

**District Construction Engineer's Meeting**  
**February, 18 & 19, 2015**  
**Summary Notes**

**New/Recurring Business:**

**1) Introductions, Opening Remarks, and Agenda Overview (David Sadler and Rudy Powell)**

*Summary Notes: Attendees Present were:*

*D1 – Jon Sands, Brian Blair, Brian Penny*

*D2 – Carrie Stanbridge, Ken Hill\**

*D3 – Tim Smith, Tim Hendrix*

*D4 – Carolyn Gish, Deb Ihsan*

*D5 – John Tyler, Amy Scales, Jennifer Smith, Jim Boughanem\**

*D6 – Mario Cabrera, Heidi Solaun-Dominguez*

*D7 – Bill Jones, Megan Arasteh*

*TP – Pete Nissen\*, Bill Sears*

*CO – David Sadler, Rudy, Powell, Paul Martin, Jason Watts, Alan Autry, Art Berger, Calvin Johnson\**

*FHWA – Rafiq Darji, Khoa Nguyen, Nik Finch\**

*\*only present 02/18/2015*

*David provided an updated on Design-Build issues.*

**2) Specification Updates – (Sadler/Powell)**

SCO will provide an overview of recent Specification changes. Districts may bring forward any proposed specification changes.

*Summary Notes: Rudy reviewed proposed changes to specifications 4550502 and 4550502DB*

**3) CPAM Updates – (Sadler/Powell)**

SCO will provide an overview of recent CPAM changes. Districts may bring forward any proposed specification changes.

*Summary Notes: Rudy provided an overview of changes to CPAM that were recently posted on the departments website for End User Preliminary Review as follows: CPAM 1.3 Pre-bid Questions and Answers, CPAM 7.3 Supplemental Agreement and Unilateral Payment Documents, and CPAM 7.6 Contracting for Governor Declared Emergencies*

**4) Process Reviews – Lessons Learned – (Sadler/Powell)**

SCO will present highlights of recently completed Process Reviews. Opportunities for improvements and best practices will be presented to the group.

*Summary Notes: Rudy highlighted recent reviews conducted in D1 (Environmental Compliance and Pipe Installation) and D6 (Geotechnical/Earthwork).*

#### **5) Digital Signatures and Project Solve Update – (Rudy Powell)**

Discuss the status of Project Solve implementation and the training needs of the Districts. Some districts have gathered more information and we able to ascertain their needs during recent training. Discuss departments need to develop a strong implementation and training plan. Discuss the additional resources and staff needed in each District to make this a success.

*Summary Notes: Rudy provided an updated on the implementation, training, etc. Districts need to identify projects for the pilot program. Discussed questions related to certification of as-built plans process. Full implementation is anticipated in July 2016. SCO is looking for feedback. Project Administrators were asked to reach out to FHWA Transportation Engineers to add them as approved users. Discussed the equipment and needs related to mobile technology required to allow for ease of use in the process.*

#### **6) Locating Department owned Underground Facilities – (Rudy Powell)**

*Summary Notes: Rudy revisited this issue which was discussed at the January DCE meeting. Discussed current and future policy of locating department owned facilities. FDOT should be showing the location of department owned facilities and the specifications should address contractor responsibility for locating these facilities and “exposing” them as necessary. SCO will take this issue back to the Chief Engineer and the M-Team for further discussion.*

#### **7) Landscaping Update – (Rudy Powell)**

*Summary Notes: Rudy provided an update on the current and future policy related to the delivery of landscape projects per the attached reference document (Joint Memo). Discussed requirements of installation and establishment period. It was noted that the districts want the landscaping project to be paid through EED.*

#### **8) Third Party Damage – (Rudy Powell)**

One year review of 3<sup>rd</sup> Party Damage since specification implementation. No records of Contract Change Reason Codes 021- 024 being used.

021 Damage to Existing Property caused by **known** 3rd Party (**This code may only be used on Projects Let in or after January 2014**)

022 Damage to installed Work caused by **known** 3rd Party (**This code may only be used on Projects Let in or after January 2014**)

023 Damage to Existing Property (no fault of Contractor) caused by **unknown** 3rd Party (**This code may only be used on Projects Let in or after January 2014**)

024 Damage to installed Work (no fault of Contractor) caused by **unknown** 3rd Party (**This code may only be used on Projects Let in or after January 2014**)

*Summary Notes: Discussed state of the practice related to implementation of current 3<sup>rd</sup> party damage specifications. SCO noted that no contract modifications had been processed using the codes shown above. Reviewed and discussed current version of specification 7-14.*

#### **9) FGT and Buy America – (David Sadler & Rudy Powell)**

*Summary Notes: Jason Watts revisited the FGT/Buy America topic that was discussed during the January DCE meeting. The group also discussed the FDOT/FGT agreement. Jason provided an overview of this agreement and how the Department's General Engineering consultant will certify FGT's compliance with Buy America requirements.*

