

AGC/WSDOT ROADWAY TEAM

Meeting Summary: March 9th, 2015 Meeting

Attending:

	Member	Company	Phone	E-mail
X	Dave Erickson	WSDOT	360-705-7829	ericksd@wsdot.wa.gov
X	Dan Glover	Tucci & Sons	253-922-6676	dglover@tucciandsons.com
X	*Bill Grady	KLB Constr	425-355-7335	billg@klbconstruction.com
	Brad Halvorson	Kiewit	425-255-8333	bradhalvorson@kiewit.com
	Gil McNabb	WSDOT	206-440-4758	mcnabbg@wsdot.wa.gov
	Mike Morishige	WSDOT	360-704-3271	morishm@wsdot.wa.gov
X	*Mike Fleming	WSDOT	360-705-7830	fleminm@wsdot.wa.gov
X	Travis Walken	Granite	425-551-3152	Travis.walken@gcinc.com
	Kevin Waligorski	WSDOT	509-667-2861	waligok@wsdot.wa.gov
	Susan Ellis	FHWA	360-753-9412	Susan.Ellis@dot.gov
	Scott Stephens	Totem Electric	253-383-5022	scott@totemelectric.com
	Ken Stone	WSDOT	360-570-6642	stonek@wsdot.wa.gov
X	Chris Tams	WSDOT	360-442-1341	takd@wsdot.wa.gov
X	Janice Fahning	Snohomish CO.	425-388-3196	Janice.Fahning@co.snohomish.wa.us
	Jeff Deringer	Nutter Corp.		jeffd@nuttercorp.com
	Dan Howell	Skanska	206-494-5421	Dan.howell@skanska.com

*Team Co-Chair

Minutes are available online at:

<http://www.wsdot.wa.gov/biz/construction/IndTeams.cfm#AGCRoadTeam>

Introductions/Opening Remarks:

Meetings will continue to be held on Mondays at the AGC building in Fife.

Meeting minutes are not getting posted on the web page. Mike will investigate and resolve the issue.

Old Business

New Business

- Mike highlighted some of the changes regarding the DBE specifications (GSP) that will be coming out in April. Contracts will have the DBE Goal (percentage in contract) that applies to the contract total and the commitment, which is what a contractor's plan is for achieving the goal (utilization). The commitment becomes a contract requirement and

any changes to it require a change order as well as the goal. Force account items will count for 50% on the utilization (plan at bid time) but will get credit for 100% of the work they actually accomplish. This change was due to the variability and nature of force account work. For owner initiated contract changes and for item under-runs associated with DBE work, the contractor is encouraged to substitute but not required. The ownership of that decision falls on WSDOT whereas in the past it fell on the contractor. Some team members expressed concerns regarding the availability and competency of some of the DBE's that are supposedly available to perform work. Often times there is only one path for obtaining the goal due to the lack of availability. Also, providing local knowledge into the goal setting process would be beneficial. The team expressed interest in having someone explain how goals are set on a given project. **Mike has provided the feedback to Denys Tak who is handling the development of these provisions and working with OEO policy related to this. Mike will try to schedule someone from OEO to come explain goal setting at a future meeting.**

