

ADMINISTRATION TEAM

January 24, 2014

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
	Corey Christensen KLB Construction	✓	Darrel McCallum WSDOT ER	✓	Ken Shovlin Guy F. Atkinson
✓	John Cichosz Tappani Construction	✓	Craig McDaniel WSDOT Construction	✓	Denys Tak WSDOT Construction
✓	Ashley Davis Mowat Const.	✓	Tina Nelson Kitsap County	✓	Greg Waugh Max J. Kuney Const.
✓	Jon Deffenbacher WSDOT OR		Roger Palfenier Totem Electric		Bob Adam Guy F. Atkinson
	Forrest Dill PCL	✓	Jim Prouty Granite Construction		

OPEN MEETING

Greg Waugh/Denys Tak opened the meeting at 9:00am.

Rick Smith, WSDOT Fish Passage Program Director, Kim Mueller, WSDOT Tacoma Project Engineer attended as guests.

Fish Passage Program

Rick Smith shared WSDOT fish passage program overview and challenges ahead regarding the court decision to require WSDOT to fix all fish barrier structures on State highways. Currently there are approximately 840 structures identified as fish barriers and the court decision requires WSDOT to fix these structures by year 2030. Rick mentioned WSDOT has design teams completing preliminary designs and scoping but the construction funding for these projects is still up to the legislators. Rick estimated it will cost approximately \$2.4 billion to correct all fish barriers identified at this time.

The team members discussed various ways to package these structures to reduce impacts to the public, challenges of short fish-window construction seasons, availability of contractors/materials, water by-pass challenges, coordination with stakeholders, permitting challenges, structure types, standardization of structures and delivery methods. Team members offered to meet with Rick's team in the future in some type of forum to provide additional input as the program moves ahead.

Unbalanced Bid Analysis

In response to a few inquiries regarding unbalanced bids and what WSDOT is requiring from the Contractor the team wanted a clarification from WSDOT.

Craig said WSDOT, when necessary, is looking for explanations on unbalanced/penny bids that are not a detriment to WSDOT, and clarifying up front with the bidder on how the unbalanced bid items cannot be reasons for any claims. Craig also stated WSDOT should not take away contractor's rights to negotiate the equitable adjustment. The equitable adjustment, when necessary, is negotiated based on the actual value of the work this includes a Cost Reduction Incentive Proposal (CRIP). If contractors see bidding advantages because of plan errors and take steps to ask about it during the advertisement period and the project engineer's response was bid according to the contract plans, this may be the only explanation necessary when asked about the unbalanced bids. The contractor has the ability to negotiate the equitable adjustment on bid items in excess of 125% of the planned quantity regardless of how that item was bid for the contract.

An example letter WSDOT sends out to Contractors who penny bid and/or unbalance their bid was shared at the meeting.

The team also discussed zero values entered as bid items in the electronic bidding system. When a contractor uploads their bid information to Expedite bid application with blanks or unfilled bid item values, either their software inserts zeros in its place during importing process or the uploading process to the Expedite bid application automatically insert zeros in these spaces. The concern has to do with the consistency in determining irregular proposals. With a paper bid form, a bidder would have to consciously bid zero while it could be done accidentally with electronic bids. Because deleted items populate as zero in Expedite, the error check does not bring attention to other zeros. It is the bidder's responsibility to check for the completeness of the bid information. WSDOT AD & Award office reviews the bid information and determines the responsiveness as necessary.

Minimum bid value was also discussed to prevent unbalanced/penny bids but it was agreed that this takes away a contractor's ability to be creative and take risks based on how they would approach and construct the project.

Craig indicated that the roadway team is looking at the possibility of earth work being a lump sum bid item, as many penny bids are usually associated with this work.

Construction Program DBE Reform Efforts

Denys shared changes being considered as part of the DBE reform on the highway construction program within WSDOT. OEO will continue to provide the oversight to the DBE programs within WSDOT. DBE reporting has been identified as one of the items that can be improved for better accuracy, timely and ability to monitor the DBE participation at the different levels such as project, contractor, region and Statewide. WSDOT Construction is in the process of creating the monthly DBE amounts paid report that is entered by Contractor and verified by project staff. This system will look and feel like the new apprenticeship hours reporting. All DBE work being completed on projects, especially the non COA or race neutral portion must be reported to help WSDOT achieve the overall annual goal. The new monthly reporting will capture both COA and non COA DBE amounts paid on projects.

