

# Joint Committee Meeting

July 24, 2008

## Minutes

### ***Attendees:***

Lewis Ryan, Jr., United Contractors, Inc.  
Sally Paul, SPC, Inc.  
Randy Snow, U. S. Constructors, Inc.  
Ted Geddis, Sloan Eastern Bridge  
Ken Atkinson, Palmetto Paving Corp.  
Greg Cook, U. S. Group, Inc.  
David Fletcher, Rea Contracting LLC  
Ben Whetstone, C. R. Jackson, Inc.  
Danny Shealy, SCDOT  
Charles Matthews, SCDOT  
Todd Steagall, SCDOT  
Robert Pratt, SCDOT  
Milt Fletcher, SCDOT  
John Walsh, SCDOT  
Christy Hall, SCDOT, District 3  
Robert Ryggs, SCDOT District 3  
Tim Henderson, SCDOT, District 6  
David Law, FHWA  
Ed Eargle, SCDOT  
Bryan Jones, SCDOT  
Jim Porth, SCDOT  
Clem Watson, SCDOT  
Ray Vaughan, SCDOT  
J. P. Johns, McGill Associates  
Tony Chapman, SCDOT  
Doug McClure, SCDOT  
Lee Neighbors, SCDOT  
John McCarter, SCDOT  
Steve Ikerd, FHWA  
Ken Feaster, SCDOT  
Leslie Scherr, CSX  
Sherri Devereaux, SCDOT  
Darrell Munn, SCDOT

The meeting was called to order by David Fletcher with introductions of attendees.

## **Old Business**

### **Update - Future Projects**

Robert Pratt gave an update. The let list on the web site is only through September. One of the reasons is that Act 114 required prioritization of projects. DOT is still working on some of these projects and hopes to have more on the tentative list soon.

With the cost to widen a highway mile at \$5 Million there is not much available unless more federal money is available. We should have a better let list in two or three months.

Three bridge projects coming out are Highway 601 (Congaree) this fall, Highway 378 (Great Pee Dee) this fall, and Highway 378 (7 bridges) for later.

John Walsh reported DOT has the Ben Sawyer proposals, but do not have a time line yet. He added the House has passed a bill that sets the dollar amount. Steve Ikerd added that Federal Highway has released apportion levels to the State. But until Congress takes action and the President signs the bill, we do not know for sure what the amount will be.

Tony Chapman – From pre-construction, we are proceeding on what we expect to receive.

### **Update - Future of Clemson Conferences**

Danny Shealy report DOT is getting prices statewide for holding the conference and should know something by August. It will probably be a two day conference held on a Wednesday and Thursday like this year.

### **Update on Pipe Specification Classes**

A class was held July 17 with 100 attendees, 30 of which were contractors. The next class is July 30 and 100 are registered, 28 of which are contractors. If

another class is need, let Danny know so it can be scheduled. Sally Paul attended the July 17 class and reported it is very beneficial.

### **Potential New Contract Pay Items**

The Road and Bridge Subcommittees were to discuss at their meetings in June. One question – would another line item for bonds/insurance help? Some want to keep this confidential.

Danny Shealy noted the lump sum items are the concern.

Comments below:

Randy Snow – Contractors have different methods of showing costs.

Tony Chapman – Need to find a way to separate these costs. The Commission is looking at this and asking why it can so different between contractors and may look at it as an unbalance bid and reject. The question is to try to find bid items to show these costs and manage in the contract. We need a clear method to get a good estimate.

Unbalance can be defined as either materially or mathematically.

Randy Snow – If it is not materially unbalanced in the bid, why does the Commission have a problem as it goes to the low bidder?

Danny Shealy – If materially unbalance, it will be rejected. If mathematically unbalanced, then DOT has to justify every month. It then looks like DOT did not estimate correctly. DOT needs a way to explain when costs are lumped together.

All lump sum items are a problem as there are large differences from contractor to contractor.

Ed Eargle – If there was a percentage DOT can use as a fixed fee and will be a known factor for each project, could this work rather than another lump sum item?

Danny Shealy – The total amount of what a contractor bids to what we estimate is the problem.

Tony Chapman – DOT does not have the staff to analyze every bid. When DOT is off by 15 to 20%, our historical data is not good. We need to continue to work toward a solution.

**Action Item:** A task force group of contractors will be established and meet to discuss this issue and will bring back a suggestion to the Joint Committee meeting in September. Sammy Hendrix will determine committee members and set a date for this meeting.

Tony Chapman – DOT is being pushed into a corner by the Commission to explain these differences. A “time frame” is that we need to find a workable solution as soon as we can. There are items in the up front cost that need to be somewhere else in the bid.

### **Lane Closures for Future Lettings**

This was discussed at the May meeting. Danny Shealy reported an addendum was sent to the districts and we are getting information now. DOT will provide lane closures for various roads which will give work times, etc. Traffic Engineering is handling this.

Also, DOT is looking at larger projects and having a separate contract that may help find way to move traffic around the work site.

### **New Business**

#### **Contractor Performance Scores**

Danny Shealy received a request from a contractor to be able to review all contractor scores to be able to select a sub contractor. The agreement was to keep the scores confidential. What is the feeling of this committee?

Greg Cook suggests getting permission from the contractor for his score to be shared. Some prime contractors do sub work.

Danny – At some point DOT will also rate subs, but do not currently.

David Fletcher – As it is now, a contractor who does not meet the threshold as a prime could do work as a sub. The score regulates the ability to bid.

Sally Paul – If a sub has a good score, he should be glad to share with the prime so he can get work.

