

District Construction Engineer's Meeting Notes
May 21, 2012 2:00 PM

Attendees:

*CO – David Sadler, Rudy Powell, Art Berger, Jason Watts, Alan Autry
FHWA – Rafiq Darji
D1 – Jon Sands, Terry Muse
D2 – Carrie Stanbridge, Nick Tsengas
D3 – Steve Potter, Renae Sanders, Eddy Wilson, Jimmy Miller
D4 – Pat McCann
D5 – John Tyler, Bert Woerner
D6 – Mark Croft, Ivan Hay
D7 – Brian McKishnie, Conrad Campbell, Brian Pickard
TP – Matt Price, Bill Sears, Karen Akers, Kurt Stone*

New/Follow-up Business:

1) Introductions

Introductions were made recognizing the attendees listed above and the video at the link below was reviewed:

<http://www.youtube.com/watch?v=5vzuJRHusXI&feature=channel&list=UL>

2) Consistent/Predictable/Repeatable – (David Sadler)

Districts were reminded to review the CPR webpage for recent updates.

3) Update from SCO on Construction Task Team, CEI Staffing Plan & Final Estimates Process – (David Sadler/Nick Tsengas)

David and Nick provided an update on the status of the CEI staffing plan and changes to the Final Estimates process. A transition plan to address changes to CEI staffing is being developed and will be shared with the DCE's and Executive Board. Exceptions to the planned CEI model were discussed. CEI positions other than the PA and CSS are being evaluated to see how they can best fit into the future CEI model. Other positions mentioned were Public Information and Geotechnical. Outline of the plan is to use In-house PA's on all projects with an estimated construction contract of \$10M and less with the transition plan in place by July 2012. Discussed how CEI groupings, which manage a group of construction contracts with a total (grouped) value of \$10M or more, would be impacted by the plan. This situation will be addressed in the transition plan. D6 expressed a concern related to hiring and retaining In-house personnel for projects in located in the Keys, raised concerns over potential Rate issues, and potential mid-management needed to manage more In-house PA positions. D3 inquired whether additional information was required from the districts by SCO to assist in the development of the transition plan. D3 inquired as to when CCEI advertisements would be impacted. It was stated that the anticipated implementation date for the CEI model as July 2012.

Currently, the State Final Estimates Office is evaluating Final Estimate processes to identify and implement streamlined improvements and coordinating with the Office of Design to develop and implement changes to the plans preparation process which can reduce Final Estimate requirements (i.e. use a matrix table in the plans as opposed to developing computation manuals).

4) Office of Construction Tier 2 Business Plan – (David Sadler)

SCO has updated the Tier 2 Plan. Districts were asked to review the information on the SCO website and provided comments/suggested changes to David. A link to the current plan is: http://www.dot.state.fl.us/construction/TierII_Revised_2011.pdf

5) Notice to Proceed Certified Mail Delivery – (David Sadler)

Discussed whether NTP's must be delivered via certified mail. CPAM does not require NTP's be delivered via certified mail.

6) CSI Meetings – (David Sadler)

SCO polled the districts to determine how CSI meetings were being handled. Most districts reported addressing the subject of CSI's as part of the Preconstruction agenda (it was noted during the discussion that this is addressed in CPAM Guidance Document 3-1-A <http://www.dot.state.fl.us/construction/Manuals/cpam/New%20Clean%20Chapters/Chapter3s1.pdf>). Those districts which were requiring contractor attendance and participation in mandatory CSI workshops were reminded that the CSI workshop was only mandatory if either the Contractor or Department initiate CSI proposals. It was noted that some districts had created a form for the contractor to complete related to any potential CSI's and were requiring the contractor to complete such a form to document that no CSI's were being developed; this process (and the required form) isn't necessary. It was noted that there may be a need to delay the start of the project should the contractor submit complex CSI proposals at the preconstruction conference due to the timing required to review such complex proposals.

7) Weather/Holiday Letters executed by Project Administrator – (David Sadler)

Discussed a proposal which would allow the PA to execute Weather and Holiday time extension letters as opposed to the Resident Engineer executing these letters, as currently required by CPAM. Concerns over consistency (as documented in recent SCO process reviews) were raised. It was determined that in those districts which utilize the Operations Center organizational structure, that the Operations Center Engineer may delegate the execution of Holiday and Time extension letters to the individual position within the Operations Center responsible for day to day oversight of the Construction Program for that particular Operations Center (i.e. the position equivalent to the Resident Engineer in a district not utilizing Operations Center organizational structure). The delegation must be made in writing and must be maintained on file at the Operations Center.

