

## Alternative Contracting Task Team Notes

**Date:** May 1, 2014

**Place:** Turnpike Headquarters (Turkey Lake Plaza)  
Auditorium A – Bldg. 5315  
Video Conference Bridge No. 2 (850-414-3101)  
(Central Office Suwannee Room 348)

**Time:** 10:30 AM – 1:30 PM

### Agenda items:

#### 1. Introductions & Opening Remarks – (Alan Autry, Rudy Powell)

*Notes: Introductions were made recognizing those in attendance by video and at Turnpike Headquarters. Opening remarks were made by Alan Autry and Rudy Powell. No opening remarks from FTBA or others. Recap of below meetings/discussions items on today's Agenda are results of those discussions.*

- *Design Build Workshop*
- *ACTT meeting in February*
- *Construction Conference*

*Sign in sheet and Video Attendee List attached.*

#### 2. Committee Updates (Rudy Powell)

##### a) Alternative Contracting Steering Committee

*Notes: Rudy Powell provided the group with an update on the status of the issues being addressed by the Alternative Contracting Steering Committee: i.e. Low Bid, ELOI, Technical Proposal, NTP, TRC Members.*

- *Names of TRC members will be provided with the Planned Ad beginning with DB Current/Official Advertisements posted on or after July 1, 2014. If Firm has issue/concerns with a particular member, send concern in writing to Procurement Office.*
- *Alan will discuss upcoming changes to the ELOI*
- *NTP changes – discussed 2 NTPs we did not feel that is the way we need to move on DB. Effective January 2015, contract time will start upon issuance of the NTP.*

- *CSI – This item was discussed at the DB Workshop II. When is a change a CSI and when is it a credit? The below defines CSI.*
  - *Work deleted from contract is a credit*
  - *Quality provided is less than quality required it is a credit*
  - *Quality provided is less than quality proposed is a CSI*

### 3. Requirements to Begin Construction (Rudy Powell)

- a) See attached reference document for proposed changes to the boilerplate RFP

*Notes: Rudy Powell provided the group with Requirements to Begin Construction formally known as Work at Risk: i.e. Component Submittals, and Phase Submittals. Rudy asked the group to review the attached proposed language to the RFP and provide feedback within one week following the meeting. The language is intended to clarify four items, component submittals, phase submittals, what requirements are needed to begin construction, and how they all fit together.*

- *Section 1: Clarify component submittals – PPM lists items on key sheet which should be included in a component submittals - Roadway, Signing and Pavement Marking, Signalization, ITS, Lighting, Landscape, Architectural, Structural, and Toll Facilities. Bridges are treated independently. Firm may divide project into separate areas and submit components for each area; sufficient information is needed to verify the adjoining sections.*
- *Section 2: Clarify phase submittals – 2 submittals are required. 90% and a Final. Should not skip 90% phase. If comments are given on Finals, revise and resubmit signed and sealed. Once all comments are resolved Department PM will stamp the signed and sealed plans “Release for Construction”*
- *Section 3: What requirements are needed to begin construction. Firm may choose to begin construction prior to completing 90% and Final submittals and prior to Department PM releasing for construction. Requirements to do so are: Firm must submit signed and sealed plans for the specific activity along with signed and sealed specifications, utility and permit certification.*
  - *This information must be provided (5) days prior to beginning work of the specific activity. The (5) days gives the Department*

*time to take a quick look that nothing is glaringly wrong, and to clarify any inconsistencies with the RFP i.e. ramps closure restrictions, lane closure. These submittals will not be submitted in ERC. It's not a component submittal and will not count as your 90% submittal.*

- *Plans can be in any format, only pertinent information to construct the specific activity need be shown. The submittal for specific activity does not constitute as a 90% or Final phase submittal. This process "Requirements to Begin Construction" gives flexibility to Firm to complete specific activities prior to 90% or Final plan review. This work is at the Firms risk.*

*Open Discussion included:*

- *Section 3 gives flexibility but is silent on review time. The submittal for "Requirements to Begin Construction" should be given to the PM established at the kickoff meeting.*
- *CEI has the ability to stop work if safety concern. Liability is on the EOR.*
- *Some discussions regarding the Department not reviewing the submittal because FDOT then takes ownership.*
- *Whether plans are stamped or not the Firm is at risk.*
- *Reviewed or not FDOT and CEI need to have something to ensure it is being built according to plan in the field.*
- *Traffic control plans is a component but it covers every component. May push 90% out and Firms working at risk*
- *All risk seems to be shifted to the Design Firm.*
- *Utility and permits – may want to add a statement that there is no utility or permitting conflicts or if conflicts they have been addressed.*
- *If change or something comes up how will the revision be handled?*

*New language for "Requirements to Begin Construction" was not added to the May 1, 2014 version of the RFPs. Implementation of this process can be added to RFPs once comments have been circulated through the ACTT.*

