

District Construction Engineers Meeting
April 10th and 11th in Daytona Beach, FL

Minutes

Thursday, April 10, 2003:

1. RPM's: The following markers have failed test deck evaluations and are removed from the QPL:

Stimsonite 911B	QPL No.:	S706-200, S706-203
PacTec AA ARC2	QPL No.:	S706-201, S706-204
3M 290	QPL No.:	S706-102, S706-202

ACTION ITEM: *Send list of projects to Ananth that will need markers within the month of April 2003 (DCE).*

Install and pay for markers at current bid price. Will address performance through warranty. Warranty will require project specific testing.

Presently, only PacTec has acceptable marker but does not have supply necessary to handle all FDOT jobs.

2. Tensar and T&B temporary wall systems – presently, both of these manufacturers are being reviewed by the Department due to changes made to their wall system designs via shop drawings instead of through State Structures Design Office and revised Standard Index. Each of the Districts has already been contacted about this.

3. Districts 1 and 7 asked for SCO to look into problems with the Tensar walls with plastic straps being used in corrosive environments because the walls are bulging. Will discuss the matter with Sastry Putcha and investigate.

ACTION ITEM: *SCO to look into this issue. (Sastry)*

4. APAC was discussed regarding performance issues on projects. Districts were polled to see what or if they were having problems with APAC. Responding with problems were D2(workmanship), D3(not showing up – several jobs behind), D6(good quality but bringing up more issues to arbitration than in past), D7(gone from A contractor to B, not on top of their game – still good quality)

5. Discussed PCL with Districts and opinion was that contractor was putting production ahead of quality. This was unanimous from districts in which PCL was/is working.

6. CPPR – emphasized need to accurately, consistently use this tool to evaluate the performance of the contractors. Discussed that one district has contractor that wants to take CPPR Deficiency Letters to DRB. Answer is no as this is an administrative issue

and is not in the contract. Only recourse (other than CPAM appeals process to Department) is administrative hearing at time of prequalification.

7. Extra Work Spec revisions being considered. Don't accept total cost claims. Extra work requests with no time get just section 4-3 markups. Extra work requests with time requests get 4-3 markups and 8% for delays. This is the way the spec is currently written. Being considered in the revision is the elimination of the 8% markup for added work as this is not a delay. The 8% would only be allowed for the pure delay situation and no markups would be allowed on idled labor and equipment. Also, considered in the revision is defining labor to be from the Foreman down and Overhead from the Superintendent up.

It was suggested that AIA and Federal guidelines be looked at for definitions of Jobsite Overhead and definitions of labor.

Also discussed asphalt plant costs as they relate to delays. If not dedicated plant for project, would not be eligible for delay costs. Must look to see if plant is producing mix for other jobs (look at quantity of mix being produced at the plant). Must look at what production level plant was able to maintain during the delay on our job. (WHO'S NEXT – CONCRETE PLANTS?)

8. Discussed Supplemental Agreements and concerns of the OIG and FHWA. Described Contract Change Checklist and that it and the Construction Conference presentation will be available on the construction website.

9. Discussed scheduling specification revisions and updates. Do we need a baseline schedule? The new specifications have been clarified. Question was also asked for the group to consider whether or not we should require a CPM on all jobs. Most DCEs felt that was not necessary. DCEs have the option to call for the CPM schedule.

10. DRB

- Conflicts of Interest
- Utility issues – pursue multiple directions – considering holding permit requests until utility acts on outstanding claim issues
- Working toward Utility DRB process
- Some consider this an issue between FDOT and the Utility since by this point in contract we would likely have paid the contractor for impacts.
- Rulings by DRB's outside the scope of the contract.

ACTION ITEM: *SCO to consider drafting specification language limiting the authority of the Board on certain items. (Mark Wright)*

11. Department of Environmental Protection – Presentation
Geoff Rabinowitz (850-245-7521) and Heather Ritchie (850-245-7518) of DEP put on a presentation about changes in the permitting regulations. We will need to apply for permits for small construction activity projects – 30 day window through May 31, 2003.

Martana Overton coordinates training on DEP issues.

Groundwater dewatering permitting requirements were touched on.

Permit letter from DEP that issues permit number should be posted prominently at project site (i.e., bulletin board).

File Notice of Termination/Completion letter with DEP at conclusion of projects.

It was suggested that we write into contract required steps needed to ensure erosion control compliance (i.e., notify DEP, etc.)

