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Complied 2014 Meeting Minutes

for the

WSDOT/AGC/ACEC Design-Build Committee

## Meetings

October 30, 2014

September 18, 2014

June 19, 2014

# WSDOT/AGC/ACEC DESIGN-BUILD TEAM MEETING Meeting Minutes

October 30, 2014

1:00 pm to 4:00 pm

WSDOT Corson Ave Office, Conf. Rm. 204

6431 Corson Avenue South, Seattle, WA

Conference Bridge Line 360-709-8060

Passcode 1072727

**Co-Chairs Scotty Ireland and Paul Mayo**

## AGENDA ITEMS:

### 1. Sign-In Sheet / Open the meeting / Introductions

Scotty / Paul/All

#### A. Safety Briefing

Scotty reviewed the evacuation plan for building.

#### B. Review and Update Sign-In Sheet / Sign-In

The sign-in sheet was passed around. Steve Harding is out for jury duty.

There were no dial-in attendees. Teresa was unable to get the conferencing equipment to work and used the speaker on the regular phone. There were no dial-in attendees.

#### Attendees:

Type	Member	Organization	Phone	Email
AGC	Bednarczyk, Marek	Graham Constr.	206-729-8844	<a href="mailto:marekb@grahamus.com">marekb@grahamus.com</a>
WSDOT	Boutwell, Jami	WSDOT-NWR 405	425-456-8504	<a href="mailto:boutwej@wsdot.wa.gov">boutwej@wsdot.wa.gov</a>
AGC	Christian, Janice	PCL	425-456-8504	<a href="mailto:jchristian@pcl.com">jchristian@pcl.com</a>
ACEC	Crowe, Eric	AECOM	425-208-9083	<a href="mailto:Eric.crowe@aecom.com">Eric.crowe@aecom.com</a>
WSDOT	Eckard, Teresa	WSDOT-HQ CN	360-705-7908	<a href="mailto:eckardt@wsdot.wa.gov">eckardt@wsdot.wa.gov</a>
WSDOT	Hodgson, Lisa	WSDOT-NWR 405	425-420-9984	<a href="mailto:hodgsol@wsdot.wa.gov">hodgsol@wsdot.wa.gov</a>
WSDOT	Ireland, Scotty	WSDOT-HQ CN	360-705-7468	<a href="mailto:irelans@wsdot.wa.gov">irelans@wsdot.wa.gov</a>
AGC	Larson, Phil	Atkinson	425-508-6718	<a href="mailto:Phil.larson@atkin.com">Phil.larson@atkin.com</a>
AGC	Mayo, Paul	Flatiron Corp	425-508-7713	<a href="mailto:pmayo@flatironcorp.com">pmayo@flatironcorp.com</a>
WSDOT	McNabb, Gil	WSDOT-NWR 405	425-456-8643	<a href="mailto:mcnabbg@wsdot.wa.gov">mcnabbg@wsdot.wa.gov</a>
WSDOT	Mizuhashi, Julie	WSDOT-NWR 520	425-576-7059	<a href="mailto:Mizuhashi@wsdot.wa.gov">Mizuhashi@wsdot.wa.gov</a>
ACEC	Eric Ostfeld	Parsons	206-643-4269	<a href="mailto:Eric.ostfeld@parsons.com">Eric.ostfeld@parsons.com</a>
ACEC	Patterson, Richard	Bucklund & Taylor	206-321-6655	<a href="mailto:rdpn@b-t.com">rdpn@b-t.com</a>
AGC	Vanderwood, Jerry	AGC Chief Lobbyist	206.284.0061	<a href="mailto:jvanderwood@agcwa.com">jvanderwood@agcwa.com</a>
AGC	Young, Frank	Kiewit	206-295-8735	<a href="mailto:frank.young@kiewit.com">frank.young@kiewit.com</a>

### 2. Review Previous Meeting Minutes

All

The September 18<sup>th</sup> DRAFT meeting minutes were distributed to the Team on 10/02/2014 (attached). No comments were received by the requested 10/09/2014 date and the finalized meeting minutes were sent out on 10/10/2014. 2014 compiled meeting minutes are located at:

<http://www.wsdot.wa.gov/Business/Construction/MeetingMinutes.htm>

The previous meeting minutes are posted at the website (see above link) and available to the committee as well as others. The meeting minutes are set up like all of the other committee meeting minutes on this page. There is one PDF document per year with all of the meeting minutes for that year compiled into the one document. This document has the most recent meeting minutes first with the rest in descending order.

Our meeting minutes include only 2014 compiled meeting minutes from 9/18/2014 and 6/19/2014.

Our link is at the bottom of the webpage, so you will need to scroll down to find it.

Marek Bednarczyk (Graham Const.) suggested that each meeting's minutes be bookmarked since they are compiled together.

**Action Items:**

- Teresa will create a Table of Contents within the compiled document for the posted meeting minutes, bookmarking or linking to the beginning of each meeting minutes.

### 3. Old Business

A. Team Representation

Scotty / Paul / Richard

Eric Crowe (AECOM) and Eric Ostfeld (Parsons) submitted letters of interest to Richard Patterson for Scotty and Paul to evaluate.

Scotty described the review of the letters of interests by Eric Crowe and Eric Ostfeld and his discussion with Paul Mayo, leading them to decide to invite both Eric's to join the committee. Eric Crowe had direct WSDOT DB experience and Eric Ostfeld has broader DB experience including outside the state and country. Paul and Scotty felt they would both bring a valuable perspective to the committee.

Frank Young (Kiewit) asked if the ACEC disciplines were balanced and the overall makeup was discussed and confirmed that there was balanced representation.

Rick Chapman was replaced by Eric Ostfeld and Eric Crowe for Design-Build project management.

Scotty noted that Geoff Shook (Guy F. Atkinson, LLC) had notified Paul and Scotty that he will no longer be able to attend the meetings. Phil Larson will be representing Atkinson from this point forward.

B. Disadvantaged Business Enterprise Revisions

Scotty

Draft of revised DBE language from WSDOT attached for discussion.

In the previous meeting, Scotty had reviewed the highlights of the proposed changes. The full text of the revised draft DBE specifications for Design-Bid-Build (DBB) was included with the draft agenda sent out for this meeting.

Scotty described the process to date with the proposed DBE specifications:

The State Construction Office proposed changes were submitted to the FHWA for review, but individuals in the DBE community requested the opportunity to have input.

The process went on hold until this review was completed; the FHWA has reviewed the proposed DBE changes and commented. Once the review comments are resolved, WSDOT will review the final draft of the proposed DBE changes with individuals in the DBE community before submitting to FHWA for final approval.

Among the proposed changes that may be revised or dropped due to comments by FHWA are overhead reimbursement for exceeding DBE participation (Condition of Award (COA)) and additional credit for new DBE participation.

After the DBE revised specification for DBB is approved, it will serve as the basis for DB contract language, with modifications as appropriate.

Janice Christian asked if the requirements for DB plan and reporting for DBE will be the same. Teresa Eckard responded that WSDOT cannot answer this question definitively because the changes are not final, and once they are, they will need to be incorporated into the DBE language in the DB contract documents. Based on her understanding of the changes, she thinks the planning and reporting will look very much the same, but some of the content and calculating of the DBE percentage will change.

There was a general discussion that with the heightened awareness of meeting DBE goals it may be creating some challenges for terminating a DBE for cause.

The intent of the proposed changes was to help resolve some of the current issues relating to DBE participation

and to improve a contractor's ability to meet the goals. The WSDOT State Construction Office will provide training on the changes when the revised DBE specification is finalized.

