ADMINISTRATION TEAM

January 29, 2016
9:00 am
WSDOT Fife Project Office
6610 16th Street E., Suite A
Fife, WA 98424

Attending:

✓	**Aleta Borschowa** WSDOT NWR	✓	**Jeret Garcia** Valley Electric	✓	**Chad Simonson** WSDOT ER
✓	**Jerry Brais** King County	✓	**Quinn Golden** Granite Construction	✓	**Denys Tak** WSDOT Construction
✓	**Jay Byrd** 1 Alliance Geomatics	✓	**Mike Hall** Tucci & Sons	✓	**Chris Tams** WSDOT SWR
✓	**Corey Christensen** KLB Construction		**Craig McDaniel** WSDOT Construction	✓	**Greg Waugh** Max J. Kuney Const.
	John Cichosz Tappani Construction	✓	**Tina Nelson** Kitsap County/APWA		
✓	**Jon Deffenbacher** WSDOT OR	✓	**Mark Scoccolo** SCI Infrastructure		
✓	**Brandon Dully** Guy F. Atkinson		**Roy Siegle** FHWA		

OPEN MEETING

Reviewed the last month's meeting summary for posting.

Guests: Dennis Worrell, WSDOT OEO DBE Support Services
Dave Erickson, WSDOT Roadway Construction Engineer
Anthony Sarhan and Susan Wimberly, FHWA

DBE Support Services Program – Dennis Worrell

Dennis shared a brochure of the DBE Support Services program and the details of how he and the on-call consultants can assist existing and potential DBE companies. Office of Equal Opportunities manages the DBE Supportive Services Program and the DBE Business Development Program. These programs are available to DBEs certified in the highway construction industry to include:

- construction companies
- consultants
- manufacturers
- regular dealers

DBE Supportive Services provides the following for free:

- Targeted technical assistance on a range of business topics including, but not limited to: accounting, marketing, and estimating expertise. With your input more services can be added.
- Construction plans, specifications and manuals.
- Announcements of outreach and training through regular emails.

The Business Development Program is intended to increase participation of highway-related DBEs who have had limited success in obtaining work on WSDOT projects by providing a combination of one-on-one counseling, training, techniques and tools necessary for operating a successful small business.

Team members suggested brining on someone with the contracting experiences in estimating, bidding, scheduling and administering contracts available to assist small DBE companies. This areas are where some members feels many DBE firms are struggling and needing assistance.

Changes to DBE Utilization Certification and Written Confirmation Forms – Dave Erickson

WSDOT has made some minor clarification changes to these forms. In addition, FHWA has indicated that some contractors appear to be bid shopping by requiring DBEs to submit the Written Confirmation form with their bid and wanted WSDOT to make corrections to prevent this practice.

FHWA's position is the DBE filling out the Written Confirmation form should be the DBE who is listed on the Utilization Certification form. No other DBEs should be required to submit the Written Confirmation form. This issue is especially critical in Local agency projects because both forms are required at the time of Bid. The 48 hours provided on WSDOT projects is needed on local agency projects if this problem is as prevalent as it is made it out to be and able to correct the problem.

Some DBE firms are voluntarily sending the Written Confirmation forms to all contractors with their bid. They do this to assist the contractors and did not see any requirements from barring DBEs from voluntarily providing this form with their quotes/bids.

Dave said the AGC Roadway team suggested having both forms to be turned in within 48 hours after the bid time, not separating the Utilization Certification due at the time of bid and the Written Confirmation due within 48 hours of bid time. He would like a feedback from the team on the idea of having both forms being turned in within 48 hours of bid time. This is the responsive verses responsibility question.

The team would like to see additional efforts in educating DBE firms on this type of DBE contract administrative requirements. Currently this burden falls on contractors.

Changes to Required Federal Provisions (FHWA 1273) – Anthony Sarhan, FHWA

Anthony shared the Cargo Preference Act requirements on Federal Aid projects. This requirement applies to project specific items delivered via ships.

As of Monday January the 18th the 1273 document was amended in WSDOT contracts to include the;

XII. Cargo Preference Act

1. U.S. Department of Transportation Federal Highway Administration memorandum date December 11, 2015 requires that all federal-aid highway programs awarded after February 15, 2016 must comply with the Cargo Preference Act and its regulation of 46 CFR 381.7(a)-(b).

Does the policy apply to all highway materials and construction equipment?

The requirements apply to materials or equipment that are acquired for a specific Federal-aid highway project. In general, the requirements are not applicable to goods or materials that come into inventories independent of an FHWA funded-contract. For example, the requirements would not apply to shipments of Portland cement, asphalt cement, or aggregates, as industry suppliers and contractors use these materials to replenish existing inventories. In general, most of the materials used for highway construction originate from existing inventories and are not acquired solely for a specific Federal-aid project. However, if materials or equipment are acquired solely for a Federal-aid project, then the Cargo Preference Act requirements apply.

Anthony also stated the Buy America provisions will return to the original MAP 21 requirements as the result of the recent court case. The 2012 FHWA clarification letter and WSDOT memo on the 90 percent rule and small/miscellaneous off the shelf items has been rescinded and no longer valid on project going out to advertisement. We are returning to the days of requiring CMO on all screws, nuts, and bolts.

The $2,500 or one tenth of one percent of the contract value, whichever is greater is the only way to address small/miscellaneous items not meeting the Buy America provisions on WSDOT contracts.

Buy America provision is also all or nothing requirement where the entire Federal funding from the project can be pulled if the requirement is not met.

Members noted that this change will need to be communicated to suppliers and manufacturers to avoid any potential hardships.

State Certified Small Business Enterprise Program – Dave Erickson

Dave informed the group WSDOT projects containing 100 percent State funds, including all Connecting Washington projects will have this new program. The goals of 10% Minority, 6% Women, 5% Veteran, 5% State Small Businesses. Based on the feedback received from the industries and minority communities WSDOT has decided to make the program voluntary, much like the existing M/W program. A lot of ongoing work is being completed to make the certified data base of firms and reporting functions to include Veteran and State Small businesses.
Members expressed the concern of some goals are not achievable due to lack of available certified firms within the highway construction industries.

Schedule and location of future meetings:

Planned meeting dates for 2016 – March 25, April 22, May 20, June 17
Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

February 26, 2016
9:00 am
WSDOT Fife Project Office
6610 16th Street E., Suite A
Fife, WA 98424

Attending:

✓	**Aleta Borschowa** WSDOT NWR	✓	**Jeret Garcia** Valley Electric	✓	**Chad Simonson** WSDOT ER
✓	**Jerry Brais** King County	✓	**Quinn Golden** Granite Construction	✓	**Denys Tak** WSDOT Construction
✓	**Jay Byrd** 1 Alliance Geomatics		**Mike Hall** Tucci & Sons	✓	**Chris Tams** WSDOT SWR
✓	**Corey Christensen** KLB Construction	✓	**Kyle McKeon** WSDOT Local Program	✓	**Greg Waugh** Max J. Kuney Const.
	John Cichosz Tappani Construction		**Tina Nelson** Kitsap County/APWA	✓	**Reggie Wageman** Guy F. Atkinson
✓	**Jon Deffenbacher** WSDOT OR	✓	**Mark Scoccolo** SCI Infrastructure	✓	**Susan Wimberly** FHWA
	Brandon Dully Guy F. Atkinson	✓	**Roy Siegle** FHWA		

OPEN MEETING

Reviewed the last month's meeting summary for posting.

Guests: Randy Mawdsley, WSDOT Quality System Manager

WSDOT Region Transportation Contracting Workshop

Chris Tams shared the flyer for the Southwest Washington Transportation Contracting Workshop flyer with the group, as well as an invitation to any contractors, subcontractors, consultants for the event hosted on Wednesday March 23 from 4 to 7PM at WSDOT Southwest Region office.

It was noted similar workshops are planned by WSDOT South Central, North Central, Olympic and Eastern regions.

WSDOT Material Tester and Inspector Certification Programs

Randy Mawdsley shared WSDOT's proposed testing program followed by Denys on the Inspector Certification. Slides of the presentation are attached.

Forest Fire Protection (Industrial Forest Precaution Level)

Denys shared the training material on the forest fire protection for WSDOT construction contracts prepared for WSDOT project staff. Slides of the presentation are attached.

Standard Specification Section 1-07.1

This specification allows for adjusting payment to compensate the Contractor for fuel tax changes provided amount is over $500 per contract (including aggregate amount prime and subcontractors per contract) and the increase occurred after Bid Opening Date. No mark-ups will be considered as this is reimbursement for actual costs. Contractor will need to provide the following for a fuel tax increase adjustment:

- Actual fuel gallons used (do not use monthly fuel indexes)
- Certification that fuel gallons submitted are for the specific contractor in question, or if not then provide how the company allocates fuels usage throughout the company's contracts.
- Certification that fuel gallons submitted are for highway-use and highway-use tax was paid and is not eligible for a refund (RCW 82.36.280)
- A list of equipment that used the fuel being submitted

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

The team discussed completing a step by step process review of VECP submittal in the future meeting. Members will look for a real example from one of the project to be used in this exercise.

