

WSDOT/ACEC-WA Executive Liaison Committee Meeting

Thursday, May 5, 2022 – 1:00 pm to 3:00 pm

Meeting Minutes

- 1.) Mark Gaines kicked off the meeting and reviewed today's agenda for any additional topics – none were provided.
- 2.) Chris Christopher, Jon Deffenbacher, and Van Collins provided an update regarding the OCOI manual update process:
 - Chris conveyed sincere appreciation for the work of both the ACEC and WSDOT team.
 - While there is good progress being made, there is language and details that are not quite completed. The manual does not flow well yet and needs to be more user friendly. Chris was hoping the manual updates would be complete by the end of May, but it may take a bit longer.
 - Van appreciates the cooperation and collaboration of the party's work. ACEC is happy to bring resources to help with the manual drafting as soon as we reach a point when WSDOT thinks it's ready. Chris anticipates a couple more meetings and then move to clean-up.
 - Jon D. noted that the manual update process started as an effort to clarify intent. The team worked on criteria for evaluating OCOI more clearly. Work that was done to better understand the criteria, uses, and certification for a firewall is good work.
 - Jon also noted the recent updates from ACEC with a restructured approach helps WSDOT understand what ACEC is looking for and considering exceptions. One of the challenges/differences is PHD authorship and WSDOT expectations. WSDOT believes that a firm that authors a PHD has an OCOI that cannot be mitigated. PHD's expose the firm to knowledge that provides an unfair competitive advantage. This is not a popular position with industry due to the limits it puts on available firms, especially considering WSDOT's high expectations of required experience.
 - Mark Gaines confirmed they plan to revisit experience requirements, WSDOT acknowledges they can't expect experience perfection on the D/B side and still think there will be sufficient firms to provide PDH's.
- 3.) Mark noted that WSDOT is willing to look at their current experience and qualifications requirements to try and share wealth of work.
 - Mark pulled up information regarding qualifications vs specifications. 63 firms are qualified, but not very many of these 63 firms are being selected to work on the D/B fish passage projects.
 - WSDOT wants everyone qualified to be able to work on the fish passage program. They will be looking hard at their current processes and procedures.

- Mark noted that there was a check-in meeting yesterday regarding professional liability insurance.
 - ACEC acknowledges the D/B contractor is the responsible party for signing form U.
 - ACEC's challenge is how the different D/B contractor's flow down the form U's requirements and the perjury language is a key cause of concern.
 - WSDOT prefers to keep the language as currently being utilized but agrees to check in with industry again in the future.

- 4.) Chris and Mark discussed a budget proposal and various charts and graphs that were developed several months ago for the Construction Program Business Plan to show the impacts of the new revenue package. This is preliminary information and expect these charts and graphs to be updated as more information comes in from the Governor's Office:
- These charts and graphs show a need for consultant usage of \$500M to \$600M over the next several years to deliver the D/B program.
 - WSDOT has never seen this high amount of work being needed from the consultant community in such a limited timeline.
 - Also, there is a need for \$1.5 Billion to be invested in preservation and maintenance.
 - WSDOT's current expectation is that these dollars will be front loaded within the 16-year timeline. This amounts to \$250M available per year for preservation starting in 2023.
 - On the design side there is a commitment from ACEC to help with delivery.
 - WSDOT project offices are already at capacity, especially on the west side and they are not sure how construction can be accommodated with current workload.

- 5.) Marshall provided the following WSDOT COVID Update & Outlook regarding in-person meetings:
- Consultants that work for WSDOT or are located at WSDOT sites need to attest that they are meeting the Governor's vaccine mandate.
 - While WSDOT had a requirement to be fully vaccinated and are, they recognize that industry may allow other accommodations. With that said, individual firms/companies that meet/work with WSDOT need to attest that they meet the Governor's mandate.
 - WSDOT considers the burden of verifying that industry meets the Governor's mandate to be on ACEC (note the annual meeting, etc.).
 - ACEC firms need to take necessary steps to ensure we meet the Governor's mandate as well as do a self-assessment prior to meeting with WSDOT.

6.) Marshall shared the following comments regarding the previous budget update information.

