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## Meeting Minutes

### SCDOT/ACEC/AGC Design-Build Sub-Committee Meeting

1-15-20 @ 9:00 am

#### I. Welcome/Introductions

- Attendees
  - Chris Gaskins (SCDOT)
  - Ben McKinney (SCDOT)
  - John Caver (SCDOT)
  - Chris Lacey (SCDOT)
  - Daniel Burton (SCDOT)
  - Barbara Wessinger (SCDOT)
  - Ladd Gibson (SCDOT)
  - Kevin Harrington (SCDOT)
  - Tad Kitowicz (FHWA)
  - Dave Rankin (AGC)
  - Rob Loar (AGC)
  - Pete Weber (AGC)
  - Lee Bradley (AGC)
  - Elham Farzam (ACEC)
  - Paul Raad (ACEC)
  - Jim O'Conner (ACEC)
  - Erin Slayton (ACEC)

#### II. Personnel Changes/Subcommittee Member Changes

- ACEC members for 2020 are as follows
  - Elham Farzam - ICE
  - Paul Raad - CECS
  - Jim O'Conner- JMT
  - Erin Slayton - HDR
- AGC members for 2020 are as follows
  - Dave Rankin - Lane
  - Lee Bradley - Blythe
  - Rob Loar - Sloan
  - Pete Weber - Dane

#### III. Project Updates

- US 1 over I-20 on schedule
- I-85 over Rocky Creek on schedule
- Closed and Load Restricted Bridge Package 2020-1 – one phase procurement

underway

- US 15 over Indian Field Swamp – 2 month procurement for expedited schedule underway.
- New I-77 Interchange in York County - Expedited timeline with RFQ in Q1/Q2 2020.
- Carolina Crossroads PH 1&2: RFQ released in 2020. PH1 April, PH2 July.
- Closed and Load Restricted Bridges 2021-1: Next up is district 4 with 6 to 10 bridges. RFQ in October 2020 to align with funding commitments.
- Carolina Crossroads PH 3 – RFQ in 2022
- Low Country Corridor West –RFQ in 2022 or Beyond
- Mark Clark Expressway – RFQ in 2022 or Beyond
- I-26 over US 1 and SCLRR– Currently on hold
- I-26 over SC 302 – Currently on hold
- I-20 over Wateree – Currently on hold
- I-85 MM 40 - 69 – RFQ in 2026 or Beyond
- US 278 over MacKay Creek – Evaluating project delivery method
- I-95 Widening MM 0-18 – Evaluating project delivery method
- I-26 Widening MM 125-136 – Evaluating project delivery method
- I-26/I-95 Interchange Improvements – Evaluating project delivery method
- Low Country Corridor East – TBD

IV. Action Items from 11-20-19

- ROW Acquisition Language – OPEN
  - SCDOT is revising all ROW acquisition language in the agreement, and plans to incorporate the ACEC/AGC comments into the revised document.
- SCDOT revised ROW Section of Agreement – OPEN
  - SCDOT will submit for review through the subcommittee after comment revisions are complete.
- Redacted Proposal Language – CLOSED
  - ACEC/AGC expressed minimal concern with confidential information being included in unapproved ATCs. Unapproved ATCs would be distributed in a FOIA request without the option for redacting due to the timing of the requirement outlined in the RFP.
- ACEC/AGC to give comments on Single Final ATC - CLOSED
  - AGC provided overwhelming positive feedback. SCDOT proposes a 5 day turnaround.
  - ACEC wants to present the ATC one-on-one with a Q/A session.
  - SCDOT to examine possibility of incorporating into existing procurement.
- SCDOT Position Statement on Commitments in Tech Proposals – CLOSED
  - SCDOT reviewed the March meeting minutes relative to several recent project concerns and suggests that contractual clarifications may be needed.
  - Due to the complexity of this issue it has been included as a new agenda item

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V. Position Statement on Commitments in Technical Proposals

