

**MINUTES - Asset Maintenance
Liaison Subcommittee Meeting #62**

**Friday, April 27, 2018
LIAISON PREP - GoTo Meeting**

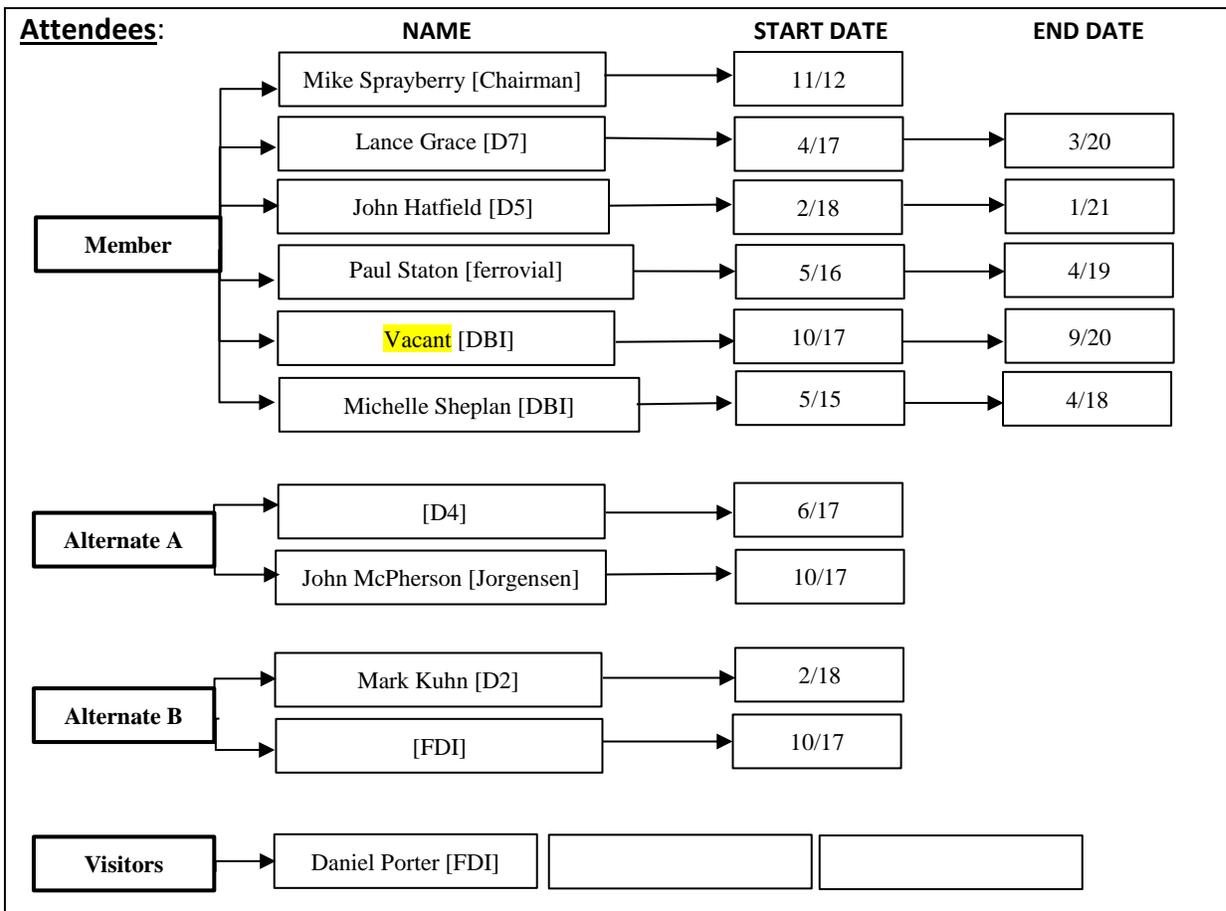
Team Purpose:

Members are to review, research, analyze, and discuss topics associated with the Department's Asset Maintenance Program. The Team will develop recommendations and make decisions for Program improvement or change.

Team Rules:

1. Discussion issues and agenda topics may come from any source and be brought to the subcommittee by a Team member.
2. The Subcommittee will meet monthly.
3. Before each Liaison Committee Meeting, the Team will prepare a summary document of the status of all issues discussed since the last Liaison Committee Meeting. This summary document will be circulated via e-mail to the frequent Liaison members prior to the Liaison meeting where the summary document will be discussed.
4. The Subcommittee shall be composed of the FDOT State Contracts Administrator (currently Mike Sprayberry) as lifetime Chairman plus 5 Team members (two from FDOT, three from industry). Team Member factions (Industry and FDOT) shall serve on the Subcommittee for a maximum of 3 years. Alternate Member factions have no term limit as an Alternate. FDOT members must be employed by FDOT and industry members must be employed by a company that has at least one active AM contract in Florida.
5. Each faction will assign a primary and secondary Alternate Member to step in for absent Members when needed. Alternates should attend the Subcommittee Meetings and participate in discussions, but are not a part of the deciding body.
6. Agendas will be circulated to the Alternates and all Members at least 1 week before the meeting. Minutes will be circulated to the Alternates and all Members within 1 week of the end of the meeting. When minutes are circulated, the Chairman will send an e-mail to DMEs and AMOTIA with website link to the minutes and ask for review and input if they wish.
7. If a Subcommittee Member plans to be absent from a Subcommittee Meeting, the Member must first attempt to contact an official Alternate Member of same faction as a replacement. If no alternate is available, the absent Member may send a delegate of his/her choosing. If no replacement has been identified by the time the meeting starts (or the Member was an unexpected no-show), a silent listening Alternate of either faction may substitute if available.