- Marion Thorkildsen of General Lasertronics Corp. had presented information regarding laser removal of roadway striping as an alternative. The company claims they can successfully remove a wide variety of paints and other coatings without damage to the underlying substrate. Bill put him in contact with some local striping contractors to discuss their technology and some of the specifics. The team agreed that a demonstration would be helpful along with understanding production rates and costs for using this technology. If this technology was equitable in cost and alleviated some of the concerns over “ghost” striping there would be significant interest by all parties. **Bill followed up with Marion who said he has started conversations with some contractors and is hopeful that he can provide a demonstration this summer when they are in the area. TBC.....**
- Q&A during advertisement was discussed. In particular, WSDOT staff has been advised that questions must be asked in writing from contractors and all Q&A needs to be posted to the web page for the advertised contract. Also, no answers can speculate or imply a change to the contract. An addendum is the only mechanism that can change the contract during the Advertisement period.
- The new PCPR has been published and will be used by WSDOT for current and future projects. Mike handed out a hard copy of the report for information. The new report provided clarification and modified some of the items to be rated. One example is equipment is no longer part of what's being rated. Also, a separate section for compliance with the contract and laws has been added which includes items for OEO compliance. It was noted that the web site has not been updated to link to the new report. **Mike will notify the internal staff to get this updated. Mike will also provide an electronic copy of the contractor's end of project report on WSDOT, for review.**
- Prompt payment was discussed and what the law requires. When the prime withholds payment to the sub, the prime is required to provide notification to their sub on what is needed in order to correct the issues in order to get paid. The prime is also required to notify WSDOT of this concurrently so they stay apprised on the issue and can ensure prompt pay law is being followed. Some changes are in the works that will be incorporated into future contracts. A form has been developed (similar to some other states) to track this so all parties are on the same page and can be tracked monthly along with some related specifications. This has been submitted to FHWA for review and comment and implementation is expected by this summer.

- A Bill has been proposed that legislation is currently contemplating related to using recycled material on projects. The Bill establishes a percentage of construction aggregate and concrete materials to be incorporated into construction projects which is increased each year to 2020. The Bill also requires yearly reporting of progress towards meeting the objective of xx% of recycled material being incorporated. In anticipation of this WSDOT has developed a form for reporting and tracking recycled material that will be filled out by the contractor and will be a requirement in future contracts.
- Dave Erickson shared with the group that the construction manual is being updated and now is the time for input as to content for consideration. The manual is also being re-formatted to follow the std. specifications for section references so they align. **Dave will send an electronic copy to Bill Grady for distribution and comments.**
- Travis Walken brought up a couple topics of discussion. The first issue for consideration was liquidated damages. Travis thought that liquidated damages are not necessarily equitable to the level of impact on the traveling public since traffic volumes and actual impacts are so different depending on location. He suggested that a sliding scale of sorts or some other way to make the damages equitable to the location of the project rather than the same regardless of location. The group agreed the point seems to make more sense than how it is currently set up. **Mike will carry this issue forward for internal discussion and will get back to the group on what is discussed.**
- The other issue Travis brought up was concerning the working days established in contracts not always accounting for force account work that may be critical to the project. The point was made that if working days do not include time for force account, it should be or if it's not accounted for and the work is demonstrated to be critical on a project then time extensions should be granted accordingly. **Mike will bring the issue to the Administration Team for consideration in addition to discussing internally.** One item identified by the team where time is known to not be included for force account in the schedule is time established by the Bridge & Structures office for their designs. This will also be investigated. **Mike will keep the team apprised of this issue and progress.**

Next Meeting Dates

- **April 20th**

AGC/WSDOT ROADWAY TEAM

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	Member	Company	Phone	E-mail
	Dave Erickson	WSDOT	360-705-7829	ericksd@wsdot.wa.gov
	Dan Glover	Tucci & Sons	253-922-6676	dglover@tucciandsons.com
X	*Bill Grady	KLB Constr	425-355-7335	billg@klbconstruction.com
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X	Gil McNabb	WSDOT	206-440-4758	mcnabbg@wsdot.wa.gov
X	Mike Morishige	WSDOT	360-704-3271	morishm@wsdot.wa.gov
X	*Mike Fleming	WSDOT	360-705-7830	fleminm@wsdot.wa.gov
X	Jason Streuli	Atkinson Const.		Jason.Streuli@atkn.com
	Travis Walken	Granite	425-551-3152	Travis.walken@gcinc.com
X	Kevin Waligorski	WSDOT	509-667-2861	waligok@wsdot.wa.gov
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X	Janice Fahning	Snohomish CO.	425-388-3196	Janice.Fahning@co.snohomish.wa.us
	Jeff Deringer	Nutter Corp.		jeffd@nuttercorp.com
	Dan Howell	Skanska	206-494-5421	Dan.howell@skanska.com
X	Ryan McBride	Scarsella Bros.		ryan.m@scarsellabros.com

*Team Co-Chair

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Introductions/Opening Remarks/Previous Task Update:

Meetings will continue to be held on Mondays at the AGC building in Fife.