**Action Item:**

- Copy the final DBE revised specification to the WSDOT/AGC/ACEC DB Committee after FHWA approval.

C. Small Design-Build Pilot Project Evaluation

Scotty / Teresa / Paul

Status on the Small Design-Build Pilot Project Evaluation. What is the basis of the report? Input and lessons learned from Contractors on these projects?

Teresa briefed the committee on the survey as follows:

There had been informal information gathered from some of the Design-Builders who worked on the WSDOT small Design-Build pilot projects, but additional input would be helpful to complete the report. WSDOT has created a survey that will be distributed to the Design-Builder committee members and Design-Builders who worked on the small WSDOT pilot projects. The intent of the survey is to solicit specific Design-Builder team input (Contractors and Designers) on the WSDOT small Design-Build pilot projects and other small DB projects. WSDOT is also asking committee members to forward the survey to other DB participants that they have worked with that would provide effective input to the survey based on their DB experience.

Teresa requested the survey results in approximately 2 weeks from the date of the request. She expects to send out the survey the end of next week. Teresa will compile the results and expect to include them in the December Agenda packet for discussion at the next meeting. They will also be posted to the WSDOT website (link below) with the December 11 meeting minutes when they are finalized.

<http://www.wsdot.wa.gov/Business/Construction/MeetingMinutes.htm>

There was a general discussion on the survey. Paul Mayo said that he thought the survey should be expanded, and include other ranges (less than \$30 Million, \$30- \$100 Million, and over \$100 Million), and ask the question on where the lower limit should be for cost effectiveness. Frank Young commented that sometimes cost is not the driving factor for using Design-Build on small projects. Teresa Eckard explained that the small (less than \$10 Million) Design-Build pilot projects were set up legislatively, and that the results of the survey were to assist WSDOT in evaluating the results and finalize the report. There was discussion on one of the pilot projects that replaced pavement sections, on the innovative phasing that minimized schedule and impact to the public. Phil Larson (Atkinson) asked if the committee could get a copy of the draft report. Teresa explained that it would not be ready to share with the committee as a final draft until the survey information was received and incorporated, but that this was already on the action item list. Before distributing the survey, Richard and Paul were asked to review the content of the questions from a Design-Builder's perspective and provide comments. After discussion, Teresa agreed to provide an electronic copy of a PDF of the survey to them Friday morning.

Action Items:

- Paul and Richard were going to solicit additional comments from their groups and return comments on the survey by COB Wednesday, November 5<sup>th</sup>. Teresa was going to send out the survey by the end of the week of Nov 3<sup>rd</sup>. These items are to be added to the Action Item List.

D. WSDOT DB Contract Template Update

Teresa

Update on WSDOT Design-Build Contract Template development.

Teresa briefed the committee as follows:

As discussed at the last meeting, Teresa is reviewing existing documents and manuals. She has started to create draft templates based on the most recent DB advertisement documents. The State Construction Office is setting up an internal WSDOT work group to review the revisions and develop DB policy and guidance documents. The first assignment will be the templates and will then focus on developing guidance

manuals/procedures for DB project development and contract administration. The chapter 2 template reviews will start in approx. Jan, 2015; the review of sections by this committee will follow the review by the WSDOT DB work group.

There may be some documents, checklists, etc. relating to Chapter 1 that we may solicit the committee's input on as well.

There was a general discussion on the timing of the reviews. The work group is expected to start the review of chapter 2 sections in January through May, 2015. After the sections are reviewed and updated, they will be forwarded to the committee for review, spread over approximately 5 months (expected to be the end of January through June).

Scotty also outlined the structure of the internal work group that would include WSDOT staff from the NW region experienced with Design-Build, subject matter experts, and regional representation with project delivery experience, but not necessarily DB experience. This would allow input and exposure to DB for regions outside of the NW. General discussion followed including comments on the difficulty for some individuals to pick up the differences in DB from DBB, limit of resources in DB, and that many firms were still trying to expand their experience in DB after many years effort.

**Action Items:**

- Paul asked all committee members to forward their top 10 sections to review by Friday, November 7<sup>th</sup>. All items should be sent to Paul, Scotty and Teresa.
- Janice commented that a better way to review the documents were needed, like Adobe Share so Teresa will call Janice to discuss Adobe Share Review for this work as well as the internal WSDOT work group reviews.
- Richard also asked about section 2.13: Teresa was going to check to see if the changes were incorporated. Teresa said that she had missed adding this to the Action Item List last month and would include it this month. She has found most of the material that Derek worked on and will try to respond as soon as she can.

#### 4. New Business

- A. No new items of business

None:

#### 5. Other Items for Future Agendas

All

This is an opportunity for the Committee members to identify future topics to be discussed or reviewed.

There was a general discussion on the purpose of the committee, and how this group can assist WSDOT in their development of their DB tools, procedures and training. Previous requests for input were discussed as well as the new action items.

**Action Items:**

- Paul proposed that each member submit at least one upcoming topic, due by close of business (COB) Friday, November 7<sup>th</sup> (Add to Action Item List).
- There was also discussion of the goals for committed this year and next year. These will be discussed further in the next meeting, assisted by the members' proposed meeting topics.

**6. Review and Expand Action Items**

All

Subject	Item Description	Due Date	Responsible	Status	Completion Date
<b>Team Representation</b>	Richard to get letters of interest from Eric Ostfeld and Eric Crowe	Sept 26, 2014	ACEC - Richard	<b>Completed</b>	9/26/14
Discussed in meeting under item 3A.					
<b>DBE</b>	Provide draft of revised DBE language	Sept 30, 2014	WSDOT - Teresa	<b>Completed</b>	9/23/14
Discussed in meeting under item 3B.					
<b>DB Small Projects</b>	WSDOT will check on the basis of WSDOT data in report and confirm	Oct 23, 2014	WSDOT – Scotty	<b>Completed</b> , Some Contractors were interviewed	9/23/14
Discussed in meeting under item 3C.					
<b>DB Small Projects</b>	Provide copies of DB Small Project Pilot Program draft report if available	TBD	WSDOT –Teresa	Report still in review	
Discussed in meeting under item 3C.					
<b>DB Small Projects</b>	Get input/LL from Contractors on small DB pilot projects	Week of Nov 3, 2014	AGC -Paul/ WSDOT-Scotty	Survey will be sent out by email	
Discussed in meeting under item 3C.					
<b>DB Program Development</b>	Ask for and provide LL from AGC DB professionals	Dec 11, 2014	AGC – Paul	Expect to provide at Dec 11 <sup>th</sup> Mtg	
No discussion.					
<b>DB Program Development</b>	Request Tom Warren/others for sources of input on other agencies w/good DB processes and docs	Dec 11, 2014	AGC – Paul	Expect to provide at Dec 11 <sup>th</sup> Mtg	
No discussion					

Subject	Item Description	Due Date	Responsible	Status	Completion Date
<b>DBB Electronic Bid Info</b>	Electronic data and plans were requested at bid process. Report back on status of the request.	Oct 30, 2014	WSDOT- Ed	Completed	Oct 30 <sup>th</sup> Mtg

Here is a brief summary of where Ed Barry is at with this topic:

Ed has been working on what the possible design phase deliverables could be for bidders. Some of the possibilities are:

Deliverable	Explanation	File Format
DTM Surfaces	Digital Terrain Models	*.DTM or *.TXT
Geometry	Horizontal & vertical alignments, Cogo points	*.ALG
Survey	Data collector output files	ASCII, LandXML
LandXML	Application-neutral web-ASCII	*.XML
MicroStation Graphics	InRoads contours, cross sections, profiles, features	*.DGN

He has also spoken with the Project Development Engineers in each Region and some PEs about the practical implantation of this. Many had concerns about timing and how much effort it would take to get electronic data to a point where they are comfortable with having it available for bidders. The data would only be provided "for information only" - not part of the contract. It would be heavily qualified similar to what is in the machine guidance spec (1-05.9.OPT1.FR1) located at:

<http://www.wsdot.wa.gov/publications/fulltext/projectdev/gspspdf/egsp1.pdf>

This allayed some of the concern but not all.

