

WSDOT/ACEC-WA Executive Liaison Committee Meeting

Wednesday, September 30, 2020 – 9:00 am to 11:00 am

Meeting Minutes

- 1.) **I-976 / Legislative Update:** Kevin Dayton shared that the last revenue forecast made a slight uptick from June, though the revenue forecast is still bleak. While traffic volumes and toll revenues are starting to come back up, there are still areas where volumes remain low, such as I-405. The Legislative session will be a lift regarding revenue issues. WSDOT developed a biennial budget as well as a supplemental budget that they have sent to OFM. WSDOT is looking at reductions across the board, though they continue to deliver the program per last session's budget bill. The work is fast paced and WSDOT is committing a lot of funds per last session's legislative directive. WSDOT is trying to stay lean to minimize budget impacts. The Asst. Secretaries meet Tuesday's and Thursday's to review all purchases, contracting, and hiring decisions. As an example, WSDOT is planning to cover winter snow and ice hiring needs with temporary employees.

The Secretary is meeting regularly with the 4 corners. Alyson Cummings has scheduled listening sessions with legislators and the Transportation Commission regarding efficiencies/options for program delivery. The relationship with key legislators remains strong as WSDOT heads into the session. With that said, WSDOT is not expecting this to be an easy legislative session due to the heavy budget lift. WSDOT is expecting that temporary budget clarity will be provided, but the larger future deficits may be addressed in a future biennium.

WSDOT has been working under a legislatively directed Construction Program Business Plan requirements that were established in 2015. One of the example requirements was to implement D/B recommendations from a JTC study and stay a strong owner. In addition, WSDOT was to address staffing recruitment & retention plans that reduced the number of WSDOT FTE's. WSDOT developed plans and worked through a process that the Advisory Committee approved. This has been sent to OFM. Within the plan, WSDOT identified needs of 2100 – 2300 FTE's to deliver required programs. With that said, WSDOT ended the biennium with just under 2000 FTE's, and supplemented workforce needs with consultants. An update is due within another 2 years. The Advisory Committee is working well.

Van Collins noted that the operating budget is doing better than originally anticipated, though there is still a \$4B dollar gap. The budget lifts will be daunting and until elections are known it's hard to predict what the outcomes will be. The state should hear the outcome on I-976 soon.

Van also noted that there is a JTC study on revenue needs for transportation. ACEC has put together an advisory group regarding this study to help support Genesee Adkins who is

ACEC's representative on the committee. This is a forward-thinking work process and we don't know how soon that work will come to fruition.

Van welcomed and introduced new ACEC Executive Committee members, Jilma Jimenez and Kevin Collins. This was their first meeting.

2.) **Update on Committee Charters:** Steve noted that the Executive Committee Charter was completed. He also highlighted a new WSDOT ACEC website that linked to Executive Committee and Sub-Committee Charters and Minutes that were either directly on the website or had a link to a separate location where the information was provided. This was an action item that is now completed. Van noted that ACEC has a link on their website that links back to the WSDOT site.

3.) **Subcommittee Reports** – Sub-Committee Chairs

- **Design-Build:** Art McCluskey and Richard Patterson noted that their Sub-Committee meetings start up again this week and the team continues to work on:
 - Updated D/B contractor evaluation form, as well as a form for Contractors to evaluate WSDOT's performance. The form will be called WSDOT Contract Administration Evaluation.
 - Reviewing RFP template language regarding Co-location requirements. Considering COVID and what has been learned over the last 6 months, there is opportunity to look at best practices and re-define what co-location of the future looks like.
 - Reviewing requirements for recycling concrete on projects and the need to achieve values of 25% recycled quantity.
 - Continued AGC/ACEC discussion regarding liability insurance.
 - Art noted several Headquarters Construction changes. Jon Deffenbacher was elevated to Deputy State Construction Engineer to backfill Craig McDaniel's retirement. John Keeth will backfill Jon Deffenbacher's previous position.
- **Structures & Geotechnical:** Bijan Khaleghi (for Mark Gaines) and Matt Lengyel noted that they restarted their meetings on September 18th. The team will be working on:
 - Review 2020/2021 scope of work (deeper look into service life design). They will review guidelines from other states, AASHTO, and NCHRP.
 - Review materials for buried structures. The Loutsis Creek Crossing buried structure was constructed using composite materials. This turned out well and is anticipated to be approved for more uses.
 - Consolidating language in Chapter 15 of the BDM (Bridge Design Manual) with D/B RFP technical Section 2.13.
 - Continue work regarding 2018 seismic updates. WSDOT needs to be in good standing with AASHTO.
 - Continue to look at Autonomous vehicles and truck trailer trains. Mark is planning to request a NCHRP research solicitation to study this topic more.
 - Review updates as a result of GDM (Geotechnical Design Manual) changes.
 - WSDOT is reviewing their consultant selection process as there is a need to be more open and transparent regarding their processes.
 - Review Basin effect in seismic design.
 - Review Tsunami impacts to structures and there may need to be revisions to BDM and reviewed with DR.