8. The Subcommittee has the authority to assemble task teams and sub-subcommittees that report to this Subcommittee and may assign tasks and projects to these bodies.
9. The rights to Membership and Alternate seats are held by Companies/Districts, not the individuals named. Thus, if an individual voluntarily resigns, that individual's Company/District may select another individual from same Company/District as a replacement to finish out the term of that seat. This does not apply if the individual is dismissed from the Subcommittee or reaches seat term limit; in that case, the Company/District loses their seat. Dismissal decisions shall be at FDOT Director of Maintenance and AMOTIA Director levels.
10. It is allowable to have guest listeners. Anyone may submit a request to the chairman to listen in on a particular meeting. The number of listeners that can be approved for any given meeting is line capacity minus 11. Request will be granted on first-come-first-serve. Listeners should be silent during meetings.



Todd Hammerle will take the Vacant DBi seat. Michelle will fall off and McPherson will be a new member and Laura will move to Alternate A. We need industry to select a new Alternate B.

Discussion Topics

1. Review Documents to present to Liaison Committee



Recs-Decs for
Liaison 2018a.docx

2. Review of Assignments

ACTIVITY 1 (Priority 3): The Team needs to research options related to evaluating MRP on non-traditional places (underpasses, bridges, ramps). Need to analyze if this could be done in normal way or with safer windshield-type surveys. Also, study if we should rely on points to fall randomly on these areas by simply including the areas within the population pool, or have a specific routine that generates X points in these areas.

Mike to summarize performance data from TX and send summary and full doc to team for review.

No progress.

ACTIVITY 2: Analyze and discuss ideas and possibilities of developing performance measures for bridges that are based on some sort of inspection ratings like Sufficiency Ratings or Element Rating (or other rating). This will be done via a sub-subcommittee.

Aran expressed that we maybe should keep three different industry members on the Sub-Sub Team (ICA member became DBi member). Industry/AMOTIA will look to either add a ninth member or replace one of the two DBi members. Hopefully they will have an answer at Liaison on May 2.

Below is a synopsis of discussion topics from Meeting #12 of the Bridge Performance Group (3/21/2018):

Meeting #11 Recap – Information related to the previous discussion on the *Movable Bridge Information* and the *Bridge Performance Report Tool* was reviewed.

- Follow-up conversation during the recap indicated that draft procedural updates are in-progress on the Statewide Movable Bridge Operations Manual related to information-sharing based on recent discussions.

Movable Bridge Information – After review of past group discussion and coordination on the movable bridge information, a list of probable group consensus items was identified and presented to the group. The following items were discussed in detail:

- *Half-Machine / Half-Structure* – Movable bridges are unique structures which include unique requirements related to the machine-half components.
- *Structure-Half covered under Element-level PM's* – The element-level performance measures (currently under consideration) are applicable to the structure-half components (i.e. Expansion Joints, Deck Systems, Coatings, etc.)
- *Machine-Half Component Life-Cycle Considerations* – The machine-half components are prone to replacement and/or rebuild activity which is typically independent of the overall structure rehabilitation cycle. A list of unique requirements related to movable bridge components was discussed in detail. Additionally there are certain types of components which are prone to technology upgrade cycles and require coordination with 3rd party vendors.
 - *Bridge Inspection Process not Ideal to Support Movable Bridge R&R Activity* – The information currently provided through the bridge inspection process may not be ideally suited to support renewal and replacement activity for many types of movable bridge components.
 - *Movable Bridge Management Strategies* – Best practices and strategies for movable bridge operations were discussed in detail.
 - *Potential Changes in Department Standards & Procedures* – Currently under consideration are procedural changes related to information-sharing and possible standardization of service-related contract provisions. Existing AM contract provisions related to movable bridges were reviewed and acknowledged.
 - *Areas for Improvement* – Overall, the group agreed on the need to improve reliability of movable bridge operations in general and that any incentives which are established should align with this objective.

Review of Bridge Performance Report Information – Instructional videos have been created which explain the information contained within the Bridge Performance Report Tool and how to navigate the data tables to access detailed information which supports each summary. These videos are available to all group members as they continue to review the updates on their individual bridge groups (distributed monthly).

State-Owned Bridges in Performance-Based Contracts – Recent review of statewide data indicates that approximately 70% of all State-Owned bridges are currently included within the scopes of performance-based contracts (both AM and Concessionaire). A District by District summary was reviewed and discussed in detail.



20180321 Bridge
Performance Meetin

Notes from previous meetings:



Synopses of Bridge
PM sub-subcom.doc

ACTIVITY 3: Discuss what do with the six outstanding items from the results of the “MRP shortcomings” study.

Mike checked with Jon if DMEs will get a chance to review /change criteria before MRP study is instigated.

Answer: By the end of next week (May 4) Jon will send criteria to DMEs to give them an opportunity to revise/change the criteria before ordering the MRP study.

Mike will send the criteria to Peter/AMOTIA for industry review.

Mike is to move previous meeting notes to the Log of completed stuff.

Notes from previous meetings:

At the March DME meetings the minutes were recorded as “Jon to send criteria to DMEs for feedback. The MRP Task Team is prepared to move forward with a study”.

Jon sent update that says: “Have not sent criteria to DME’s yet. The study will not be able to happen until period 1 later this year. They will have the criteria to evaluate by April 11th.”

We discussed developments on this issue related to MRP:



RE Fence Criteria -
Vegetation.msg

The Team decided to wait until DME's discuss and get a report from them. After DME in early March go ahead and send out discussion results to DMEs and Industry (AMOTIA).

Discuss a decision here considering discussion at Liaison Meeting.

From liaison:

1. Practical approach –

- **urban areas vs rural areas**
- **suggestion to prescribed spraying cycles**
- **Use each district vegetation management plan**
- **Why does MRP not discuss vegetation if its damaging fence? It does – if fence is damaged it will fail MRP**
- **How do you evaluate fence if you can't see it?**
- **Use criteria for unwanted vegetation?**
- **ACTION - FDOT needs to determine what they want in order to move this forward**

We propose that the District veg Man plan have the standards for fence and the AM Contractors would comply with that plan (already required in current language). Also, maybe add in procedure a requirement that Districts address fence in their veg man plan.