Schedule and location of future meetings:
Planned meeting dates for 2016 – April 22, May 20, June 17
Meeting location: WSDOT Fife Project Office Conference room

WSDOT QUALITY ASSURANCE PROGRAM

Statewide Construction Management Meeting
February 18, 2016

Washington State Department of Transportation

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WSDOT QUALITY ASSURANCE PROGRAM

Material Testing Program

- Timeline
- Current Program
- Design Bid Build vs. Design Build
- Proposed Testing Program

Inspector Certification Program

- Overview
- Inspector Certification Program
- Statewide/Region Status
- Work in progress
- Next Steps

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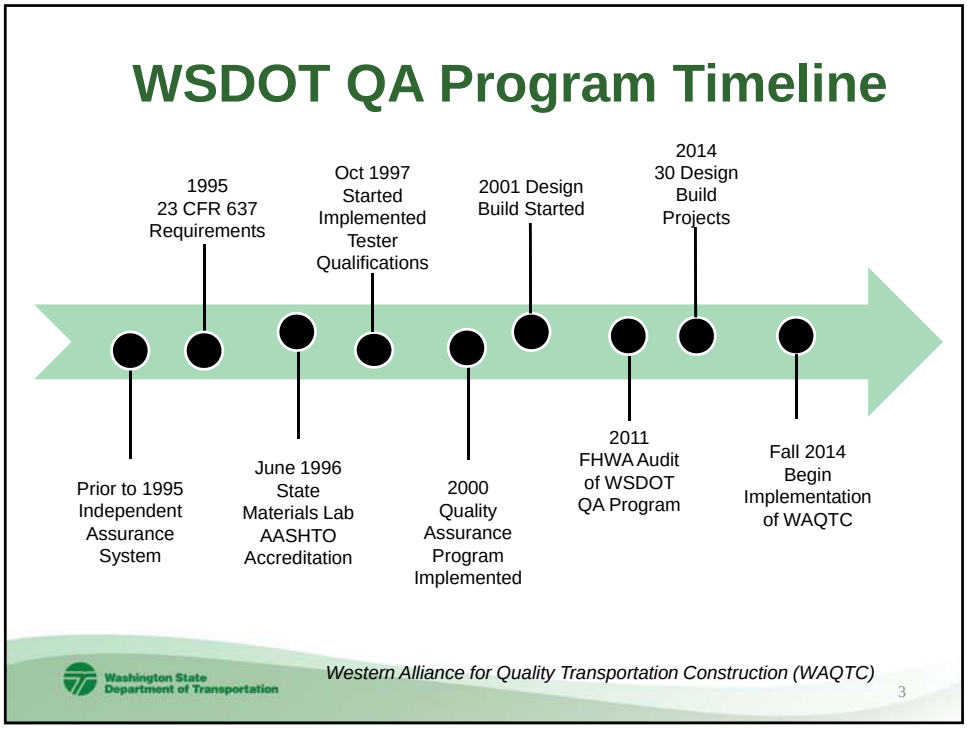
WSDOT QA Program Timeline
Prior to 1995 Independent Assurance System
1995 23 CFR 637 Requirements
June 1996 State Materials Lab AASHTO Accreditation
Oct 1997 Started Implemented Tester Qualifications
2000 Quality Assurance Program Implemented
2001 Design Build Started
2011 FHWA Audit of WSDOT QA Program
2014 30 Design Build Projects
Fall 2014 Begin Implementation of WAQTC
Washington State Department of Transportation
Western Alliance for Quality Transportation Construction (WAQTC)
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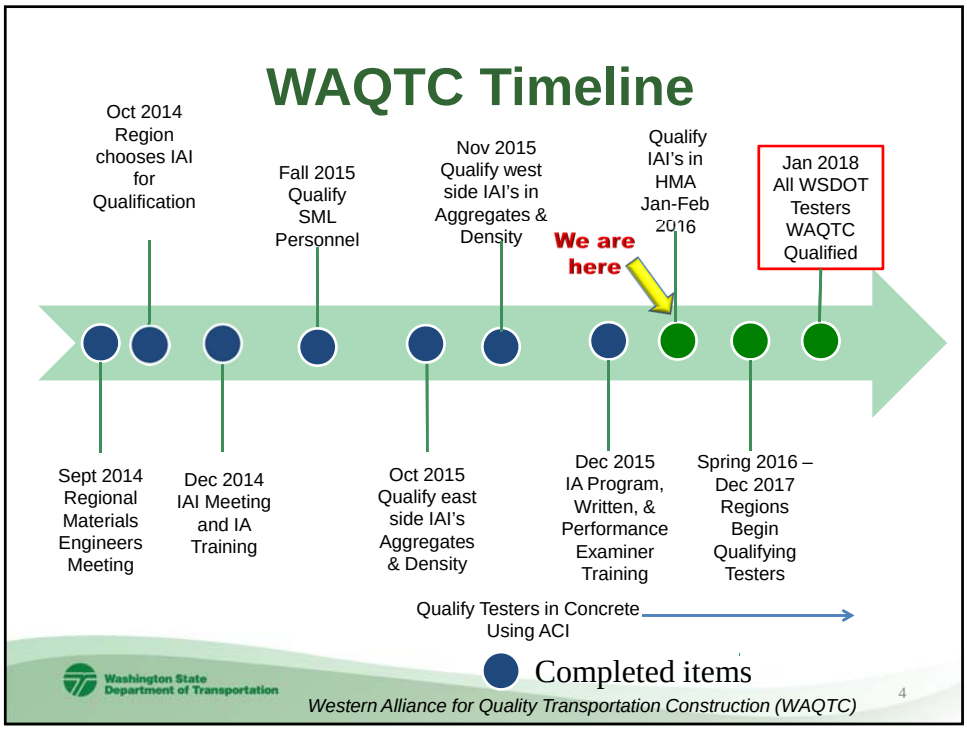
WAQTC Timeline
Sept 2014 Regional Materials Engineers Meeting
Oct 2014 Region chooses IAI for Qualification
Dec 2014 IAI Meeting and IA Training
Fall 2015 Qualify SML Personnel
Oct 2015 Qualify east side IAI's Aggregates & Density
Nov 2015 Qualify west side IAI's in Aggregates & Density
Dec 2015 IA Program, Written, & Performance Examiner Training
We are here
Qualify IAI's in HMA Jan-Feb 2016
Spring 2016 – Dec 2017 Regions Begin Qualifying Testers
Jan 2018 All WSDOT Testers WAQTC Qualified
Qualify Testers in Concrete Using ACI
Completed items
Washington State Department of Transportation
Western Alliance for Quality Transportation Construction (WAQTC)
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WSDOT Design Bid Build Materials Testing Program

	Current WSDOT Testing Program
Tester Qualification	WSDOT Qualified Tester
Materials Testing	WSDOT Qualified Tester ***Test Used for Payment***
Independent Assurance Inspection	*WSDOT IAI performs* *On-site evaluation & split sample* *(On Each Tester Once per Year)*
Laboratory Qualification	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*

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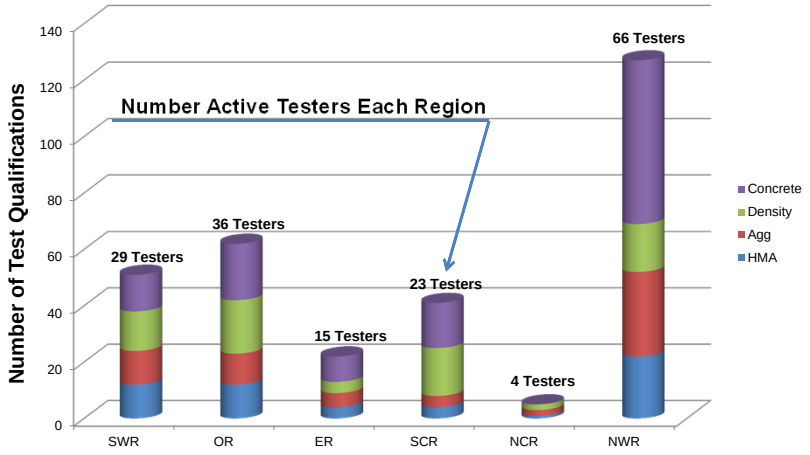
WSDOT Qualified Testers



WSDOT currently has 173 Testers with 308 Qualifications

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WSDOT Design Bid Build Materials Testing Program

	Current WSDOT Testing Program
Tester Qualification	WSDOT Qualified Tester
Materials Testing	WSDOT Qualified Tester ***Test Used for Payment***
Independent Assurance Inspection	*WSDOT IAI performs* *On-site evaluation & split sample* *(On Each Tester Once per Year)*
Laboratory Qualification	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*

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WSDOT Design Bid Build Materials Testing Program

	Current WSDOT Testing Program	Future WSDOT Testing Program
Tester Qualification	WSDOT Qualified Tester	WSDOT **WAQTC** Qualified Tester
Materials Testing	WSDOT Qualified Tester ***Test Used for Payment***	WSDOT **WAQTC** Qualified Tester ***Test Used for Payment***
Independent Assurance Inspection	*WSDOT IAI performs* *On-site evaluation & split sample* *(On Each Tester Once per Year)*	*WSDOT IAI performs* *On-site evaluation & split sample* *(On Each Tester Once per Year)*
Laboratory Qualification	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*

Changes Being implemented by Jan 2018

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WSDOT Design Build Materials Testing Program

	Current WSDOT Testing Program
Tester Qualification	Design Builder Qualified Tester (No Set Criteria)
Quality Control Testing	Materials Supplier Testing *No Set Testing Frequency*
Quality Assurance Testing	Design Builder Qualified Tester *Test Used for Payment (Except HMA)*
Quality Verification Testing	WSDOT Qualified Tester (1 QV Test per 5 QA Test) *HMA Density Testing Used for Pay*
Independent Assurance Inspection	*WSDOT IAI performs* *On-site evaluation & split sample* *(On Each Tester Once per Year)*
Laboratory Qualification	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*

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WSDOT Design Build Materials Testing Program

	Current WSDOT Testing Program	Future WSDOT Testing Program
Tester Qualification	Design Builder Qualified Tester (No Set Criteria)	Design Builder WAQTC Qualified Tester
Quality Control Testing	Materials Supplier Testing *No Set Testing Frequency*	Materials Supplier Testing *No Set Testing Frequency*
Quality Assurance Testing	Design Builder Qualified Tester *Test Used for Payment (Except HMA)*	Design Builder WAQTC Qualified Tester *All Test Used for Payment*
Quality Verification Testing	WSDOT Qualified Tester (1 QV Test per 5 QA Test) *HMA Density Testing Used for Pay*	WSDOT WAQTC Qualified Tester (1 QV Test per 5 QA Test)
Independent Assurance Inspection	*WSDOT IAI performs* *On-site evaluation & split sample* *(On Each Tester Once per Year)*	*WSDOT IAI performs* *On-site evaluation & split sample* *(On Each Tester Once per Year)*
Laboratory Qualification	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*

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Goal of Implementing in 2018

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Future WSDOT Testing Program