Some discussions regarding DBE subcontractors working outside of their certified work description and should that be counted towards the COA contract obligation if they are meeting the commercially useful function. The group concluded that DBE subcontractor must complete the work they are certified for participation towards the contract COA goal.

Overall there are changes being considered to make the contract DBE process more streamline/efficient to increase DBE participation or better capture under-reported work DBE subcontractors are currently performing. These changes will help WSDOT achieve overall annual goal in the highway construction program and at the same time more emphasis on the accountability at the project level.

Bidder's list data being collected will also need to be better analyzed and work with OMWBE to update the certified DBE contractor's database needs analyzed for better accuracy.

Schedule and location of future meetings:

All dates and location are subject to change.

- 2-28-2014 [WSDOT Olympic Region, Fife Project Office 6610 16th Street E. Suite A Fife, WA 94242](#)
- 3-28-2014 AGC Southern District Building
- 4-25-2014 AGC Southern District Building
- 5-30-2014 AGC Southern District Building

9:00 AM – 12:00 PM

ADMINISTRATION TEAM

February 28, 2014

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
✓	Corey Christensen KLB Construction	✓	Darrel McCallum WSDOT ER	✓	Ken Shovlin Guy F. Atkinson
✓	John Cichosz Tappani Construction		Craig McDaniel WSDOT Construction	✓	Denys Tak WSDOT Construction
✓	Ashley Davis Mowat Const.		Tina Nelson Kitsap County	✓	Greg Waugh Max J. Kuney Const.
✓	Jon Deffenbacher WSDOT OR	✓	Roger Palfenier Totem Electric		Bob Adam Guy F. Atkinson
✓	Forrest Dill PCL	✓	Jim Prouty Granite Construction		

OPEN MEETING

Greg Waugh/Denys Tak opened the meeting at 9:00am.

Draft Prime Contractor's Performance Report(PCPR)

Denys shared the draft PCPR for review and comments. The PCPR has been in place since 2006 and it was due for an update to reflect the current priorities for contract obligations and contractor performance. WSDOT Construction engineer and staff reviews all completed PCPR submitted every year and some of the changes are initiated from these reviews and others are based on feedback from project staff and regions construction engineers. Overall our records indicate the majority of our Contractors are performing at above standard ratings. This update is intended to capture contractor's performance accurately by providing better rating descriptions and consistent ratings by removing some of the subjective rating components. PCPR will be disseminated for

comments for the next few weeks and it is WSDOT's goal to finalize the update prior to this construction season. PCPR for Design Build projects were considered but there was no way of combining one form for both Design Bid Build and Design Build contracts. Design Build PCPR is being developed and will be shared when ready.

Electronic DBE Monthly Amounts Paid Reporting

Denys shared the work in progress to develop a web based DBE amounts paid reporting system. The foundation of the reporting system will look very similar to the newly rolled out apprenticeship reporting. The reporting frequency will be changed from quarterly to monthly to capture the DBE attainment for better monitoring and tracking of the project level DBE attainment. The current reporting requirement lacks a way to monitor short term contracts w/o creating individual spreadsheets at each project office level.

The system will import the contract information from the existing Construction Contract Information System and DBE subcontractor information will be available using a pull down menu. Contractor designee will enter the monthly DBE amounts paid, and PEO staff will verify the amount after receiving a notification e-mail from the system after the Contractor has entered the amounts paid. The system will have a check box for the On-site review completed and entered by PEO staff, track the total DBE amounts paid verses the contract COA goal amount, and a box to check by the Contractor when the last DBE payment has been made. The reporting will also capture DBE amounts paid for non-COA work. This voluntary component of DBE participation is under reported currently due to an unfriendly and cumbersome reporting method in place. The intent of the DBE program is to maximize the use of the voluntary or non-COA DBE participation to achieve the overall agency annual goal and use race conscious or COA goal to supplement the voluntary participation. The system is nearing the test phase and the projected implementation time is anticipated around May of this year.