He also found some good information from other states. Oregon is a leader.

See this link; <http://www.oregon.gov/odot/hwy/3drdm/pages/index.aspx>

He will be presenting material about the topic at the Statewide PE conference the first week of November.

<b>DBB Electronic Bid Info</b>	Confirm electronic Information and data desired during the bid period from AGC members	Dec 11, 2014	AGC – Paul	Expect to provide at Dec 11 <sup>th</sup> Mtg	
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No Discussion

<b>DB Contract Templates</b>	Confirm status of Template Documents	Oct 30, 2014	WSDOT –Teresa	Completed	Oct 30 <sup>th</sup> Mtg
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Discussed in meeting under item 3D

<b>DB Contract Templates</b>	Solicit Committee recommendations on Chapter 2 Changes	TBD	WSDOT - Teresa	Review of Template is expected to begin in Jan, 2015	
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Discussed in meeting under item 3D

Subject	Item Description	Due Date	Responsible	Status	Completion Date
<b>Meeting Minutes</b>	Add a Table of Contents at the beginning of the compiled meeting minutes, linked to each meeting.	Dec 1, 2014	WSDOT - Teresa	In Progress	
<b>Sign-In Sheet</b>	Update and Correct with new members	Dec 1, 2014	WSDOT - Teresa	In Progress	
<b>DBE Revisions</b>	Copy Final Draft/Version of DBE revised specification to committee	TBD	WSDOT - Teresa	Resolution of FHWA comments	
<b>Small DB Projects</b>	AGC and ACEC input on survey for small DB projects	Nov 10, 2014	AGC – Paul ACEC – Richard	Completed	Nov 10, 2014
<b>Small DB Projects</b>	Send survey to AGC and ACEC members on small DB Projects	Nov 13, 2014	WSDOT - Teresa	Completed	Nov 13, 2014
<b>Small DB Projects</b>	Surveys returned from AGC and ACEC members on small DB Projects	Nov 20, 2014	AGC and ACEC members	In Progress	
<b>DB Program Development</b>	Members identify top 10 Chapter 2 sections that they want to review	Nov 7, 2014	AGC/ACEC	In Progress	
<b>DB Program Development</b>	Discuss Adobe Share Review for chapter 2 sections review with Janice Christian	Nov 14, 2014	WSDOT - Teresa	Completed	Nov 13, 2014
<b>DB Program Development</b>	Check to see that section 2.13 changes were incorporated in current chapter 2 template	Nov 14, 2014	WSDOT - Teresa	In Progress	
<b>DB Program Development</b>	Members identify one upcoming topic, minimum, for committee	Nov 7, 2014	WSDOT/AGC/ ACEC	In Progress	

## 7. Future Meetings:

All

**Location:** We will be meeting at the Corson Ave Project Office, Conference Room 204.

The address is:

6431 Corson Avenue South  
Seattle, WA 98108

We will be evaluating this location at the October 30<sup>th</sup> meeting, but the plan is currently to continue at this location.

**Future meeting dates:**

December 11, 2014  
January 22, 2015  
March 5, 2015  
April 16, 2015  
May 28, 2015

Any planned changes to the programmed meeting dates will occur at least one week prior to the meeting.

**Conference Call-In:**

Consistency in representation is important to the Team's success. If a member is not able to attend, a conference call line will be available for the meetings. However, we encourage members to attend in person if possible to maintain an effective exchange in the meetings.

General consensus was that the Corson office location works well. The meeting room has been reserved for the meetings - currently scheduled through May 28, 2014. There was a problem at the beginning of the meeting with the conferencing equipment. Teresa will work with IT to figure out the problem before the next meeting. Also, it was decided that Teleconferencing will only be provided if reserved in advance (at least 2 days before meeting) and it was strongly encouraged that attendance be in person. New members, Eric Ostfeld and Eric Crowe, "volunteered" to bring donuts to the next meeting. The meeting was adjourned.

# WSDOT/AGC/ACEC DESIGN-BUILD TEAM MEETING

September 18, 2014  
1:00 pm to 4:00 pm

WSDOT Lakewood Maintenance Office  
11211 41<sup>st</sup> Ave. SW, Tacoma, WA  
Conference Bridge Line 360-709-8060  
Passcode 1072727

Co-Chairs Scotty Ireland and Paul Mayo

## Meeting Minutes:

### 1. Open the meeting / Introductions

Scotty/Paul

Phones on vibrate or off

Introduction around the table

Attendee List (T indicates Telecom into meeting)

	Name	Company	Phone	E-mail
X	Paul Mayo	Flat Iron	425-508-7713	pmayo@flatironcorp.com
X	Scotty Ireland	WSDOT	360-705-7468	Irelans@wsdot.wa.gov
X	Janice Christian	PCL	425-394-4215	jchristian@pcl.com
X	P. Philip Larson	Atkinson	425-508-6718	phil.larson@atkn.com
X	David Renicker	Atkinson	425-757-6460	David.renicker@atkn.com
X	Jim Bauman	CH2MHill	503-816-5499	Jim.bauman@ch2m.com
X	Marek Bednarczyk	Graham	206-929-8866	marekb@grahamus.com
X	Greg Pindras	Max J. Kuney	206-794-4120	gregp@maxkuney.com
X	Richard Patterson	Buckland & Tylor	206-321-6655	rdpn@b-t.com
X	Ed Barry	WSDOT	360-705-7233	barryed@wsdot.wa.gov
X	Lisa Hodgson	WSDOT	206-437-7242	hodgsol@wsdot.wa.gov
X	Jami Boutwell	WSDOT	425-456-8504	boutwej@wsdot.wa.gov
X	Teresa Eckard	WSDOT	360-705-7908	eckardt@wsdot.wa.gov
T	Matt Larson	Kiewit		mattson.larson@kiewit.com
T	Erik Ostfeld	Parsons	206-643-4269	eric.ostfeld@parsons.com
T	Eric Crowe	AECOM	206403-4234	eric.crowe@aecom.com

### Introduction of TFE – new state DB engineer

### 2. Review Previous Meeting Minutes

All

The June 19, 2014 DRAFT meeting minutes were distributed to the Team on 7/9/14 (see **Attachment 1 – June 2014 Minutes FINAL.pdf**). No comments were received by the requested 7/17/14 date. They'll be adopted if there are no further comments at the meeting.

Meeting minutes were approved w/no changes

Future schedule for agenda and meeting minutes distribution to the Team:

- a. 1-2 weeks after meeting for draft meeting minutes
- b. 1 week for comments from attendees on meeting minutes
- c. 1 week to finalize-will e-mail and post final version of meeting minutes on WSDOT Design-Build website
- d. Agenda and attachments e-mailed to committee 1 week prior to meeting
- e. Status of Action items due 1 week prior to meeting

### 3. Old Business

#### A. Team Representation

Scotty / Paul

With recent changes to ACEC personnel availability, there will be a brief discussion regarding representation on the WSDOT/AGC D-B Team. In the past, the ACEC has provided subject matter representation on the Team for structures, geotech, general roadway (including MOT) and project design management. Currently, commitments for structures and geotech representatives have been confirmed. WSDOT and AGC are requesting ACEC's confirmation for the other two positions. Letters of Interest should be forwarded to Richard Patterson. WSDOT D-B experience on complex projects is preferred, along with a history of collaboration with others.

