

# 1-20-23 AGC/WSDOT Administration Team Meeting Notes

## Announcements

- Introductions/Guests

## Attendees

### WSDOT

- Amy Amos
- Dan Lewis
- Thomas Brasch
- Shane Spahr
- Chris Tams
- Brian White
- Chuck Meade
- Jackie Bayne
- Gregg Storey – Statewide Project Management Specialist for Unifier

### AGC

- Arti O'Brien - Advanced Government Services
- Doug Siebert - Advanced Government Services
- Aubrey Collier - APWA & City of Lacey
- Jerry Brais - APWA & King County
- Quinn Golden - Granite Construction
- Ken Hallquist - Walsh
- CJ Handforth - IMCO Construction
- Cory Christensen - KLB
- Derek Compton - Graham
- Jay Byrd - One Alliance
- Jarret Garcia - Valley Electric
- Mark Scoccolo - SCI Infrastructure
- Gary Martindale - FHWA
- Tim Hayner - Cascade Civil Construction
- Greg Waugh - Max J. Kuney
- Jason Streuli - Merlino Construction
- Phil Wallace - Kiewit

### **New Business:**

- Meeting Minutes Review
- Unifier Winter Enhancements
  - Gregg Storey presenting ongoing projects for WSDOT Unifier System
  - 2023 Construction Admin. Process Enhancements & E-Construction Phase 2 System Replacement Projects
  - Fall and Spring will be the two updates to the software; Fall to be a wholesale update, Spring to be a troubleshooting update

- Chris Tams - if there are any process improvements or recommendations that anyone has to Unifier, Gregg leads the team to investigate and spearhead those changes
- GS - WSDOT has a support desk for the Unifier software, please submit any questions or issues to the help desk, Gregg's team really pays attention to this; also, please take the annual survey to help improve Unifier for everyone
- Greg Waugh - is there a window that we must work on improvements for the system?
  - GS - they can modify and improve the system in perpetuity
  - GW - AGC and WSDOT put together a flow-chart of notification milestones in the Contract; would like to see an option in the system for formal and informal correspondence/transmittals, instead of have notification in e-mail and then import that e-mail into Unifier
  - GS - That is a consistent issue, there may be an option in Unifier that would be a simple e-mail style notification within e-mail
  - Chuck Meade - is there optionality to be able to tag additional e-mails when using notification processes in unifier?
  - GS - there could be that optionality, would be beneficial to meet with Gregg and the team to discuss several items for improvement, sit down to discuss the process and the individual improvement; there are a lot of areas for improvement, just need folks to clearly communicate the problem and what the potential need or solution could/would be
  - Amy Amos - is the Unifier Dashboard going to be up and running soon?
    - GS - not sure when it will be up and running, working some kinks out and further vetting the license requirements from Oracle
    - CT - Dashboard is a construction program wide look, budget, CO's, etc.; dashboard is just for DOT employees for the time being
  - AA - it is challenging with having consultants involved in the process, having to download submittals and forward to consultants; can they be allowed access to the system?
- E-construction topics
  - Equipment Watch Software - has an add-on to the software that allows PE's to compose FA payment sheets in the software, discussing piloting this add on in the future
    - Cory Christensen - KLB just started using X-Tracker system for FA, they have to upload all of their equipment rates into it, but after this is done the software is really useful
  - HQ CN team is looking at additional tools to help with E-construction, not just Unifier
  - Looking at E-ticketing systems; there is a peer exchange meeting on this item in the near future to discuss the best practices and needs for the industry in the future
- AGC Annual Meeting Feedback