Draft Traffic Control Supervisor General Special Provision

Denys shared a draft GSP for TCS on contracts with high speed multilane freeways. This draft is based on feedback from all regions and concerns arise from the safety for workers and traveling public during traffic control set up/take down. Many TCS have the experience to work with these types of freeways, but as many TCS also do not have the necessary experience in working with these types of roadways based on Statewide feedback. The TCS certification class requires 2000 hours of traffic control experience and covers the multi-lane freeway situations, but the classroom learning, lower speed non freeway traffic control, and flagging experience hours does not prepare TCS to work in high speed multilane freeway situations and the challenges it requires. The requirement for 500 hours for freeway experience was discussed and team members suggested the following as a substitute to this requirement;

- Require contractor to demonstrate TCS's experience in resume form for review by PEO
- Interview TCS at the preconstruction meeting
- Advanced TCS certification
- COA DBE TCS will create difficulty in substituting with a different TCS
- The GSP language should foster conversation between contractor and traffic control subcontractor on the contract requirements on TCS during advertisement

Instructions for use:

Recommended for use on all freeway projects with temporary traffic control.

GSP:

Section 1-10.2(1) is supplemented with the following:

primary TCS shall have a minimum of 500 hours of experience providing traffic control as a TCS or traffic control labor on a multilane, divided, controlled-access highway with a speed limit of 55 mph or greater. (A controlled-access highway provides an unhindered flow of traffic with no traffic signals, intersections or property access.) The Contractor shall submit a certification of the TCS's experience with the TCS designation. Documentation of experience shall be available upon request by the Project Engineer.

Schedule and location of future meetings:

All dates and location are subject to change.

3-28-2014 WSDOT Olympic Region, Fife Project Office 6610 16th Street E. Suite A
Fife, WA 94242

4-25-2014 AGC Southern District Building

5-30-2014 AGC Southern District Building

9:00 AM – 12:00 PM

ADMINISTRATION TEAM

April 25, 2014

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
✓	Corey Christensen KLB Construction	✓	Chad Simonson WSDOT ER		Ken Shovlin Guy F. Atkinson
✓	John Cichosz Tappani Construction		Craig McDaniel WSDOT Construction	✓	Denys Tak WSDOT Construction
✓	Ashley Davis Mowat Const.	✓	Tina Nelson Kitsap County	✓	Greg Waugh Max J. Kuney Const.
✓	Jon Deffenbacher WSDOT OR		Roger Palfenier Totem Electric		Bob Adam Guy F. Atkinson
✓	Forrest Dill PCL		Jim Prouty Granite Construction		

OPEN MEETING

Greg Waugh/Denys Tak opened the meeting at 9:00am.

Greg Bell, WSDOT External Civil Rights manager attended the meeting

WSDOT Question and Answer during advertisement

- WSDOT Q & A policy was shared with the team.
- WSDOT encourages prospective bidders to ask questions.
- The Q&A process must maintain a level playing field;

Does not allow any bidder to gain an advantage and therefore
Does not provide the basis for a bid protest.

- Answers may reference back to the contract.
- The only way to clarify or change the contract is by Addendum.
- The idea is to document all questions and answers for transparency and consistency statewide. Answers may not interpret, clarify or change the contract.
- Q&A is not part of the Contract.
- Q&A updated once a week on the Contract Ad and Award web site.
- Suggestions;
 - Add phone number and the project engineer's e-mail address on the first page of the Project Provision
 - An option to sign up for Q&A updates by Contractors
- Overall the team was supportive of the Q&A policy and agrees that it would be helpful for Contractors.

Commercially Useful Function definition of DBE Traffic Control Services

When the Contractor lists the DBE Subcontractor on the DBE Utilization Certification form performing "traffic control" or "traffic control services", the DBE contractor must perform all traffic control related work. Including Traffic Control Supervisor on site directing their work, supply traffic control items such as cones and arrow boards, and implement the placement of these items with their work forces on the project. It is the responsibility of the DBE for implementing the traffic control plan on a daily basis.

If the Contractor is renting traffic control equipment (Class B signs, Arrow boards, PCMS boards, cones candlesticks, TMAs, etc.) from the DBE firm, the DBE firm must be pre-approved and listed as a Regular Dealer for that specific project. The dollar amount that the prime writes in on the DBE Utilization Certification form (submitted with the contractors bid package) is counted at 60%. Between award and execution, the successful low bidder is required to submit a DBE bid item breakout.