	Bid Build Projects	Design Build Projects
Tester Qualification	WSDOT WAQTC Qualified Tester	Design Builder WAQTC Qualified Tester
Quality Control Testing	WSDOT WAQTC Qualified Tester *Test Used for Payment*	Materials Supplier Testing *No Set Testing Frequency*
Quality Assurance Testing		Design Builder WAQTC Qualified Tester *All Test Used for Payment*
Quality Verification Testing		WSDOT WAQTC Qualified Tester (1 QV Test per 5 QA Test)
Independent Assurance Inspection	*WSDOT IAI performs* *On-site evaluation & split sample Comparison* *(On Each Tester Once per Year)*	*WSDOT IAI performs* *On-site evaluation & split sample Comparison* *(On Each Tester Once per Year)*
Laboratory Qualification	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*

Goal of Implementing in 2018

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Future Issues/Benefits

- Issues
  - Maintain Two Separate QC/QA/QV systems
  - Unbalanced Quality Assurance Risk
  - Design-Bid-Build
    - Burden of Testing for quality on WSDOT
    - No QC/QA requirements for contractor
- Benefits
  - Standard WAQTC Tester/IAI Qualification/Training
  - Current System works

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Proposed Testing Program

	All Construction Project Delivery Methods
Tester Qualification	WAQTC Qualified Tester
Quality Control Testing	Materials Supplier QC Plan and QC Testing *(Minimum QC Testing Frequency Required)*
Quality Assurance Testing	Contractor/Design Builder WAQTC Qualified Tester *All Test Used for Payment*
Quality Verification Testing	WSDOT WAQTC Qualified Tester (1 QV Test per 5 QA Test)
Independent Assurance Inspection	*WSDOT IAI performs* *On-site evaluation & split sample Comparison* *(On Each Tester Once per Year)*
Laboratory Qualification	State Materials Lab *Inspects Region Labs once every 2 yrs* *Inspects private Labs once every yr*

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Proposed Issues/Benefits

- Issues
  - Changes Current System
    - Perception that WSDOT testers will not be needed
    - Perception WSDOT giving away responsibility
- Benefits
  - Creates One Standard QC/QA/QV system
  - More balanced Quality Assurance Risk
  - Reduction in testing equipment possible
    - Testing shifted to Region Labs
    - Reduction in number of lab trailers needed
  - Shift in personnel from testing to QV roles

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Questions

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INSPECTOR CERTIFICATION PROGRAM

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INSPECTOR CERTIFICATION PROGRAM

Overview

Inspector Certification Program

Statewide/Region Status

Work in progress

Next Steps

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OVERVIEW

The Inspector Certification Program is one element of WSDOT Quality Assurance Program and required by 23 CFR 637.205.

The monitoring of construction activities by Certified Inspectors will help to ensure that only quality materials and workmanship are employed on WSDOT projects.

Ensure consistent administration of WSDOT contracts.

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OVERVIEW

WSDOT has developed this training and certification program, and (eventually) Consultants in preparing well-trained people with the expertise needed to inspect WSDOT projects.

Full implementation (internal) beginning January, 2018.

(The program makes allowances for the temporary use of non-Certified inspectors.)

CERTIFICATION PROGRAM

Two levels of Inspector Certification:

<u>General</u> – Began in November 2013

<u>Subdivisions</u> – Exams began Rollout in December 2014

An Inspector is entered into the ICP through the Learning Management System (LMS).

GENERAL CERTIFICATION

To achieve General Certification:

Successful Completion of 10 open book exams:

Technical Math	Basic Surveying
Contract Plans Reading	Inspector's Role for Change Order Work
Environmental	Force Account Documentation and Payment
Inspector Safety	Materials Documentation
Utilizing Resources	Composing Inspector's Daily Reports

A score of 75% or better on each exam is a successful completion.

This Certification is a one time requirement.

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GENERAL CERTIFICATION

Each test can only be taken one time and must be completed when started.

If a test is failed and following a 3 day wait period, a retest will be issued by the Region Construction Trainer.

It is advisable to review the resource material before attempting the retest.

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GENERAL CERTIFICATION

If the retest is failed, the associated e-Learning course (if available), Instructor Led course (if available) is to be completed.

If there is no available course, the manuals used to develop the test should be reviewed.

A second retest will be issued by the Region Construction Trainer.

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GENERAL CERTIFICATION

After successful completion of all 10 tests, a certificate will be issued, signed by the State Construction Engineer and Region Construction Engineer or Engineering Manager.

Level of effort vary with each inspector's background, training, experience, and motivation. Average time to achieve the General Certification while working other higher priority work has been 3 mo.

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SUBDIVISION CERTIFICATION

Once the Certification as a General Inspector is attained, Certification for the different Subdivisions may be attained.

Additional Subdivision Certifications are required when performing inspection duties in these areas.

A score of 80% or better on each exam is a successful completion.

These Certifications will require re-certification on 4-Year cycles.

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SUBDIVISION CERTIFICATION

	Subdivision Certification Exams
Division 2	Embankment Excavation Structure Excavation
Division 5	HMA Placement BST Placement PCCP Placement
Division 6	Concrete Bridge Construction Steel Bridge Construction Bridge Foundation Cast In Place Concrete Reinforced Steel Forms and Falsework Gabion Wall Structural Earth Wall Cast In Place Wall Soil Nail Wall Tieback Wall

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SUBDIVISION CERTIFICATION

	Subdivision Certification Exams
Division 7	Sanitary Sewer Storm Sewer Water Lines
Division 8	Guardrail Cantilever and Sign Bridges Small and Large Signs Conductors and Fiber Conduit and Box Installation Controllers and Cameras Poles and Foundations

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SUBDIVISION CERTIFICATION

A Subdivision Certification will include training and exam for a particular item of work.

As Subdivision exams are developed, the availability throughout the Agency will be announced.

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STATEWIDE/REGION STATUS

As of December, 2015

	General	Subdivisions *
Eastern	64	4
Olympic	142	65
North Central	22	0
Northwest	130	30
South Central	67	6
Southwest	74	71
Statewide	**499**	**176**

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WORK IN PROGRESS

Statewide vetting of the Program

Consistent Implementation

FHWA Approval

Labor Relations Manager – Official notice to Local 17

Collective Bargaining

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NEXT STEPS

WSDOT

- Classified Position Description update
- Timeline to be Certified for new employees
- Region/Project Engineers responsible for all Inspectors on construction projects are Certified
- Centralized Certification tracking system?
- Adequate administrative support to continue?

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NEXT STEPS

Consultant's/Contractor's

- Who will administer the program?
  - Training, Certification, Tracking the Certification status
- When should we require consultants/contractors inspectors to be Certified to be working on WSDOT projects?
- Involvement of Local Program projects?

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Questions

Washington State
Department of Transportation

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FOREST FIRE PROTECTION

Requirements for WSDOT Construction Contract Operations in or Near Forest Land

Denys S. Tak
Assist. State Construction Engineer

Roger Millar
Secretary of Transportation

CONSTRUCTION PROGRAM

Industrial Fire Precaution Level Training

- Construction Contracts (as compared with Maintenance)
- Contract Requirements
- Wildland Firefighter requirements
- WSDOT Inspector/Vehicle Fire tool requirements
- Project Engineer and Inspector Role
- Contractor’s Project Specific Waiver Request

Industrial Fire Precaution Level

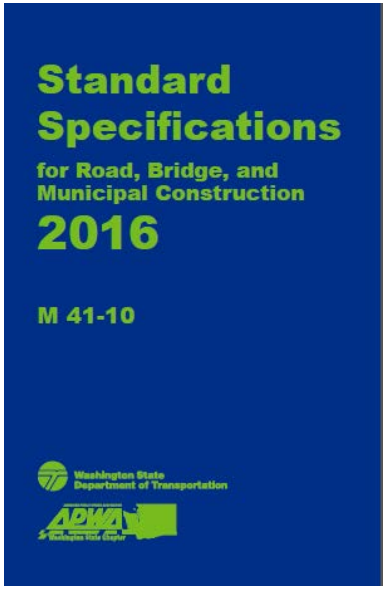
Closed Season April 15th to October 15th

(depending on prevailing conditions)

Regulations are in place to protect Life and Property

CONSTRUCTION PROGRAM

Contract Requirements



1-07.3(1) Forest Fire Prevention

When the Work is in or next to State or Federal forests, the Contractor shall know and observe all laws and rules (State or Federal) on fire prevention and sanitation. The Contractor shall ask the local forest supervisor or regional manager to outline requirements for permits, sanitation, firefighting equipment, and burning.

The Contractor shall take all reasonable precautions to prevent and suppress forest fires. In case of forest fire, the Contractor shall immediately notify the nearest forest headquarters of its exact site and shall make every effort to suppress it. If needed, the Contractor shall require his/her employees and those of any Subcontractor to work under forest officials in fire-control efforts.

1-07.18 Public Liability and Property Damage Insurance

The Contractor shall obtain and keep in force the following policies of insurance. The policies shall be with companies or through sources approved by the State Insurance Commissioner pursuant to RCW 48.05. Unless otherwise indicated below, the policies shall be kept in force from the execution date of the Contract until the date of acceptance by the Secretary (Section 1-05.12).

CONSTRUCTION PROGRAM

Contract Requirements

Forest Service Provisions Appendix is required for <u>work in or adjacent to National Forest</u>

Pacific Northwest Region
Fire Protection and Suppression

1. <u>Fire Period and Closed Season</u>

   Specific fire prevention measures are listed below and shall be effective for the period April 1 to October 31 of each year. The Forest Service may change the dates of the said period by advance written notice if justified by unusual weather or other conditions. Required tools and equipment shall be kept currently in serviceable condition and immediately available for initial attack on fires.

2. <u>Fire Plan</u>

   Before starting any operations on the project, the Contractor, Permittee, Licensee, or Purchaser, hereinafter referred to as the "Contractor," shall prepare a fire plan in cooperation with the Contracting officer providing for the prevention and control of fires in the project area.

   The Contractor shall certify compliance with fire protection and suppression requirements before beginning operations during the fire period and closed season, and shall update such certification when operations change.