- CC - really liked the format with the videos and then the awards
- Jay Byrd - great to be in person, great to get to connect with the industry; venue was OK, it would be good to have more space next year for networking
- Phil Wallace - will have maybe three rooms next year, more room to socialize, will change up the food selections a little bit; overall, really happy with the turnout at the meeting
  - Used to do a project review, would like to see that implemented again next year
- CT - liked the forum of going around and asking folks questions, would like to dedicate additional time next year to this round robin questioning
- GW - had a suggestion of having the tables have a breakout style conversation where they could report back to the rest of the group about the tables' comments/ideas; also, potentially use a survey prior to the meeting to collect ideas and discussion topics
  - Venue was convenient for the folks flying in
- Force Account Markups Update
  - CT - subcommittee met yesterday, just kicking off the discussions for the FA markups discussion; goal for the subcommittee to have this topic hopefully agreed on by the summer break
    - Discussion was had on what items qualify as services; the group has a start on a list of "services"
    - JB - challenge for them as surveyors to agree with prime contractors as what a proper hourly rate is for their service (all of their specialty equipment)
  - GW - section in the spec. that talks about what determines what can be called a service vs. what is a subcontractor; would like to work with the group to better differentiate what "acting as a subcontractor" actually looks like, maybe that isn't the best differentiator
  - Jason Streuli - would like to have the discussion of having biohazard cleanup services be an invoice service, not FA
    - Thinks that maybe approvals in the PEO are taking longer because of the PE's authority
    - Shane Spahr - has seen that most discrepancies in CO pricing usually has to do with pricing risk
  - PW - sick leave changes may affect previous pricing agreements
    - Cost of money is going up; timely payments are going to become even more important
    - Discussed interim change orders to pay for agreed on work/entitlement and leave the "delta" on the table for discussion
  - GW - there was a lot of mapping performed for following a payment from WSDOT to prime to subcontractor (prompt pay)
    - Arti O'Brian - not sure where the map is or what the next steps in the process are, but frustrated that this item seems to have fallen through the cracks
    - Granite did a good job of mapping this, Greg feels they were getting pretty far down the road with this issue

- CT - let's put this on the agenda as an Action Item to keep this moving; GW to send the map and information to CT, CT to coordinate with Jon Deffenbacher to bring this issue back to life
- MVWBE Update
  - Jackie Bayne - Secretary's office needs to look at attainment numbers and what the goal study says before WSDOT can really make any decisions on goals
- Disparity Study
  - Jackie Bayne - consultant is conducting stakeholder surveys, will be reaching out to Contractors in the spring; study is on schedule to be completed this summer
- Contract Closeout with Electronic Records
  - CT - some project offices are seeing that some Contractors are reluctant to close out all open records in Unifier, which is required by the Contract
    - WSDOT is going to make the Unifier spec. require this to be done or Contracts aren't going to be closed out
- 6-20 Buried Structures Quality Control Requirements
  - CT - there has been several instances of buried structure engineered working drawings be submitted without QA/QC being performed; our B&SO has been doing a lot of QC on these submittals; WSDOT is working on additional language to include in the specifications the requirement for a "certified" QA/QC process to have taken place by the Contractor
  - Derek Compton - sounds like WSDOT is progressing on having standard plans for some of the buried structures; hoping those standard plans will eliminate some of the need for this
  - CT - we've heard that some of the firms that are designing these structures don't have additional engineers to perform these checks, they'll have to hire someone else to perform this QA
  - GW - contractor designed structures are really difficult because there is a short bid time for engineers to perform the designs of the buried structures; there is a fair amount of unknown and risk priced into these buried structures; a lot of risk on the size of projects (5-10M) that these items are included in
- Carbon Cap and Trade
  - CT - our spec. Changes to Existing Laws cites RCW 39.04.120 - "if the successful bidder must undertake additional work" - WSDOT is trying to understand what "additional work" the cap-and-trade act generates
    - CC - Will the fuel escalation cost take the additional cost of diesel into account?
      - CT - yes, if cost of fuel goes up, the fuel escalation should account for this
    - Mark Scoccolo - the reporting requirements are appx. 500K gallons of diesel, some contractors may cross this threshold, and some may not; there hasn't been a carbon tax auction yet, so there really probably hasn't been any effect on the price of diesel
      - There will be additional administrative work, at a minimum, in order to comply with this law

- Steel Escalation Opt. in/out timing
  - CT to discuss this with Gary Martindale as to legally how/if WSDOT can incorporate some opt in/out timing for steel escalation
- Standard Weekly Meeting Topics
  - Payments, schedules, submittals, RFI's, COs, goals
- BABA Update
  - Gary Martindale - no update on BABA waivers currently, Gary will doublecheck with his group on the status of these
- Wage Escalation
  - There is an existing bill out right now that usurps existing contract language for locking wage rates; Bill HB1099 requires contracts to pay the prevailing wage in place when the work was performed
    - CC - prevailing wages are typically updated twice a year, so these adjustments would have to be made semi-annually
- Arti O'Brian - arrow board question; new requirement that all arrow boards need to be "smart" now; these retrofits are around \$1500/board; is this a hard requirement?
  - CT - this is a part of the WSDOT Work Zone Safety Initiative; this will be a hard requirement; costs to upgrade those boards should be included in the Contracts
    - Existing contracts should be looked at
  - CT to call Arti O'Brian to update on this issue
- Contract Time
- Sick Leave Usage

#### Action Item

- If you have a pre-construction or weekly meeting agenda format that you like to use on your projects, please bring those to the next meeting. We are trying to make these more standard and consistent for our PEs and Contractors
- GW to send the map and information to CT, CT to coordinate with Jon Deffenbacher to bring this issue back to life
- CT to call Arti O'Brian to update on the Smart Arrow board implementation