We will send this out to DMEs and AMOTIA for review and comment. I will explain the two issues and that a recover and ramp-up should be handled in other requirements.

We discussed this at the November DME meeting. Here is are the minutes from that topic:

Vegetation on Fence (Sprayberry/McCrory). Discuss expectations concerning removing or allowing vegetation on fences.

Notes: Location of the fence is important. In general, businesses want clean fence, residents want covered, local drivers want to see through the fence to the scenery, and in the places where sides of the road are woody most citizens would rather see the fence covered (or don't care since in the woods and can't see it). Several suggested a "practical approach" maybe with a caveat of "unless otherwise directed by engineer". Sharon and Jim recommend a simple "spray twice per year". Dead

stuff will eventually fall off. Jim wonders if overspray is an issue. Sharon says it should not be an issue with twice per year spaying. Lance says would like to see all clear, but acknowledges some may want fence to have vegetation. Many mentioned fence requirements could be placed in each District's Vegetation Management plan. Mike suggested we put in veg plan. Lance is worried AM language is not strong enough to make AM do anything based on Veg Man plan and also pointed out a concern of District inconsistency. Mike will take this info back the AM Subcommittee for further discussion.

Notes: Depends on the context of the location. Herbicide fence a few times a year to ensure the service life of the fence is maintained. Need to be able to see fence to ensure it is intact and functioning. Clear of vegetation as much as possible, but need to be practical. Include in the district vegetation management plan. This is being discussed at the AMOTIA Liaison Subcommittee.

We want to discuss at Liaison and get resolution/decision so we can move forward.

Mike reported on his discussion with McCrary and Tim Allen. Vegetation free fence seems asking too much, especially in rural areas. In urban we may want a higher standard. If residence live on other side of fence we may need a different standard.

Michelle wants to be discuss at the DME meeting: Let's agree statewide on what "vegetation-free" means – what exactly are we looking for? Let's be clear as to what an area of fence is – 1/10 mile? 1 mile? 6 feet? If vegetation is treated is it a pass even if still green? If it is a huge load of dead stuff is that ok? Michelle has seen cases where citizens wanted vegetation-covered fences to stay as they were. Bob added: when getting new contract and previous caretaker ignored fences, that is an issue that requires a ramp-up.

Vegetation/Aesthetics

1. Fence: Vegetation on or in the fence should have some consequences if it doesn't match the surrounding landscape or is effecting the performance of the fence.

➤ AM Subcommittee response: **We will analyze via "Other Requirements/Fates" task.** {ACTION: This item has conflicting notes as to it final fate. The Subcommittee must readdress}

FDOT needs to have internal FDOT discussion first to see what we want as a department. Clarity of requirements on Fence is needed.

<p>ACTIVITY 4: Active List of desired and/or planned AM Scope Changes. This list will remain here until Scope is changed or decision made to not make change.</p>

Jean announced that a AM Scope / AM Spec / AM RFP update is soon to come. Asked for any critical changes to be submitted to him within two weeks. So, we analyzed the below items. See updates in each numbered item below.

For #2 Mike will develop language without this team's review and will place in full Scope that will be sent for review.

If legal ok's #3 language, then we will put in new scope. Mike will judge if any legal edits need to be circulated or discussed before including in new Scope.

Mike send question on item #3 below to legal on March 29. No response yet.

Over time send edit suggestions to Jean and Mike.

Tracking of suggestions:

1. Add performance measure based on results of Office of Maintenance QAR as standard in all AM Contracts. – **Not this time.**
 - Mike explained concept and gave example. There was one vote of ok with concept but reduce deduct amount. Jean pointed out may need exceptions here (like with the “place more effort on activities that did not meet MRP standards last MRP Period” item) – we need to determine how to handle these. Also, be aware of Rest Area-type issue where could be double deduction. No ready to confirm inclusion – will require more discussion. Lance suggested we review QAR in one of these meetings to compare and contrast to Scope requirements.
2. Separate out cable barrier from the guardrail and provide separate measures (cable barrier not currently mentioned – we current group cable barrier in with guardrail).
 - Group agrees this definitely needs to be done – procedure has been established and AM already must comply, but we need to review the Guardrail PM to make if more clearly apply to both guardrail & cable.
3. AMOTIA submitted the following Litigation 3rd party language for us to consider. We are tasked with rewording the current 3rd party damage collection language in the Scope. **“In any instance of damage caused to a State owned Infrastructure that results in any response and/or repair expenses incurred by Contractor, for which Contractor is authorized by this Contract to pursue claims against the individual(s) or entity(ies) who caused the damage, FDOT expressly assigns its rights, interests and privileges pertaining to said property**

damage to Contractor, so Contractor can pursue all claims and causes of actions against the third parties responsible for the damage.”

- Lance wants to ensure we are talking about 3rd party damage here. The Group agrees Mike to send this language to FDOT legal for their input and provide an explanation that this is to apply to collection of funds for 3rd party damage.
4. Add clarification to duties related to High Mast Light pole. Structure maintenance is different than if lights are lit is different than if lowering mechanism functions. – **This is being handled through an Options and does not require Scope change.**
 5. Rearrange where things are to make easier to read/more flowing (Mark develop a rearranged version and presents it here for our review: [Mark] – **Not this time.**
 6. **Mark says:** I present to you for your review an ‘improved’ version of the current language in the AM scopes that I would classify as cosmetic in that all of the original language is in there. You will see language inserted in light blue that aids in making the sections appear uniform but don’t add anything to the boilerplate language. You will find a Table of Contents with hyperlinks to take a project manager to specific parts of the contract relevant to the topic they search from. I understand from Kim once you are in a section and want to return to the TOC, just hit Control Home keys. I mention the word cosmetic because as a project manager, it is possible to miss specific data related to a contract issue of not all pertinent parts are located within one area. Kim generated a complete scope and then moved all the parts around to flow better and make it easier to manage the contract. I hope you will have time to review before our next meeting to discuss. My thanks to Kim Toole for putting this all together in a manner that I believe benefits contractors and department personnel equally.



