Dec. 14, 2007 Meeting –
WSDOT Transportation Building, Rm. 3F22
310 Maple Park Avenue SE
Olympia, WA
Phone: 360.705.7000

Members:

WSDOT	**ACEC**	**Guests**
Dick Stoddard (705.7217)	Mark Johnson (CH2M Hill)	
Ron Lewis	Bob Fernandes (Beger/ABAM)	
~~Mike Bauer~~	Steve Aisaka (Parametix)	
~~Paul Wolf~~	David Goodyear (TY Lin)	
Bill Prill	~~Jim Schettler (Jacobs~~)	
~~Matt Preedy~~	Rich Johnson (HNTB)	
	Yuhe Yang (PB)	
	Paul Bott (HDR)	

10:00 am	30 min	▪ Introduction of new members (10 min)
		▪ Review and approve minutes from last meeting (5 min)
		▪ Review Action Items
		  ▪ Introduce New Members
		  ▪ Review BDM deficiencies for D/B Contract Jim Schettler and Mark Johnson – Primarily is policy issues that were not documented. It appears that WSDOT is attempting to address this with the the Mandatory Standards in the DB Contract Template. – 12/14/07
		  ▪ Present D/B Issues to WSDOT D/B Policy Team Members – Invite Jugesh and Pasco and … Focus on Co-location and Liability and Quality
		  ▪ Environmental Proposal 6 – New BDM Chapter for Construction Examples and Env. Permitting . How to make this a live – on line document. Provide a problem statement and proposal draft. – Dick views this as an electronic appendix to the BDM that provides photos and simple diagrams of temporary structures and construction methods. Beware that too much information can lead to more resistance from permitting agents. However, a simple set of consistent photos and diagrams would help all structural engineers.– 12/14/07
		▪ Review agenda for the meeting (15 min)

Notes:		
10:30 am	60 min	• Presentation of ACEC Structures Team D/B Issues • Structures Team / DB Policy Team Interaction

Fred Tharp joined the meeting to discuss issues with the Structures Team
The current thought is to create better interpretive documents and language to avoid having to create parallel documents for administering construction contracts.

Minnesota DOT uses an Errata Document to deal with differences between DBB contracts and DB contracts.
WSDOT BDM must be interpreted for contractual requirements prior to a D/B bid.
It is not a contractual enforceable document and was intended to be used in an iterative Design Bid Build environment.
Free rain to use the BDM as needed. If options are not closed, it will be up to the contractor to provide the best solution.
A Contract Template for D/B projects has been developed and can be made available.
This includes a Mandatory Standards document that spells out what must be adhered to.
The template is evolving with each D/B contract

Design/Build Contracts: Structural Engineer of Record -vs- Control over Build Decisions (Contractor is in Control) Requires agency to elevate the engineer of record in the responsibility and authority. Is there any developments in the WSDOT Policy Team or WSDOT/AGC DB Team that will address this issue?

Design/Build Contracts: WSDOT Standard Specifications do not work well: ie ODOT D/B projects demonstrate the problem. (see problem statement from TY LIN 6/07) Use of the word Engineer applies to WSDOT. In D/B contracts Engineer can the Contractor and the Designer of Record. Re writing controlling manuals is perceived to be too difficult and too time consuming. However, BC Canada has produced D/B versions of their manuals and specifications. They are only published in PDF format. Is this an approach that should be adopted by WSDOT? Separating Prescriptive specifications from performance based specifications.

Design/Build Contracts: Bridge Design Manual - How does it Relate? What changes are needed to be more effective for D/B Contracts? Separating prescriptive design criteria performance based design criteria. Do we need modifications in the BDM to address D/B Contracts?

11:30	30 min	• WSDOT/AGC Design Build Team – Presentation about the Team and its Activities.

Fred Tharp and Erin Butters presented activities being addressed by the AGC Team. Encouraged ACEC members to join the team.
Looking at Enhanced D/B. Considering Target Price approach. This will increase the risk to the contractor. SR519 will use this approach. This will increase price and may increase claims at the end of the project. Target Pricing
Alliancing is being used in New Zealand. WSDOT has considered this approach but state law prevents this approach. The problem is the requirements on the bidding process. Washington Law does not allow a negotiated price.
WSDOT has a high interest in pursuing alternative contract delivery methods.

How is the AGC Team addressing the business environment that places the DB Engineer in a compromised position?
WSDOT considers their contract to be with the contractor. Engineers are sub contractors.
Some consulting firms will not enter into a DB agreement unless they are an equity partner. Being a sub does not work well.
The team provided Erin with the issue relating to Designer of Record and Specification documents and how it leaves the contractor with the option to do what they wish and are not required to abide by the designers acceptance.
Long term warranty of projects and concessions are methods used in other countries to incorporate a long term operational perspective into the contractor's decision making.
Limit on WSDOT DB projects is a minimum of $10 Million. Utah and Minnesota are administering very small DB Contract on the order of $1 million . Oregon is attempting to award DB projects at about $5 million.
WSDOT's motivation for DB contracts is to advance the delivery schedule.

12:00 pm	30 min	• Lunch – WSDOT Policy Discussion Q/A

Notes: WSDOT DB Policy Team (internal) is used to discuss AGC DB Team recommendations and input from departments in WSDOT.
Best value decisions are very different from a DB perspective and a DBB and owner perspective.
Aesthetics are also not important to DB contracts unless prescribed in the RFP. Lowest cost becomes the primary objective.
How does WSDOT evaluate a DB proposal for best value? To date it has been just low bid. WSDOT is attempting to develop a better evaluation of proposals and a method to score contractor proposal that will spread them over a wider range.

ACTION ITEM: Request that a Structures Team member attend WSDOT/AGC DB Team meetings from time to time. Invite Fred and Erin to Structures Team Meetings.

		Seismic Design Issues – NEW CODE

WSDOT is reviewing the new AASHTO criteria and provide a document that addresses area that conflict with accepted practice at WSDOT.
DFSAP uses – have presented problems. Encouraged ACEC members to report any problems they are having with DFSAP. Many companies are FMPier.
It is import to maintain at least two programs to provide independent validations.

1:30 pm	20 min	• Set Schedule for future meetings

January 11, 2008 – Hosted by CH2M Hill – Tacoma or Bellevue

1:50 pm.	10 min	Wrap Up Prepare for the next meeting (10 min) Next meeting agenda: 1. BDM – Construction Examples 2. AASHTO Seismic Design Criteria 3. DB Issues

Notes: Next meeting –- WSDOT on January 11, 2007		
2:00 pm.		Adjourn

Meeting Adjourned