ACTION ITEM: *For permitting requirements on existing projects, SCO will check with Donna Pope about need for permits on projects with < 1 acre of clearing remaining. (Ananth)*

DEP will notify person named on NOI in advance of project visits.

12. Discussion after DEP departure:

- Consider having the Contractor sign the NOI.
- D5 has Contractor sign and get permit and pay fees - Other Districts don't yet but considering.
- Consensus of the group was that we'll have Contractor obtain and this will be addressed in the Division I specs.
- Final survey of drainage and stormwater facilities – considering specifying contractor perform and certify to WMD's. Again, this will be considered for a Division I specification change.

ACTION ITEM: *Ananth to look into having the Contractor sign the NPDES NOI and look at a specification change for final survey of drainage. (Ananth)*

13. Electronic Plans and Specs –

- 1) Can Districts get hard copies? If not, additional discs/CD's? Jim Johnson will look into. *Jim looked into this during meeting and hard copies of the executed contracts are still being sent to the Districts.*
- 2) CD's with specs do not include supplements to the specs. Jim Johnson will look into. *Jim looked into this during the meeting and was told that the supplements should be going to the Districts on CD.*
- 3) PEDDS (Professional Electronic Data Delivery System) for signing and sealing will be used. Jim Johnson will ensure training provided prior to implementation. *Jim contacted Juanita Moore's office during the meeting and there is no date set yet for implementation of electronic plans.*

14. A brief discussion was held about alternative contracting.
 - 1) Need to consider using No-Excuse with a Bonus date only when the project has to be finished prior to a pre-defined event (such as Super Bowl). Otherwise, consider using Incentive/Disincentive.
15. Douglas Townes provided training information discussion:
 - 1) OSHA – train the trainer session scheduled. Those attending, if they have prerequisites, can train District personnel afterwards and those personnel can receive TRESS credit. For TRESS credit, would have to submit class curriculum in advance for approval.

ACTION ITEM: Douglas will come up with a 1 day to 1-1/2 day class on OSHA safety based on the recommendations of the attendees of this 36-hour OSHA training. (Douglas)

- 2) Pile Driving Pilot – pushed implementation back to 2004.
- 3) Cell phones during CTQP testing – taker of test not allowed to leave for calls during testing. Incidents of cheating discovered.
- 4) EEO training – lively debate about the need for training to gain consistency. Issue was put on hold for reevaluation at September DCE meeting.
- 5) Final Estimates Training – Chapter 9 is out for review, please put comments in writing. Considering grandfathering all personnel into level I and pull qualification if demonstrate lack of skill. If a person is currently working as a Final Estimates Manager, can opt to take the test only to become CTQP qualified. Decision was that this training would proceed forward.
- 6) Discussion was held about requiring QC Manager qualification for Resident Engineers. Also, discussion about the equivalency of RE's to Sr. Project Engineer of consultants. It was decided that if a RE/SPE was approving contractor's QC Plans, then require that person to have attended the QCM course and pass the exam.
- 7) Discussed Training for Inspection and D2 Materials Model (CQC next generation?) – considering what is training necessary for personnel who are inspectors only.

Friday, April 11, 2003:

1. Bob Burlison of FTBA attended for discussion of Industry Issues and areas where we might want to consider doing things differently. Topics discussed were:
 - 1) CPPR – too high, too low, too much work.
 - a) There seems to be an issue with deficiency warning letters and them leading to deficiency letters.
 - b) EEO reporting is one area to look at, particularly on big jobs with lots of subcontractors. Should take into consideration

responsiveness of contractor to issues. Should every error that occurs prompt a warning letter? Considers answer to be no. There also seems to be inconsistency around the state with required submittals of documents. Most of the complaints that Bob receives on CPPR are from contractors on larger/longer projects.

- c) Encourage folks to mention that just because a grade may start out with some lower scores, that the opportunity to increase exists (i.e., double-bogey in golf)
 - 2) Extra work and No Excuse Bonus (NEB) spec revisions. Encouraged the FDOT to be careful when selecting which projects to add NEB to. Also, discussions about equipment markups will continue.
 - 3) Discussed the CPA presentation that was conducted on Wednesday, April 9th. Gave DCE's copy of handouts from that presentation.
 - 4) Discussed acceptance of projects and asked FDOT to consider a two tiered approach to acceptance – 1 Open the road, 2 finish the rest of the project. Bob thinks every thing we do on our projects should be geared towards getting out of way of the public.
 - 5) Discussed training requirements for contractors – not a big proponent of mandating certain training requirements because considers that industry will regulate itself, that public market will cause contractor's to maintain a certain level of skill. Considers that competitive edge goes to the better trained.
2. Look at active jobs over 180 days in duration to see where they are currently as it relates to Contractor Grades.