MAKEOVER11-4-16
ScopeDocumentFacto

- **Team is to review this document and be ready to discuss ideas in future meetings. – Not this time.**
7. Table of contents with internal Hyperlinks [Mark] – **Not this time.**
 8. Always have Page numbers [Mark] – **Not this time.**
 9. Rewrite the reimbursement section [Legal] – **Not this time. This is a big project legal.**
 10. Need to address per day deducts (see Activity 10) [Chris] – a possible idea here is to establish a maximum deduction for each Performance Measure, then per days (if appropriate) could work. – **Not this time.**
 11. Address mobilization (time from contract Execution to NTP is too short) [Chris] – **This is on agenda May 2 Liaison – this would not be Scope change – maybe an RFP change, but most likely a procedure change.**
 12. Changes/updates to Scope to be maximum each year synced with Spec release, but could be as often as 6 months [Mike] Possibly a month or two after Liason. – **Not a scope change.**

13. Bridge section really breaks out types of work, but HMLP and OHSigns do not. Let's look at that and propose improvements. [Kelley Hall/Mike] – **Not this time.**
14. Mast arms do not have a section and should. [Mike] – **Not this time.**

Tracking of confirmed changes that will be done:

1.

ACTIVITY 5: Team to stay aware of and keep pushing an agenda to develop standards so that striping performance can be measured with mobile retroreflectometers. We should consider that automated vehicle technology is advancing fast and traffic stripes will become more and more important since automated technology will likely rely on them.

Ananth of FTBA wants us to require us to use mobile reflectometer measurements for conformance with reflectivity requirements. He says this is very striping industry.

Notes from previous meetings:

At the March DME Meeting, this was presented:

2017 Statewide Pavement Marking Management System Facts and Figures

<http://smosp.dot.state.fl.us/sites/materials-exe/researchpublications/SMO%20Research/2016-2020/17-584.pdf>

For more information on the data reported visit us at:

<http://smosp.dot.state.fl.us/sites/materials-pav/pmm/SitePages/Home.aspx>

Mentioned FDOT is having more cases of retroreflectometer readings being very difficult to base contract performance and deducts. The technology is not ready yet.

Lance mentioned he has this as a topic on DME agenda to use State Material's Office retroreflectometer readings instead of MRP eyeball measure.

As a part of the task that identified activities that are not well measure with MRP, it was suggested we use annual mobile reflectometer readings in addition to MRP reviews to measure striping performance.

FDOT currently has a program to measure retroreflectivity on all or some lines each year. But current thinking is FDOT is not yet ready to 100% rely on results from mobile retroreflectometers for performance measuring purposes.

We need to look into what we are going to do with the numbers collected. We also need to figure out what the minimum number is. Good visual inspection is likely 120-150.

We should consider automated vehicles and how reflective markings must be for the systems to work. Mark Garcia may be able to provide information on retroreflect readings as he has currently some perf contracts using MRUs. The Team stressed that this is important topic and the agency needs to look to future on this topic. Let's keep on Agenda to stay abreast and ensure the issue is progressing with the agency and we need to push to be sure someone from maintenance is at the table.

ACTIVITY 6 (Priority 1): Sprayberry is to analyze and condense the “other” requirements used by Districts on AM Contracts and present a report to the Team. First step is to prioritize. We should try to have 16 analyzed by next Liaison. For these recommendations, vet through AMOTIA (2 week review timeframe) before sending recommendation to Liaison.



All Districts - Other Contractual Requirem

The Team revisit the HMLP Option language. Industry expressed further concern over the deduction per HMLP that does not lower during hurricane. It was suggested a buffer (no more than 3% or 5%). Also suggested that we require pictures of the poles during the annual inspection (not going to require the picture at this time). The following change is approved by Team for Liaison presentation:

HIGHMAST LIGHTING ASSEMBLY		
Deficiency Identification	Time Allowed/Criteria	Deduction
a. Failure to perform timely annual assembly inspections of high mast light poles and submit	Per Procedures, Manuals, Codes, etc. Report Due	\$100 per day per delinquent inspection

inspection reports to the Department.	within 15 days after completion of inspection.	per pole, not to exceed \$3,000 per pole.
b. Failure to successfully lower lights per Scope or raise to the top during Department's annual QA check.	Successfully lowering and raising at each high mast light pole.	\$10,000 per occurrence per high mast light pole.
c. Failure to successfully lower lights per Scope when needed to prepare for hurricanes.	Successfully lower at least 97% of all high mast light poles that are ordered to be lowered.	\$10,000 per high mast light pole beyond the 3% tolerance that does not lower.

No progress on finalizing the Permits Language:

Below are the documents showing the new language with redline edits showing changes suggested at the 2017 Liaison meeting. For the Permits language, no suggestions were made at the Liaison other than we need to consider D4's suggestions.



NEW Permits Option.zip



D4 PERMITS

We discussed the Permits language at length during this meeting and we developed the following document:



3-30 SubCom
commetns - Permit l

It needs to be commented upon and fine-tuned. So, analyze this language to see if it adequately incorporates D4's language into the proposed Permits language. All are to review and submit comments.

Someone noted a possible conflict between about AMPER Type 3 reviews and some of the additional PMs D4 proposes to place in the standard permits option.

