail.*

General Special Provision (GSP) per ESSB 5988 5988 (Transit, Bike & Ped) and for Contractor reporting.

This reporting requirement will be implemented on projects going on advertisement starting in January and is required for all Connecting Washington Improvement & Preservation projects.

General Special Provision:

Within 20 calendar days after the Award date, the successful Bidder shall return WSDOT Form 350-000 with the Contractor's costs for transit, bicycle and pedestrian Work.

The following instruction noted on the WSDOT Form 350-000 was shared with the team.

Instructions:

As required by Section 502 in 2ESSB 5988 Chapter 43, Laws of 2015; the Contractor shall provide an estimate of the cost to be expended for transit, bicycle or pedestrian project elements. The Contractor shall identify this work in the project and provide an estimate of the costs. The estimated costs (three required) shall be reported independently for each category (transit, bicycle and pedestrian); a detailed breakdown for each cost is not required. Examples for transit, bicycle and pedestrian project elements that are to be included in the cost estimate are provided below.

Transit *transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include school buses, charter or sightseeing services. It does include facilities built for the purpose of providing this service. Examples of transit elements include the following:*

- Bus pullouts
- HOV/HOT Lane
- Park & Ride Structures
- Access roads between Direct Access Ramps and Park & Ride Structures
- Bus service, paid for as part of the Contractor's estimate for construction, to encourage drivers to take the bus and reduce congestion through the construction zone
- Pavement Markings
- Direct Access On/Off ramp for transit
- Park & Ride Lots
- Freeway flyer stops

Bicycle *a path or part of a marked off or separated for the use of bicyclists. Examples of bike path elements include the following:*

- Stand-alone/separate path
- Lighting for a bike path
- Bike lane on bridge
- Joint use shoulder
- Drainage systems associated with the path
- Pavement Markings

Pedestrian *a hard-surfaced pathway for pedestrians alongside a road or bridge and generally a little higher. Sometimes it is at the same height but separated from traffic by a barrier or curb. Examples of pedestrian elements include the following:*

- Sidewalk and trails or walking paths
- Sidewalk on bridge
- Islands or bulb-out segments for pedestrian safety at intersections
- Electronic Walk Sign with audio speaker at crossing locations
- Drainage systems associated with the path
- Lighting at pedestrian crossing
- Pavement Markings

GSP for Transfer of Coverage of the CSWGP to require Contractor reporting to the Engineer when there is a permit violation.

This is needed for HQ Environmental ECAP reporting purpose and the change is necessary as the contractor has the firsthand knowledge of any permit violation when they occur at the job site. This will be an April GSP but may be included in contracts sooner as a special provision.

Most members felt they already provide this information and formalizing it was viewed as a good thing. Instruction from the Environmental Compliance Assurance Procedure Form;

Instructions: This form is to be used on projects that transferred the NPDES Construction Stormwater General Permit (CSWGP) to the Contractor. Should a violation of the CSWGP occur (also referred to as a noncompliance event), the Contractor shall immediately notify the Engineer and submit this form to the Engineer within 48 hours of the violation.

When submitting this form to the Engineer, copies of formal violations or written notifications that a violation occurred, monetary penalties, or other associated documents and photos shall be attached.

Removal of HMA Mix Designs from critical material suspension GSP.

Some projects may add back in as a special provision but with HMA mix designs on the QPL, there is not the need for HMA mix designs to be included as there once was. It will be implemented in January.

DBE Written Confirmation Form Use

Denys passed on the information from OEO and FHWA that the DBE Written Confirmation Form was being required by some contractors to be turned in with subcontract bid from all DBE subcontractors. The concern is that the form is intended to be filled out by the successful DBE subcontractor only and some DBE subcontractor felt they assumed they got the work since the form was requested.

Most team members did not see any issues as both contractor and DBE subcontractors communicate just prior to bid submittal to verify who was successful low bidder or being listed on the form. A few members mentioned that they automatically get the form from some DBE firms shortly after receiving their bid.

Prompt Pay, On-line system to view monthly contract progress estimates

WSDOT is developing a web page where all active contract monthly progress estimate information is made available for anyone to see as a part of the prompt payment efforts. The on-line information is in the beta testing mode and should be made available soon.

Schedule and location of future meetings:

Planned meeting dates for 2016 – January 29, February 26, March 25, April 22, May 20
Meeting location: WSDOT Fife Project Office Conference room