Scotty noted that WSDOT and AGC have asked for ACEC's support in having major disciplines represented at the table – structures, geotech, general roadway/civil/MOT, and Design manager experience. With Rick Chapman (Parsons) stepping down, the Team needs to reevaluate how these disciplines are covered. Scotty and Paul have asked

Richard noted that 3 candidates solicited interest to participate on the committee (Eric Ostfeld, Eric Crowe and Moh Sheikhezadeh who has dropped out). Richard has asked for letters of interest from each candidate and will forward those to Scotty and Paul to review. Richard plans to request guest discipline experts for meetings when these disciplines are needed, if agenda items are known in advance. Scotty noted that if there is an additional long term need identified by the Team, then the committee can be expanded.

Scotty asked Eric Ostfeld to provide the Team a briefing of his background. Eric noted he started with his career working for WSDOT for 7 years, the last 3 being working on the Tacoma Narrows DB Project. He then began his Parsons career working in a Construction Manager Role on a GC/CM project. He then transitioned to working in a Design Manager in Calgary, Alberta, on a project which included more than 50 bridges and highway improvements. He worked a little less than a year as an owner DB Manager in Guam before going back to Calgary to work on an airport tunnel project. Since then, he's been working as a DB Pursuit Manager for complex MOT projects in Canada & Wash. Currently with Parsons.

(Richard e-mailed Eric Crowe- got him on line later in the meeting to give his background)

Eric Crowe – Expressed interest in committee for several years. He began his DB experience in 1998 as an owner's representative on an ADOT project in Phoenix before moving to Washington to work on WSDOT projects in 2005. He worked with Kiewit on the I-405 Kirkland Project. He's participated on 9 proposal teams with contractors on WSDOT projects, including I-405, SR519 and SR 530 DB projects. He stated he'd look forward to working through issues in getting WSDOT's documents to reflect a DB perspective. Currently with AECOM.

Jim Bauman asked Scotty and Richard what are the skill sets that the committee was looking for. Richard confirmed that he will continue to represent structures and Dan Campbell (GeoEngineers) will continue to represent geotechnical. With Jim's commitment to serving on the Team representing design management, the general roadway/civil/MOT representative needs to be filled.

#### **ACTION ITEMS –**

1. Richard to get letters of interest from Eric Ostfeld and Eric Crowe and forward to Scotty and Paul for additional consideration

#### B. Disadvantaged Business Enterprise Revisions

Scotty

Scotty (WSDOT) will provide a status update on forthcoming DBE specification revisions and coordination with FHWA.

Scotty noted that at last meeting, he had briefed the Team on potential changes in DBE requirements coming from WSDOT for DBB and DB projects. Since that time, the draft was completed and provided to FHWA for review. Before that could occur, the DBE community contacted WSDOT with concerns that changes were not coordinated with them. FHWA is holding off review until DBE community concerns are reconciled, and changes, if any, are incorporated in draft. Craig McDaniel and Jeff Carpenter have met with the DBE community, and started reviewing the changes to the DBE contract language.

A summary of the proposed changes include:

- a. WSDOT roles and responsibilities for administering the DBE Program will transition to the State Construction Office and OEO will provide oversight. PE's will be delegated the responsibility for ensuring compliance for meeting the DBE goals and reporting changes;
- b. DBE commitment will be a contract requirement, based on the contract award goal;
- c. DBE subcontracts will need to be available for onsite reviews and commercially useful function evaluations at the job sites;
- d. DBE "brokerage services" will no longer eligible for the DBE goal;

- e. Force account work cannot be relied on for DBE participation due to the uncertainty of the Work, therefore only 50% of a force account item can be credited toward the project goal;
- f. Joint checks will no longer be credited;
- g. Project DBE bidder solicitation lists (currently required) from Contractors will be deleted with the same information being collected electronically through a yearly survey;
- h. DBE trucking firms with non-DBE lower tier subcontractor truck drivers will no longer be allowed 1 for 1. All lower truck tiers must be DBE;
- i. DBE condition of award commitments –for WSDOT initiated changes, WSDOT may ask for additional DBE participation (agreeing to pay a premium); for Contractor initiated changes, WSDOT will require substitutions and Contractors will be encouraged to substitute DBE's if underruns are anticipated on DBE items;
- j. DBE substitutions must be in writing from Contractor with DBE concurrence;
- k. For DBE termination, the Contractor will be required to submit a plan within 10 days on how the Contractor will meet the contract goal- suspension of work is an option to preserve DBE work opportunities;
- l. Credit for using “first time WSDOT DBE contractors” will be doubled (for first time working on a WSDOT job);
- m. Prime Contractors exceeding the DBE goal will be eligible for DBE a 5% overhead administrative reimbursement for the value exceeding the goal. Initially, the total value was limited to \$50K, but this limitation may be removed;
- n. Sanctions for failing to meet all or part of goal may include Liquidated Damages (equal to the amount of the unmet goal) and suspension of Contractor prequalification for up to 3 years;

Scotty noted that a briefing of these changes will also be discussed at upcoming WSDOT/AGC roadway, admin and structures meetings.

Lisa Hodgson asked if the DBE requirements still only for Fed funded jobs. Scotty indicated yes.

Scotty noted that as WSDOT works towards formalizing these DBE changes for DBB contracts, WSDOT will be incorporating them into the DB documents as well.

Paul asked what the anticipated timing for finalizing the DBE requirements is. Scotty stated that he is unsure at this time because it's contingent upon WSDOT coordinating with the DBE community, but hopes to provide a draft of the document for the next meeting. If it comes earlier, it will be provided prior to the meeting.

#### **ACTION ITEMS –**

1. **WSDOT to provide draft of revised DBE language prior to the next meeting**

#### C. WSDOT & WSF GC/CM Status Update Scotty

A status update will be provided on the joint development of GC/CM policy by WSDOT and WSF for the upcoming Coleman Ferry Dock replacement.

Scotty gave a brief summary regarding WSF's proposed GC/CM Coleman Dock project. The proposed delivery method was endorsed by WSDOT's executive committee allowing WSF to pursue GC/CM delivery through the Capital Project Advisory Review Board (CPARB) process. However, the project does not have full funding. WSF is drafting a RFP for GCCM, developing a short list and developing the best value for services. WSF's plan is to pursue approval this fall through the CPARB and release the RFP next spring. Full funding will need to be in place before selecting the GCCM. Preliminary legislation was drafted to provide WSDOT the flexibility to use GCCM, but other potential legislative pursuits were determined to have a higher priority. These included ATCs for DBB and Small DB project legislation. GCCM legislation is lowest priority based on meeting with AGC in July. We still have the ability to get approval on a case by case basis.

#### **ACTION ITEMS – No action at this time**

#### D. Small Design-Build Pilot Project Evaluation Scotty

The evaluation report is still under development. A brief update on the report will be provided and a copy will be provided as soon as it is available.

Scotty noted that multiple reviews have delayed the finalization of the report on the small DB pilot projects. In summary, topics of discussion and lessons learned on small projects include:

- a. Speed of delivery;
- b. Opportunity for innovation;
- c. Opportunity for delivery efficiency;
- d. Staff resources;
- e. Risk management;
- f. Early price certainty;

Other topics discussed at the meeting included challenges with current QA requirements (which lead to project inefficiencies without the scale and magnitude of large projects – resulting in increased materials testing) and limited innovation if it is a prescriptive project.