3. <u>Substitute Measures</u>

   The Contracting officer may by written notice, authorize substitute measures or equipment or may waive specific requirements during periods of low fire danger.

4. <u>Emergency Measures</u>

   The Forest Service may require emergency measures, including the necessary shutting down of equipment or portions of operations in the project area during periods of fire emergency created by hazardous climatic conditions.

5. <u>Fire Control</u>

   The Contractor shall, independently and in cooperation with the Forest Service, take all reasonable action to prevent and suppress fires in a project area. Independent initial action shall be prompt and shall include the use of all personnel and equipment available in the project area.

   For the purpose of fighting forest fires on or in the vicinity of the project, which are not caused by the Contractor's operations, the Contractor shall place

CONSTRUCTION PROGRAM

Contract Requirements

General Special Provision on Eastern WA projects
Fire Prevention Control, and Countermeasures Plan (FPCC Plan)

The Contractor shall prepare and implement a project-specific fire prevention, control, and countermeasures plan (FPCC Plan) for the duration of the project. The Contractor shall submit a Type 2 Working Drawing no later than the date of the preconstruction conference.

Implementation Requirements
The Contractor shall update the FPCC Plan throughout project construction so that the written plan reflects actual site conditions and practices. The Contractor shall update the FPCC Plan at least annually and maintain a copy of the updated FPCC Plan on the project site. The Contractor FPCC Plan shall be fully implemented at all times.

FPCC Plan Element Requirements
The FPCC Plan shall identify the names, titles, and contract information for the personnel responsible for implementing and updating the plan. The plan shall also include the names and telephone numbers of the Federal, State, and local agencies the Contractor shall notify in the event of a fire. The plan shall include all potential fire causing activities such as welding, cutting of metal, blasting, fueling operations, etc. The location of fire extinguishers, water, shovels, and other firefighting equipment shall be included in the plan. The plan shall also outline the response procedures the Contractor shall follow in the event of a fire.

The Contractor shall monitor the Industrial Fire Precaution Level (IFPL) at the following link on the Washington State Department of Natural Resources web page:
http://www.dnr.wa.gov/RecreationEducation/Topics/FireBurningRegulations/Pages/rp_fire_ifpl.aspx.aspx

As the IFPL changes the Contractor shall evaluate project site conditions and make revisions as necessary to prevent fires with the project limits. Revisions to the FPCC Plan and IFPL shall be discussed at the weekly project safety meetings.

If the Contractor wishes to continue a work activity that is prohibited under an industrial fire precaution level, the Contractor must obtain a waiver from the DNR and provide a copy to the Engineer prior to continuation of work on the project.

If the IFPL requirements prohibit the Contractor from performing Work on the critical path of the Contractor's approved progress schedule, the Contractor shall notify the Project Engineer. The Contractor may be eligible for an unworkable day in accordance with Section 1-08.5.

The Contractor shall comply with the requirements of these provisions at no additional cost to the Contracting Agency.

CONSTRUCTION PROGRAM

2015 Department of Natural Resources Clarification

Industrial Fire Precaution Levels (IFPL)

PROTECTION FROM WILDFIRE

By law, DNR uses two closure systems to reduce wildfire risk on 13 million acres of private and state forestland protected by the agency. Activated when needed during the summer fire season, one closure system, the Industrial Fire Precaution Levels, applies to woods workers and other industrial forest users.

Emergency operations and operations contained entirely on paved roadway surfaces may continue during all timing restrictions and shutdowns. During emergency operations, fire suppression equipment meeting the requirements in **WAC 332-24-405** should be on site as soon as the situation allows.

Learn how to follow IFPL in this four-page brochure.

- Map of Today's - Industrial Fire Precaution Levels (IFPLs)
- IFPL map with PLS grid overlay
- Brochure
- View the law and its description of each IFPL level
- How to use the IFPL map

CONSTRUCTION PROGRAM

Required Fire Tools for Contractor

WAC 332-24-405
Spark emitting equipment requirements.

- Fire Extinguisher (min. 5 BC)
- An Approved exhaust system
- A Shovel (mounted on all vehicle/equipment)
- Two serviceable Five gallon backpack pump filled with water
- Firewatch (with portable power saw operation)

- Additional requirements by Dept. Natural Resources, in writing;
  - A pump truck or pump trailer (300 gal.) within 5 minutes round-trip of the operation
  - A firewatch (other than power saw operations)
  - Adequate facilities to report a fire within fifteen minutes of detection
  - Tool Box containing axes/Pulaskies, shovels, and adze eye hoes

CONSTRUCTION PROGRAM

WSDOT Employees Consideration

Qualification/Education/Experience to be a Wildland Firefighter

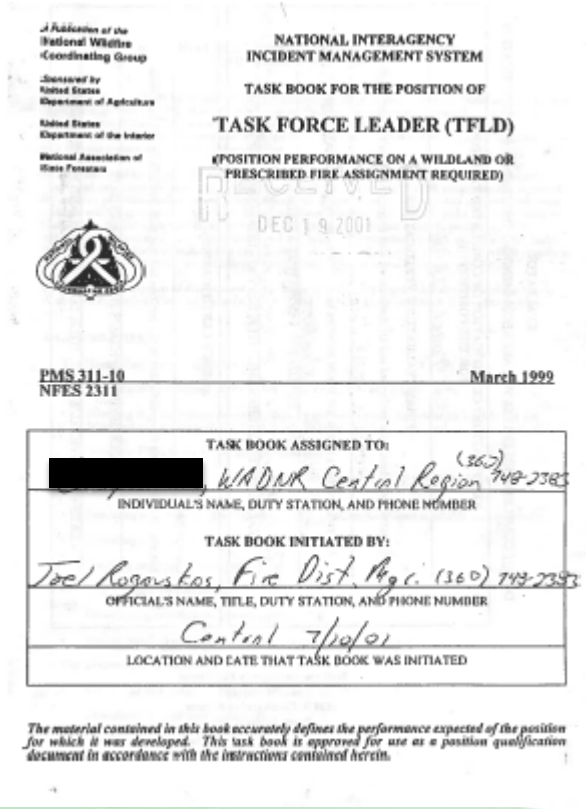
- Class Room Training
- OJT - Task Book
- Annual Physical Fitness Test

CONSTRUCTION PROGRAM

WSDOT Employees Consideration

Qualification/Education/Experience

Class Room Training, OJT - Task Book, Annual Physical Fitness Test



A Publication of the National Wildfire Coordinating Group

Sponsored by United States Department of Agriculture

United States Department of the Interior

National Association of State Foresters

NATIONAL INTERAGENCY INCIDENT MANAGEMENT SYSTEM

TASK BOOK FOR THE POSITION OF

TASK FORCE LEADER (TFLD)

(POSITION PERFORMANCE ON A WILDLAND OR PRESCRIBED FIRE ASSIGNMENT REQUIRED)

RECEIVED DEC 19 2001

PMS 311-10 March 1999
NFES 2311

TASK BOOK ASSIGNED TO:

[redacted], WADNR Central Region (360) 748-2385

INDIVIDUAL'S NAME, DUTY STATION, AND PHONE NUMBER

TASK BOOK INITIATED BY:

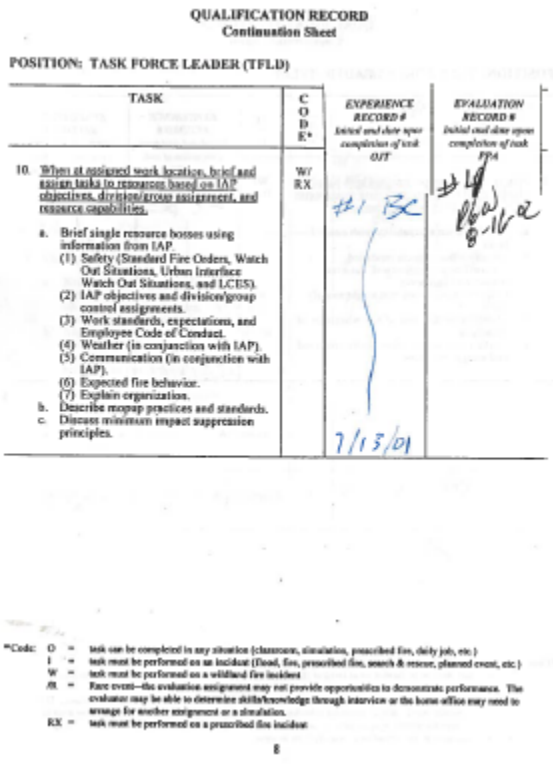
Joel Rogowskos, Fire Dist. Mgr. (360) 748-2383

OFFICIAL'S NAME, TITLE, DUTY STATION, AND PHONE NUMBER

Central 7/10/01

LOCATION AND DATE THAT TASK BOOK WAS INITIATED

The material contained in this book accurately defines the performance expected of the position for which it was developed. This task book is approved for use as a position qualification document in accordance with the instructions contained herein.