- **Mike will schedule OEO rep to explain goal setting to the team (planned for next meeting)**
- **Stripe laser removal demonstration on hold until further notice. Mike is pursuing potential lab work (research) with lasertronix to gain additional information on feasibility of use.**
- **A copy of the contractor's construction process evaluation is enclosed for review and comment.**
- **Time related L.D.'s on contracts based on location, not just contract amount (Forwarded to Admin. Team for consideration)**

- **Force account and working days (forwarded to Admin Team for consideration)**

New Business

- Construction manual update is planned for August with mostly formatting changes although some content changes will be included. The formatting will be changed to have the information match the applicable sections of the standard specifications. A request for comments was previously sent out to the team. The team can send comments preferably by the end of May however additional updates are planned beyond August therefore there will be other opportunities.
- A hard copy of the contactor construction process review form was shared with the group. **Mike will send out an electronic copy with the meeting minutes.**
- Currently there are specification changes being contemplated for allowing the release of electronic data during the advertisement period including reference information. Each region will have 2 pilot projects that will have electronic data provided during their advertisement this coming year. One of the proposed changes is to include qualifiers on the use of the information provided regarding its accuracy and risk of use. General comments were to not include the information if it can't be relied upon. That is being taken into consideration. One idea is to provide certain electronic information that the contract is based on for use (contractual info) and other reference information (non-contractual) that is available but not binding, with disclaimers. WSDOT is continuing to research this but are ultimately heading towards providing electronic information during the advertisement period in one form or another.
- The street cleaning specification was reviewed. Bill G shared that the way this item is measured and paid is applied inconsistent and is not always equitable. As a prime contractor they have been billed for more than what they are recovering through the bid item due to the way it's being measured and considered "... actual time spent cleaning pavement" versus continually operating including driving across the job to another sweeping area. This work is difficult to track and leads to arguments. **The specification will be reviewed by WSDOT policy for potential changes taking this into consideration.**
- Bill G brought up something to consider related to antiquated paperwork or contract work in general. Are there opportunities to rid of things that are not adding much (or any) value to the contractor or WSDOT? This is similar to the "lean concepts" discussed in the past. **Mike will try to pull together a list of paperwork items required on a contract for review by the team.**
- Mike discussed future specification changes related to safety plans and training. It is currently planned to require submittal of safety plans for each project by the contractor. The PE may elect to have the contractor provide training to WSDOT staff (co-jointly with contractor) depending on the particular safety plan. A suggestion was made to include an item in the contract for such training if required or just require the joint training and not make it an option. **This will be forwarded to the policy group for consideration.** TBC.....

- Specification changes are being considered related to missing bid items. It was being considered to state that if the work is described in the contract then all of the items that are included in the proposal covers all costs. In other words, there will be no missing bid items as the items included will cover all work described in the contract and should be priced accordingly. The general contractor response was to not go away from missing bid items as not including it transfers too much risk to the contractors in the event wsdot makes a mistake but intended to have a bid item. **The concerns have been shared with policy group for consideration.**
- Drought declaration and fire precautions were discussed. Mike encouraged contractors to stay aware of IFPL and to apply for waivers or have discussions with DNR/Forest Service early on before the work is planned to occur. Any fire related work shutdowns while under contract are considered weather related un-workable days and are non-compensable. Jason mentioned that there should be some consideration for compensation when it goes over a certain length of time or some other way to mitigate the risk. **The concerns will be forwarded to the administration group and policy for consideration.**
- Jason mentioned the challenges with the use of recycled concrete for aggregate, in particular the inconsistencies with testing for compaction. Jason said that the gauge doesn't seem to read concrete accurately or consistently. Testing has shown failing results even when the grade was very firm and un-yielding. **Mike will bring the issue back to the materials lab for review.**

Next Meeting Dates

- **TBD**