Paul asked if the DB Contractors were consulted or solicited for data in developing the report. Scotty stated that he believed the basis of the report was only WSDOT data and will check noting that there may be an opportunity to get input from the Contractors on these projects.

**ACTION ITEMS –**

1. WSDOT will have a copy of the draft report on the DBE Small Project Pilot Program for next meeting if available;
2. Scotty will check on the basis of WSDOT data in report and confirm;
3. Paul and Scotty – Get lessons learned info from Contractors on small DB pilot projects;

E. Geotechnical Special Inspection Requirements Update Scotty

Based on the Team's collective comments, WSDOT made significant revisions to Chapter 2, sections 2.6 and 2.28 associated with Geotechnical Special Inspection. These were incorporated into the SR 167 RFP and can be referenced in technical requirements at the following link:

<http://www.wsdot.wa.gov/biz/contaa/DESIGNBUILDCONTRACTS/8<sup>th</sup>%20St%20E%20Vic%20to%20S%20277<sup>th</sup>/Default.htm>

WSDOT will be incorporating these GSI requirements in future DB projects. If there are any additional comments, please bring these forward to the meeting.

Scotty noted that at last meeting, Jim Cuthbertson brought forward a draft of requirements and requested industry comments through Paul. Review comments were received and considered. The majority of the review comments were focused on the Geotechnical Special Inspector requirements. As a result, revisions were made allowing geotechnical special inspection to be performed by QA staff, similar to typical QA inspection on DBB projects where special inspector is not required. These inspections will need to be performed under the oversight of a Geotechnical Special Inspector to validate conditions are in alignment with the geotech report. Reduces the number of geotechnical inspectors on the jobs. The results were incorporated into the SR 167<sup>th</sup> project in the original RFP. Scotty thanked the Team for their contributions to a developing a better document.

**ACTION ITEMS – No action at this time.**

F. Results Washington Reforms Scotty / Teresa Eckard / Ed Barry

Scotty and Teresa will provide a briefing on actions WSDOT is taking in alignment with **Reform VII**, including further developing WSDOT policy and processes for design-build projects.

Teresa Eckard had been introduced to the Team as WSDOT's State Design-Build Engineer serving in the State Construction Office. Teresa noted that she is in her 4<sup>th</sup> week with WSDOT. The plan is to inventory the work that has been done to date, update standard documents, and create the documents in a way that mirrors the existing general standards/special conditions sections. This will provide familiarity to both WSDOT staff and consultants/contractors familiar with WSDOT contracts. Initial focus will be on the ITP, chapter 1 and chapter 2 contract documents, transitioning to developing DB manual(s) and training for WSDOT staff administering DB projects.

Scotty noted WSDOT's general intent is to develop a DB delivery support program with the guidance and resources that WSDOT staff needs to be successful in developing and administering DB projects.

Paul noted that AGC and ACEC industry professionals (like Eric Crow) have developed their own lessons learned that may benefit WSDOT and offered to contact representatives for their feedback. Scotty agreed that this may be beneficial.

Scotty noted that WSDOT's intentions are to further develop WSDOT's DB support when that delivery method is determined to be appropriate.

#### **ACTION ITEMS -**

1. **Paul will ask for and provide lessons learned from AGC DB professionals.**

- G. Ed will provide a briefing the Team and soliciting feedback regarding WSDOT's efforts in developing Project Delivery Method Selection Policy and Process. For reference, WSDOT has established some initial guidance (see **Attachment 2 – DRAFT Project Delivery Method Worksheets.pdf**) as a relatively straight forward tool for evaluating projects. Several other agencies, such as Sound Transit, UDOT and Colorado DOT have established and more detailed processes in place for delivery method selection (that include CMGC or GCCM as WSDOT refers to it). Colorado's process can be referenced at the following link:

<http://www.coloradodot.info/business/designsupport/innovative-contracting-and-design-build/pdsm>

WSDOT is seeking the Team's input, comments and recommendations as it develops its policy for future implementation statewide.

Ed Barry noted that WSDOT had some older guidance on selecting projects for DB. This guidance is limited and not used consistently throughout WSDOT. A lot of good projects have gone DB and others may not have been a good project for DB. WSDOT intends to update its project selection guidance with respect to DBB, DB and GCCM delivery methods. Using some CALTRAN processes, workshops, team meetings, the current draft was created, but not finalized.

Ed is seeking feedback on the draft, and the approach, will probably include GCCM with the DBB and DB deliveries. Mark Gaines secured Sharp 2 funding for resources to develop the project selection process. By spring, WSDOT hopes to have something ready and solicited feedback from the Team. Paul noted that the Caltrans may not be a good example to use followed by a general discussion and consensus that Caltrans was not a good source for this selection process as their labor issues skewed their processes. Paul also noted other sources for consideration could be subject matter experts who have a good understanding of what agencies may have good tools for reference. Paul will check with AGC for other recommended national sources, such as DBIA.

General discussions confirmed the intent is that WSDOT develop a consistent method for selecting the best project delivery system. With fewer projects right now, this is a good time to develop these tools. It was noted that WSDOT will need to establish the recommendations for when the project delivery method should be selected, emphasizing the programming stage and possibly using a two-step process. We want consistency within WSDOT – all regions.

Regarding DB delivery, Jim noted that WSDOT has done well in the past and is viewed within industry as to having a strong DB program. Richard noted the City of Tacoma has a couple of design build projects, may have some tools. Paul noted national partnering guys and DBIA would be a good source for recommendation on Agencies to use as sources for documents.

Regarding GCCM, Janice noted a strong owner is critical for success. Richard noted that Sound Transit may be a good source for GCCM.

#### **ACTION ITEMS -**

1. **Paul will reach out to Tom Moore/AGC/DBIA for sources of input on other agencies with good processes.**

## **4. New Business**

- A. WSDOT / AGC Lead Team Update

Scotty / Paul

Paul and Scotty will provide a brief update from the July 11, 2014 Lead Team Meeting.

Paul provided a general briefing of the following topics discussed at the meeting including:

- a. **WSDOT DBE Changes – a general update on DBE reform was provided including a summary of proposed changes (see item 3B above for more detail);**
- b. **Current Funding Outlook – Jeff Carpenter noted WSDOT is in a ~\$80M deficit situation and will need to develop a balanced budget for the next three biennium. He also noted that a significant challenge is that it's estimated that WSDOT will need to spend \$300 Million a year on the fish passage program to meet its court ordered directive. This program continues to be underfunded**

- by the Legislature. In general, without a transportation funding package, WSDOT is going into preservation mode;
- c. AGC Team Report Briefings - the roadway, admin, structures and design build co-chairs presented general summaries of topics covered over the preceding year.
  - d. Internal WSDOT personnel changes of significance noted were: Tom Baker is WSDOT's Bridge Engineer; OMDBE responsibility has moved under Jeff Carpenter; Jeff is now responsible for HQ Materials and Construction operations; Assistant State Construction Engineers now support administration of bridge and roadway construction (as opposed to being discipline specific); a new State Design-Build Engineer position had been created to focus on WSDOT's DB Program support;
  - e. Potential New Teams / Sub-Teams / Efforts – it was determined that there is not an immediate need to add any additional WSDOT/AGC subcommittees at this time. Existing committees may be added if the need is confirmed;
  - f. Potential AGC Sponsoring / Assisting with WSDOT Proposed Legislation – Noting WSDOT was evaluating potential legislation regarding Design-Build (eliminating the \$10M restriction), GCCM project delivery approval, and the application of ATC's to Design-Bid-Build projects, the AGC representatives noted that reduction of the DB restriction was the most supported, followed by ATC's and GCCM was the least priority.

