

District Construction Engineers Meeting
May 19 and 20, 2004 in Orlando, FL

Meeting Minutes

Wednesday, May 19, 2004

- Business Plan Development
 - The group wrapped up the discussion on the Tier 2 Construction Business Plan. Ananth will give an update to the Directors at their next Director of Operations meeting to be held on June 1, 2004.
- Data Management System Presentation
 - District 5 gave a presentation on their system (named PAP). District 7 then followed with their Access Database presentation along with a GIS application to track warranties. Finally, District 6 gave a presentation on their system (named PROFILE). Districts are to be commended with the work they have done in these programs.

ACTION ITEM: All Districts unanimously agreed to try District 6's PROFILE system for a year and try to build-in various functionalities that are needed. SCO will support this by provide additional funding to generate the necessary reports and other tie-ins with SiteManager. It was agreed by all that the goal should be that any sort of Data Management System should involved one time data entry. PROFILE seems to be closest to that reality. CARS is being incorporated into SiteManager and once that is done, this system would work seamlessly.

Thursday, May 20, 2004

Contract Administration Issues

- Contractor Grading
 - Fall Contractor Meetings – Training on Contractor Grading – Districts to schedule this training either preceding or following the Contractor's Meeting. All Contractors and CCEI Senior Project Engineers need to attend this training. The trainers are Ananth and Dave.
 - A question was raised on what one should do if the score in a category is already 0 and the situation warrant a Deficiency Letter. Even though, this situation is rare, one should continue writing DL, if warranted, regardless on what the score in the category is.
- Sharing Consultant CEI savings with Contractor and adding Incentive spec after the Contract is let.

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- Districts were requested this information. FHWA and SCO is concerned but based on the preliminary numbers, we have been judicious. Districts were advised that such requests should be coordinated with SCO and FHWA prior to committing to the Contractor.

ACTION ITEM: Ananth to send that e-mail again as a reminder.

- Fence Openings on Interstate projects.
 - SCO and FHWA are concerned on fence openings on Interstate projects. On one of projects, SCO observed 13 fence openings with no temporary fence to secure the openings. Some specific contractors are the worst offenders. This issue is very important to FHWA. The specific specification was discussed and Dave advised the group that the specification has been modified.

ACTION ITEM: Dave to e-mail the new specification to all.

- Striping Specification – 14 days between applications.
 - Ananth polled the Districts on whether we need to modify the specification in light on that some contractors did not adequately plan for this and ended up in liquidated damages. D1, 2, 3, 4, 5, 7, and TPK felt that no change is needed. D3 felt that we need to go back to putting final striping (such as No-track Thermo, etc) as part of the construction contract. D6 felt that we should eliminate the second application and that this spec came as a result of the District's inability to properly manage the final striping contracts.
 - Ananth also polled the Districts on whether they would like final striping be included part of the construction contract. D1, 2, 3, 4, 5, and 6 agreed. D7 needs more info and TPK is against it.

ACTION ITEM: Dave to send No-Track Thermo spec to DCE. Ananth will send an e-mail to the DCE as a reminder for the DCE to talk to their Director and see if they are willing to support this change.

- Concrete Shortage
 - The proposed DCE memorandum was discussed and with the exception of some minor wording changes, all Districts were in support.
- Sublet v/s Rental Agreement
 - Sublets versus Rental Agreements for trucking were discussed. Disparity exists between Districts on how to treat these. Ananth shared a draft matrix on when a sublet is needed and when a rental agreement

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will suffice. There was some concern on whether the matrix is consistent with Federal Regulations.

ACTION ITEM: Don Davis will get FHWA's official position on this subject with a goal to reduce paperwork.

- Maintenance of Traffic issues
 - Certified quantities – Need to educate the CEI on the new specification requirements.
 - Temporary Crossovers on Interstate projects – Look at Specification and Standards for detail. FHWA is concerned about the use of such crossovers. Recommended approach is to detail such temporary crossovers in the plans and then do not allow deviation.
 - Drop-offs – Ananth stressed about Contractors “stretching” the definition of active work. A guy in a pick-up moving within a work zone is not active work and hence such work areas needs to be “safe-up” in accordance with Standards

- Impacts on Final Acceptance
 - EAR Remedial Work – Try to get EAR resolved in a timely fashion. Use CPPR as a tool to ensure timely resolution. Treat EAR remedial work as warranty work should the timeline of the EAR (assuming timely and diligent action on the part of the Contractor) puts such work past final acceptance.
 - Smoothness Specification – Treat remedial work as warranty.