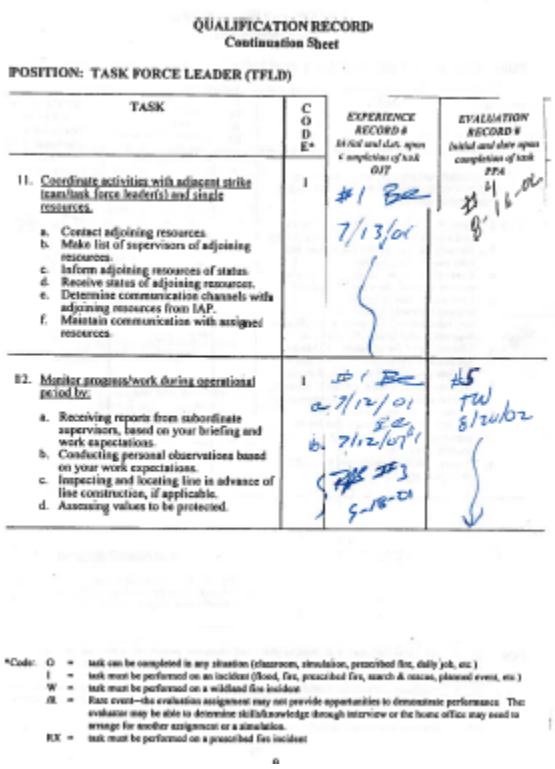
QUALIFICATION RECORD
Continuation Sheet

POSITION: TASK FORCE LEADER (TFLD)

TASK	CODE*	EXPERIENCE RECORD # Initial and date upon completion of task OJT	EVALUATION RECORD # Initial and date upon completion of task PPA
10. When at assigned work location, brief and assign tasks to resources based on IAP objectives, division/group assignment, and resource capabilities. a. Brief single resource bosses using information from IAP. (1) Safety (Standard Fire Orders, Watch Out Situations, Urban Interface Watch Out Situations, and LCES). (2) IAP objectives and division/group control assignments. (3) Work standards, expectations, and Employee Code of Conduct. (4) Weather (in conjunction with IAP). (5) Communication (in conjunction with IAP). (6) Expected fire behavior. (7) Explain organization. b. Describe mopup practices and standards. c. Discuss minimum impact suppression principles.	W/ RX	#1 BC 7/13/01	#4 PGW 8-16-02

*Code: O = task can be completed in any situation (classroom, simulation, prescribed fire, daily job, etc.)
I = task must be performed on an incident (flood, fire, prescribed fire, search & rescue, planned event, etc.)
W = task must be performed on a wildland fire incident
/R = Rare event—the evaluation assignment may not provide opportunities to demonstrate performance. The evaluator may be able to determine skills/knowledge through interview or the home office may need to arrange for another assignment or a simulation.
RX = task must be performed on a prescribed fire incident

8



QUALIFICATION RECORD
Continuation Sheet

POSITION: TASK FORCE LEADER (TFLD)

TASK	CODE*	EXPERIENCE RECORD # Initial and date upon completion of task OJT	EVALUATION RECORD # Initial and date upon completion of task PPA
11. Coordinate activities with adjacent strike team/task force leader(s) and single resources. a. Contact adjoining resources. b. Make list of supervisors of adjoining resources. c. Inform adjoining resources of status. d. Receive status of adjoining resources. e. Determine communication channels with adjoining resources from IAP. f. Maintain communication with assigned resources.	I	#1 BC 7/13/01	#1 8-16-02
12. Monitor progress/work during operational period by: a. Receiving reports from subordinate supervisors, based on your briefing and work expectations. b. Conducting personal observations based on your work expectations. c. Inspecting and locating line in advance of line construction, if applicable. d. Assessing values to be protected.	I	#1 BC a 7/12/01 b 7/12/01 #3 5-18-01	#5 PW 8/20/02

*Code: O = task can be completed in any situation (classroom, simulation, prescribed fire, daily job, etc.)
I = task must be performed on an incident (flood, fire, prescribed fire, search & rescue, planned event, etc.)
W = task must be performed on a wildland fire incident
/R = Rare event—the evaluation assignment may not provide opportunities to demonstrate performance. The evaluator may be able to determine skills/knowledge through interview or the home office may need to arrange for another assignment or a simulation.
RX = task must be performed on a prescribed fire incident

9

CONSTRUCTION PROGRAM

WSDOT Employees Consideration

The “Red” Card or Incident Qualification Card

Incident Qualification Card

Name: [redacted]

Qualification/SSN: [redacted]

Resource Identification: WA-WAS DNR,WAPCS

Fitness:

Year: 2004

Risk Type	Qualification		Level
WF	STCR	Strike Team Leader Crew	NATIONAL
WF	STDZ	Strike Team Leader Dozer	NATIONAL
WF	STEN	Strike Team Leader Engine	NATIONAL
WF	TFLD	Task Force Leader	NATIONAL
WF	CRWB	Crew Boss (Single Resource)	NATIONAL
WF	DOZB	Dozer Boss (Single Resource)	NATIONAL
WF	ENGB	Engine Boss (Single Resource)	NATIONAL
WF	FELB	Felling Boss (Single Resource)	NATIONAL
WF	FLEC	Fireline Explosives Crew Person	AGENCY
WF	FLEB	Fireline Explosives Blaster	AGENCY
WF	FLEA	Fireline Explosives Advisor	NATIONAL

Risk Type	Trainee Qualification	Level

Skills: HLRH WF

Targets:

Steve Riepe — Approved; 5/15/2004 — Date; Fire Ops Dist. Mgr — Title

Blood Type: Allergies: Emergency Contact: DNR-Pacific Cascade 360-577-2025

Meets WADNR Physical Fitness Requirements for qualifications listed

Experience Record

Incident Qualification Card

Name: [redacted]

Qualification/SSN: [redacted]

Resource Identification: WA-WAS DNR,WAPCS

Fitness:

Year: 2004

Risk Type	Qualification		Level
WF	ICT4	Incident Commander Type 4	NATIONAL
WF	CSOB	Chain Saw Operator - Intermediate	NATIONAL

Risk Type	Trainee Qualification	Level

Skills: HLRH WF

Targets:

Steve Riepe — Approved; 5/3/2004 — Date; Fire Ops Dist Mgr — Title

Blood Type Allergies: Emergency Contact: DNR-Pacific Cascade 360-577-2025

Meets WADNR Physical Fitness Requirements for qualifications listed

Experience Record

CONSTRUCTION PROGRAM

WSDOT Employees Consideration

Personal Protective Equipment

Minimum Requirement: Nomex shirt/pants, Leather Gloves, Hard Hat, Fire Shelter, Shovel, Radio, Leather Vibram Boots

CONSTRUCTION PROGRAM

WSDOT Employees Consideration

Leave the fire suppression efforts to the professionals with the training, experience, and have the proper equipment.

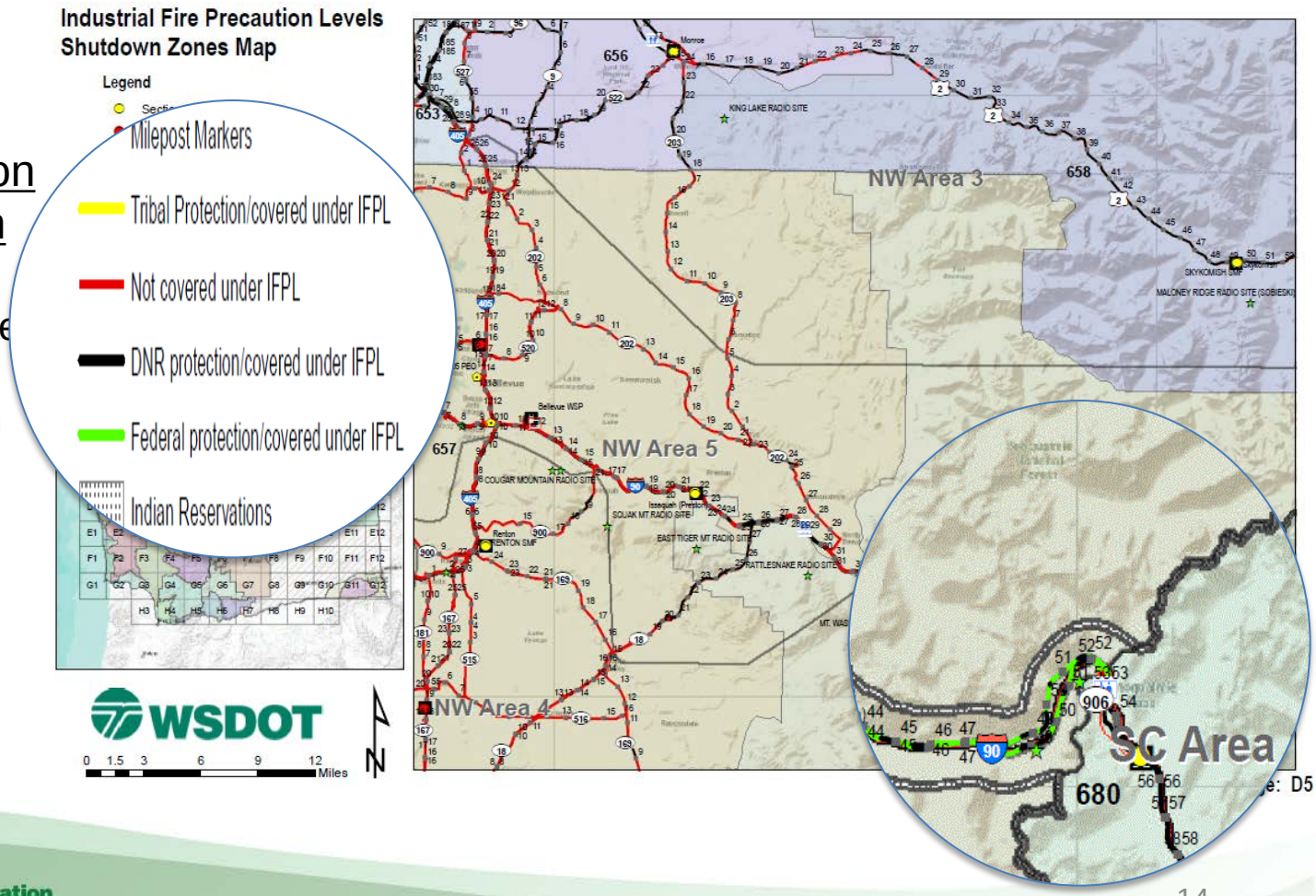
NOT WSDOT Inspectors!

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

What are the requirements for WSDOT Project Engineer?

Understand the project Forest fire protection jurisdiction and IFPL Shutdown zone (by using IFP Levels Shutdown Zone Map posted on the Construction Program Web page).



CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

What are the requirements for WSDOT Project Engineer?

- On a large multi-year projects, establish a working relationship with the local agency (DNR, USFS, Tribe, Local fire district) responsible for the fire protection.
- Discuss Forest fire protection during Preconstruction meeting and monthly/weekly safety meetings with the contractor.
- Monitor IFPL level daily during Closed season.
- Suspend certain elements of the work as a site specific precaution measures as necessary to prevent a fire start.

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

What are the requirements for WSDOT inspectors and in their vehicles?