8) Suspension of QPL Items (*Refer to David Sadler's email of 05/04/2012 @ 9:34 AM*) – (David Sadler)

Below are several MOT devices that have been suspended from use and are removed from the QPL. These devices, if they are being used on your projects, will have to be removed and replaced with QPL items.

Certification #	Type of Device	Device Description	Initial Approval	Last Approval
10201900036021	(WZ) Portable Radar Speed Display Unit	SPEEDSentry Radar Speed Display Sign (Current QPL # S102-1914, Last QPL recert 2/19/2009)	6/27/2007	6/27/2007
10200081216011	(WZ) TYPE A WARNING LIGHT LOW INTENSITY	Maverick M1121A (Current QPL # S102-2916, Last QPL recert 8/3/2009)	7/10/2003	7/10/2003
10200101216011	(WZ) TYPE C WARNING LIGHT STEADY BURN	Maverick M1121C (Current QPL # S102-3121, Last QPL recert 8/3/2009)	7/10/2003	7/10/2003
10201901628031	(WZ) Portable Radar Speed Display Unit	Model MPH RDST 18" (Current QPL # S102-1907, Last QPL recert 10/5/2007)	1/20/2006	1/20/2006
10201901628041	(WZ) Portable Radar Speed Display Unit	Model D-25 Speed Trailer (Current QPL # S102-1908, Last QPL recert 10/5/2007)	1/20/2006	1/20/2006
10200101162011	(WZ) TYPE C WARNING LIGHT STEADY BURN	Toughlite II LED (Current QPL # S102-3111, Last QPL recert 12/23/2009)	12/15/1997	12/15/1997
10200101162021	(WZ) TYPE C WARNING LIGHT STEADY BURN	Toughlite 2000C LED (Current QPL # S102-3112, Last QPL recert 12/23/2009)	12/15/1997	12/15/1997

Districts were reminded of the above referenced information previously disseminated via email.

9) Proposed Change to Index 205 – (Bill Sears)

Index 105 calls for a 2'8" sod strip for shoulder rework when the contractors use a 4' wide bucket to excavate the area.

Discussed a proposal by the TP to modify Index 205 to allow for 4' strip sod as opposed to 2'8" strip sod currently required by the Index. It was noted that such a change may adversely impact sod suppliers. The reason for this proposed change stemmed from the contractors means and methods which, in the TP, lead to overruns of the sod item. It was noted that contractor means and methods (i.e. using a 4' wide bucket to excavate the sod area which in the plans & index is called to be 2'8" wide) should not be the basis for a quantity overrun. Other districts were not reporting this as an issue and no change to the index will be pursued.

10) Update on Resident Inspection Contract procurement in D5 – (John Tyler)

D5 provided an update on the status of their Resident Inspection contract which has completed the advertisement and final selection process. Noted improvements to clarify the scope of future contracts were discussed. D5 was asked to submit these to David for review and possible inclusion into current scope of services documents.

11) Update on electronic contract documents supplied with bid documents – (John Tyler)

David provided an update on the process for supplying electronic documents to the contractors as part of the bidding documents. The timeframe for implementing this process is approximately six to twelve months out. The Survey and CADD offices have taken on the lead roles associated with this process. It was noted that Digital Terrain Modeling will be discussed at the Civil Integrated Management conference immediately following the Design Expo in June.

12) RFC Stamp for Design-Build – (John Tyler)

There does not seem to be a requirement for what information needs to be included with the RFC Stamp. Proposal to modify procedures to clarify who should approve/stamp plans as “Released for Construction” and the stamp should be signed and dated by the approver.

Discussed current practices districts are utilizing related to stamping as “Released for Construction” plans on D-B projects. Districts were asked to submit examples of the information being placed on the plans with the RFC stamp (i.e. RFC date, and name or initials of individual responsible for stamping the plans). Districts were also asked to outline the plan review process for D-B projects and to identify whether the Design PM, Construction PM or CEI were responsible for stamping RFC plans.

13) TSM&O Workshops and Managed Work Zones in D1 & D4 – (John Tyler)

TSM&O workshops have been/are being conducted in all Districts. Workshop presented mentioned “Managed Work Zones” being used in District’s 1 and 4. I’d like to find out more about what they are doing and if best practices can be implemented statewide.