- The delivery expectations and budget amounts remain fluid. What the curve will be and how to best deliver work is still being tweaked as a work in progress.
- WSDOT is still working with the Governor's Office on how to best accomplish delivery.
- The graphs are not ready for delivery to public, very draft.
- WSDOT is at their lowest levels of staffing and is working hard to hire.
- During the Supplemental Budget, staffing vacancy savings were swept from the budget, and this amounted to a \$60 million reduction based on vacant positions.
- Fortunately, there was a plus \$23 – \$24 million provided back as contingency for filling necessary positions.
- The supplemental budget is being looked at and updated information is required to be delivered to Governor by September.
- Van noted that ACEC is looking forward to helping/supporting WSDOT as needed.

7.) Subcommittee Chairs provided brief updates including their 2022 focus areas and other updates based on their annual meeting slide decks:

- Design-Build – Art McCluskey noted the following:
 - They had a recent meeting regarding progressive Design-Build from a national viewpoint. Over 70 attendees, with feedback from several states (Utah, Maryland...) WSDOT really picked up some tips from this meeting.
 - OCOI – Art shared WSDOT's position.
 - D/B training coming up in October 11th – 27th, few hours each day.
 - Performance report items – D/B and WSDOT. Wrap up by end of year.
 - Fish Passage warranty.
 - Utility language regarding Century Link & Qwest changes ahead.
 - Geotech information risk transfer – 405 GBR was a one off and good discussion.
 - Mash implementation.
 - E-bidding, currently being used for DBB and D/B being moved to unifier system. Different method to submit bids in not-too-distant future.
 - Key personnel requirement will expand to discuss how many need to be defined as key and their experience levels.
 - The D/B group expects to have good attendance with engagement for their meetings. Their group reviewed their charter and made minor revisions which emphasized attendance. They will start enforcing that requirement. ACEC made some recent subject matter expert changes to the group. Four to five additional members were added.
- Structures & Geotechnical – Joan Zhong Brisbois – noted the following:
 - Membership changes with Mark stepping down and Bijan stepping up as co-chair. Many thanks to both.

- 2022 focus areas include the following:
 - Innovative design materials & technology – i.e., ultra-high-performance concrete.
 - Seismic resiliency. Revisit design requirements to improve efficiency and cost effectiveness.
 - Standard specs, BDM, GDM, consistency in retaining walls vs buried structure shorter than 20 feet.
 - Performance Based Seismic Bridge Design – challenges because of climate change regarding tsunami resiliency, etc.
 - Precast concrete culvert standard plans for fish passage projects.
 - Platooned truck on bridges.
 - BIM for bridges and structures and model-based contracting.
 - Impact of climate changes on engineer's standard of care.
 - The shortage in engineering workforce and how to address upcoming challenges.

- Richard noted that he is hearing a lot regarding scour challenges on current projects.
- Mark noted that Bijan has a technical committee in place and that Amy Leland is engaged to discuss current scour policy and issues that were brought up at the last meeting. Mark noted that a flow chart is being developed for teams to use and will be shared with industry.

- Project Delivery – Kevin Miller and Steve Olling shared their update.
 - Their team charter has not been updated or revised in the last two years. Members have changed, so there is a need to update it. The charter also did not acknowledge current business norms of virtual meetings. Attendance noted, but they do not have language to address necessary participation. Kevin will review updated language used in the D/B charter.
 - They are updating how they provide Design Manual review comments. They will create a central point of contact for consolidated comments vs the current 50 to 60 individual documents and comments. They will also focus comments on substantive things that relate to project delivery.
 - Consultant Evaluation form – spent a couple of meetings talking about it and make it a more informative product. Qualitative version requires a lot more comments to understand how expectations are being met. Goal is to help get that word out to the consultant community and WSDOT PEs to try and make meeting expectations more consistent rating.
 - An overview of legislative bills, like Complete Streets remain an area of high interest regarding guidance and directions.
 - OCOI is also an area of high interest to this group.
 - Subcommittee is exploring a unified platform for review of plan sets. Blue Beam View (used to be a free option but the company will no longer support or provide updates).