#### Old Business

- Meeting Minutes Review
- Fuel Escalation Update (Kevin)
- Section 1-09.6 Force Account Changes (2024 Changes)
  - What items activities should be services
  - Simplify the current process to eliminate confusion
- Removal of Structures or Obstructions FA
- Steel Escalation Opt-in Dates
- Small Business Capacity Building
- Select Meeting Dates for Winter-Spring 23

#### Other Topics (Time Permitting):

- Action Item Review (15 minutes)
- Next Meeting
  - February 17<sup>th</sup>, 2023

## 2-17-23 AGC/WSDOT Administration Team Meeting Notes

### Announcements

- Introductions/Guests

### Attendees

#### WSDOT

- Amy Amos
- Dan Lewis
- Kyle McKeon
- Colin Newell
- Shane Spahr
- Chris Tams
- Brian White
- Chuck Meade
- Jackie Bayne
- Thomas Brasch

#### AGC

- Aubrey Collier - APWA & City of Lacey
- Jerry Brais - APWA & King County
- Quinn Golden - Granite Construction
- CJ Handforth - IMCO Construction
- Derek Compton - Graham
- Jay Byrd - One Alliance
- Jarret Garcia - Valley Electric
- Greg Waugh - Max J. Kuney
- Jason Streuli - Merlino Construction
- Derek Compton - Graham
- Mike Hall - Tucci
- Reggie Wageman - Atkinson
- John Salinas - Salinas Concrete

### **New Business:**

- Meeting Minutes Review - no comments from the group
- Pre-Bid Questions
  - Shane Spahr - has heard from Contractors that the current 1-3 answers isn't working; do all the Contractors go and look at the posted Q&A on the advertisements? Not consistently
  - Mike Hall - doesn't think WSDOT has a timeframe as to when WSDOT will answer questions from the bidders, that would help
    - Tom Brasch - this is in the Contract, usually last questions are Thursday prior to the bid
  - Greg Waugh - the other two answers that Greg is wanting us to consider "Yes" and a "No"; also wants WSDOT to consider Pre-bid meetings
    - TB - their PE office sometimes does answer yes or no, but this often gets changed from Region or HQ
  - Chuck Meade - often we try to provide a little bit of context to the 1-3 answers

- MH - context would really help; if WSDOT publishes the Q&A, how does WSDOT see this as a liability?
  - Chris Tams - WSDOT doesn't require that Contractors are required to review the Q&A
- Jerry Braise - King County distributes their Q&A to all of the proposal holders, limiting their liability
- Derek Compton - publishing the Q&A can be a way to distribute risk, making sure all the Contractors are aware of potential issues
- GW - from a Contractor perspective, they receive a lot of questions from subs and suppliers, sometimes they see multiple potential subs ask the same questions
  - From a bid in accordance with the contract perspective, that answer can drive a really tough bid decision from the Contractor
- SS - WSDOT has to evaluate our answers to questions from a Contract risk and a bid opening timing perspective considering construction schedules/seasons (i.e. fish windows)
- MH - they would like to see something more than just "Bid it per the Contract"
  - GW - if there is an answer that is bid it as you see it, then that is an indication that if there is an item not included, that that item simply was missed
- TB - the Q&A sheet has a reference column, if PEO answers with a reference, do the Contractors review the reference? Mixed bag, some do and some don't.
- GW - WSDOT answering questions effectively will help all the bidders compete better for WSDOT's bids
  - Does WSDOT accept the Contractor accepting phone calls to the PE's pre-bid? The conversations really help.
  - CM - the conversations are good, but we usually ask the Contractor to submit the question in writing after the phone conversation; we want to make sure that the playing field is equal for all of our proposal holders
  - Brian White - similar, SCR usually takes the phone calls but then needs them in Q&A to be fair
- GW - a major headache in the addenda process is that the plan sheet is replaced, but nothing in the plan sheet is clouded as being replaced, that doesn't indicate what changed to quickly show them what has changed
- Force Account Markups Update (review services list/schedule follow up meeting)
- LS Bid Items (Earthwork, etc.)
  - GW - seeing a lot of LS items come in (earthwork, contractor supplied structures, etc.); this is often affecting the quotes they get from their subs, DBEs often aren't prepared to take on LS work so it can be challenging to bring them on and meet goals; if the LS item requires engineering, that requires more time and generates more risk
    - This is really hard on the engineering because Contractors are soliciting quotes, not entering subcontracts, and in those instances the subs aren't contractually obligated to their work within the quote
    - CT - WSDOT is requiring there to be adequate information in the contract in order to bid the quantities and placement of the earthwork items; WSDOT is going to require DTMs to be included as an electronic file included with the advertisement documentation
  - MH & GW - what is WSDOT's reluctance to just include the earthwork items as bid items, especially if WSDOT has a tight control on all of the quantities and locations, etc.?