ACTION ITEM: Ananth asked DCE's to look at larger projects to get a snapshot of the current grades and send the information to him. (DCE)

3. Provided handout to DCE's showing contractor reimbursement rate table for labor burden. Will be posted on SCO website.
4. Design-Build issues:
 - 1) If in commitment (Book of Promises), we should get a credit back for changes – Ananth provided examples.
 - 2) If DB team submits proposal that is not in compliance with RFP, we should consider the DB team non-responsible. Notify DB team and give opportunity to revise.
 - 3) Design variances – No.
 - 4) Design exceptions – must go through FHWA. Don't want these either.
Difference between design variance and design exception:
Variance – differs from FDOT standards but meets AASHTO Standards.
Exception – differs from both FDOT and AASHTO standards.

- 5) Schedule of Values – watch for front-end loading, FDOT has right to disapprove. Look closely at payout of Design costs. Consider paying out Design like MOB or MOT.
- 6) DB Checklist – Keep FHWA in the loop on oversight projects. Suggested inviting FHWA to RFP meeting and technical presentations. FHWA wants FDOT to submit all pavement designs to them for review/approval. If you have a state funded project that will later be seeking federal money, follow the DB checklist.

5. Contract Administration Issues. Must get away from plan notes and stay with the specifications.

ACTION ITEM: If there are plan notes that need to be added to the specs, send them to Dave to take to the specs office. (Dave)

6. MOT inspections – close the loop on Deficiency letters. Notify contractor when deficiency is corrected.

7. RPM's and Sign visibility – hot MOT issues. Must use rpm's on intermediate lifts of asphalt.

8. Removal of existing striping – grinding, grooving, blasting. Passed around pictures showing what not to do for striping removal. This is a significant issue that requires attention. DCE's recommend that blasting be the only method allowed for removal of striping. DCE's agreed to provide better enforcement and seek spec change concurrently.

ACTION ITEM: DCE's will send proposed language by May 15, 2003 to Dave. (DCE)

9. Missing Density Log Book sheets – CEI on project needs to sign and seal, Contractors would have to have signed and sealed Engineer's Analysis.

10. Cross-slope measurements during milling and paving operations – maintain focus on this issue.

11. Tropical Soda Apple – let SCO know of any DRB issues involving this.

12. \$0.00 Spec Changes SA's – discussed why some contractors refuse to sign these. Smoothness spec change is one that has been issue with contractors because of perceived potential for penalty.

13. Performance Turf - look a wording in spec about furnishing bond. New version of spec doesn't require bond, just warranty. Queried Districts and found that most with performance turf projects have yet to have their jobs start.

14. Discussed performance Landscape spec development – asked DCE's to review the draft spec when it is sent out.

15. Discussed automatic rain detection sensor for projects with irrigation.

16. Discussed as-built plans memo from Ananth, Brian Blanchard, Sharon Homes and William Nickas. Districts appear to be signing/sealing bubbled changes individually and as-built plans are being stamped or labeled on the key sheet only. Reminded that must sign/seal changes we make to plans.

17. As-built pavement data – CQC eliminated the asphalt Daily report entries into CQR which in turn eliminated spreadrate or layer thickness information in system so we'll be required to complete form 700-050-12 (Roadway As-built Pavement Data).

18. Customer Survey – asked for input from Districts on handout. DCEs adopted the Residential/Business Owner Survey Plan and the survey form. The plan calls for each District to conduct surveys on a minimum of two active and two recently completed projects.

ACTION ITEM: DCE to tell Sylvia Dawson of SCO the number of forms needed for the Districts to hand out. The Districts are then to collect the surveys and send to Sylvia for scanning and compilation of results. (DCE)

19. Claims Tracking – Ananth asked how are we documenting the settlement costs in the Districts? The responses were that this was being done non-uniformly and it was suggested that training be provided in much the same manner as the CPPR training done earlier this year.

ACTION ITEM: Provide training on Supplemental Agreement coding as it relates to settlement costs. (Dave)