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Agenda  
SCDOT/ACEC/AGC Design-Build Sub-Committee Meeting  
01-20-21 @ 9:00 am

I. Welcome/Introductions

- Chris Gaskins
- Clay Richter
- Brooks Bickley
- Austin Purgason
- Ben McKinney
- Brad Reynolds
- Jae Mattox
- Chris Lacy
- John Caver
- Maria Ott
- Barbara Wessinger
- Carmen Wright
- Patrick McKenzie
- Will McGoldrick
- Lee Bradley
- Dave Rankin
- Pete Weber
- Rob Loar
- Elham Farzam
- Jim O'Connor
- Paul Raad
- Erin Slayton

II. Project Updates

SCDOT

- I-77 Panther Interchange in York County – In award phase
- Carolina Crossroads Phase 1 – In procurement
- Carolina Crossroads Phase 2 – In procurement
- SC 4 over South Fork Edisto River – Emergency bridge replacement project, procurement in February.
- Closed and Load Restricted Bridges 2021-1 –District 4 with 9 bridges. In project development. RFQ in 1<sup>st</sup> Quarter of 2021.
- Cross Island Parkway Toll Conversion – Toll plaza removal, pavement strengthening, limited bridge rehab. Awaiting formal concurrence on delivery method and initiating project development in house. RFQ 2<sup>nd</sup> quarter of 2021.
  - In House Prep work is anticipated

- Estimating \$15-\$20 Million
- Fixed price and/or variable scope are on the table
- I-20 over Wateree, River and Overflow Bridges – Initiating on-call task order to evaluate rehab versus replacement. RFQ in early 2022.
- Carolina Crossroads Phase 3 – RFQ in 2022
- Mark Clark Expressway – Continuing development of Supplemental EIS. RFQ in 2023
- I-26/I-95 Interchange Improvements – Awaiting PE funding, possibly in place late spring/early summer 2021
- Low Country Corridor West and I-26/I-526 Interchange – ROD is expected in 2022 and RFQ could move to 2027.
  - Phases are being evaluated for procurement type
- Low Country Corridor East – Currently in project development and NEPA. Procurement timeframe TBD.

III. Action Items from 11-18-20

- A. SCDOT to incorporate check writing comments into the ROW Acquisition Language (CLOSED).
  - Comments have been incorporated.
- B. SCDOT to revise the entire ROW section in the agreement. (CLOSED)
  - Changes will be forthcoming once the agreement is revised for CCR Phase 3
- C. SCDOT to continue to review comments on Design Optimization language in RFP. (OPEN)
  - Potential for changes is being discussed.
- D. SCDOT to internally discuss DBE findings and report back to Subcommittee a position. (OPEN)
  - Still working on discussions with DBE Office
- E. Revise Preliminary ATC Form (CLOSED)
  - SCDOT will incorporate changes prior to next meeting.
- F. Revise Procurement Time from ATC to cost proposal (CLOSED)
  - Five weeks is typical timeframe between the ATC final determinations and technical proposal.
  - SCDOT does not want to extend the overall procurement time. However, flexibility during holidays is still on the table.
  - DB Team productivity is lower during December.
  - SCDOT can commit to evaluating the procurement schedule on a project-specific basis to best understand the potential impacts of the holiday weeks on the procurements and then adjusting the procurement schedule, if necessary, to avoid heavy resource utilization during major holiday weeks.
- G. Insurance and Bonding distribution to group (OPEN)
  - Information has been rolled out to AGC and ACEC
  - Comments will be discussed at the next meeting
  - Language shows a flat \$10,000,000 Liability Insurance, ACEC requests to have this number be flexible. Smaller firms struggle with this number.

- Language shows eight years for insurance coverage, ACEC believes that five would be adequate.
- ACEC will summarize these two comments and send an email to Legal. Other comments from AGC and ACEC will follow.

IV. QA Testing Frequency

AGC

- There is a trend that CE&I Firms are testing at a higher frequency than anticipated, which is adding additional cost to SCDOT and the Contractor.
- AGC believes that the firms should be required to justify higher QA frequency than what is required.
- Ideally, this could be dealt with between the Contractor and RCE.
- SCDOT does not intend for unnecessary QA testing.
- SCDOT does not believe it is prudent to mandate QA testing frequency across the board, concern is that it would affect RCE's ability to manage specific projects.
- ACEC suggests for SCDOT to adopt CCR QC and Quality Acceptance language, which is clearly defined.
- Spec book and construction manual are in process of being edited, which may be the best place for future QA/QC definitions.
- Lack of QC may be causing QA problems.

V. Written Responses to Questions

AGC

- Written questions are not legally binding, as per the RFP language.
- When written responses do not lead to RFP changes, teams are still making design and financial decisions based on them.
- AGC requests for this to be changed so that responses given by SCDOT that do not require changes in the RFP are contractually binding.
- SCDOT does not believe this is necessary, but is open to receiving examples.
- Written responses are given as a result of SCDOT's belief that they provide clarity where verbal responses could not, and SCDOT makes a concerted effort to incorporate as many responses as it deems necessary into the RFP.
- If written responses are being used for decision-making by the teams, they may need to be included in the agreement.
- Implications of making this change could lead to unintended results.
- The next step for this request is to provide examples of written responses that left something open to interpretation, and examples of how other states approach this issue.

VI. Shop Drawing Approval Process

AGC

- Request for shop drawing reviews to be concurrent, rather than sequential.
- Some cases of shop drawings having four rounds of revisions, rather than one.
- Process should not have a CE&I round of revisions, this should happen concurrently.

- Everyone working for SCDOT should be reviewing concurrently.
- SCDOT aims to finish review in 2 weeks, and a week for each resubmittal.
- SCDOT believes that anything out of line with this timeline is an anomaly.
- ACEC believes that more guidance on shop drawing schedules would be useful on larger projects.
- SCDOT will discuss what timelines may need to be incorporated into a special provision.
- SCDOT will prepare proposed language, and bring to this committee to provide feedback.

VII. Future for Limited Negotiations SCDOT

- Over the last year, clarifications, communications and presentations have been revamped.
- Discussions and BAFOs have also been implemented.
- Limited Negotiations are a tool to negotiate incorporation of ATCs and providing clarity on scope prior to contract execution.
- As this process is expanded, more information will be provided.
- This may help clarify written responses and could benefit all parties.
- Best Value is the end goal, and Limited Negotiations are in line with that goal.
- AGC suggested that if an unsuccessful proposer has a significantly better design or approach that the Department should consider going to BAFO to receive competing pricing on the same scope from other proposers. This would eliminate non-competitive pricing of the concept.

VIII. Open Discussion

- SCDOT considering using ProjectWise and information exchange during Phase 2 of the procurement, i.e. RFP stage, rather than using SCDOT's design-build web page.
  - AGC and ACEC prefers using SCDOT web page for both Phase 1, RFQ, and Phase 2, RFP, but has no major objections to using ProjectWise for Phase 2.

IX. Action Items

- A. SCDOT to continue to review comments on Design Optimization language in RFP.
- B. SCDOT to internally discuss DBE findings and report back to Subcommittee a position
- C. AGC/ACEC to review Insurance and Bonding requirements and provide comments.
- D. AGC/ACEC to provide examples of written responses that left something open to interpretation, and examples of how other states approach this issue.
- E. SCDOT to prepare shop drawing language and discuss at next meeting.

X. Next Meeting Date March 17, 2021, 9:00 AM (ACEC Lead)

XI. Adjourn