- WAC 332-24-405(3) Passenger vehicle used for industrial or commercial operations
  (a) Fire extinguisher of at least a 5 B C rating
  (b) An approved exhaust system

- Additional requirements
  - Communication system to report a fire (cell phone, radios, C.B.Radio)
  - Shovel in every inspector trucks/SUVs

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

When a fire starts as the result of contract work.

- We need to do what is reasonable as a state employee and acting as owner of a contract. We can suspend work or direct precautions when appropriate. However we are not properly trained and do not have the appropriate Personal Protective Equipment to personally fight forest fires.

- Use your judgment to determine if it is appropriate to use a fire extinguisher or available equipment to put out the initial fire starts.

- If you believe the fire presents a personal threat, move away from the fire to a safe distance, call 911 to report the fire and provide information/status as necessary to the dispatcher.

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

When a fire starts as the result of contract work.

- It may be appropriate to provide necessary traffic control for arriving firefighters, equipment, and for the safety of the traveling public. This may be either state forces or by directing the contractor.

- Direct the contractor to make their equipment available when needed for the fire suppression efforts.

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

When a fire starts as the result of contract work

Regardless of the size of a fire started from a contract work, Project Engineers are <u>strongly encouraged</u> as the result of the Taylor Bridge incident, a stand down period followed by a meeting with the Contractor to heighten the awareness and require the necessary precautions measures.
(Invite DNR/USFS/Tribe fire staff as necessary)

Industrial Fire Precaution Level

Closed Season April 15th to October 15th

(depending on prevailing conditions)

WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Commissioner of Public Lands

July 10, 2015

GUIDANCE FOR ISSUING INDUSTRIAL FIRE PRECAUTION LEVEL (IFPL) WAIVERS

What:

- Waivers may be issued for fire-safe activities in low-hazard areas, pursuant to WAC 332-24-301(3)(c).
- Waivers may be submitted for several sites. Regions can approve or deny all or some portion of operator's activities, on all or a portion of the sites requested.
- General waivers may be issued to allow common low-hazard activities in each Region in order to reduce the number of site-specific waiver requests.
- Waivers should be viewed as exceptions not a right of the requester.

By Whom:
Waivers may be issued by DNR Region staff with the awareness and oversight of the Region Manager. Waiver workload should not be prioritized higher than other fire operational duties.

To Whom:
Waivers may be issued by Regions to all requestors - agencies, private operators, and contractors (including those contracted with another agency).

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Waiver may be issued from Department of Natural Resources Region Staff for the following:

IFPL 1 **Equipment requirements in place**
Specific waivers may be issued to:
*modify equipment requirements
*modify fire watch requirements

IFPL 2 **Partial hootowl - identified activities must shutdown from 1pm - 8pm**
Site-specific waivers of timing restrictions may be issued to:
*modify equipment requirements
* modify fire watch requirements
* modify timing restrictions, with mitigations, when such mitigation meets or exceeds the protection required in WAC 332-24-301

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Waiver may be issued for the following:

IFPL 3 **Partial shutdown – all activities must shutdown from 1pm -8pm, identified activities must shutdown completely**
Site-specific waivers of timing restrictions and shutdowns may be issued to:

* modify equipment requirements
* modify fire watch requirements
* modify timing restrictions and full shut downs, with mitigation, when such mitigation meets or exceeds the protection required in WAC 332-24-301

IFPL 4 **General shutdown**
Site-specific waivers of the general shutdown may be issued to:

* allow operators to remove equipment from forested areas; or
* allow operators to carry out activities specifically to prevent fires caused by trees contacting power lines

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Waivers <u>not</u> required:

- Operations entirely contained on paved roadway surfaces do not need to seek an IFPL waiver to continue operations under any precaution level.
- Emergency operations may continue during all timing restrictions and shutdowns. Fire suppression equipment meeting the requirements in WAC 332-24-405 should be on site during emergency operations as soon as the situation allows.
- **Remember, Contractor should do everything they can to work within the IFPL rules. Waiver requests should be on a rare occasion.**

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Requests for Waiver – Contractor's Responsibility

- The Contractor must provide compelling reasons and commit to sound mitigation measures to receive a DNR/USFS/others waiver to operate during a shutdown time.
- Remember, all waiver requests during IFPL 4 are reviewed at the highest level in DNR. i.e. Commissioner of Public Land
- In a rare situation where the cost or risk warrants, WSDOT may direct the contractor to obtain a waiver and WSDOT pays for the cost of the waiver and mitigation measures. It should be noted that this decision comes with the added risk that the mitigation efforts may not be adequate resulting in the owner potentially having exposure.

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Requests for Waiver – Contractor's Responsibility

- Should the contractor choose to pursue a waiver so they can keep working, we will cooperate with the contractor's effort and inspect the work under the new terms of the approved waiver.
- During the fire season it may be difficult to get a waiver reviewed. Plan ahead when possible.

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Request for Waiver

WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Commissioner of Public Lan

SECTION 1 - REQUEST FOR WAIVER

Shutdown Zone: 680

Geographic location of work (a map and directions to the site are required to process a request): **I-90 MP 84.03 – 86.99 EB/WB (Project Location)**

Location of Work – Legal Township/Section/Range: **T 20 N R13 E Sec. 12 (Plant Location)**

Lat/Long:

FPA # (if applicable)

Describe surface fuels in work area: Surface is a crushed gravel surface.

How steep is work site? Level **% slope** **Aspect:** N E S W flat (circle one) Flat

Person requesting this Waiver: MidMountain Contractors **Date:** 8/26/2015

Phone number: 509-577-1842 **E-mail:** hookerb@wsdot.wa.gov

Contract Name/#: Oakes Ave I/C To Peoh Rd. Bridge Vic WB – Replace/Rehab Concrete/8740

Describe what type of work you would like to do, including timeframe. Be detailed and include all information about work items that have potential to start fires (such as chainsaw operation, grinding, welding, motorized equipment/tools, excavating, brushing, driving off road, etc.)

Okanogan-Wenatchee National Forest Industrial Fire Precaution Level Waiver

SECTION 1 - REQUEST FOR WAIVER
For Contracted Work: This section to be completed by Contractor, Purchaser, or Representative.
For Force Account Work: This section to be completed by USFS project leader.

IFPL: 680 **Geographic location of work:** LW Alignment

Location of Work - Legal: T22 R11 S23,26,35

and Lat/Long: N47 20'27.85"W121 21'37.98"

Describe surface fuels in work area: Asphalt Pavement, Dirt, and Rock

How steep is work site? 0-10 % slope **Aspect:** N E S W flat (circle one) **All**

Person requesting this Waiver: Phil Larson **Date:** 8-20-15

Phone number: 425-508-6718 **E-mail:** phil.larson@atkn.com

Contract Name/#:

1.1 Describe what type of work you would like to do, including timeframe. Be detailed and include all information about work items that have potential to start fires (such as chainsaw operation, grinding, welding, motorized equipment/tools, excavating, brushing, driving off road, etc.)

1. Excavate dirt and asphalt along the old I-90 alignment using an excavator, bulldozer, and haul trucks.
2. Embank dirt to build new roadway alignment using a bulldozer, roller, water truck, and haul trucks.

1.2 Describe what measures you will put in place to prevent fire starts or to immediately suppress and communicate any fires. (Examples could include: Fire tools, extinguishers, fire watch, fire engine, working on bare soils, fire fighters on stand-by, limited times of operation, dozer on stand by, communication equipment, bladder bags, etc.)

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Waiver Requests - **List of <u>potential fire mitigation measures</u>;** It is all about eliminating the potential for ignition of fine fuels such as dry grass/vegetation

- All work is done on an aggregate surface or on bare soil with <u>100</u> feet of buffer from any vegetation.

- Adjacent vegetation (describe type such as grass, bushes, trees, etc.) cleared out <u>50</u> feet from the edge of bare soil/aggregate work area is wetted down every <u>30</u> minutes using water truck.

- Additional water trucks (list capacity) are available on site as a precaution or identify a water source within the work area.

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Waiver Requests - **List of potential fire mitigation measures;** It is all about eliminating the potential for ignition of fine fuels such as dry grass/vegetation

- Identify how many workers are on site and available tools/fire extinguishers.
- Watering/wetting down the work area 30 minutes in advance of mobile work (guard rail, shoulder finishing, etc.).
- Watering non-paved haul road adjacent to forest lands using water truck every 30 minutes.
- Haul road will be patrolled each hour during operation and for an hour after operations have ceased for the day.

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Waiver Requests - **List of potential fire mitigation measures;** It is all about eliminating the potential for ignition of fine fuels such as dry grass/vegetation

- Additional water trucks (list capacity) are available on site as a precaution or identify a water source within the work area.
- Pumps and hoses are set up and ready for use.
- Onsite equipment with an experienced operator is available to assist with fire suppression efforts.

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

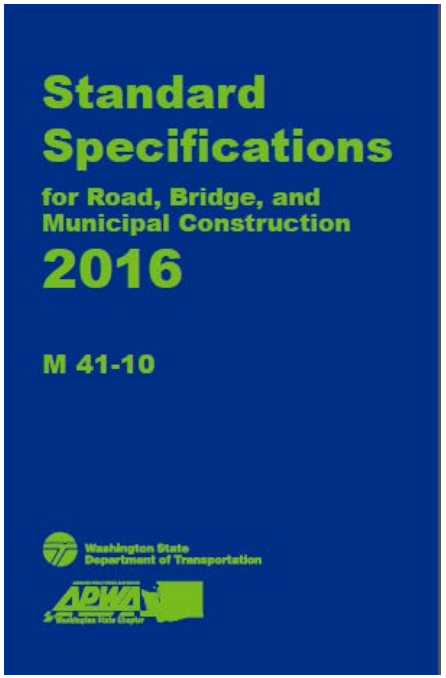
Working with an approved Waiver

The Contractor must have all the required tools <u>PLUS</u> the specific mitigation measures proposed in the application and additional requirements, if any, listed in the approved waiver.