If the Contractor subcontracts with a DBE contractor to provide flaggers/spotters only, the DBE firm must have a licensed Traffic Control Supervisor (TCS) on the project site supervising the DBE employees.

Greg will send the definition of CUF along with Q&A that relates to it.

Electronic DBE reporting

Monthly DBE amounts paid reporting program for WSDOT highway construction is ready to roll out in May 1. Local Program is monitoring and is working on adjustments to

accommodate the system compatible for local agencies. No schedule provided on when it will be ready.

The program is based on the new apprenticeship hours reporting system. Contractor is responsible for entering the amounts paid to all DBE contractors on each bid items of work, project office staff will verify the amount. The system will be populated with the amounts paid to date as lump sum on active contracts.

The system will alert Contractors and WSDOT project staff by e-mail reminders for late entry of the monthly amount paid, changes made to any payments submitted and notify project staff when the Contractor submit payments.

Training videos for Contractors as well as WSDOT staff will be released in early June.

Second phase of the reporting system is to create a monitoring and tracking dashboard that provides the status of DBE participation at all levels. This information will be available for all to view, including DBE subcontractors.

The current system has a report function that can produce payment history by any user to assist DBE subcontractors when they request for the information.

This reporting system will be used on all WSDOT highway contracts, including DB projects.

Type IX reflected sheeting traffic barrels in lieu of steady burn lights in NWR

The improved prismatic reflected sheeting traffic barrels perform far superior in visibility in both night, daytime and adverse conditions. The barrel itself is brighter orange plastic with internal lighting and retrofitting existing barrels with these new reflective sheeting did not work well. However replacing sheeting on these newer barrels is acceptable.

The use of these barrels will eliminate the use of steady burn lights. Other regions have eliminated the use of steady burn lights or only use them in taper locations.

NWR is considering phase in these barrels over next few several.

Upcoming I-5 project w/ lump sum Traffic Control

I-5, Vicinity Tumwater Blvd to Gravelly Lake Dr. Paving project, currently on Advertisement contains one of the first lump sum traffic control bid items on the Interstate.

Concerns were raised on the use of lump sum traffic control on Interstate freeways, multi-phase complex projects and in urban areas per previous meeting discussions dating back to Ron Howard days.

Contractors feel they do not have enough time during the advertisement period to develop a plan and an estimate on these large and complex projects. They generally accept the provided traffic control plan to start with then as more time is spent on the project, they evaluate options to make adjustments.

Traffic Control is often subcontracted out to DBE contractors and it may affect their participation on projects. DBE traffic contractors may have difficult time evaluating, planning and estimating lump sum traffic control.

Lump sum traffic control work well on small simple projects and design build contracts but not necessarily on conditions mentioned earlier.

Value Engineering Cost Proposal

The specification developed by members of this team is planned to be amended in August. Copy of the final specification was shared at the meeting.

Errors and Omissions in contractor provided design as part of VECP should be retained by WSDOT. Denys will follow up on this as this issue was always believed to be part of the design of record and E&O responsibility should be the Contractor. Denys will follow up on this question with Jeff.

Apprenticeship, training and DBE impacts as the result of VECP must be addressed.

New GSP for Traffic Control Supervisor

The need for experienced TCS on high speed, multi-lane freeways by creating another certification level was discussed but was not well received by instructors and WSDOT traffic office. It was recommended that we use the combination of experience resume and minimum hours in this type of roadway.

Availability of experienced DBE TCS may be an issue.