Notes from previous meetings:

Discussions at the Liaison and the DME meetings resulted in changes to these proposed documents. Mike made the edits discussed.

Industry is concerned with the 10k deduct for failure to lower assemblies (specifically “or when needed to prepare for hurricanes”) – they feel like too random and deduct would not be fair.

The new Options for Stormwater Pond Inspection/Maintenance, Highway Lighting, and Permits have been activated. All new AM contracts will use this new language if that option is selected. The final Stormwater Pond Inspection/Maintenance and Highway Lighting Options are shown here:



NEW Hwy Lighting Options.zip



NEW Stormwater Options.zip

The Permits Option was reviewed by the team via email and slightly revised since the proposal in these minutes last month. The redlined versions below reflects those changes plus this change we agreed upon today: In the Performance Measures, change the phrase “permits information tracking system” to phrase “appropriate permits processing system”.



NEW Permits Option.zip

There was some concern expressed about the one-time deduction – **Team still needs to address this.**

We still have yet to complete the items for:

- **QC/QA language**
- **Fence**
- **Traffic Incident Management**
- **Non-Permitted Signs**

Sprayberry took all submittals by the Members and drafted proposed new Option language:

- Discuss revised current Stormwater Pond options to (Thomas):



Pond Maint
Included, Inspector



Pond Maint &
Inspection NOT Incl



Pond Maint &
Inspection Included

The Team discussed and decided to revised the “Include” options by adding one sentence: “Any deduction resulting in failure to meet this performance measure will be assessed in addition to standard deductions for failure to meet permit requirements.” With this sentence, all on the SubCom approved the proposed language. The approved versions are in the attached ZIP file.



NEW Stormwater Options.zip

- Change Emergency Response item from a FATE 2 to a FATE 4. We do not need this language since it is already covered by Standard Scope (Sheplan).

Team agrees this Emergency response time language is not needed (already covered by Scope and Open Roads Policy).

- Revise current Highway Lighting option to (Connolly):



Highway Lighting
Included.xml

The SubCom spoke extensively about this proposal and developed and approved the language in the ZIP file below. Some key changes from the proposal is that Nav lights will remain a part of Bridge maintenance, creating a new option that excludes Nav lights from the outage Survey (while the other option includes nav light Survey), and the inclusion of a reference to FDOT-Owned metering points for lights that might be a bit off system.



NEW Hwy Lighting Options.zip

- Revise current Permits options to (Grace):



Permit Inspection
Only.xml



Permit Inspection &
Administration.xml

The SubCom did not have time to review the new Permits documents.

Although the SubCom Team approved the new language for all the above options (except Permits), all the above new Options will be sent to the SubCom Team today for a 2 week review.

It is desirable to have all the Options with new, approved language before within the next month. Further language solutions for other FATE 2 items will be sent to the SubCom Team for review over next few weeks.

UPDATE: New, improved language has been developed for Permits (developed further than what is attached above). This will be sent out within a week or so for review.

Mike will take lead to review these and bring comments to the Team. Send to team before next meeting and discuss at next meeting.

Several submittals received, including:



Re REMINDER -
Liaison Subcommittee
Grace



FW AM Liaison
Subcommittee Task-
Resubmittal:

Team discussed Permits and Lance has proposed standard language (he resent his proposal on 5/12/17). One tough consideration is do we use Statewide standard or can District have stricter standard.



RE MINUTES to
today's Subcommittee
Darsin



RE MINUTES to
today's Subcommittee
Connolly



RE MINUTES to
today's Subcommittee
Sheplan



RE MINUTES to
today's Subcommittee
[Thomas \(D3\)](#)



RE Please
investigate.msg
[Ducher info on mowing height](#)

Remaining item of business is development of standard option language for Fate 2s.

The team asked for volunteers to try to develop the standard, optional performance language for each of the Fate 2s. The volunteers, along with their assigned topic are show here:



Fate 2s Olny With
Task Volunteers.xlsx

You can find more details in the Word file attached a few paragrpahs below. That file has the original language that a District used in an AM Contract along with some SubCom notes on a few items.

All FATE 1s have been placed in Scope that was sent out for review (except the MRP one which will be located in the Options, yet still appear in all AM contracts). Mike met with Rudy and all FATE 4s kept their status as we will not be allowing these topics to be placed into AM Contracts.

Fate determinations were completed by this Team and have been presented to DMEs. Feedback from DMEs is shown below in Excel fill and will be discussed. We need to determine implementation plans and specifics to modifying language.



Review of All
Districts - Other Con



AM Other Cont Req
FATES w DME input

Team, agrees exact wording from #8 MRP Points goes into scope. Other changes/note from original document are shown here:



Other Contractual
Requirements - FATE

ACTIVITY 7: Discuss proposed and desired changes to version 2.2 of the AMPER. Maintain list of changes (marked as proposed or accepted) here. This will stay on Agenda until AMPER 2.2 is published.

Over time **send edit suggestions to Jean and Mike.**

List of suggestions to be discussed:

1. Errors still seem too common in the MRP section. Attempt to make the MRP Section even less error-prone. Mike explained the idea of MRP Scorecard data archive plan to provide a data check when filling out an AMPER. This will be done in the version of AMPER after 2.2
2. Compliance Indicators for Guardrail Inspections and Maintenance, Crash Cushion Inspection and Maintenance and Sign Inspection and Maintenance sections (Critical Requirements on page 4 of 9) are set at 90% of reviewed items must meet requirements. The Scope is silent on this % thus it is 100%. The suggestion is to leave the % flexible in the AMPER so that Scopes could be written with different %.
[D2-Curls]
 - Team Analysis: We recommend Scopes are all written the same with the 100% requirement. If a Scope was written with different requirement in the Other Contractual Requirements section, then instead of a flexible % in AMPER, the AMPER user should marking these as “N/A” and then using Section D) Project-Specific to evaluate those items at the Scope-defined %. The Team agreed that we don’t want the 90% in AMPER to be flexible. Should be standard in Scope & AMPER. – Team agreed resolved and no need to change, but see next bullet
 - HOWEVER, in AMPER the description of the 90% field QA to verify inspections needs to be rewritten to make clear that this is not the QAR we

do internally on Districts (spot check random guardrail), instead this is a verification that the inspection reports were done correctly. This was not done in 2.2.