CONSTRUCTION PROGRAM

Project Engineers & Inspectors Role

Loss of Contract Time due to IFPL shut down



- Per Standard Spec sections: 1-08.5 Time for Completion, 1-08.6 Suspension of Work or 1-08.8 Extensions of Time we declare unworkable, suspend time, grant added working days, etc. but no equitable adjustment.
    - We don't consider this eligible for equitable adjustment because it's a risk assigned to the contractor and not a complete unknown at the time of bid. It's like bad weather, declare it an unworkable day.

CONSTRUCTION PROGRAM

Industrial Fire Precaution Level Training

- Construction Contracts
- Contract Requirements
- Wildland Firefighter requirements
- WSDOT Inspector/Vehicle Fire tool requirements
- Project Engineer and Inspector Role
- Contractor’s Project Specific Waiver Requests

Questions?

For questions on Forest Fire Protection issues on Construction Contracts, contact:

Denys S. Tak
takd@wsdot.wa.gov
(360) 705-7833

ADMINISTRATION TEAM

March 25, 2016
9:00 am
WSDOT Fife Project Office
6610 16th Street E., Suite A
Fife, WA 98424

Attending:

✓	**Aleta Borschowa** WSDOT NWR		**Jeret Garcia** Valley Electric	✓	**Chad Simonson** WSDOT ER
	Jerry Brais King County	✓	**Quinn Golden** Granite Construction	✓	**Denys Tak** WSDOT Construction
✓	**Jay Byrd** 1 Alliance Geomatics		**Mike Hall** Tucci & Sons	✓	**Chris Tams** WSDOT SWR
✓	**Corey Christensen** KLB Construction		**Kyle McKeon** WSDOT Local Program	✓	**Greg Waugh** Max J. Kuney Const.
	John Cichosz Tappani Construction	✓	**Tina Nelson** Kitsap County/APWA		
✓	**Jon Deffenbacher** WSDOT OR	✓	**Mark Scoccolo** SCI Infrastructure		
✓	**Brandon Dully** Guy F. Atkinson		**Roy Siegle** FHWA		

OPEN MEETING

Reviewed the last month's meeting summary for posting.

1-08.9 Liquidated Damages

AGC Members from this team and the Roadway team has expressed a desire to review the existing WSDOT Liquidated Damages Formula. It was noted that the formula tends to penalize paving contractors unfairly as compared to other types of contract work.

The following sample of projects was shared at the meeting for the discussion;

Project	*C*	*T*	*LDs*
C-8473 I-5 MTB Stage 2	*$51,748,000*	*875*	*$8,871*
C-8572 RCB Replace Bridges	*$12,500,000*	*360*	*$5,208*
C-8632 SR 507 Yew Street Signal	*$516,000*	*35*	*$2,211*
C-8482 I-5 NE 179th to N.F. Lewis R. Br - Paver	*$3,800,000*	*45*	*$12,667*
C-8634 I-5 NE 39th St. Vic to NE 99th - Paving	*$1,964,964*	*40*	*$7,369*
C-8610 SR4 Elochoman River Replace Culvert	*$1,458,868*	*50*	*$4,377*
Average	*$11,997,972*	*234*	*$7,685.53*

Members discussed the challenges of the short construction season for paving contractors to complete the work as a Contractor as well as subcontractor. The formula is not partial to just paving work but any short duration contracts with high material costs tends to have higher LD per day.

The team decided not to act on the issue as the formula and its impacts are clearly understood prior to bidding the work.

In addition, the following information was shared by the Roadway team after the administration team meeting, comparing three WSDOT project Liquidated Damages to Alaska, California, and Utah DOTs.

Job Title	*Job Size*	*Duration*	*WSDOT*	*U-AK-Cal Avg*
I-5 Hill Ditch Bridge to Joe Leary Slough Paving	*$7,305,100*	*75*	*$14,610*	*$3,343*
Skookum Creek Br. to Deschutes - Paving	*$2,234,555*	*35*	*$9,577*	*$2,023*
Blooms Ditch - Remove Fish Barriers	*$1,394,000*	*46*	*$ 4,546*	*$1,857*
Average	***$3,644,551.67***	***52***	***$9,578***	***$2,408***

The example appears to demonstrate WSDOT's liquidated damage amounts are much higher as compared to the three State DOTs compared.

1-09.8 Payment for Material on Hand

WSDOT was approached by material suppliers to be consistent in when the MOH payment is made Statewide. The following questions were discussed at the meeting for the purpose of clarifying MOH payments;

Questions on Payment for Material On Hand

1. What items are eligible for payment for MOH? (A: All items identified in the specifications)
    a. Reinforcing steel that is tied but not yet installed? (A: yes, as long as they are delivered to the project site and meets the requirements of the contract)
    b. Installed reinforcing steel prior to concrete placement? (A: yes)
    c. Precast concrete elements noise walls, SEW, etc. (A: yes, as long as they meet the requirements of the contract)
    d. Bearings, luminaires, other fabricated items? (A: yes, must meet the contract requirements)
2. Should WSDOT pay for labor portions of materials e.g. fabrication labor (A: yes)
3. When will items be eligible for payment? (A: delivered to or stockpiled near the project or other approved storage sites per the contract)
    a. What level of material documentation is needed? (A: per the contract requirements)
    b. Are concrete 28-day compressive strengths needed? (yes, as part of the contract requirements)
    c. Is any material testing needed? (must meet the contract requirements)

Schedule and location of future meetings:
Planned meeting dates for 2016 – April 22, May 20, and June 17
Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

May 20, 2016
9:00 am
WSDOT Fife Project Office
6610 16th Street E., Suite A
Fife, WA 98424

Attending:

	Aleta Borschowa WSDOT NWR	✓	**Jeret Garcia** Valley Electric	✓	**Chad Simonson** WSDOT ER
	Jerry Brais King County		**Quinn Golden** Granite Construction	✓	**Denys Tak** WSDOT Construction
✓	**Jay Byrd** 1 Alliance Geomatics	✓	**Mike Hall** Tucci & Sons		**Chris Tams** WSDOT SWR
✓	**Corey Christensen** KLB Construction	✓	**Kyle McKeon** WSDOT Local Program	✓	**Greg Waugh** Max J. Kuney Const.
✓	**John Cichosz** Tappani Construction	✓	**Tina Nelson** Kitsap County/APWA	✓	**David Renicker** Guy F. Atkinson
✓	**Jon Deffenbacher** WSDOT OR	✓	**Mark Scoccolo** SCI Infrastructure		
	Brandon Dully Guy F. Atkinson		**Roy Siegle** FHWA		

OPEN MEETING

Reviewed the last month's meeting summary for posting.

1-08.9 Liquidated Damages

Follow up discussions on this issue continued and the following were discussed;

- Consider looking at drafting a table much like other States where the LD amount is based on the value of the Contract only.
- Changes in the contract must evaluate the impacts to the critical path work and be sure to include or evaluate the need for the associated working days.
- Force Account work that is estimated can become a critical path work (bridge deck repair) and it is difficult to evaluate the impact it has on the contract time; Especially when the work is limited to a fixed amount of resources that can perform the work.
- Some local agencies never assess LD. Some questioned the value of having contract time, if this is the case.
- WSDOT does not consider LD as a penalty but it is there to recover administrative costs not anticipated and impacts to the traveling public/societal costs.
- Overall WSDOT assesses very few LD every year as compared to over 150 contracts let per year.

Greg, Jon, Corey, and Aleta will take another look at WSDOT LD formula and compare others.

Value Engineering Change Proposal (VECP)

Members would like to see some additional language in the Construction Manual to clarify some of the items discussed.

- WSDOT should consider all VECPs get routed to a central office in Olympia. This is to increase the database/institutional knowledge in both approved and unapproved VECPs. This would expedite the concept approval and reduce any redundant efforts by contractors.
- Allow for suspension of time or delay the first working day to provide additional time for contractors to work on VECP concept details. It was noted the Standard Specifications allow the Engineer to change the first working day with prior approval. The engineer must consider a VECPs impact on the critical path schedule and other unanticipated costs that could increase the overall project costs as the result of VECP approval and execution.
- Clarify the risk and costs of VECP between Concept and Final approval when the VECP no longer offers the anticipated savings or it has been significantly reduced. This is especially true as the additional design details are complete and changes required by WSDOT have substantially increased the cost of the VECP.
- What bid items can be deleted as part of the VECP? Shaft Obstruction, Erosion Control, Steel Escalation. What bid items are off limit?
- Should there be some type of allowance on the contractor's side for assuming design risks. Certain risks could be addressed for work related to items such as structures, retaining walls. If the VECP consists of substructure work, does the contractor/engineer have to be responsible (EOR) for the entire structure and all calcs/new plan sheets, etc.? (example could be checking out the deck; barrier; expansion joints, etc..). There could be direction/guidelines as to what is the intent of the VECP relative to the potential position of WSDOT to transfer ***ALL*** risks for a certain scope of work.

Prompt Release of Subcontractor retainage

On federal aid contracts, WSDOT has been told that some contractors are not releasing subcontractor retainage when the subcontractor work is completed and requests the release of their retainage. This is especially true for subcontractors completing their portion of the work in the first year on a multiyear contract.
WSDOT relies on the contract performance bond in lieu of retainage on federal aid contracts. This is not the case for State fund only or local agency contracts w/o federal aid. The State law allows for 5% retainage (or retainage bond) and the contractor's retainage is released when notification is received from Revenue, Employment Security, and Labor & Industries agencies.

The team suggested the federal requirements be reflected in a GSP for federal aid contracts.