Schedule and location of future meetings:

9:00 AM – 12:00 PM

ADMINISTRATION TEAM

May 30, 2014

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
	Corey Christensen KLB Construction	✓	Chad Simonson WSDOT ER	✓	Ken Shovlin Guy F. Atkinson
✓	John Cichosz Tappani Construction		Craig McDaniel WSDOT Construction	✓	Denys Tak WSDOT Construction
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	Forrest Dill PCL	✓	Jim Prouty Granite Construction		

OPEN MEETING

Kyle McKeon and Stacie Kelsey will be representing WSDOT Local Program on the team

Western Alliance of Quality Transportation Construction (WAQTC)

Dave Jones from WSDOT Materials lab shared WAQTC qualification program for material (aggregate, HMA, concrete, embankment, density) testers. It is a partnership of western state DOTs and federal agencies in cooperation with industry. WAQTC Tester qualification is based on AASHTO requirements and the qualification is recognized in many member states including AK, WA, OR, ID, MT, NM, UT, HI. WSDOT is shifting towards the WAQTC tester qualification from WSDOT's own tester qualification system. WSDOT will be developing quality control requirements using WAQTC qualified testers and it is anticipated the transition will take approximately 1.5 years. WAQTC

Qualified tester database will recognize testers from all participating States. This program is for material testing and will likely be implemented first on WSDOT testers then Design Build contracts.

WSDOT is looking into WSDOT specific tests such as aggregate degradation to see if it can be substituted with other standard tests used by WAQTC. Quality Control plan for material suppliers using WAQTC qualified tester may reduce WSDOT verification tests.

QPL and Request for approval of material

WSDOT receives multiple requests for a product approval and it causes a lot of staff effort and many of these approved products end up not being used in contracts. Dave discussed allowing one free product approval per item and charging for the rest. The team discussed the contractors risk in some item not getting approved or suppliers going out of business; hence they mitigate the potential risk in keeping the contract schedule by having multiple approved products per item for the work. Some contracts may require multiple items or sources approved due to the wide areas being covered in the contract. Sometimes the contractor will submit multiple products because they may not know which product may be approved. The team discussed being clear on the charges for contractor's consideration during bidding and shifting the cost of doing business but not necessarily reducing the cost of contracts. Dave said the goal is to have contractors reduce submitting the number of products per item being submitted for approval.

WSDOT Inspector Certification Program

The purpose is to provide training and resources for construction inspectors and confirm the inspector's knowledge. This program is to ensure quality materials and workmanship on WSDOT projects. There are two phases on the certification program. The general phase has no expiration date and the subdivision has a 4 year certification. See the attachment.

Lump Sum Traffic Control

The team discussed the history of LS traffic control and the past agreement on the criteria for using the LS traffic control bid item. The discussion revolved around recently awarded I5 Vic. Tumwater Blvd to Gravelly Lake Drive contract. WSDOT is in the process of conducting an internal survey on the use of the LS traffic control and a separate survey for contractor is being considered. The team discussed the progression of Contractor's employees completing the contract traffic control work to the work being subcontracted and ultimately the DBE involvement in the work.

Schedule and location of future meetings:

Planned meeting dates for 2014 - September 19, October 24, November 21, and December 19

ADMINISTRATION TEAM

September 19, 2014

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	✓	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		
✓	Susan Ellis FHWA	✓	Glenn Schneider WSDOT SWR		
✓	Mike Hall Tucci & Sons	✓	Mark Scoccolo SCI Infrastructure		

OPEN MEETING

Guest: Megan Cotton, WSDOT Tribal Liaison

Membership: Forrest Dill and Ashley Davis are no longer part of the team and any nomination representing the contractor community should be sent to Greg Waugh.

Tribal Employment Rights Ordinance (TERO)

Megan explained her role as the Tribal Liaison for WSDOT and discussed the quarterly TERO coordination meeting, application of TERO on WSDOT projects, and encouraged all to attend, often required, TERO certification training prior to bidding on WSDOT contracts. TERO fee requirements, employment preference of tribal member, and compliance plans were discussed and members suggested that WSDOT needs to be more involved in contracts with TERO requirements. Mandatory pre-bid meetings

involving the TERO officer was mentioned in both Montana and Idaho DOT projects. These mandatory pre-bid meetings were helpful in identifying the TERO officer, TERO requirements, sample compliance plan, available qualified workforce and allowed contractors to ask questions on the details of how TERO employment preferences will apply to the contract.

Members are not oppose to TERO requirements, however changes and additional requirements being implemented after the contract is awarded are the biggest concerns as these requirements were not planned and included in the cost of completing the contract work. Often this is when the relationship between the TERO officer and the contractor is strained. Members also discussed these mid contract changes may be due to unanticipated opportunities not realized by the TERO officer during the advertisement period of a contract.