- Continue to perform design reviews by ACEC when requested, (i.e. WS bridge project).
 - Continue coordination and collaboration with WSF and Bridge and Structures Office.
- Project Delivery: Mike Fleming and Lisa Reid noted that they have 8 different focus areas working with the other Sub-Committees as well as their own. Action areas as follows:
 - D/B Approval process which include: 1) Project Delivery Method Selection and Guidance revisions; 2) General D/B provision updates; 3) Pre-procurement practices with D/B teams; 4) RFP Section 2 updates; 5) D/B Selection Process updates; and 6) Policy updates. One of their goals is to ensure there is an efficient process for short lists and technical and cost scoring.
 - Reviewing project delivery tools and process improvements with a focus on improving efficiency. There was an evaluation under SHRP 2 regarding how to speed up projects and make them more efficient. WSDOT and ACEC are already implementing recommendations.
 - Another focus area will be to look at measuring quality. They will be reviewing documentation requirements that are antiquated and making sure that they are consistent with what WSDOT really needs.
 - Reviewing CVEP/CRA best practices, recommendations, and updates to policy guidance.
 - Evaluating electronic files to be used for bidding purposes. Reviewing best practices for how to implement their use for bidding and construction.
 - Implementing new consultant evaluation process updates.
 - Lisa noted that there are additional ACEC members needed for this team. Lisa will initiate a meeting with Linea & Van to start the backfilling discussion.
- Business Administration: Ahmer Nizam and Santosh Kuruvilla noted that their team has continued to meet monthly. Their team is working on:
 - Information sharing has been key for the last several meetings as follows:
 - COVID – Making sure that everyone is operating per the latest information, sharing work adaptations, discussing telework and tools and how it's going.
 - Sharing other information and discussing impacts regarding furloughs, budget news, Local Programs updates, and I-976.
 - MSWDBE and recent October 1 changes regarding DBE status of white women.
 - The list of upcoming consultant opportunities (new web site) will be updated within the next several weeks. At 8 months in (since the site was created), the site has only been viewed 40 times. Ahmer noted that this site was stated to be important to ACEC, but it's not getting much use. The committee discussed the need to elevate the knowledge of the site and a future action will be to link it to other sites that we expect to get more use, including ACEC's web page.
 - Sub-Committee team membership: Harry Jarnagan (HMM) was added to the ACEC list of Sub-Committee members to fill out the ACEC side of the team. WSDOT has 2 rotating positions on the team and representatives from SW and SC Regions will be rotating in at the next meeting.

- 4.) **Update on Professional Liability Insurance Requirements:** Steve noted that this is an ongoing topic. While it's been a couple of months since the WSDOT/ACEC meeting, WSDOT has been meeting more frequently internally to address concerns raised at the meeting.
- Their focus has been on the following topics of discussion:
 - Deductibles. How to deal with and if and how they should be implemented or eliminated as options? Should the D/B contractor secure appropriate deductibles with no input by WSDOT if low or medium risk? Perhaps define a max limit on high risk projects? WSDOT is not intending to require all subs to provide the same coverage.
 - Sub-limits and when a corporate policy might apply and how? Concern is when a corporate policy is used by a project, will there be sufficient remaining coverage and how to have access if needed.
 - When to implement Project Specific policies - apply to all D/B or not, eliminate endorsements or not?
 - WSDOT acknowledged that PL insurance needs to be tailored for individual projects. WSDOT has developed a draft rating tool, with tiers of risk (low, medium, high) to help with decision making. Art will discuss at the next D/B meeting.
 - Their next steps will be to finalize a write up to discuss where they are at then schedule a joint meeting (early-November) for discussion.

Van and Linea asked if WSDOT would still be open to other topics of PL insurance discussion (i.e. defects and standard of care) if language could be proposed or worked out between lawyers that would be acceptable to WSDOT and not increase their risk or cost. WSDOT is not interested in accepting sub-standard or defective work. Steve agreed that WSDOT would consider if acceptable language can be worked out.

- 5.) **Local Programs Update:** Kyle McKeon provided the following updates:
- Kyle noted that if WSDOT changes boilerplate PL language, that they would look to implement this revised language at a local level as well.
 - Local Programs is getting ready to roll out new budget: \$30 M Safety, \$85 M Bridge, and \$30 M Pavement.
 - Working on transition to new sunset of white women DBE waiver.
 - Kathleen Davis retired recently and position will be filled with interim appointments until the position is replaced. Kyle McKeon is the Acting Local Programs Director through February 2021.
- 6.) **Annual Meeting Planning Update:** Steve noted that he had met with Linea and Van to discuss a new multi-day virtual format. He was excited about the opportunities. Van invited Claire Inslee to the meeting to provide administrative support for the annual meeting. The team was provided the draft agenda in advance of this meeting. During discussions the following was decided:
- ACEC will host the meeting on Zoom. WSDOT can attend, but cannot host via zoom. Claire will help administer this meeting.

- Tentative dates were looked at for mid-November. The morning of the 18th and afternoon of the 19th are the initial dates selected for the annual meeting.
- Van will reach out to key legislators to see who might be available for this meeting.
- Van discussed bringing in a national transportation leader who could share a good discussion on transportation futures etc. Ken Simonson (AGC) was identified as a potential candidate.
- The team reviewed items and all scheduled items are good. ACEC remains interested in fish passage work.
- Work is still needed by both ACEC and WSDOT to fill in open categories.
- Van suggested the team consider interactive breakout sessions and smaller meet and greet breakouts during the breaks could be effective per the ACEC annual meeting that was just held.
- Sub-Committees should prepare presentations for annual meeting.
- Steve, Van, and Linea will meet again soon to try and finalize the agenda.

7.) Action Items and Upcoming Meetings: Steve / Linea / Van

- Upcoming meetings:
 - a) Annual Meeting – November 18 am, November 19 pm
 - b) January 11, 2021
- Action Items:
 - Steve – schedule the next PL Insurance meeting with ACEC
 - Steve – schedule the next annual meeting prep session with Van, Claire, and Linea
 - Sub-Committee prep work for the annual meeting
 - Steve – Confirm Roger or Keith for the WSDOT speaker
 - Van – Contact key Legislator’s
 - Van – ID key national transportation speakers
 - Linea – gather ideas from ACEC Sub-Committees
 - Ahmer – post link to Consultant Opportunities on WSDOT/ACEC Website
 - Linea & Van – Add notice on ACEC site regarding the list of opportunities

8.) Meeting adjourned at 10:45 am