

Meeting Minutes
SCDOT/ACEC/AGC Design-Build Sub-Committee Meeting
9/15/2021 @ 9:00 AM

I. Welcome/Introductions

SCDOT	ACEC	AGC
<ul style="list-style-type: none"> • Chris Gaskins • Clay Richter • Brooks Bickley • Ben McKinney • Jae Mattox • Brad Reynolds • John Caver • Randy King • <i>Chris Lacy</i> • Will McGoldrick • <i>David Hebert</i> • <i>Daniel Burton</i> • Barbara Wessinger • Brian Gambrell • Carmen Wright • Tyler Clark • <i>Tad Kitowicz*</i> 	<ul style="list-style-type: none"> • Jim O'Connor • Erin Slayton • Walker Roberts • Aaron Goldberg 	<ul style="list-style-type: none"> • Dave Rankin • Pete Weber • <i>Rob Loar</i> • Lee Bradley

(Attended, Absent) *FHWA, ^Guest

II. Project Updates

- Carolina Crossroads Phase 2 – Contract Awarded to Archer-United
- Closed and Load Restricted Bridges 2021-1 – District 4 with eight bridges. In procurement. Nearing ATC Phase.
- Cross Island Parkway Toll Conversion – Final RFP Issued, entering ATC phases.
- I-20 over Wateree, River and Overflow Bridges – Scope: Main river bridges to be replaced, overflow bridges to be rehabilitation. Inclusive within design-build contract. RFQ summer 2022, executed contract 2023.
- Carolina Crossroads Phase 3 – RFQ anticipated in mid to late 2022.
- I-26/I-95 Interchange Improvements – Awaiting PE funding. This funding is anticipated to be available shortly. Design-Build prep contract imminent. Full scope of project to be determined (i.e. to potentially include widening further along I-26 to east/west of interchange)
 - Note: funding announced and available for additional widening of I-26. Widening projects may interface with existing and upcoming design-bid-build and design-

build projects.

- Mark Clark Expressway – Public Involvement (Information and Hearing) for Supplemental EIS complete. Moving forward with Final EIS and related documentation. RFQ in 2023.
- Low Country Corridor West and I-26/I-526 Interchange – ROD is expected in 2022 and RFQ for first phase in 2027.
 - Five phases are currently being evaluated for delivery method type.
- Low Country Corridor East – Currently in project development and NEPA. Procurement timeframe TBD.
- US 301 over Four-Hole Swamp – Expedited bridge replacement project, not emergency procurement. Two-phase approach, RFQ mid to late 2022. Anticipated \$10 to \$15 M project. Design-Build prep contract imminent.

III. Action Items from 7/14/2021 Meeting

- SCDOT to continue to review insurance and bonding language comments and provide revised version to ACEC/AGC for further review. **[CLOSED]**
 - Updated language developed (includes drone verbiage, railroad liability, etc.)
 - SCDOT to circulate to ACEC/AGC for comment. Industry to provide comments, if any, to Tyler and Brian **[ACTION]**
- SCDOT to review and discuss examples of commitments from other states (provided by ACEC/AGC) and potential changes/implementation. **[OPEN]**
 - Language and committal process discussion ongoing.
- ACEC/AGC to circulate new Shop Drawing Language comments to industry for review and comment. **[CLOSED]**
 - Overall intent is to ensure shop drawing review times do not hold up or delay overall process.
- SCDOT/ACEC/AGC to discuss potential new RFQ language suggestions and/or scoring techniques for SOQ evaluations with stakeholders. **[OPEN]**
 - Ongoing internal discussion, language update will be provided when available.
 - Overall intent is for SCDOT to heavily scrutinize SOQs to ensure short-listing of only the best teams. Initial focus on key individual for additional language.
 - Additionally, gather feedback regarding when and how SOQ scores should be released? **[CLOSED]**
 - Feedback received and discussed internally. SCDOT does not intend to release SOQ scores on the website or within debriefs.
 - Industry requests that it is known, at RFQ stage, whether or not SOQ scores would be included in weighted score criteria for RFP
 - Director Gaskins agreed that this is the appropriate direction
- AGC to circulate current version of standard of care language to stakeholders for review and comment. **[OPEN]**
 - SCDOT to discuss with internal Policy Committee **[CLOSED]**
 - SCDOT discussed and developed typical standard of care language to be utilized

within design-build contracts. Will circulate to ACEC/AGC as referenced.

- Considering implementing this into contract templates; would apply to designer related items (i.e. provide clarification on expectations).
 - There is resistance for implementation of this language from AGC (it may make designer/contractor negotiations more difficult) and support from ACEC. Director Gaskins expressed that this is exactly the feedback we need before changes, if any, are implemented.
 - Brian clarified that the language is not intended to insulate or preliminarily exonerate designers from responsibility but rather to provide clarification on expectations related to design and construction as the project progresses through the contract and construction phases.
- SCDOT to coordinate with Director of Construction Office and field offices to determine a consistent schedule of values for design-build contracts. **[OPEN]**
 - SCDOT continuing to discuss internally and have been making progress that will be shared with the industry on or before next sub-committee meeting.