Scotty noted that during the meeting, there was also discussion and interest from the WSDOT/AGC Structures group for WSDOT to provide electronic data (base files and DTM's) during the bid period for use during bid development. If requested, this info is sometimes provided after award. WSDOT's Project Development staff is evaluating what it would take to make this information available at advertisement (similar to DB projects) without slowing down the delivery schedule. Ed noted there would need to be standards established for this information which is typically used for estimating purposes. Ed will be discussing this further and get more input from the regions. Paul asked if he should confirm with AGC members what information and data is desired. Scotty and Ed confirmed this would be helpful.

**ACTION ITEMS – (Regarding Electronic data and plans requested during bid process)**

1. Ed Barry will follow up and report back on status of the request.
2. Paul will confirm what information and data is desired from the users.

B. WSDOT DB Contract Template Update

Scotty / Teresa

The last significant efforts to standardize design-build Chapter 1 General Requirements and Chapter 2 Technical Requirements were back in early 2012. Since that time, there have been significant revisions to WSDOT's Standard Specifications and other revisions to previous "template" documents. As WSDOT begins to "catch back up", it is seeking input from the design-build community on which sections should be prioritized ahead of others.

Teresa noted that WSDOT will be focusing on the baseline template documents and making sure that the documents posted on the website are current. WSDOT will be asking for the Team's confirmation on what sections in chapter 2 were reviewed through previous efforts. She will be comparing these sections with the most current projects. WSDOT will also be asking the Team's input on prioritization of other sections that need to be updated. Scotty noted that WSDOT may elect to set up a "survey monkey" to evaluate recommendation. Teresa noted that the survey may provide an option to add in sections that you may want to review not on the list.

Other general items of discussion included: evaluating DB lessons learned over the past several years; how WSDOT intends to maintain template documents similar to WSDOT's maintenance of Standard Specifications and other contract documents, including concurrent updates with the Amendments to the Standard Specifications (as appropriate); possible resources for the Team to perform future document reviews (i.e. Adobe Share Review); WSDOT's need to develop a more efficient DB document management process;

Teresa noted that she will be spending significant time on confirming the most recent templates and comparing to previous published documents. If Team members have records on template reviews after January 2012, they were encouraged to send them to her.

**ACTION ITEMS –**

1. Teresa Eckard will be confirming the status of template documents;
2. WSDOT will be soliciting the Teams recommendations for Chapter 2 section revisions.

C. Update on WSDOT Budget

Scotty

For the Team's information, WSDOT has made a Biennial Budget Request for 2015-2017 through the Office of Financial Management. It can be found at the following link:

<http://www.wsdot.wa.gov/Finance/BiennialBudgetRequest2015-17.htm>.

General discussions regarding WSDOT's proposed budget took place. Scotty noted that based on the website link; there is a \$72M deficient. Highlights of the budget request include: commitment to investing in the required fish passage restoration; targeted reductions; delays for some unfunded ferry projects; strategic reductions in roadway preservation; and constrained public transportation grant investments. Scotty noted that considering the fish passage program is underfunded and would need close to \$300M / biennium to meet WSDOT's obligations to correct the deficiencies by 2030, expedited delivery may be required. This emphasizes a heightened awareness for establishing project delivery selection process that could be used for evaluating delivery method for fish passage projects. DB delivery may be an appropriate delivery method for bundled FP projects to address expedited delivery, tight windows, work flows, phasing and other challenges. Ed and Jim noted that there are other challenges with the FP program and projects will also need to be addressed. Scotty noted that Rick Smith is WSDOT's FP Program Manager responsible for delivery. Any questions regarding the program should be directed to Rick.

## 5. Other Items for Future Agendas

All

An opportunity for the Team to identify future topics to be discussed or reviewed.

### 1. P3 (Private Public Partnerships) - Is WSDOT interested in P3's?

Ed noted that there is no pursuit towards P3 projects recently.

Paul noted there is some existing P3 legislature that isn't good, and there is no traction to make needed changes to make P3's possible. General discussions indicated that there is no industry incentive to put P3 packages together at this time. With current funding issues, someone may need to look in that direction for possibilities. It was noted that Canada and Texas have used P3's extensively and may be good resources.

**ACTION ITEMS – No action at this time**

## 6. Action Items

All

Subject	Item Description	Due Date	Responsible	Status	Completion Date
<b>Team Representation</b>	Richard to get letters of interest from Eric Ostfeld and Eric Crowe	TBD	ACEC - Richard		
<b>DBE</b>	Provide draft of revised DBE language	Spring, 2015	WSDOT - Teresa		
<b>DB Small Projects</b>	Provide copies of DB Small Project Pilot Program draft report if available	Oct. 30, 2014	WSDOT -Teresa		
<b>DB Small Projects</b>	WSDOT will check on the basis of WSDOT data in report and confirm	Oct 23, 2014	WSDOT - Scotty		
<b>DB Small Projects</b>	Get input/LL from Contractors on small DB pilot projects	Oct 30, 2014	AGC -Paul/ WSDOT-Scotty		
<b>DB Program Development</b>	Ask for and provide LL from AGC DB professionals	Oct 30, 2014	AGC - Paul		
<b>DB Program Development</b>	Request Tom Moore/AGC/DBIA/other for sources of input on other agencies with good DB processes and documents	Oct 23, 2014	AGC - Paul		
<b>DBB Bid Process</b>	Electronic data and plans requested during bid process. Follow up and report back on status of the request.	Oct 30, 2014	WSDOT- Ed		
<b>DBB Bid Process</b>	Confirm Information and data desired from Bidders	Oct 30, 2014	AGC - Paul		
<b>DB Contract Templates</b>	Confirm status of Template Documents	Oct 30, 2014	WSDOT -Teresa		
<b>DB Contract Templates</b>	Solicit Committee recommendations on Chapter 2 Changes	TBD	WSDOT - Teresa		

## 7. Future Meetings:

Location - With parking no longer available at the Tacoma AGC Office Tuesday – Friday, the meeting location is being moved to the WSDOT Tacoma Maintenance Office. The address is:

11211 41<sup>st</sup> Avenue S.W.  
Tacoma, WA 98499-4694

Location options for future meetings will be discussed. - **skipped**

Dates - Past meetings have been scheduled as a reoccurring monthly meeting the third Thursday of the month. For a number of reasons, past meetings have been either delayed or cancelled. Noting this and acknowledging the value of everyone's time, the Co-chairs have decided to revise the reoccurrence schedule to every six weeks. Target future meeting dates through next summer are:

October 30, 2014  
December 11, 2014  
January 22, 2015  
March 5, 2015  
April 16, 2015  
May 28, 2015

Actual meeting dates will be confirmed a minimum of one week in advance.

**Conference Call** – Consistency in representation is important to the Team's success. If a member is not able to attend, a conference call line will be available for subsequent meetings.

# WSDOT/AGC/ACEC DESIGN-BUILD TEAM MEETING

June 19, 2014  
1:00 pm to 4:00 pm  
AGC Tacoma Office, Fife, WA

Co-Chairs **Scotty Ireland and Max Kuney**

## AGENDA ITEMS:

### 1. Open the meeting

Scotty

Scotty Ireland opened the meeting and requested all attendees provide a general introduction noting their name, company they represent, and affiliation (see sign in sheet). Co-chair Max Kuney was unable to attend due to schedule conflicts. Bob Adams (Atkinson Construction Inc.) was present on Max's behalf.

