



October 16, 2006

Mr. Don Nelson
Director Environmental and Engineering Programs
Washington State Department of Transportation
Co-Chair, WSDOT/ACEC Executive Committee
MS 47323

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Subject: WSDOT/ACEC Structures Team Process Change Recommendation
Long-Term Issue No. 4: "Determination of Bridge Project Environmental Requirements
Proposal No. 2 of 6: "Establish a Process for Utilizing WSDOT Standard Specifications
in Environmental Documents and Permits"

Dear Sponsors:

Per our letter of October 13, 2006, the Washington State Department of Transportation/American Council of Engineering Companies (WSDOT/ACEC) Structures Team has identified six actions that can be taken to improve the current process for obtaining environmental approvals for projects.

Attached is a detailed description of the second of these six recommendations. A detailed description of the first of these six recommendations was included with our letter of October 13, 2006. Detailed descriptions of the other four recommendations will be developed and submitted separately.

In most cases, the scope of the six recommended actions is beyond our committee's ability to implement directly. These recommendations are offered for improvements to be implemented by WSDOT on a broader scale. A key objective of the proposals is to improve the structural design team input to, and support of, the project team design and permitting processes.

We ask for your support and guidance to move these recommendations forward to become standard practice.

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Sincerely,



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Attachments

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Process Change Recommendation Proposal No. 2
“Establish a Process for Utilizing WSDOT Standard Specifications in Environmental Documents and Permits”

Proposal No. 2 Problem Statement:

This proposal addresses a specific problem associate with all projects; converting environmental commitments and permit conditions into contract enforceable language. Environmental commitments are typically not written in industry standard contract language such as found in the Standard Specifications for Road, Bridge, and Municipal Construction Manual M 41-10 2006. It is challenging, time consuming, and costly to review and capture commitments made throughout each engineering and environmental document for highway bridge projects. It is even more difficult to translate and clearly upload these requirements into a commitment-tracking format in order to meet current directives for statewide (HQ & Regional) environmental compliance programs.

Proposal Description:

It is proposed to have environmental commitments make direct reference to WSDOT Standard Specifications for Road, Bridge, and Municipal Construction and supporting Amendments and General Special Provisions (GSP's.) For situations where existing standard specifications do not cover regularly occurring permit requirements or environmental commitments, additional provisions would be written in standard specification language and subsequently developed into Standard Specification Amendments or GSP's.

It is intended that this approach be extended to areas of commonly occurring permitting conditions. One example, dealing with water quality, is provided at the end of this recommendation. This example illustrates how references to standard specification language will simplify the implementation and tracking of environmental commitments in construction contracts and improving compliance with those commitments.

Implementation Recommendations:

1. Obtain cabinet level endorsement to implement the proposal. The endorsement needs to clearly define that the object is to satisfy regulatory requirements and WSDOT concerns using biddable and enforceable construction contract language.
2. Provide funds and staffing to implement the proposal.
3. Form Committee with appropriate agency representation to oversee implementation of the proposal.

4. Create and monitor quality performance metrics to allow measurement of success.

Pros:

A permit condition or special provision standardization approach has several advantages over the conventional project-by-project, bridge-by-bridge permit conditioned basis:

- Supports the Governor's goal of accountability and efficiency for multiple state agencies.
- Permit conditions will be easier to write, understand and enforce.
- Ensures greater, more comprehensive environmental protection and reduces risk of violations due misunderstandings.
- Reduces construction costs by minimizing bidder risk and change orders associated with conflicting contract language.
- Design Engineers will be better able to predict what is expected and use the standards to anticipate design and constructability needs.
- Standardization of permit condition language implements further acceptance of performance standards.

Cons:

None apparent at this time.

Implementation Challenges:

- Implementation and acceptance will take considerable time using a dedicated team of multi-agency participants.
- Recognizing when standard specifications for every permit conditions are not possible.

Testing:

Three trial WSDOT design projects will be identified for testing. A report with findings and recommendations for full implementation of the recommendations will be prepared upon completion of the testing.

Quality Performance Measures:

Distribution of a before and after survey of Consultant and WSDOT designers.

Proposal Examples (Water Quality Specifications):

Water Quality Best Management Practices are the physical and managerial means that WSDOT contractor's use to comply with water quality standards. The Best Management Practices are carefully defined in WSDOT contract documents through the use of Standard Specifications. WSDOT creates new standard specifications or improves existing specifications whenever there are changes in environmental regulations, new treatment technologies become available or we learn more effective methods for protecting water quality. WSDOT works with regulatory agencies when creating standard specifications to ensure that standard specifications are consistent with environmental regulations. Standardized specifications help reduce water quality violations and associated costs/delays. They also simplify contract administration and efforts to keep track of and comply with environmental permits.

An example of a recent Standard Specification update is the change to Standard Specification 8.01.3 (B) "Erosion and Sediment Control Lead". The Department of Ecology changed the requirements for site inspections in the National Pollutant Discharge Elimination System General Construction Permit in November 2005. The new permit requires more detailed inspections and recordkeeping requirements. The Standard specifications were updated to reflect new permit requirements. Another example is the addition of Bonded Fiber Matrix products to the Tacking Agent and Soil Binder specifications in 8-01.3 (2) E. of the 2006 Standard Specifications. These products were added because they can prevent erosion on steeper, longer slopes than traditional mulch products.