- Business Administration – Santosh Kuruvilla noted the smooth transition of co-chair from Ahmer Nizam to Erik Jonson. He also provided the following ongoing list of topics discussed with their subcommittee:
 - Consultant Look Ahead Tool – look at process to improve.
 - Working remotely and lessons learned.
 - WSDOT ongoing updates regarding PPP loan forgiveness.
 - This group also invites other groups to provide updates to this committee (i.e., fish passage, Local Programs – John Ho, Safe Harbor update, mentoring program updates, OEO – Jackie Bayne).
 - Support new entrants into the market with infrastructure bill and how to include a new firm in committee or provide information.
 - Audit/invoice review updates.
 - Ongoing coordination with other subcommittees due to common issues (i.e., D/B Subcommittee & Project Delivery Subcommittee) every 6 months or so.

8.) Jay Drye provided the following Local Programs update:

- Transportation Professional Forum – It is held two to three times a year and coordinated through the Local Programs Division. There is a fair amount of information shared such as the Complete Streets and multimodal topics of discussion.
- ESA consultations continue to be delayed with NMFS regarding tire debris and its impact on salmon streams. NMFS Guidance will be difficult to implement but will provide a path forward. While WSDOT is operating under programmatic agreements, the Local Programs does not have a programmatic and has to work individually.
- Railroad Safety Program, Section 130, is challenging. 50% of the past approved round of projects are halted due to coordination challenges with the railroads. The UTC and FHWA are working with us to see if they can remove obstacles with the next round of grants. The challenge with railroad projects is impacting projects here as well as a number of other states. As a result, this is not the right time to put out a call for railroad safety projects until there is path forward to lead to successful delivery of the safety projects.
- The recent call for local bridge projects has closed. Local Programs received 82 eligible applications valued at \$283 M for this effort. Approximately \$100M - \$200M may be available depending on overprogramming. Their next effort is to screen and prioritize applications for award.
- Obligating Authority delivery is still a problem for federal fiscal year targets. The challenge this year, at halfway through the biennium, is that only 18% is obligated. He is encouraging folks to meet schedules with federal dollars, so more funds can be available to the state.
- Consistent friendly reminder regarding contract expiration dates. Please help the office by keeping an eye on expiration dates and making sure the contracts are up to

date so that payments can be made. Federal patience is wearing thin when we have a lapse.

- Richard asked if Local Programs oversees the Raise grants. Jay responded yes, and noted that after award of the grants, Local Programs helps the local agencies implement and oversee the grant. Obligation of these grants are slower than what we would expect. Efforts are needed to get the approvals moving as term sheets are taking close to a year to get processed through OST. There are interim steps being looked at to help work around the delays.

9.) Linea and Claire provided an update regarding the June 28th Annual Meeting.

- Linea reviewed the latest agenda. We still need to confirm Senator Liias for the legislative presentation and update. Van took this action item.
- Claire confirmed the location is the Hotel Murano and parking will be \$18/vehicle in their lot.
- We have the large ballroom reserved, there is a podium, and large screen for remote presentations, as needed.
- There will be networking, coffee and pastries in the morning, a sit-down lunch, coffee and snack at breaks.
- Registration website is up now, and it will be posted early next week for ACEC members. Registration is \$125 for WSDOT and ACEC members until June 14th; after June 14th, the fee goes up to \$150. Presenters get free registration. Janelle will send out registration information to WSDOT attendees; WSDOT staff to register on their own.
- Janelle will schedule one more check-in for early June to ensure we have the agenda and presenters coordinated, etc.

10.) Mark went over the following action items and upcoming meetings:

Action items:

- Janelle to schedule a final Annual Meeting check-in for early June.
- Janelle to schedule a meeting in late June/early July to debrief from the annual meeting.
- Janelle will schedule dates/times for future ELC meetings by sending out a poll based on WSDOT availability for various dates/times for the following months:
 - September 2023 options (2 hours)
 - December 2023 options (1 hour)
 - January 2023 options (2 hours)
 - March 2023 options (two hours)
 - May 2023 options (two hours)

11.) The meeting was adjourned at 3:00 pm.