- CT - some of this requires a heavy contract administration burden (inspection and office engineering)
  - SS - there often aren't hold points for measurement/survey during excavation and some fill operations, it can be a timing and a safety issue to have inspectors in the tight quarters with all of the Contraction equipment
  - CT - we are working on standard plans for multiple buried structures, should be published late summer/fall 2023
- GW - would WSDOT consider using a drone for interim or final quantities?
- X-tracker, CostTrax, and FA Tracker ([Home - CostTrax](#))
  - CT - Discussed wanting to pilot/explore some faster all-encompassing Force Account software; WSDOT is looking at expanding Equipment Watch software to include their FA package (CostTrax)
  - Reggie Wageman - one thing we want to make sure the software can do is make corrections to existing or submitted FA sheets
- Steel Escalation Opt in/out timing- No adjustments to current practices
  - The opt-in will have to occur prior to execution of the Contract
    - Jason Streuli - maybe the only time we'd like the opt-in timing longer would be in DB because the designs aren't finalized
- Arrow board upgrade timing
  - Previous meeting we discussed if WSDOT was going to allow TC companies time to make this implementation
  - Short answer is No, Contractors have to follow the GSP's and make this implementation
- Sick Leave Usage
  - Will have to watch the current legislation to see how the bill plays out (Senate Bill 5111)
- Standard Weekly Meeting Topics
  - What does the group think is a good weekly meeting agenda for our Contracts; would like to come up with a framework of a weekly agenda that can be used as a guide
    - Safety
    - Environmental
    - Schedule - 3/4 week lookahead
    - RFI/Submittal Status
    - Payments
      - DBE/EEO tracking
    - DMCS/Payrolls/SOIs/RTS
    - Unifier Construction Submittals (materials, etc.)
    - Change Orders
    - New Business
    - Old Business
    - Closeout
  - If attendees have good examples of weekly agendas please send them to Chris/Chuck for inclusion in guidance that we'll be including in the Construction Manual
- BABA Update
  - 2 CFR 184; adding some Construction Materials to the BABA requirements
    - Fiber optic cable, paint, coatings, brick, and engineered wood products
    - Aggregates are exempted, except when used in a manufactured product (catch basins, etc.)

- Why are some temporary materials (silt fence) included in the Buy America/BABA requirements?
  - Language is that any product that is "consumed" by the project has to meet the requirements.
- Right now there is no de minimus threshold
- Contract Time
- Mandatory Goal Evaluation
- Roadmap update - Jackie Bayne
  - Evaluating whether we are going to go to a mandatory goal requirement for Women and Minority program
  - Should be done with the evaluation this summer and rolling out the determination probably toward the Fall

### **Old Business**

- Contract Closeout with Electronic Records
- 6-20 Buried Structures Quality Control Requirements
- Unifier Winter Enhancements
- AGC Annual Meeting Feedback
- MVWBE
- Carbon Cap and Trade
- Wage Escalation
- Meeting Minutes Review
- Fuel Escalation Update (Kevin)
- Section 1-09.6 Force Account Changes (2024 Changes)
- What items activities should be services
  - Chris Tams presented a list of services that have been tabulated; this list will be a base for the services discussion moving forward
    - Pipe TV
    - Vac truck
    - Pipe jetting
    - Survey
    - Testing
    - Geotechnical service
    - Operated equipment (crane)
    - Water truck/dump truck
    - Logging
    - Sweeping
    - Saw cutting/coring/demo
    - Contaminated material handling/disposals (asbestos, lead, petro)
    - Surveying
    - HDPE pipe welding
    - Sand blasting
    - Manhole lining
    - Security
    - Hydroseeding
    - Biohazard abatement
    - Buried tanks
    - Concrete pump truck
    - Diving

- Manufacturer startup service
  - Sanitation
  - Well decommissioning
  - Aerial Surveys
  - Diamond Grinding
- Will circulate the list with the meeting minutes
- Simplify the current process to eliminate confusion
- Removal of Structures or Obstructions FA
- Steel Escalation Opt-in Dates

**Other Topics (Time Permitting):**

- Action Item Review (15 minutes)
- Next Meeting
  - March 24<sup>th</sup>, 2023