### 2. Old Business

#### A. Disadvantaged Business Enterprise Revisions

Scotty / Denys Tak

Denys Tak (WSDOT) will provide a status update on recent revisions to DBE reporting that are being implemented statewide and highlight proposed revisions currently under review. Based on the recent revisions, Scotty will brief the Team on how WSDOT is looking at applying these revisions to future DB contracts.

Scotty reported that WSDOT is revising DBE specifications for DBB projects. This is typically the foundation for DB specifications. WSDOT's DB DBE specifications will be reassessed after the DRAFT DBB specifications are reviewed through FHWA. Denys Tak provided a summary update on WSDOT's HQ's re-organization that includes WSDOT's OEO transitioning into the HQ Construction Office organization. He discussed recent changes to WSDOT's DBE program and reporting (monthly web based reporting) to address issues with accuracy and timeliness of previous quarterly reporting. WSDOT is working through some of the "bugs" in phase 1. Reporting and status is available on-line. A DBE dashboard is the goal with respect to monitor DBE program status and projections through the system.

Denys reported that WSDOT is in the process of finalizing DRAFT DBE specification changes for OEO and FHWA review. Some proposed changes include:

- The difference between contract DBE goal and DBE commitment will be further defined with the DBE commitment becoming a contractual requirement.
- To encourage additional DBE participation, a 5% overhead reimbursement for DBE participation exceeding the project goal, with a cap of \$50K.
- Sanctions may be imposed to Contractors for not meeting DBE contract goal, including liquidated damages and suspension of prequalification precluding a Contractor from bidding on WSDOT projects, increasing in severity for repeated non-compliance.
- Approval for DBE substitution will be delegated to the Project Engineer as opposed to processing through HQ OEO focused on streamlining the process within WSDOT.
- DBE force account work continues to be an issue on many projects as the work may or may not occur and often results in the project and WSDOT's DBE program not meeting the DBE goal. Proposed revisions will only allow 50% of a FA item value to be proposed towards the DBE goal.
- Sanctions will be defined for not meeting the DBE commitments, including LD's, suspending pre-quals for 90, 6mo or indefinitely for non-compliance. This is currently being used in other states and WSDOT is coordinating with other states through DBE Peer reviews.

The overall goal of proposed revisions is focused on meeting WSDOT's DBE program annual goals and setting annual goal;

Members of the Team cautioned WSDOT if DBE requirements become more restrictive, WSDOT will need to be aware of and monitor for unanticipated consequences. An example of this would be that if penalties and sanctions are established, Contractor's may be pursuing more GFE's which could actually lower DBE participation.

Scotty noted that concepts being evaluated regarding DB DBE. This includes the DB's DBE Performance Plan. Successful Proposers would be required to provide and maintain a DBE Procurement Schedule. Requirements for the schedule would need to be defined (similar to 1-08.3 CONTRACT SCHEDULE), including requirements for monitoring and triggers that require revisions to the DBE Procurement Schedule that demonstrate procurement recovery resulting in the DB meeting the DBE commitment at completion of the Work.

**NOTE** – It was noted in later discussions by Bob Adams and Frank Young that Contractors sometimes have to work with Project Labor Agreements (PLA's), which generally work against meeting DBE goals because the majority of DBE's are not signatory to PLA's. WSDOT needs to be aware that this adds challenges to Contractor's abilities to meet DBE goals.

### **ACTION ITEMS –**

1. DB DBE revisions will be forthcoming after WSDOT has completed the approval process for DBB DBE specification revisions.

#### **B. Template Update**

Scotty

A brief status will be provided with follow up actions to be associated with agenda item 3F.

Scotty acknowledged past efforts by the team to establish the template documents to be incorporated into future DB projects. Unfortunately, this effort has been idled with recent emergency projects and reductions in workforce at the State Construction Office. New DB projects have moved forward in development based on some of this work, but will need to be reevaluated again incorporating the efforts of the team. WSDOT has acknowledged that there is a significant effort required to develop and maintain these documents (similar to WSDOT Standard Specifications, GSP's and Region Special Provisions). That said, to ensure consistency WSDOT will be establishing a State Design-Build Engineer position that will be responsible for development and maintenance of DB template documents, in addition to developing a WSDOT DB Manual, focused on providing guidance for WSDOT staff to administer DB projects. This will include DB philosophy training, CATS and other DB applications. Scotty noted that template development will be pursued on a project by project basis until WSDOT is able to fill the State Design-Build Engineer position.

### **ACTION ITEMS –**

No further actions required at this time.

### **3. New Business**

#### **A. WSDOT & WSF GCCM Status Update**

Mark Gaines

A status update will be provided on the joint development of GC/CM policy by WSDOT and WSF for the upcoming Coleman Ferry Dock replacement.

Mark Gaines (HQ Construction) reported that Washington State Ferries (WSF) intends to go to Capital Projects Advisory Review Board (CPARB) in September to obtain approval to administer the Coleman Ferry Dock Replacement Project as a GCCM project in mid-2015. Parametrix is the consultant supporting WSF (Howard Hillinger is the PMX contact). WSDOT is shadowing WSF in their development of GCCM policy. GCCM delivery is being driven from a recent mega project assessment, as well as being identified as a focus area in WSDOT Performance and Accountability through Reforms (Reform VII). Mark reported that WSDOT will need to further develop its policy and guidance for staff in determining the best delivery method for projects including DBB, DB, and GCCM. Legislation has recently helped develop GCCM for heavy civil projects, but still needs CPARB approval. WSDOT has submitted proposed GCCM legislation to develop a WSDOT GCCM program. To help facilitate this effort, WSDOT will be discussing a possible GCCM task force with the WSDOT/AGC Lead Team.

Bob Adams noted that organized labor is generally against the use of GCCM, because of issues associated with specialty trade organizations. This may also affect the GCCM's ability to meet DBE goals on GCCM projects.

### **ACTION ITEMS –**

1. Scotty noted that he will report back to the Team on additional GCCM discussions from the upcoming WSDOT/AGC Lead Team meeting.

#### **B. Small Design-Build Pilot Project Evaluation**

Scotty

A draft report has been prepared and a briefing will be provided by WSDOT on initial lessons learned from using DB delivery methods for smaller projects.

Scotty reported that WSDOT has delivered, or is in the process of delivering over 20 projects using DB as the delivery method. According to current state law (RCW 47.20.785), WSDOT may use DB project delivery for projects greater than \$10 million that possess one of the following attributes:

- Requires highly specialized construction activities requiring significant input into the design.
- Provides opportunity for greater innovation and efficiencies between the designer and the builder.
- Offers opportunity for significant savings in project delivery time over design-bid-build (DBB).

Over the past several years, WSDOT delivered several Small DB projects (\$10-20M) and Small Pilot projects (<\$10 M) to help WSDOT further evaluate DB delivery as a project delivery option outside of the current legislative constraints. The current SR 9 DB project is the last of the 5 Small Pilot Projects to be delivered. A draft report has been developed prepared evaluating these recent projects. These projects were located in and administered through WSDOT's NW Region. It was acknowledged that some of the projects may not have fit the typical DB model, or the decision to use DB delivery was made further along in the design phase than it should have been, but

regardless, lessons learned have been captured. In summary, WSDOT's general conclusions are that DB can be an effective method for delivering small projects. Focus areas evaluated in the report included:

1. Innovation
2. Quality
3. Project Bundling
4. Early Price Certainty
5. Procurement (PE) Costs
6. Project Costs
7. Staffing

This report is still under review. Upon its completion, this report will be published and be used to help further develop legislation to remove the \$10M restriction for DB projects and provide WSDOT greater flexibility in project delivery.

#### **ACTION ITEMS –**

1. Scotty noted that WSDOT intendeds to publish a final report within a month. Upon completion, it will be distributed to the Team.