Greg said the Question and Answer session at these mandatory pre-bid meetings were helpful in understanding the tribal employment preferences as the TERO officer shared the trade and number of qualified employees available for different types of contract work.

A suggestion was made to attach TERO ordinances to WSDOT contracts.

Denys and Megan will look into the use of a pre-bid meeting involving a TERO officer in the upcoming I-5 HOV project in Tacoma.

Susan mentioned that on Western Federal Lands contracts, the project TERO compliance plan signed by TERO and contractor is the first change order that gets incorporated in the contract. This tends to lock down the TERO requirements and any unanticipated changes to the TERO requirements will be incorporated via change order process.

Megan also clarified TERO fees applies to work within the reservation and trust land boundary but the employment preference applies on, or near, reservation land.

Denys will look into project TERO pre-bid meeting, compliance plan, and ordinance being part of a contract with WSDOT TERO officers meeting with Megan.

Proposed DBE Specification

Denys described changes proposed in the DBE General Special Provisions submitted to FHWA on August 5, 2014. The approval of the specifications is pending DBE community concerns being addressed and the anticipated FHWA DBE final rule. Contract goal vs commitment, subcontract agreements, use of DBE brokerage firm, crediting Force Account work at 50% (including changes needed on the Utilization Certification form to reflect percent applicable towards DBE goal by a separate column), joint checking, bidders list, GFE section to include post award process, DBE Trucking, certified truck list, changes to COA work when the scope of work is added to a contract, first time DBE incentive, and overhead reimbursement.

Members expressed concerns over the use of joint checking not counted towards DBE participation. Many suppliers demand joint checks and contractors will move towards requiring 100 percent bonding to offset the risk of not able to use joint checking to pay

suppliers/vendors. Denys clarified joint checks can continue to be used but the amount cannot be counted towards DBE participation.

Update on Standard Specifications amendments

1-04.4(2) Value Engineering Change Proposal (VECP)

Section 1-06.1 Approval of Materials Prior to Use is supplemented with the following: For each proposed material that is required to be submitted for approval using either the QPL or RAM process the Contractor will be allowed to submit for approval two materials per material type at no cost. Additional materials may be submitted for approval and will be processed at a cost of \$100.00 per material submitted by QPL submittal and \$300.00 per material submitted by RAM. All costs for the processing additional materials will be deducted from monies due or that may come due to the Contractor. Subject to a request by the Contractor and a determination by the Engineer the costs for processing may be waived.

Section 1-10.2(1) is supplemented with the following:

The primary TCS shall have a minimum of 500 hours of experience providing traffic control as a TCS or traffic control labor on multilane highways with a speed limit of 55 mph or greater. The Contractor shall submit a certification of the TCS's experience with the TCS designation. Documentation of experience shall be available upon request by the Project Engineer.

Schedule and location of future meetings:

Planned meeting dates for 2014 - September 19, October 24, November 21, and December 19

ADMINISTRATION TEAM

October 24, 2014

9:00 am

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

Attending:

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✓	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: None

Membership: Forrest Dill and Ashley Davis are no longer part of the team and any nomination representing the contractor community should be sent to Greg Waugh.

Tribal Employment Rights Ordinance (TERO) Open house

Puyallup tribe hosted a TERO open house for I-5, Portland Avenue to Port of Tacoma Road – Northbound HOV project on October 23, 2014. Thirteen contractor representatives attended the open house and the first part of the open house covered the TERO Orientation certification course. The idea of the open house was generated by the last month's AGC/WSDOT administration team discussion where Megan Cotton, WSDOT Tribal liaison was present. The intent of the open house was to promote early

conversations between bidders and TERO staff to minimize after award misunderstandings on TERO requirements. The following items were discussed;

- TERO client becomes employee of the Contractor
- TERO client shall be the first brought onto a site and the last to be laid off
- Requirement of 25/75 ratio for Core Crew & Indian preference hires
- TERO clients shall be paid within 3 days from layoff/termination
- Ten percent rule: If a Native contractor is within 10% of lowest bid they shall be given opportunity to negotiate to meet lowest bid
- All apprentices must join the union as the minimum qualification
- TERO fee applies to work within tribal owned land
- Indian Preference employment

WAC 468 chapter 16 revision

Mostly consists of minor adjustments for WSDOT AD & Award office functions and revisions to Prime Contractor's Performance Report to measure today's priorities. A Public Hearing is scheduled for November 26, 1:30 at WSDOT Board room in Olympia.