#### **10) Retaining Wall Issues – (Pete Nissen)**

*Summary Notes: Discussed design and construction issues related to the construction of retaining walls. Turnpike Design Office is working with Central Office Roadway Design to address this issue. SCO will also work with the Office of Design to revise the standard index in an effort to address the concerns.*

#### **11) Future of Streamline Contracting – (David Sadler/Rudy Powell)**

*Summary Notes: David provided an overview of the initial implementation and expectations related to the use of this contracting method. Group discussed current and previous issues experienced on these contracts as well as future use of this contracting method. Polled the districts to determine whether or not there is any interest in continuing to use this contracting method. Based on the results of this poll, SCO will initiate the steps to eliminate the use of this contracting method.*

#### **WALK-ON ITEMS:**

##### **1) FHWA as an active participant in Design-Build Procurement process – Rafiq Darji**

FHWA involvement in various procurement meetings on DB projects. Active participation in ATC one-on-one meetings could prove valuable.

*Summary Notes: FHWA asked that the Transportation Engineers be invited to the various DB procurement meetings. This was discussed with the DB procurement administration group.*

## **2) Business Development Initiative – John Tyler**

BDI Construction Contracts – District experiences with BDI Primes not using small business subcontractors. What you do you do when they can't perform the work without the aid of non-small business sub?

BDI CEI Contracts – The \$3.5M cap for in-house project administration limits the number of BDI opportunities for CEI contracts. The Department goal is to have 15% of professional services contracts (by number) as BDI opportunities. Can we amend the \$3.5 M cap to be in-house administered **OR** BDI CEI if the District needs it to achieve the 15% goal?

*Summary Notes: Discussed districts experience with the use of BDI contracts. It was discovered on certain BDI projects that the BDI prime contractors were not subletting work to BDI subcontractors as required by the BDI specifications. SCO expressed concerns related to the availability of BDI contractors in specific area that can perform certain scopes of work. BDI project selection was discussed.*

## **3) Consultant CEI Contracts – Rudy Powell and David Sadler**

Discuss feedback on perception, options to incentivize, and Lump Sum Consultant CEI contracts

*Summary Notes: SCO shared industry feedback with the group related to CCEI administration of construction contracts. Discussed project selection for use of CCEI contracts. D2 provided an example of how they implemented an “innovative” CCEI contract that allowed for optional contracts to be supplemented to the original contract based on CCEI performance. SCO will work with the DCE's to develop and present options to management which highlight how current practices address the issue. Discussed current practice related to LS CCEI and negotiations guidance. Districts requested that the guidance be reviewed and updated by being more specific if they are tasked with using this method more. It was noted that the basis of negotiations would be the original construction contract time, CCEI would “absorb” weather and holiday time extensions granted. Basis assumptions would account for 30 day prior to beginning of contract time and 30 days after contract final acceptance to allow for CCEI setup and closeout activities.*

## **4) Granting of Weather Days due to Asphalt Placement Temperature Restrictions – David Sadler**

*Summary Notes: Discussed current specification 8-7.3.2 and an industry proposal to modify this specification language. Discussed how weather days are being granted on projects when the plans include specific work restrictions. SCO will continue to evaluate this issue and discuss with industry.*

**5) Lane Rental Damage Recovery – Rudy Powell/Bill Jones**

A discussion of what constitutes "out of the control of the contractor" and how this has been handled across the state.

*Summary Notes: Discussed a project specific scenario where a contractor violated the lane closure restrictions identified in the plans and the lane rental damage recovery was enforced. Discussed how the lane rental damage recovery requirements are being administered statewide so as to gauge consistent implementation.*

**6) Design-Build - Alan Autry**

*Summary Notes: Discussed an overview of recent changes to the Design-Build Rule (FAC 14-91), use of Factored Design-Build and the identification of non-complex projects. Discussed future design-build projects.*

**7) CPAM Chapter(s) for Design-Build Projects – Carolyn Gish**

*Summary Notes: D4 has formed a task team to develop specific CPAM chapters for Design-Build projects.*

**8) Quality Adjustments on Design-Build Projects – Carrie Stanbridge**

*Summary Notes: Discussed project specific district experience related to the assessment of specification allowed/required quality adjustments on Design-Build projects.*

**9) Prequalification Application Process – David Sadler/Rudy Powell**

*Summary Notes: It was noted that SCO is beginning to receive the annual contractor prequalification applications. SCO will solicit feedback from the districts related to contractor performance on active and recently completed projects as part of this annual process.*

**10) CPM Schedule Training – Rudy Powell**

*Summary Notes: Rudy provided a status update on this training*

**11) Utility Agency/Owner Performance Issues on Construction Projects – Bill Jones**

*Summary Notes: It was noted that the districts are experiencing an increase in notifications from contractors related to delaying project start dates because UA/O's are not performing the "pre-construction" relocation work as it has been identified in their agreed to Utility Work Schedules. Noted that the District Utility Offices must obtain UWS and "certify" the projects prior to the "mail date".*

**Next DCE Meeting – March 23, 2015**

Submit agenda items to Alan Autry by March 13, 2015