Schedule and location of future meetings:
Planned meeting dates for 2016 – April 22, May 20, and June 17
Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

September 30, 2016
9:00 am
WSDOT Fife Project Office
6610 16th Street E., Suite A
Fife, WA 98424

Attending:

	Aleta Borschowa WSDOT NWR	✓	**Jeret Garcia** Valley Electric	✓	**Chad Simonson** WSDOT ER
✓	**Jerry Brais** King County	✓	**Quinn Golden** Granite Construction	✓	**Denys Tak** WSDOT Construction
✓	**Jay Byrd** 1 Alliance Geomatics	✓	**Mike Hall** Tucci & Sons	✓	**Chris Tams** WSDOT SWR
✓	**Corey Christensen** KLB Construction	✓	**Kyle McKeon** WSDOT Local Program	✓	**Greg Waugh** Max J. Kuney Const.
✓	**John Cichosz** Tappani Construction	✓	**Tina Nelson** Kitsap County/APWA	✓	**Bob Adams** Guy F. Atkinson
✓	**Jon Deffenbacher** WSDOT OR	✓	**Mark Scoccolo** SCI Infrastructure	✓	**Dave Erickson** WSDOT Construction
✓	**Brandon Dully** Guy F. Atkinson		**Roy Siegle** FHWA		

OPEN MEETING

Reviewed the last meeting summary for posting.
Dave Erickson provided State Construction office personnel update

Force Account travel allowance & subsistence

Construction Manual clarification is being worked on regarding when and what information is used to accept travel allowance and subsistence.

- Chamber Way emergency bridge repair work used the federal government GSA per diem rates due to the nature of the job and the contractor having to bring the entire crew from Seattle. This was agreed with WSDOT at the beginning of the job. It was noted that the payment should be based on the actual costs.
- Typically, when contractor employees have to travel more than 1.5 hours or mileage (60 – 80 miles) to get to the job site, the travel status applies.
- When the duration of a job is less than a month or two, some companies expect employees to use the daily per diem rates. If the job lasts longer, employees will utilize the monthly rates.
- Companies reimburse the actual costs and the travel reimbursement rates vary with the position status within a company.
- Workers coming out of a union hall are already covered as part of the zone pay. This issue only applies to contractor employees who are on travel status.

- When necessary, WSDOT can direct to keep the crew at the job site and pay for the per diem in order to increase the daily production.
- The travel status needs to be discussed upfront and agreed upon to avoid any problems.

Minority/Small/Veterans/Women Business Enterprises

Dave and Bob mentioned WSDOT is looking at the possibility of moving towards mandatory participation on state funded only projects.

- WSDOT is looking at all purchases, procurement, and contracts to have this applied.
- Some contractors already have a strong helmet to hard hat program to provide opportunities to veterans. This is not necessarily recognized in the proposed Veteran owned business participation
- Dave indicated that this is in an early draft form and OEO is working with many stakeholders to determine how to proceed with this program.
- The reporting is required in WSDOT contracts for M/S/V/W subcontractor participation. The reporting has been inconsistent and not necessarily complete in many contracts.
- It was noted that many local agency projects do not have a good reporting mechanism and often the participation does not get reported. Also county/city funded projects do not report any participation at this time.
- Dave mentioned the new program the OEO is working towards appears to have the capability to report all State and Federal funded participation by small businesses.
- Dave did not have any sort of time line for the new reporting program. This information will be shared by OEO staff at a future meeting with the team.
- The team suggested to have opportunities to discuss the new reporting program and the implementation process in a work group setting, such as this, well in advance of when it's rolled out.

Partnering Training

WSDOT is looking at opportunities to implement Partnering & Conflict Resolution training sessions in connection with Connecting Washington projects. Some of the mega projects have this requirement built in to those contracts.

- Contract specific partnering session was noted as an effective use of partnering in projects greater than certain dollar threshold.
- Workshop sessions for WSDOT, AGC, contractors, and local agencies may increase the global awareness of partnership program.
- Some members still use the materials provided at statewide partnering training sessions provided by Ron Howard/Bill Ott in the 1990s.
- Chuck Cohen was mentioned as one of the most effective partnership trainers.
- Getting the key decision makers or leaders participating in the training sessions was seen as critical part of this effort.

- Norm Anderson saw the partnership as a way to reduce the number of claims arising out of WSDOT contracts in late 1980s.
- Partnering can be as simple as improved communications and allowing decisions to be made at the lowest level.
- Recommended this not be a mandatory or formal session but rather an option for a contractor and WSDOT to choose when it's appropriate and when they agree on projects.
- Utilize WSDOT Design/Construction conferences to provide this training to WSDOT staff.
- Having the job site leaders involved in the project specific partnering sessions was seen as more effective than bringing in an outsider to facilitate the training.

Apprenticeship Program Update
Dave shared the administrative process update being considered when the contract apprenticeship requirement is not achieved. The three step process that can impact a contractor's prequalification status is being reviewed. This is being done for consistency, fair enforcement, and transparency. A draft copy will be shared at the next meeting.

Prompt Release of Subcontractors Retainage
Contract specification and FHWA has made it very clear on federal aid projects, contractors cannot hold retainage when the subcontractor's work is satisfactorily completed and a request has been made for the retainage release. The retainage must be released promptly. Holding a subcontractor's retainage until the end of the federal aid contract release is not acceptable.

Lump Sum Traffic Control
The Roadway team has a committee that will look into developing some type of guidelines for when to use LS Traffic control. More information to follow.
As discussed in previous conversations, the majority of LS traffic control in multi-season and complex projects comes from local agencies. Denys will bring back the products produced by the roadway team subcommittee.

Schedule and location of future meetings:
Planned meeting dates for 2016 – December 9
Meeting location: WSDOT Fife Project Office Conference room

ADMINISTRATION TEAM

November 18, 2016
9:00 am
WSDOT Fife Project Office
6610 16th Street E., Suite A
Fife, WA 98424

OPEN MEETING

Reviewed the last meeting summary for posting.
Dave Erickson provided State Construction office personnel update

OEO Diversity Road Map (State Funded projects) - Jackie Bayne

- Jackie shared the status of B2G participation reporting tool for DBE/MSVWBE subcontractors work. B2G will replace the current DBEP online reporting system. Contract was recently signed and OEO has reviewed its use at City of Seattle. Members reiterated to have the group input prior to finalizing the implementation of this tool.
- The group shared a gap in reporting of DBE and MSVWBE participation on many of local agency projects w/o any federal funds is not being captured historically. This participation should be captured to provide a comprehensive reporting of DBE and MSVWBE participation statewide.
- OEO is working with AGC and National Minority contractors to figure out the Mentor/Protégé program proposed by AGC in lieu of mandatory MSVWBE contract requirement. Jackie said they are in the process of rescheduling the first work group meeting to discuss the details of the program.
- This program is meant for business to business set up and will not be part of any federal aid projects.
- It was noted FHWA should be kept in the loop during the development of this program to avoid any potential conflicts this may have with existing federal programs.
- Federal 8A mentor/protégé program was mentioned as a potentially a good program to model this state program.
- Commercially Useful Function (CUF) for this state program is not currently defined and if defined it should allow more flexibility to allow sharing of the resources and others common industry practices. AGC should define what the CUF should look like in order to allow maximum flexibility.
- The program should also look at the impacts large projects being administered by Sound Transit, will have on the applicable subcontractors' pool.

- More networking and events to connect new and startup small subcontractors with prime contractor was suggested. Especially veteran owned businesses as these businesses are relatively unknown and have limited participation as subcontractors on heavy civil contracts.

1-04.3 Reference Information

Reference information made available on the AD & Award web page is not part of the contract and the information is seen as to add value to contractors during the advertisement period. Sometimes the same information attached and part of the contract may be placed in the folder.

- Reference information started out with the intent of providing electronic design files and survey and/or digital terrain model information as the result of more contractors requesting this information during the advertisement period.
- Some of the documents that may be found in the contract as well as the reference information includes subsurface investigative report and bore logs. Typically, the geotechnical summary and associated bore logs are included as the subsurface documents in the contract.
- It was noted the increased information in the reference folder may be the result of some of WSDOT designers thinking the information may be valuable to contractors. It was also mentioned region construction staff should screen the documents placed.
- AutoCad topo 3D files are very useful reference information to contractors. It is used for quantity takeoff and crane layout reviews. Electronic cross section files were also mentioned as a useful reference information.
- There may be a need for a guidance document for what type of information should be made available as reference information. Plans Preparation manual may be a better place for this guidance document.
- More guidance is needed on the sharing of documents and files after contract execution, as there are many variation on opinions and practices among WSDOT regions.
- When necessary, WSDOT can direct to keep the crew at the job site and pay for the per diem in order to increase the daily production.
- The travel status needs to be discussed upfront and agreed upon to avoid any problems.

Partnering/Conflict Resolution Training

This is a status update to last month's discussion on this subject

- Marco Foster contacted Chuck Cohen and Chuck is only interested in providing project specific partnering training sessions. He did direct Marco to Utah DOT Partnering training sessions provided by a consultant.
- One-day training session lasting approximately 6 hours was recommended as compared to two-day session.
- Target audience should include job site superintendents and higher on the contractors' side and WSDOT should consider Engineer 3 and higher positions. Based on the availability there may be more people participate to maximize the training opportunity.
- The team would like an opportunity to review the consultant provided training material to better understand the context and applicability to staff.

- Utilize already scheduled events such as AGC annual meeting, WSDOT Design/Construction conferences and others to provide this training.
- Applicability to local agencies staff was discussed but it was recommended this type of training for local agency staff may be better suited shared by APWA instead.

Contract liquidated damage subcommittee report

This topic was deferred due to Aleta's absence.

Lump Sum Traffic Control – Roadway team work
The roadway team identified essentially the same issues this team has discussed many times when a project is not appropriate to use lump sum traffic control bid item. These includes complex projects, multi season projects, multiple stage work and contracts with large amount of Force Account work.

- Roadway team will look further into how FA work impacts on lump sum traffic control.
- WSDOT will look into providing written guidance in the Plans Preparation Manual for when considering Lump Sum traffic control bid item.

Discussed a way to avoid efforts being spent on tracking other temporary traffic control labor hours and disagreements that occurs many times during a contract. One idea was to create a temporary traffic control per day bid item to include all necessary labor, equipment, and material. Paying for the full shift under the current method was also brought up as an option as compared to not paying for hours between set-up and take-down.
Denys will look for history on how the current specification was developed and report back.

VECP
Deferred to future meeting.

Schedule and location of future meetings:
Planned meeting dates for 2016 December 16, 2017 January 13, February 17, March 17, April 14, May 12, and June 9.
Meeting location: WSDOT Fife Project Office Conference room

AGC Associated General Contractors of Washington / WSDOT

ADMINISTRATION TEAM
November 18, 2016 Sign In Sheet

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