- DRB Issues
 - Three Party Agreement Changes – DCEs reviewed the proposed language and agreed unanimously with the change.
 - Active Contractors and CEIs – DCEs reviewed the proposed language and agreed with the change. Tom Driscoll would prefer more stringent standard but felt that the proposed language was a good compromise. Mark Croft expressed some concerns with the proposed language and the need for it. In the end, DCEs agreed unanimously with the change.

- Mandatory Pre-Bid Conferences
 - Very infrequent use of the Mandatory Pre-Bid Conferences. FTBA expressed some concern on who attends and who sign for the Contractor. Due to such infrequent use of such conferences, no action was taken.

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- Utility Permits – Approval from the Contractor (D3)
 - Ananth discussed Jimmy Rodgers e-mail on this subject. Majority of the Districts require concurrence from the Contractor prior to issuing a Utility permit within construction project limits. D1 requires a letter from the Contract where as D2, 4, 5, 6, and 7 get concurrence verbally.
- Cut/Damage Utility Report
 - Ananth shared a form that was being used in D2 and inquired about any support. DCE felt that this information was being gathered in other fashion and that this form is not needed. However, there was a question that there is an existing form for this.

ACTION ITEM: Dave to check whether such form exists and let the DCEs know.

- Consultant CEI Issues
 - Role of CEI Firm and the Construction Project Manager – All Districts were moving ahead with implementing the changes. Most CEI firms were willing to execute Supplemental Agreements under the existing CEI Scope of Services.
 - Communication w/Consultant CEI Firms – Ananth stressed the importance to conduct bi-annually a meeting with the Consultant to share the Department’s vision and the District’s specific goals.
 - Certified Final Estimate Certification changes – There was some confusion as to whether to check a certified final estimate prior to making the offer of final pay. The procedure allows some checking to no checking to facilitate a history of firms submitting certified final estimates and the extent of absolute change. If we find errors, the Consultant needs to correct such errors at no additional cost to the Department and the Department should expect a remedial plan on what steps the Consultant has taken or will take to ensure that these errors do not happen again. In case of repeated errors or worst case scenarios, Ananth will revisit the firms pre-qualification. D1, 2, and 4 were performing cursory review prior to submitting the Offer. D5, 6, 7, and TPK were making Offer upon receipt of a certified final estimate. TPK expressed a desire to go back to cursory review. Ananth stressed to all is that our goal is to make Offer of Final Pay upon receipt of Certified Final Estimate and DCEs should exercise caution as to the scope creep of any cursory reviews. We should be closing out items as they are complete and not wait till the end. D5 recently received a perfect Certified Final Estimate from HNTB.

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- Changes to Certification Form – DCE agreed unanimously with the proposed changes that Ananth presented.
- The submittal of Final Estimate after final acceptance was discussed and it was agreed by all to relax the requirement to submit such estimate from 20 calendar days to 30 calendar days of final acceptance of the construction contract.
- Pre-qualifications issues
 - Delinquency – Ananth is going to be tracking project in delinquent status in order to ensure consistency in Department's administrative remedies. If the Contract is delinquent in excess of 30 to 60 days, we need to be pursuing delinquency.
 - Environmental Permit violations – Keep Ananth and Lewis informed on any environmental permit violations by Contractors. We need to address those issues at the time of pre-qualification so as to garner management's attention. Keep Ananth informed of CEI firms that are lax in enforcement of specification and/or not making the contractor respond in a timely fashion. It is in the best interest of the Agency that we address these issues at a corporate level.
- Other issues
 - Video Taping pipes – DCEs expressed that we are not consistently enforcing these requirements. D1 and D7 were not sure, D2 is enforcing this requirement (other DCEs expressed that D2 would not tell otherwise), D3 and D4 is on a hit-a-miss basis, D6 is not required to (because of French Drain) and TPK's requirement is more stringent.

ACTION ITEM: Add the requirement on Video Taping to the QA Guidelist.

- Conditional Acceptance – Dave informed the group that conditional acceptance for movable bridges are going to be deleted. D4, D6, and TPK expressed some concern.

ACTION ITEM: Dave to e-mail the proposed specification change to DCEs for comment before getting the specification out for industry review.

The meeting adjourned at noon on May 20, 2004. The next DCE meeting is scheduled for September 15 and 16 following the Asphalt Conference. We will start at 8:00 am on September 15 and end on noon on the 16th. The 16th will be dedicated to follow-up on the Business Plan activities. Resident Engineers who are in attendance at the Asphalt Conference are welcome to attend this meeting.