

## **DESIGN-BUILD TASK TEAM MEETING MINUTES**

Date: June 22, 2005

Place: Turnpike Headquarters (Turkey Lake Plaza)  
Building 5315 / Room 1093 / 1<sup>st</sup> Floor Auditorium A

Time: 10:00 am until 3:00 pm

### **Attendees**

Robert Robertson, FDOT  
Jerry Pfuntner, FDOT  
David Sadler, FDOT  
Tim Lattner, FDOT  
Mike Davis, FDOT  
Frank Elmore, FDOT  
Rich Nethercote, FDOT  
Jim Martin, FDOT  
Steve Benak, FDOT  
Joe Borello, FDOT  
Tim Brock, FDOT  
Mark Madgar, FDOT  
Robert Bostian, FDOT  
Jennifer Vreeland, FDOT  
Amy Scales, FDOT

Bob Burleson, FTBA  
Dave Whaley, PCL  
Dave Pupkiewicz, Haskell  
William Schelor, APAC  
Tom Boyle, Granite  
John Buchheit, Gannett Fleming  
Dan Foss, Jacobs  
Sid Scott, Trauner Consulting  
Bill Hasbrook, CH2M Hill  
Scott Bear, CH2M Hill  
Doug Geiger, RS&H  
Doug Cox, Jacobs

### **CM@RISK**

Doug Cox recommended that the group broaden their review to include CM@Risk projects. The group agreed and discussed the CM@Risk concept and various projects underway in District two. The group agreed that the first objective would be to prepare guidelines for the Department to use when selecting projects for the CM@Risk delivery method. Some of the comments included:

- Good for use on projects out of our in-house expertise (vertical construction)
- Don't use CM@Risk for brokering of work
- Doug indicated that FICE has no issues with the use of CM@Risk
- Good for use on corridor projects such as I-4 corridor in Orange County
- Good for use on more complex projects with multiple unknowns, which does not work well for design-build
- Concerns with use on small projects

A sub-committee was established to prepare some guidelines for the next meeting. The following are on the sub-committee: Doug Cox, Dan Foss, Dave Whaley, Dave Pupkiewicz, Jim Martin, Tom Crossman, Tim Lattner and Bob Burleson. A meeting is tentatively scheduled during last week in July in Tampa.

## OLD BUSINESS

1. **Design Mistakes/Elimination** – The group discussed the changes and they were accepted as submitted, with exception of the addition of “*The Q&A session shall in no way be used to change the Technical Proposal.*” in Section III.E. The remaining changes will be incorporated into the boilerplate RFP.

During the review of section J.2 – Pile Foundations, It was noted that the RFP requires the production piles and driving criteria be developed by the same firm performing the dynamic pile testing. Industry requested that this requirement be removed. Tim Lattner will pursue.

2. **Report on Utility Coordination within D/B** – The group discussed the changes and accepted with minor modifications as shown below or you may view the entire document at the following link  
<http://www.dot.state.fl.us/construction/Design%20Build/Design-Build.htm>:

### Utility Design Build & Coordination

- Item 10. QC changed to QA.
- Revised Item 11. - *Acquisition/procurement of any required easements when stated in RFP and as required by design*

### Guide for Reducing Contractor Risk Associated With Utilities on Design Build Projects

Use the Design-Build process on projects where Utility/Agency Owner’s:

- Do not delete Item b) Reimbursement is guaranteed (Interstate with Major Utilities)
  - If significant underground investigation has been performed then Design-Build delivery method may be used.
3. **Q & A Process** – This section was discussed at length again. Item 5 was changed to allow the TRC to determine the time limit for the Q&A session.

A consensus could not be reached on item #9 on whether addendum’s will be allowed to the technical proposal after the Q&A session and if so will they be included when grading the technical proposal. Tim Lattner will research issue and possibly revise language.

4. **D/B and resurfacing projects** – The group discussed D/B resurfacing projects and the use of Low Bid design-build on these projects.
  - Industry did not feel that resurfacing projects were good candidates for design-build because there is not much innovation in a resurfacing project.
  - The Department indicated that the design-build delivery method is only viable method to get the projects completed in the condensed production schedule that is required on occasion because the design cost would exceed the cap of

the General Consultant contract. Jennifer Vreeland will investigate what needs to be done to increase the cap.

5. **Contractor's Warranty (Guaranteed/Value Added) period** – The group discussed the point scoring proposed for providing warranties on design-build projects.
  - It was explained that the reason for the proposed table of points awarded for the length of the warranty is that the firms who were providing the longer warranties were complaining that they did not get additional points for this.
  - Industry felt that this might be an attempt by the Department to get longer warranties.
  - Industry also had concerns that in the future Contractors may have a difficult time getting bonded for work when they have the liability of multiple warranties from previous projects.
  - Industry suggested removing the warranty criteria from the grading procedure.
  - The Department indicated that warranties are here to stay but that they will reevaluate the grading criteria for the warranties.

## **NEW BUSINESS**

1. **Adjectival Scoring** - Sid Scott with Trauner Consulting gave a presentation on adjectival scoring. The group felt this was an interesting approach to scoring but was not for the Department.
2. **Review of the RFP by the Short-Listed firms** – Discussed allowing shortlisted firms a period to review and comment on the RFP, for clarity and conflict. The group agreed with this idea and it was determined that we are currently doing this on projects.
3. **Stipend Language** – The group discussed the modified language to include a time frame for submittal of stipend agreement in was in agreement to include in RFP.
  - It was requested to include “technically non-responsive” in lieu of “non-responsive” in the event the firm is technically responsive but fails to meet the do not exceed price they would still be eligible for the stipend. The group felt this was not needed.
4. **Conflict of Interest** - Discussed draft version of new language to be included in RFP and consultant contracts. Group had some concerns with this language. Doug Cox indicated that FICE will be discussing with Ananth in future. There were some questions on what was meant by “The contractor or design professional cannot team, **as a Prime or a Sub**, with other firms to submit more than one bid per project.” Does this mean that a sub to the designer or a sub to the contractor cannot bid with more than one contractor or designer? Tim Lattner will get clarification on this issue and forward to the group.

5. **Options as part of the Bid** – Discussed having optional work in contract to be bid and then added to contract if Department elects to. Joe Borello is interested in using this approach on an upcoming bridge rehabilitation project. Tim Lattner to send information to District Four on this.
6. **Format of TRC and Advisors** – The role of the Technical Review Committee and the Technical Advisors was discussed. Tim Lattner explained that the TRC should consist of three to four members who are looking at the overall big picture of the project and that the Technical Advisors should be focusing on their area of expertise. Tim also noted that the TRC may meet with the Technical Advisors for a fact finding meeting to allow the Technical Advisors to advise the TRC of what they discovered during their review of the technical proposal. This meeting is not required to be a public meeting because the TRC is not discussing their views of the technical proposal. They are listening to the facts presented to them by the technical advisors.
7. **Legislative Update** – The recent legislation extended the authority for the Department to include right-of-way services in design-build contracts for another two years until July, 2007.
8. **Date, time, & place for next meeting**
  - The next meeting is tentatively set for October 6, 2005, at the same location, Turnpike Headquarters (Turkey Lake Plaza) Building 5315 / Room 1093 / 1<sup>st</sup> Floor Auditorium A, from 10:00 am to 3:00 pm.

The meeting was adjourned at 3:00 pm.