Discussed recent presentations which were made to the Executive Board related to this topic. It was noted that none of these presentations were related to specific construction projects nor were they related to construction work zones.

14) DBE Contract Obligations – (John Tyler)

For consistency purposes, discuss how District’s are:

- 1. Reacting to/Approving ADBEPS that are significantly less than the contract goal.*
- 2. Evaluating good faith efforts to meet the goal.*

<http://cfr.vlex.com/vid/appendix-concerning-good-faith-efforts-19940697>

Appendix A to Part 26 - Guidance Concerning Good Faith Efforts

I. When, as a recipient, you establish a contract goal on a DOT-assisted contract, a bidder must, in order to be responsible and/or responsive, make good faith efforts to meet the goal. The bidder can meet this requirement in either of two ways. First, the bidder can meet the goal, documenting commitments for participation by DBE firms sufficient for this purpose. Second, even if it doesn't meet the goal, the bidder can document adequate good faith efforts. This means that the bidder must show that it took all necessary and reasonable steps to achieve a DBE goal or other requirement of this part which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if they were not fully successful.

II. In any situation in which you have established a contract goal, part 26 requires you to use the good faith efforts mechanism of this part. **As a recipient, it is up to you to make a fair and reasonable judgment whether a bidder that did not meet the goal made adequate good faith efforts. It is important for you to consider the quality, quantity, and intensity of the different kinds of efforts that the bidder has made.**

The efforts employed by the bidder should be those that one could reasonably expect a bidder to take if the bidder were actively and aggressively trying to obtain DBE participation sufficient to meet the DBE contract goal. Mere pro forma efforts are not good faith efforts to meet the DBE contract requirements. We emphasize, however, that your determination concerning the sufficiency of the firm's good faith efforts is a judgment call: meeting quantitative formulas is not required.

3. Specific contract provisions and strategies to hold Contractor's accountable for non-performance

Discussed current practices districts are utilizing related to the anticipated DBE commitments submitted by contractors, measures the districts are implementing to promote DBE utilization and efforts taken by the district when contractors submit ADBE statements which show utilization lower than the minimum required by the contract. It was noted that the CFR provisions above related to "good faith efforts" are not applicable to those states which do not have project specific mandated DBE goals such as FDOT.

15) Construction in 21st Century – (John Tyler)

Strategies for developing and recruiting future PAs. Without the Inspectors and new in-house CSS positions, how can construction offices develop future PAs and PMs in addition to hiring experienced PAs and PMs? Discussion on strategies and solutions. Consideration for an "Associate Project Administrator" position.

Discussed future utilization of Contract Support Specialist position, as well as, future and current use of the Associate Project Administrator position with the intent of using these positions as opportunities for developing future PA's. Most districts indicated that is already part of their current business model or have plans to utilize these positions in this manner.

Walk-On Items

1) Public Records Requests for Bid Documents – (Pat McCann)

We received a PRR through the Tracker for Plans and spec's. The request includes 4 T contracts, 2 were from our District. The requestor is a company, www.Thebluebook.com. The company maintains a "plans room" on their web site for paying members to look at bid documents. Is there a way the company can receive our documents through a subscription list without having to do a PRR each month?

Reviewed and discussed the above referenced information. OGC is currently reviewing this to determine if these request for plans can be accommodated in the manner being proposed, however it does not appear that this will be acceptable and these types of requests should continued to be handled via the departments public record request process.

2) FDOT approval of Major/Minor Changes on Federally Funded projects – (Chad Thompson)

This topic was tabled and will be addressed between SCO and FHWA.

3) Adherence to Local Ordinances and complying with requests from Local Agencies for FDOT to obtain permits and licenses – (Jason Watts)

OGC discussed the departments responsibilities related to compliance with local ordinances and polled the districts to determine frequency related to requests from local agencies for the department to obtain permits or licenses when constructing department projects within the jurisdictional limits of the local agency. Any such request from the local agency to require adherence to local ordinances or for the department to obtain permits or licenses from a local agency should be coordinated with OGC.

4) Resident Compliance Specialist position – (Pat McCann)

D4 inquired as to whether the transition plan discussed as part of agenda item 3 would address the RCS position, which it will.

NEXT DCE MEETING – July 23, 2012 (Video Conference)

Submit agenda items to Alan Autry by July 13, 2012