IV. Office of Alternative Delivery

SCDOT

- “New” office established within Department. Chris Gaskins hired as Director of Alternative Delivery; reports directly to Deputy Secretary Colvin.
 - Staff organization chart still being discussed and finalized but will be implemented as soon as possible.
- Design-Build Group will largely stay uncompromised and fully functional with same processes and staff as before.
- Design-Build Engineer to become Alternative Delivery Engineer - Preconstruction.
- Construction component to be implemented into Office of Alternative Delivery in order to assist with post-award contract administration.
- Mega Projects Office (CCR) and Lowcountry Corridor project Staff (Joy Riley) will join the Office of Alternative Delivery.
- Overall intent is to, continue to, provide a centralized group to provide a consistent pre and post-award project development and contract experience for design-build and other delivery methods to come.
 - Exploration of other project delivery methods (i.e. CM/GC, progressive design-build, etc.) will be forthcoming in the years to come but is largely dependent upon legislation and Senior Staff support.

V. Stipend Discussion (Prep Contracts)

ACEC

- ACEC: How are stipend amounts determined?
 - Typically starts or is estimated as 0.2% of design-build contract cost, complexity of projects (multipliers dependent upon time spent or risk), project size multiplier to be able to increase stipend (eye test); i.e. “right-size” the stipend related to these and other related factors.
 - ACEC: requests consideration of an additional tool/factor related to % of effort

required to prepare Technical Proposal related to the amount of prep work or information provided to designer (i.e. if SCDOT does not provide enough survey information that is additional risk and work for Designer and should be considered within stipend calculations).

- SCDOT to discuss current stipend determination method and potential of additional factor as requested. **[ACTION]**
- AGC: Fewer unknowns can lower the contingency funds available.
 - Unknowns are proportional to the amount of time and information related to the preliminary design (i.e. additional effort needed/required and a higher stipend may be appropriate).
 - Requests that SCDOT consider higher stipends related to the previously discussed factors.
- Discussion: award of stipend, if accepted, allows SCDOT to utilize/capture ATCs submitted by all teams. If the selected team utilizes an approved ATC from another team, is this considered within stipend amount/value to project?
- AGC will discuss and consider sharing how they calculate risks related to funding at time of technical proposal submittal in order to assist SCDOT with determining stipend amounts **[ACTION]**.

VI. Added Value Personnel

SCDOT

- In the past, it has been requested that SCDOT consider allowance of “added value personnel” or “additional key personnel”. This would potentially allow teams to commit an individual, not listed in minimum key individual requirements within the RFQ, to the team/project that they feel will give them a better chance of successful project delivery and short-listing opportunity.
- SCDOT’s intent is always to receive and short-list the best teams.
- Many examples of how to approach are available and have been briefly discussed (e.g. quality credit may be issued for your added key individual).
- ACEC thoughts:
 - Concern with egregious and unnecessary submittal of individuals
 - If pursued, these submittals of added key individuals would be limited.
 - Suggestion to not structure it as a system within RFQ, just open ended allowance in the manner that it is allowed today (i.e. no direct verbiage that limits or rewards this type of submission).
- AGC thoughts:
 - Feels they are already offering these individuals within SOQ (e.g. concrete contractor with superlative record of quality and experience).
- Discussion: Is there a point to reward teams for submitting an additional key individual?
 - Scoring these individuals (global score for key individuals) could be increased as a result of these additional, committed, key individuals.
- All voted to close topic, for now, as they feel the current process is working as

intended to achieve goals of SCDOT and all stakeholders.

- May be revisited in future if perspectives shift related to contract administration component of Office of Alternative Delivery.

VII. Scope of Work: Contractor QC SCDOT

- Topic submitted from ACEC CE&I committee meeting in order to help clarify requirements and expectations for Contractor QC.
- Currently scope of work related to Contractor QC can be unclear and can cause miscommunications regarding QC expected and what is provided.
- SCDOT is explicit and clear with QA component on projects but may need to further expand on the QC component.
- Clay/DOC to discuss scope for Contractor QC further with ACEC CE&I Committee and present feedback. **[ACTION]**

VIII. Open Discussion

- No open discussion.

IX. Action Items

- SCDOT to circulate updated insurance and bonding language to ACEC/AGC for comment. Industry to provide comments, if any, to Tyler and Brian.
- SCDOT to review and discuss examples of commitments from other states (provided by ACEC/AGC) and potential changes/implementation.
- SCDOT/ACEC/AGC to discuss potential new RFQ language suggestions and/or scoring techniques for SOQ evaluations with stakeholders.
- AGC to circulate current version of standard of care language to stakeholders for review and comment.
- SCDOT to coordinate with Director of Construction Office and Field Offices to determine a consistent Schedule of Values for design-build contracts.
- SCDOT to discuss current stipend determination method and potential of additional factor as requested.
- AGC will discuss and consider sharing how they calculate risks related to funding at time of technical proposal submittal in order to assist SCDOT with determining stipend amounts.
- Clay/DOC to discuss scope for Contractor QC further with ACEC CE&I Committee and present feedback.

X. Next Meeting Date: 11/17/2021 @ 9:00 AM (ACEC Lead)

XI. Adjourn