3. Some pointed out issue with duplication in Scope for deducts and duplication in AMPER for Non-Compliances.
 - Analysis: Mike stated duplications should be ok as long as clear – they are a tool to put extra emphasis on particularly important items, or items Districts want to draw attention too. This could be a tool used in the User-Defined Performance Indicators too.
 - This pretty well handled with the change to AMPER already confirmed below – but still maybe consider a better way to say the concept of Procedure vital, AMPER-listed items very important, Tech Proposal claims very important. – still consider this for future
4. Under page 4 crash cushion inspection & maintenance, can we add a dead line for contractor to submit the completed inspection forms [D8-Barekat]
 - plan to not change this 2.2 version – will wait on procedure change and then adjust for next time.
5. [D3-Toole] –Decisions identified in redline in this document.



AM CONTRACT or
AMPER DISCREPANCII

6. ...

Notes from previous meetings:

ACTIVITY 8: Discuss and analyze the concept of cost caps for Structures repairs on bridges. They already exist on movable, but not on fixed. All matters related to this will be on the table. Should we have a cap for fixed and how much? We need to be aware of the two different concepts of caps: 1) An insurance policy that we all hope is never reached or needed; 2) A target point that FDOT wants and tries to reach and that AMC expects and plans to reach and thus knows exactly what structures activities will ultimately cost.

See previous meeting notes. We discuss if a member will take over for Chris or if Chris will still handle.

John McPherson is taking the lead on figuring out what to do here. John will speak with Chris then industry and get back with us.

Notes from previous meetings:

Chris not available to update on the new SubSubTeam.

D7 volunteered Jim Jacobson. Laura Porter volunteers. Paul Staton volunteered. Maybe Jim Hannigan, if his time permits.

Chris volunteers to be on the new Sub-Sub Team. Chris will gather the team. He will analyze and report next month on how many members he thinks is best and what sort of mix of folks.

Lance volunteers someone from D7 on the team. Jim Hannigan volunteered for team. Paul Staton volunteered to be on team. Chris will have more info next week.

Maybe previous study team was too structures heavy and not enough AM Contract heavy. We obtained input from each member on if how we should address the concept of placing risk caps on fixed bridges:

Gorski: We should develop a Sub-Subcommittee – experts are need to discuss this topic

Michelle: We should develop a Sub-Subcommittee – experts needed

Lance: We should develop a Sub-Subcommittee – Lance volunteers someone from D7 on the team.

Chris: We should develop a Sub-Subcommittee – Chris volunteers to be on it!

Kelley: We should develop a Sub-Subcommittee

Mike: We should develop a Sub-Subcommittee

<p>ACTIVITY 9 (Low Priority): Incentive for Open Roads policy/opening lanes faster/maybe lanes usage reports.</p>

Got feedback from Legal: “The short answer is it appears you can do this. *As a threshold issue, the Department must determine and adequately document that the timely completion of the project will provide a substantial benefit to the public health, safety, or welfare; will limit the disruptive effect of construction on the community; or is cost beneficial on a revenue-producing project.* The incentive amount must be supported by an estimated cost of damages expected to be mitigated by early completion of the overall project or critical phase of work.” **Below is full e-mail response.**



FW Please have
legal expert review t

I explained that it appears the response was tied to time but we were asking for LOS. John suggests make sure attorney knows we are not talking constructing – it is PB Maintenance.

Notes from previous meetings:

Mike sent the question to legal on 3/29/2018.

Group agreed Mike to send question language to Legal as edited below.

Still want to ask legal if we can do it, even if there may be resistance to actually implement.

From Liaison:

1. First step for pursuing incentives is to submit to idea FDOT legal
 2. Once approved, ideas can be moved forward to implement
 - D2 – do not make efficiency an incentive as it is to the benefit of the contractor not the public
-



Incentive Liaison
1-5-18.docx

Jean presented some ideas for incentives in AM Contract. See attached document:

Let's comment on Bob's draft question:

"There are a limited number of asset characteristics where the Department would like to see extra effort and increased results on behalf of the Contractors, and the Department would like to provide minor financial incentives to the Contractors for this increased level of service, which would be in the best interest of the Department. Please confirm that you concur with us that the Department has the ability to follow through with this plan, the details of which will be overseen by the OOM."

Team decided to send this language as written to legal (Mike will send).

UPDATE: A suggestion sent after the meeting proposed slightly different language. Mike sent e-mail to the team asking for their comments on using this language instead:

"There are a limited number of asset characteristics where the Department desires to see extra effort by Asset Maintenance Contractors. The Department would like to provide financial incentives to the Contractors for such increased level of service which would ultimately be in the best interest of the Department. Please provide feedback at your earliest convenience as to the feasibility of pursuing such an incentive mechanism. Please also comment on any constraints/limitations that might be applicable to such a contractual provision as well as any challenges/hurdles associated with pursuing a future incentive provision. Details and administration of any future incentive provision will be overseen by the OOM."

Further discuss new idea below of high AMPER scores being used to determine a bonus/incentive:

Lance thinks tough to attach incentives to – maybe a bit to complex. Maybe a bit too subjective.

Mike to check with legal to see if allowable. Bob suggests to craft the question carefully. Maybe something like "We want to get better results, so..." Bob will draft a question and send to me.