- ❖ *ACTT to send comments on the proposed changes to Sections 1,2, and 3. Document is attached (RequirementsToBeginConstruction\_042814.pdf)*

4. Phase I Expanded Letter of Interest Changes (Alan Autry)

- a) For all advertisements published to the Departments website on or after March 1, 2014 and prior to or on June 30, 2014, standard point values will be established for the existing 4 categories as shown below:

*Notes: Alan Autry provided a summary overview of the changes regarding the advertisements published after March 1-June 30, 2014. Point values will be established as shown below.*

- 1. Section 1 - (Past Performance) – 3 Points
- 2. Section 2 - (Project Experience and Resources) – 4 points
- 3. Section 3 - (Project Approach & Understanding of Critical Issues) – 13 Points
- 4. Section 4 – (Other Content) – 0 Points

- b) The following changes to the ELOI are in progress and will be implemented following Administrative Rule Chapter 14-91 development (all official advertisements published on the Department’s website on or after July 1, 2014).

*Notes: Alan Autry provided an overview of the upcoming changes to the State Construction Office requirements for the Expanded Letters of Interest, Administrative Rule change, and point value establishment. Refer to the below information for the actual changes. This will affect all official advertisements published on the Department’s website on or after July 1, 2014).*

- i. The ELOI will consist of three sections instead of four.
  - 1. Section 1 – Design-Build Firm Name and Prequalifications
  - 2. Section 2 – Past Performance Evaluations, Design Build Project Experience, Organization and Staffing
  - 3. Section 3 – Design-Build Project Requirements and Critical Issues
- ii. Standard point values will be established for each Section.
  - 1. Section 1 – Pass/Fail (Prequalifications)
  - 2. Section 2 – 7 Points
  - 3. Section 3- 13 Points

Open discussion included:

- Suggestion was made to formalize Section 2 – Past Performance Evaluations, Design Build Project Experience, Organization and Staffing.
    - Turnpike has proposed a Design Build Resume Table to aide in formalizing the review of Section 2. This document is attached for the ACTT’s comment and review.
  - Concern was presented that each TRC member may assign different point value based on Section 2.
    - TRC members can decide how to allocate point to the information in that category. As long as members are consistent, it will average out. As long as TRC members are being consistent with the way they are scoring each Firm, that will reflect in the scores.
- ❖ ACTT to review and comment on the use of the DB Resume Table proposed by Turnpike (DB Resume Table\_4-17-14.doc).

#### 5. Notice to Proceed (Alan Autry)

- a) Notice to Proceed. The Department will issue the notice to proceed per Specification 8-3.3 and start contract time upon issuance of the notice to proceed. Currently, contract time begins on the date stated in the notice to proceed letter. Implementation is lettings starting January 2015.

*Notes: Alan presented an overview of the Notice to Proceed changes. Beginning January 2015 the Department will issue NTP per Specification 8-3.3 and contract time will commence upon issuance of the NTP.*

#### 6. Technical Proposal Requirements (Pete Kelley)

*Notes: Pete Kelley discussed consolidating the below 4 underline categorizes. It was noted that the Districts have the opportunity to tailor this list to the specific needs of the project. It was noted that this may not be occurring in every District. ACTT to look at this list more closely and determine if examples should be consolidated where it can be then instruct the Districts to modify for specific needs of the project.*

*Currently the boiler plate RFP reads:*

Credit will be given for construction methods that:

- Minimize disruption to traffic
- Mitigate impacts to other projects
- Minimize impacts to adjacent properties
- Minimize impacts to the environment
- Provide worker safety
- Minimize or eliminate detours
- Minimize impacts to property owners
- Minimize impacts to existing utilities
- Minimize visual, noise, vibration and dust impacts

Most DB Firms tend to organize our Technical Proposals to correlate to this list so that it is easier for the TRC members to follow. 4 of these “categories” are similar in nature - Minimize impacts to adjacent properties, Minimize impacts to the environment, Minimize Impacts to Property Owners, and Minimize visual, noise, vibration, and dust impacts. Internal team debates about where to include the discussion on a particular feature are commonplace. For example, installing noise shields on dewatering pumps could be considered minimizing impacts to the environment (noise), minimizing impacts to property owners, and minimizing noise impacts.

There are many other items that this scenario can occur and I would like to suggest that these all be grouped into a category called Minimize Impacts to the Environment.

## 7. Overview of Boilerplate RFP Changes (Alan Autry)

*Notes: Alan Autry provided a summary overview of the upcoming changes to the State Construction Office boilerplate RFP document. Refer to the attached reference document for the actual changes.*

## 8. Open Floor

*Notes: During the open floor time, the group discussed the following: consider upgrading how and when the Asbuilts are due, Bridge load ratings submittal was modified in May 1, 2014 RFP boilerplate, Mobilization payment on DB vs DBB, New mobilization specification is forth coming.*

## 9. Date, time and place for next meeting – November 2014

❖ Requires action of the ACTT Committee