Prompt Pay

WSDOT is putting emphasis on prompt pay issues, especially when it involves DBE subcontractors. Even though WSDOT is not party to the contract, WSDOT need to do a better job, and it means WSDOT will be involved in making sure subcontractors get paid in a timely and fair manner. This is required by CFR, State Law, and it is part of the WSDOT effort to support small businesses. The goal is to provide the PEO with requirements in the contract/subcontract as necessary that can be consistently and easily administered.

- Subcontractor notification that the prime must follow if they are withholding payment including;
 - Notice, how much and why
 - Accounting of payments
 - The remedy to release payment
- WSDOT would withhold funds from the prime that are not passed thought to the subcontractor
- WSDOT will make payment information to subcontractors and others upon request.

Members stated in general, that there are small numbers of prompt pay issues with subcontractors but acknowledged payment issues must be timely addressed. A most common prompt pay issue has to do with WSDOT and prime contractors regarding change order work. Too often the change order execution takes way too long.

Proposed DBE Specification Update

Denys mentioned WSDOT received FHWA comments on the proposed DBE specifications. WSDOT will be evaluating comments and respond as necessary. Two items of interest that has been denied are the first time DBE incentive and the 5% overhead reimbursement proposals.

Lump Sum traffic control survey collected within WSDOT project staff was discussed. Concerns were raised in the use of LS traffic control without any regards to the location, traffic, and the complexity of the work involved. Members raised concerns over allowing a designee in lieu of region construction engineer as it could potentially allow the use of LS traffic control on all projects over time. They would like to see consistency applied Statewide on the use of this item. A recent I-5 paver project with LS traffic control went pretty smooth but it was noted that being a WSDOT project made it more predictable, however it was noted that it may have cost more than if it was set up as unit bid items.

Most members also attributed issues on cost overrun related to traffic control bid items to the estimating errors and assumptions made by designers.

Traffic control labor hours between daily setup and take down were discussed as a potential issue that could develop in the near future. The members discussed paying these hours to clean barrels and other work, to being asked to send the crew home. All agreed that sending the crew home for a few hours is not a practical option. A traffic control subcontractor going to another job and getting paid for these hours was mentioned. Members would like to have specifications clarified on how to consistently address these hours Statewide. Over time, traffic control work is being completed by Contractors employees to subcontractors and ultimately DBEs doing this work.

Schedule and location of future meetings:

Planned meeting dates for 2014 - ~~September 19, October 24, November 21, and~~
December 19

ADMINISTRATION TEAM

November 21, 2014

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		
✓	Susan Ellis FHWA		Glenn Schneider WSDOT SWR		
	Mike Hall Tucci & Sons	✓	Mark Scoccolo SCI Infrastructure		

OPEN MEETING

Guest: None

AGC/WSDOT Annual Meeting

The lead team has asked for potential presentation topics for the upcoming annual meeting. Suggestions from the team includes Washington State Ferries GCCM project information/update and Electronic documents during AD and post Award – type of documentation (staging, alignment, utilities, bridge plans, DTM, etc.) and format considerations.

Subcontract bond

Members discussed bonding requirements on subcontractors. The requirements vary from contractors but it is used to mitigate the potential risk on the subcontract work when a subcontractor fails to complete the work. The cost of bonding vary depends on subcontractor’s assets and financial status. Some contractors will look at the bonding requirements based on case by case situation on the type of work and the amounts involved. Many small subcontractors including DBEs are not bondable based on member’s experience. This has caused problems in many contracts and members would

like to see more small subcontractors eligible for contract bonding. Often contractor has to decide at the last minute what to do with subcontractors, especially DBEs, who cannot provide required bonding. Many smaller subcontractors also experience higher bonding costs as compared to larger established companies with greater assets.