Opens roads incentives were discussed again. Seems like good idea on surface but could be difficult to verify. Kelley says may be easy to verify on interstates, but maybe more difficult elsewhere. If using sunguide, it could work well on interstate. Chris says some performance contracts have reporting requirements as to when they arrive. We should check some of these to see how they work (E8-P98).

New idea!

Explore the possibility of high AMPER scores being used to determine a bonus/incentive structure for AM Contractors.

Watch out for possibility of an undeserved lower AMPER due to tight FDOT budget or we can't afford to pay for an awesome AMPER. E.g., would FDOT try to avoid giving a high AMPER so that they can use that bonus money to instead fund a different contract?

A possible hurdle could be the Subjective section 5 used as a part of the determination of bonus – maybe we should set up bonus that is determined only by combining Sections 1 thru 4 or maybe a different bonus for each Section 1 thru 4 individually. There is also the idea to not split our Section 5 and just use overall AMPER score.

The spin-off task to hold a sub-committee to discuss performance measures for bridges has been created as ACTIVITY 2. Maybe bridge performance measure could offer changes to incorporate incentives (This statement added to Activity 2, the PM of Bridges Activity).

Mark Thomas was originally selected to spearhead a sub-subcommittee to investigate the idea of performance measures for Sufficiency Ratings or Element Rating (or other rating) on bridges. Maria volunteers Aran to lead this assignment instead of Mark Thomas.

When this sub-sub gets going, OOM Bridge section wants Richard Kerr and John Clark invited to first meeting so they can then determine which of them will be best to become a member. Also, we would like Jim Jacobson in D7 to be on team as well as to provide valuable insight and info.

We will move this item into a new Activity Slot.

Contacts have begun. Maria spoke with Aran and he had some really good ideas how we could incentivize with periodic maintenance that can extend bridge life.

Some ideas from Liaison Mark suggests tying incentive to Sufficiency Ratings on bridges (a single number per structure). May be difficult because Functionally Obsolete is a factor. Or could even have some performance measure for each Rating of each Element of a bridge. Maria volunteered Aran Lessard to be a member of sub-sub. Several in industry spoke up to say they would help and it is a good idea.

Jose further suggested an incentive idea for when 5 year inspection timeframe is required, yet AMC does it in 2.

Some ideas from Liaison:

- 5% bonus for exceeding performance measures (Texas)
- Base incentives on results from QA/QC program
- Base incentives on data reflecting reduced crashes for completed projects

--

Jose presented his paper on RISC for AM and gave a great summary. Maria indicated working great on Turnpike. Mark thought difficult to control this since FHP controls when we are allowed to clear lanes. Incentive must be large to even consider. Overall does not seem feasible, but will keep open for future ideas.

--

Brainstorming Ideas:

- Apply to timeliness of Guardrail and anything safety that has a time factor.
- Maybe apply a better-than-minimum MRP bonus for just the safety items like striping, RPMs, guardrail.
- Apply for increased response times for incidents – RISK has incentives for Opening Roads.

ACTIVITY 10 (high priority): Sprayberry is to look through the AM Scope for performance measures that have per day deductions based on timeliness and convert to one-and-done deducts, or propose a change so that time is not counted for the period between when the Contractor claims work is complete and when the DOT discovers the work is not correct or complete (currently the clock runs straight through from claimed completion to DOT discovery). We may not need a change in cases where contractor can control such risk by performing work promptly, early, or proactively.

Michelle has some suggestions and wants to talk with Mike to review. She plans to call to discuss after this meeting.

Get update of following assignments:

Industry members from the Group want to reconvene to further discuss their submittal.

Upon resubmittal from Industry, review independently first and discuss next meeting. Review should be focused on becoming familiar with the issue and thinking about solutions.

Notes from previous meetings:

Michelle submitted this file developed with Industry:



FDOT Per Day
Penalty Comments.d

Paul & Jose & Michelle reviewed this propose ideas to Industry. They discussed and realized they have not reach consensus or totally agreement. Thus, they are going to further discuss internally before releasing any position statements to FDOT. 90 days is target per Liaison meeting.

Michelle's update: Got some feedback from Industry. Planned conference called delayed due to storms. Should have that conference in the next two weeks.

After initial analysis, Industry's first draft left many "per day" items as is, but not all in Industry necessarily agree.

Here is the list of all "Per Day" deductions:



List of all 'Per Day'
Items in AM Scope.do

Lance had great idea to maybe can leave the per-day concept for some items and instead add a maximum deduct amount.

Jose suggests we look at the "per occurrence/no time to cure" concept to see if it's fair.

ACTIVITY 11: Develop new process and language to address when AM Contractor wants to (or must) change AM Project Management personnel.

Plan to discuss with District at DME meeting on May 1. Some in industry feel no changes are needed while others from industry may feel that some clarification is needed.

Notes from previous meetings:

Maybe we should have no new language, just require it be addressed at partnering meetings early on.

If Department is not getting personnel experience they want, the AMPER could be a good tool to reflect that.

There is concern that the Department takes some liability if they are involved in who gets hired.

From Liaison: Requirements to hold RFP-promised experience and skill levels or worker - or simply the right to approve or deny a new staff. (Maria/Kelley) [we can review Design-Build requirement - there is suggestion to keep it simple - something like "review and approve" and "cannot unreasonably prevent"]



RE Indian River AM
Contract - Comment

For bridge employees:

ACTIVITY 12: Analyze the concept of including an end of AM contract transition plan which may include a required end of contract condition state. This has been analyzed/discussed twice before with “do nothing” results. We will start by reviewing the old end-of-contract plan we had previously written.