- SCDOT encourages Proposers to optimize their design while meeting the following:
  - All requirements of the RFP.
  - All commitments in the technical proposal.
  - All aspects of the project that SCDOT valued and awarded quality credits.
  - If the proposer violates any of these requirements they should submit a request for contract change request and if approved provide a credit to SCDOT.
- Here is a real world example –
  - RFP requires a minimum of 1,000 feet for a deceleration lane.
  - Proposer provides 2,000 feet deceleration lane in their technical proposal
  - This implies a commitment to SCDOT that the team will use 2000 feet.
  - SCDOT may give quality credit on the additional deceleration length provided in the technical proposal.
  - After award, the successful proposer requests to minimize the deceleration length to 1,000 after further evaluating the calculations
  - If approved by contract change request, SCDOT expects that this type of situation would result in a credit to the project.
- SCDOT to consider a final confidential meeting that allows teams to discuss their commitments in a one-on-one environment before submitting technical proposal.
- Communications could also be used during proposal review to better understand commitments, but at which time, changes to the technical proposal are not allowed.
- Based on discussions during the meeting, it was decided that it would benefit SCDOT and the industry to clarify Design Optimization vs Cost Sharing/Credits in the technical proposal.
- AGC/ACEC to draft new language

VI. Multiple Project PM Responsibility and Personnel Changes

- ACEC and AGC have expressed concern with the PM/CM/Superintendent/Lead Designer being sole dedicated to a specific project.
- There was discussion about Project Size and complexity determining the need for a Key Individual being solely dedicated. ACEC/AGC provided the examples below:
  - These are the types of projects that key individuals would be solely dedicated:
    - Lead Designer – 100 Million or more on major bridge/interchange improvement/ interstate widening
    - PM/CM/CS – 60 Million or more on major bridge/ interchange improvement/ interstate widening
    - In no case should the PM/CM/CS be solely dedicated on a Design-Build project less than 25 Million.
- AGC/ACEC suggested using the word “Involved” rather than the word dedicated.
- AGC suggested SCDOT consider allowing PMs to work on multiple regional/adjacent

projects and be dedicated to those projects.

- SCDOT recognizes the concerns that the industry is facing with the amount of major highway transportation projects that are currently underway.
- SCDOT recognizes that the number of experienced key individuals is limited.
- SCDOT to revisit the need required in past RFQs and provide position statement at the next meeting.

VII. Relying on Geotechnical and Survey Data

- SCDOT informed the committee that, for the most part unless circumstances prevent it, on future Design-Build projects Geotechnical and Survey Data will be provided in attachment B such that the teams can rely upon this data.
- AGC noted that leveling quantities major items of risk.
- Need more accurate survey data when cross slope spec is used and major buildup is required.
- ACEC/AGC provided feedback:
  - More accurate survey data when cross slope spec is used and major buildup is required
  - Need more geotechnical data in cut slopes
  - More coring data in pavements
  - TXDOT typically provides the most geotechnical data of any state.
  - SCDOT should poll the shortlisted teams to see where data needs to be obtained and then SCDOT should gather the additional data during procurement.
  - SCDOT to determine whether any SUE work will be placed in attachment B so that it can be relied on.

VIII. Latent defects in the SCDOT facility

- Existing subsurface site conditions is a risk item to the contractor.
- Should SCDOT considering drilling more in existing shoulders?
- AGC/ACEC pointed out that the approach SCDOT took on the hazmat on the port access road project may be a good example of ways to mitigate risk associated with latent defects.
- NCDOT prescribes an undercutting approach to mitigate poor existing shoulders.
- VDOT uses scope validation, 90 day negotiation process.

IX. Utility Discussion Coming May 2020

X. ACEC will be coordinating with the utility subcommittee to compile an agenda for the May design-build subcommittee meeting that has a common utility theme.

XI. Open Discussion

XII. Action Items.

- SCDOT to incorporate check writing comments into the ROW Acquisition Language.
- SCDOT to revise the entire ROW section in the agreement

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- AGC/ACEC to provide draft language to clarify and define design optimization vs cost sharing for possible inclusion in Technical Proposals
  - SCDOT to provide position statement on Multiple Project PM Responsibility and Personnel Changes
  - SCDOT to determine whether any SUE work will be placed in attachment B so that it can be relied on.
  - ACEC/AGC to provide examples of other State DOT differing site conditions statements
  - ACEC to coordinate with SCDOT on the Utility Discussion coming May 2020

XIII. Next Meeting Date March 18, 2020, 9:00 AM (AGC Lead)

XIV. Adjourn