Ted Geddis – A decent bond is as good or better to a prime than a score. A problem can be the sub not performing work.

Randy Snow – It would help if the ratings could be grouped by the type of work so that when you see your rating you know where you stand with like contractors versus all being grouped together. Example - group by road, bridge, asphalt, etc.

**Decision:** Keep confidential until subs are rated, and then review again.

### **Update on Rideability Specifications**

Danny Shealy has received a letter from SCAPA with several contractor concerns.

- Averaging of left and right wheel patterns – looking at a revision on this.
- Resurfacing – a chart for percentage improvement rather than a definite number.

The Hot mix Quality Improvement Committee will review and should have revisions soon.

### **Highway Division Meeting**

David Fletcher reported a good meeting was held in June with four SCDOT speakers. He thanked them for coming and participating in the meeting.

### **Subcommittee Reports**

#### **Road**

Discussion items at this meeting included the contract pay items discussed earlier in the meeting, project closeouts, pipe spec classes, getting all districts to use the same indexes, approach slab, RR right of way, grassing issues and the possible upcoming research project for this.

Ed Eargle – on the pipe spec payouts – smooth or corrugated guidelines to follow for the September letting. RCP will be on plans but pay items will be smooth wall pipe and will address that you can choose. Shop plans are available to the Resident Engineer and can be printed if needed.

Danny added that on existing projects, smooth wall will be case by case.

## **Bridge**

Discussion items included:

- Rip Rap – we are getting better quality, but want to keep some alternatives.
- Anchor Testing – in September letting
- Approach Slab – how to place asphalt and the transition. Trying to minimize cracking to prevent water getting in the slab.
- Barrier Rail – whether joints or no joints. Will stay with no joints.

Ted added that the Bridge meeting at the Highway Division meeting was very good with input from both states.

## **Utility**

Greg Cook reported on a very good meeting. We are writing Legislation. Michael Covington attended and presented a draft bill. The Common Ground Alliance is also writing legislation. We are compiling definite cost figures to support our position.

Also conversation was started on one project ticket.

## **Project Development Committee**

Did not meet.

## **Supplier Committee**

Meets in the Fall.

## **Other Business**

### **New Grassing Spec**

Ray Vaughn and JP Johns provided a handout of the draft spec.

JP Johns review the highlights. Contractors were on the committee, including Sally Paul, and a lot of good input was received.

The goal is a stand of grass on the first try. Weather is taken into consideration, especially lack of rain. What is different:

- Schedule includes permanent and temporary cover; when and where you can use seeds (what parts of state). When a county is on the dividing line, use your common sense.
- Seeding Plan – present RCE with plan so a soil analysis can be done. This will better determine what to plant, what type fertilizer, etc. The soil analysis has not been done in the past and we think this will help.
- Bid Items – the soil analysis cost is covered. One sample per acre, ten sub samples. The sample goes to a DOT approved lab.
- Compost is in the spec as a bid item. Mulch is being required.
- A line item – watering for vegetation. The purpose is for open jobs that do not have 70% cover and that if watered could probably get a stand and the project could be closed.

### **Railroad Right of Way**

Sherri Devereaux, Railroad Projects Manager with SCDOT introduced Leslie Scherr with CSX to discuss their policy regarding right of way.

In South Carolina there is no maintenance agreement.

The situation that occurred was a contractor paving across the railroad and using their own flagman.

Insurance – RR requires if working within 50 feet of a live railroad. If a train hit a piece of equipment, it would probably cause a derailment. Railroad flagmen are required, not the contractors, as they are able to communicate with a train. If you can see a train, it cannot stop in time. The Railroad flagman is there to project the contractor and the railroad. He is there for your safety and nothing else. The cost of the flagman for one day is \$600 maximum. Or, if the railroad determines that were the work is being done when no trains are running that day or on that track, a flagman will not be required.

The railroad flagmen are under a union contract. They work certain hours and any time before or after, or over that time frame is paid at time and a half. That could increase costs.

We would like to work together on paving to the 2 foot limit. Railroad tolerances are tighter than DOT to control the surface the train travels.

This should be handled before the letting. Contractors should work through Sherri.

The question was asked how to officially release a flagman.

Notify the flagman his services are no longer needed, then notify the DOT inspector and the GEC who supervises for the railroad. This documents the flagman was released if questions come up later. If you need a flagman back on the site, it will have to be scheduled in advance.

CSX safety requirements are on their website.

Ed Eargle asked for a clarification of the 50 feet. If it is parallel, does not figure into play. Also, it depends on the activity and if a piece of equipment, such as a crane will be in the 50 foot area.

In some cases the railroad can put up an orange web barrier and then the flagman is only required to come by once or twice a day and check the work site. This helps the cost of the project and work flow.

Preplan and get a clear understanding on both sides of what is required.

The next meeting will be September 25, 2008

The meeting was adjourned at 12:20.

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Directory: C:\Documents and Settings\valentinmr\Local  
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Template: C:\Documents and Settings\valentinmr\Application  
Data\Microsoft\Templates\Normal.dot  
Title: Joint Committee Meeting  
Subject:  
Author: Becky Bradham  
Keywords:  
Comments:  
Creation Date: 7/24/2008 1:53:00 PM  
Change Number: 17  
Last Saved On: 7/29/2008 11:41:00 AM  
Last Saved By: Becky Bradham  
Total Editing Time: 221 Minutes  
Last Printed On: 7/29/2008 1:36:00 PM  
As of Last Complete Printing  
Number of Pages: 8  
Number of Words: 1,777 (approx.)  
Number of Characters: 10,134 (approx.)