No progress on following:

Get update on following assignment:

Kelley sent D4’s efforts on developing an End of Contract Plan requirement in AM RFP or Scope. The “RFP End Contract Transition” Document summarizes the results of including Begin/End transitions into the Tech Proposals for E4R18 (Interstates in Treasure Coast). The “End of Contract Transition Plan_KH” Document outlines a process that could be included in the AM Scope of Services. This builds upon what was produced in 2012, with additional language from the I-595 Concession agreement. **Please review and be prepared to discuss at next meeting.**



RFP End Contra



End of Contrac

Transition Plan KH

Notes from previous meetings:

Liaison wants us to carry on with this

- Reviewed 2011 proposal and created a new plan
- D4 asked for end/beginning transition in past proposal and all tech proposals submitted basically said same thing
- Broadspectrum – would level bids if there was a transition plan since everyone would be planning for the same activities at contract start
- PPP have handback requirements – need to look at those
- Contractors should regulate ourselves
- Kelley's suggested language is attached for review

Kelley to provide a report on the RFP EOC plan and how D4 plans to make it work. Morteza will try to have something to discuss for next week's Liaison Subcommittee Meeting.

From Liaison, Industry will look at this and make recommendation in by the end of October. We will re-ask Liaison/Industry about this at Liaison next week.

The Team will rely on Industry to keep this moving if they want this.

Mark Thomas/D3 had planned to look into this and propose something, but D3 handing off this task to industry.

We restated that D4 used an idea where the RFP requires a write-up on how bidder would close out contract at end. To enhance this idea, the contract could maybe have unique consequence for failing to meet EOC plan proposed in RFP. D4 is still working on the report.

If contract starts after July 1 – you may have less than 3 MRP periods and deductions are waived in year one grading but gets you on the back end with another small-sample MRP year where deducts will be assessed – may only be graded on two and that is all.

Here is the Old Proposed Plan from 2011:



End_of_Contract_Transition_Plan.docx

Mike hears that this is becoming more and more of an issue. Would like for AMOTIA to discuss and identify cases where AM Contractors have neglected duties at end of contracts.

Industry presented some concern that End-of-contract (EOC) plan could be used to get lots of extra things done. A lot of thought has to be put into this before implementation.

Mike read (paraphrased) the proposed plan from 5/6 years ago. Industry pointed out that the idea of the old contractor sticking around beyond contract time is not good idea – Sprayberry pointed out DFS also would not like this either. This means if deficient project would be left as is with some consequences to old contractor for not meeting EOC criteria.

D4 used an idea where the RFP requires a write-up on how bidder would close out contract at end. To enhance this idea, the contract could maybe have unique consequence for failing to meet EOC plan proposed in RFP.

Maria favors withholding money of last year or two as a pot-o-money to give back at end if EOC is met.

An idea is to have the incoming contractor walk with FDOT to do EOC punch list.

The previously developed plan basically held back a % of invoices for last two or so years of contract for a pot of money. Then at end of contract, if all things meet, give back to contractor. If not, give to next contractor. That was the idea – not sure if actually doable.

Maybe and added value opportunity. Some concerned we have no guarantee that area will left in good shape. Maria suggest a hold back of funds.

Mike sent old idea to the Team via e-mail.

ACTIVITY 13: Mike is to create a shared space (SharePoint? Internet?) where anyone can research information from our Subcommittee meetings. Post all minutes in PDF format, and post all decision documents in PDF. Ensure there is a way to search all docs at once.

Proper PDF software obtained – now must convert all files.

Website created! It is located at same place as our AM Contract reports on the Internet (<http://www.fdot.gov/maintenance/amlc.shtm>).

There is an issue of the files being in PDF instead of Word, which renders the embedded files unopenable. This will be corrected by OOM.

ACTION: All minutes will be up to date by next week

3. Roundtable / Open Discussion

- a) Discuss possible revamp of AM RFP calculation (the idea of normalizing Tech Score to match the fact that the prices are normalized)**
 - **Industry supports exploration of the idea. Daniel Porter volunteers to analyze and develop some models.**

- b) Discuss size of AM contracts - achieve a good mix of small/medium/large for the AM industry to thrive**
 - **No time to discuss this item.**

Notes from previous meeting:

Laura: Suggests a debriefing of complications and difficulties and successes of hurricane response.
Michelle will add at topic for Liaison next week.

D3 has a new perspective on the QA/QC and is performing a full rewrite. Should take a bit longer than expected.

Kim Toole [D3] reports D3 still working on QA/QC. Maybe a few months away from a document to review. After D3 submits, each SubCom member is to review the new QA/QC language. Michelle suggests a group gather who have experienced using the QA/QC program. Mark thinks maybe too many unknowns by D3 at this time. Mark wants to finish rewrite process before presenting/discussing with others.

Mark Garcia – D5 thinking of putting out a contract for MOT (regular and emergency response). Should it be performance based or work doc driven? Work doc would be tricky to handle midnight emergencies but would work well for scheduled needs. Maybe contract could be a hybrid. Other states are starting to look at hybrid contracts. AMOTIA is looking into hybrid and may have some input on this topic.

New Memorandum being developed concerning Public Records laws applying to FDOT Contractors. Instead of public going straight to Contractors, they must work through FDOT, then FDOT goes to Contractors.

Where do we stand on QA/QC? That was a Fate 2. Mark Thomas rewrite/improvement of QA/QC language – says language is written, but table still in works. Mark will send draft language to Team for comments.

Some have noted inaccuracies of published Future Project list. Make accuracy and completeness of this document very important. Mention at DME meeting.

1) **Next Subcommittee Meeting**

Next Subcommittee meeting will be May 25 at 9:30 am.

850-414-4971

PIN:268411

2) **Next Liaison Committee Meeting**

DME & AMOTIA-hosted Liaison Subcommittee Meetings, May 1-2, 2018. Jorgensen is hosting (McPherson)

3) **Next AMOTIA Meeting**

October 1-3, 2018, Sarasota, FL