Traffic Sign – New product

New traffic sign sample brought to the meeting is made of composite material sandwiched with aluminum sheeting. The product is produced by DIBOND Traffic in Germany. The obvious advantage is the theft reduction and lighter weight in comparison to all aluminum signs. WSDOT will look into the current specifications and check with the Traffic division to see if this product can be used.

1-08.5 Time for Completion

“Contract time shall begin on the first working day following the 21st calendar day after the date the Contracting Agency executes the Contract. If the Contractor starts Work on the project at an earlier date, then Contract time shall begin on the first working day when on-site Work begins. The Contract Provisions may specify another starting date for Contract time, in which case, time will begin on the starting date specified”

On large projects such as I5, M Street to Portland AVE HOV, there are tremendous amount of work involved in material acquisition, planning, coordination with subcontractors, and preparation work prior to mobilizing after contract execution. It was suggested that WSDOT consider extending from 21 calendar days to better accommodate the Contractors. A complex projects often requires multiple operations from the beginning of the project. WSDOT will look into see if this duration between Contract execution and first chargeable working day can be extended on larger projects.

Consolidated plans and specifications

WSDOT printing services can provide consolidated plans and specifications when requested by PE and Contractors. These are not conformed contracts but sorted where addenda are stapled in front of the specifications and plan sheets are replaced accordingly. Members discussed the need for conformed documents on large projects to ensure everyone has accurate contracts and manually producing these conformed contracts on multiple volume projects is expensive and time consuming. It was mentioned that a couple of WSDOT project offices produce electronic copies of conformed contracts and shared with contractors after award copies of contracts were sent out. WSDOT will look into where and how many offices are producing these conformed documents, the staff effort involved, consistency in contract documents executed verses what is used and report back to the team.

Schedule and location of future meetings:

Planned meeting dates for 2014 - ~~September 19, October 24, November 21, and~~
December 19

ADMINISTRATION TEAM

December 19, 2014

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
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✓	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: David Smesler, WSDOT High Speed Rail Program Manager

Membership

Jay Byrd joined the team representing 1 Alliance Geomatics which is a **MBE/DBE** surveying, mapping, and geospatial information and technology firm specializing in authoritative, high-accuracy 3D measuring, mapping, and modeling products and services. Based in Bellevue, Washington and serving the Pacific Northwest with professional land surveying licenses (PLS's) in Washington, Oregon, Idaho, California and Alaska, 1 Alliance Geomatics serves architects, engineers, contractors, scientists, managers, and owners on critical civil infrastructure, environmental, and natural resource public and private works projects.

WSDOT High Speed Rail Program

David Smesler provided the high speed rail improvement program information including the rail tracks involved, funding sources and schedule, stakeholders involved, challenges, projects completed and planned construction opportunities.

Traffic Sign – New product

New traffic sign sample brought to the meeting is made of composite material sandwiched with aluminum sheeting. The product is produced by DIBOND Traffic in Germany. The obvious advantage is the theft reduction and lighter weight in comparison to all aluminum signs.

Based on the traffic office WSDOT was approached with this product several years ago and the existing specifications allow signs made of the composite material.

Standard Specification 9-35.2 Construction Signs

“The use of plywood, fiberglass reinforced plastic, fabric rollup signs, and any other previously approved sign materials except aluminum or aluminum composite is prohibited.”

Upcoming statewide DBE open houses/OEO trainings

Planned by WSDOT Office of Equal Opportunity, DBE opportunity forum is planned for evening hours 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 are similar to past training sessions provided by OEO staff. One day is for WSDOT staff and another day is scheduled for contractors and subcontractors. OEO is in the process of scheduling locations/facilities and flyers will be distributed when dates and locations are confirmed.

Lump Sum Traffic Control

Members expressed concerns over how the traffic control work associated with the second and third year plant establishment work may be included in the project lump sum traffic control by designers. Traffic control work necessary for the second and third year plant establishment should be included in the force account work, due to the unpredictability nature of the work or the same reasons why the plant establishment work itself is force account. Members recommended that this issue be clearly addressed in contracts with lump sum traffic control to prevent any bid discrepancies or assist contractors on how to bid this work.

Schedule and location of future meetings:

Planned meeting dates for 2015 – January 23, February 27, March 27, April 24, May 22
Meeting location: WSDOT Fife Project Office Conference room