#### C. Emergency Response Contracting Using DB Delivery

Scotty

The recent SR 530 Project is the second emergency contract where WSDOT has used Design-Build as a delivery method (Skagit River being the first). WSDOT will continue to evaluate the applicability of DB delivery methods for these types of situations and would like to solicit feedback from the group on how we can improve the expedited procurement process in the future.

Scotty reported that WSDOT has now used DB delivery for two emergency response projects (I-5 Skagit River and SR 530 Skaglund Hill). There were two very different approaches to how these contracts were developed. The ABV for Skagit River was based on a lump sum contract price and technical credits associated with time only. For the SR 530 Project, WSDOT used an expedited procurement process that included the typical two-step process including SOQ and RFP evaluations. Scotty noted that unsuccessful Proposer debriefings were recently held for the SR 530 project where he solicited feedback from the Proposers on WSDOT's decision to use DB for the emergency project. All Proposers supported WSDOT's decision to use DB as a delivery method for emergency projects and said they would pursue future DB emergency projects when the opportunities are presented. Scotty solicited feedback from the Team on the same subject. Comments included:

- When considering future DB projects, use the two step process if you can, even if you have to cram through it.
- Stop the changes at some point. With the expedited effort, it's understood that changes under contract will be necessary, that's part of emergency contracting. When late addendums are published, these can be counterproductive to the proposal effort. At some point, WSDOT needs to allow the Proposer's to finish their proposal and trust that both parties will be able to work through the issues.
- Use electronic proposals – Proposers need 2-3 days to provide hard copy documents. Electronic proposals would provide Proposer's another 1-2 days to refine the proposal ultimately providing benefit to WSDOT.

Based on industry feedback and results to date, Scotty noted that WSDOT will continue to consider DB delivery for emergency contracting opportunities and look at developing policy guidance for future applications.

#### **ACTION ITEMS –**

No further action required at this time.

#### D. Geotechnical Special Inspection Requirements

Jim Cuthbertson

WSDOT has made recent revisions to Chapter 2 sections 2.6 and 2.28 associated with Geotechnical Special Inspection which will be included in the upcoming SR 167 RFP. WSDOT will brief the team on the purpose and intent of the revisions and solicit feedback from the Team.

Scotty noted that WSDOT is in the process of revising sub-sections 2.6 (Geotechnical Design and Construction Requirements) and 2.28 (Design-Build Quality Management Plan Requirements) with additional requirements for a Geotechnical Special Inspector and applicable to geotechnical features that require additional inspection and documentation. Jim Cuthbertson (WSDOT Geotechnical Office) discussed some of the reasons for the changes and how these are being incorporated into section 2.28 (Design-Build Quality Management Plan Requirements). General discussions ensued. Some of the comments and concerns included:

- Are we duplicating the information? No. Inspection/Inspector requirements in 2.28, geotechnical elements are defined in section 2.6.

- Does the GSI have to be an employee of the designer? No.
- Concerns that the revisions require the DB's to hire a geotechnical inspection firm. This will increase project costs and coordination challenges.
- Some of the revisions duplicate QC efforts and don't add value.
- There will be unintended consequence as a result of these revisions that takes away professional discretion, potentially driving up costs and increasing contract time.
- Concerns about how the revisions affect who directs the work. EOR, GSI and QA staff should be authorizing, reviewing and approving work, but not be directing the work. Leave this up to the DBr.
- What drives the qualifications for the position? This needs to be evaluated.
- Be careful about having references in different chapters (2.6 and 2.28). Suggest compiling all of the GSI requirements into one section.
- Updates to the WSDOT Geotechnical Design Manual may be more appropriate

**ACTION ITEMS –**

1. Team members were asked to review the electronic documents and provide comments back to Scotty within two weeks (by 7/3/14). These will be compiled for further consideration and discussed at the next meeting.

E. WSDOT Trends from the DB's Perspective

Paul Mayo

Recent DB projects have included requirements for WSDOT to be included in the review and comment on post design (after RFC distribution) on RFI/NDC/FDC documents. Paul will discuss some challenges from the DB perspectives on WSDOT's role in these processes.

Due to time constraints, this topic was deferred to the next scheduled meeting.

**ACTION ITEMS –**

No further actions at this time.

F. Results Washington Reforms

Scotty

Results Washington has identified 10 reforms being pursued by the Department. In addition to investigating GC/CM, Reform VII includes formalizing processes and contractual templates for use on DB projects throughout the agency. WSDOT will provide a briefing on actions WSDOT is taking in alignment with this reform.

Scotty noted that WSDOT has recently published WSDOT Performance and Accountability through Reforms as part of Results Washington. Reform VII specifically addresses how WSDOT intends to expand and strengthen construction contracting methods. This includes further developing WSDOT's DB project delivery processes and contractual templates for use on DB projects for statewide use. To facilitate this, the WSDOT HQ Construction Office will be creating a State Design-Build Engineer position that will lead this effort. The position will be advertised within the next month with the intentions of having it filled within a month and a half.

**ACTION ITEMS –**

No further actions at this time.

G. Team Representation

Scotty / Max

With recent changes to WSDOT and AGC personnel, there will be a brief discussion evaluating WSDOT/AGC/ACEC representation on the Team.

In Max's absence, Bob Adams reported that Max will be stepping down as the AGC Co-chair for the DB subcommittee. It was acknowledged that Max has served on the Team since it was initiated and has a significant influence on why WSDOT's DB program has been successful. Bob reported that the AGC will be appointing current AGC DB Team member Paul Mayo (Flatiron Construction) as the new AGC Co-chair. Kuney Construction will continue to be represented on the team by Greg Pindras. Scotty noted that there have been other transitions within the industry and WSDOT staff. He also noted that there has been recent ACEC solicitation to serve on the Team by DEA, along with requested substitutions by PCL, and Parsons. The WSDOT/ AGC Leadership Team (Co-chairs) will be scheduling a meeting in the near future where membership/representation on the sub-committees will be discussed further. Before making any WSDOT, AGC or ACEC changes, the Co-chairs will need to confirm current members and which specific technical disciplines; knowledge and experience are represented.

**ACTION ITEM –**

1. Scotty, Paul Mayo and Richard Patterson will coordinate to evaluate current representation before the next WSDOT/AGC Lead Team meeting.

#### 4. Other Items/Future Agendas

All

An opportunity for the Team to identify future topics to be discussed or reviewed.

Bob Adams and Jeff Carpenter are in the process of scheduling a WSDOT/AGC Leadership Team meeting to discuss a number of topics, including the annual meeting.

#### 5. Next Meeting: July 17, 2014

**NOTE** – On 7/9/14, it was decided that the July and August meetings will be cancelled. The Team will reconvene in September.

#### 6. Action Items:

##### Open

Disadvantaged Business Enterprise Revisions -

DB DBE revisions will be forthcoming after WSDOT has completed the approval process for DBB DBE specification revisions.

WSDOT & WSF GCCM Status Update -

Scotty noted that he will report back to the Team on additional GCCM discussions from the upcoming WSDOT/AGC Lead Team meeting.

Small Design-Build Pilot Project Evaluation -

Scotty noted that WSDOT intended to publish a final report within a month. Upon completion, it will be distributed to the Team.

Geotechnical Special Inspection Requirements -

Team members were asked to review the electronic documents and provide comments back to Scotty within two weeks (by 7/3/14). These will be compiled for further consideration and discussed at the next meeting.

Team Representation -

Scotty, Paul Mayo and Richard Patterson will coordinate to evaluate current representation before the next WSDOT/AGC Lead Team meeting.