

Attendees

	Name			Name	
Attended	First	Last	Attended	First	Last
X	Amy	Amos		C.J.	Handforth
X	Jeff	Anderson	X	Tim	Hayner
X	Jackie	Bayne		Earl	Key
X	Devanta	Black		Dan	Kuney
X	Tom	Brasch	X	Jake	Lewing
X	Mike	Briggs		Dan	Lewis
X	Nicole	Brockwell		Gary	Martindale
X	Corey	Christensen	X	Kyle	McKeon
X	Brice	Cobean	X	Megan	Mosebar
X	Derek	Compton		Arti	O'Brien
X	Trish	Crane	X	John	Salinas II
	Jeff	Deal	X	Mark	Scoccolo
	Jon	Deffenbacher	X	Shane	Spahr
	Quinn	Golden	X	Chris	Tams
	Paul	Gonseth	X	Josh	Taylor
X	Mike	Hall		Reggie	Wageman

Meeting Summary: AGC/WSDOT Administration Team Meeting (January 16, 2026)

The meeting, led by Chris, focused on critical transitions in civil rights programs, legislative updates, and internal organizational shifts within WSDOT. **The primary highlight was the transition from the Disadvantaged Business Enterprise (DBE) program to the Federal Small Business Enterprise (FSBE) program.**

Key Discussion Topics:

- **DBE/FSBE Program Transition:** Jackie Bayne from the Office of Equity and Civil Rights explained that **nothing is required at bid time for the FSBE program** except the updated bidders' list questionnaire. For **Design-Build projects, existing DBE goals will be zeroed out via change order** and replaced with a new FSBE goal calculated from the remaining uncontracted work. **Bid-build projects will not receive change orders;** contractors are expected to honor the commitments made at the time of the bid, which now count toward FSBE goals as nearly all DBEs are automatically certified as FSBEs.
- **Organizational Changes:** Heidi Jensen has been appointed as the new **Construction Administration Manager**. She will oversee policy documents, specifications, templates, training, and documentation. Chris will continue to manage awards and mega projects.

Notable retirements include Dan McKernan in December 2025 and Jim Cuthbertson in May 2026.

- **Project Labor Agreements (PLA):** PLAs are now mandated for **state-funded projects exceeding \$35 million**. WSDOT will not be a party to negotiations; the low bidder must negotiate with unions within a 45-day window after award. Contractors expressed concern regarding the **risk of bid bond forfeiture** if negotiations fail due to union demands or lack of good faith.
- **Foreign Drone Restrictions:** Following federal law, **drones manufactured in countries like China (e.g., DJI), Russia, and Iran are prohibited** on federally funded projects. WSDOT is currently determining whether to enforce this via change order or as a direct federal law requirement.
- **Legislative and Specification Updates:**
 - **House Bill 2552** regarding **Multiple Award Task Order Contracting (MATOC)** is moving forward with WSDOT support.
 - WSDOT plans to **remove the additional 2% markup for force account work** in the 2027 specification book.
 - A new **prompt payment bill** and a bill making general contractors responsible for subcontractor wage issues are currently being monitored.
- **WSDOT Facilities:** Due to lease non-renewals and structural issues at headquarters, WSDOT is **downsizing its office footprint** and does not anticipate a mandatory return to office for most staff in the near future.

Action Item List

Action Item	Responsible Party	Reference
Distribute New Org Chart: Send out the updated organizational chart and the revised escalation chart to the team.	Chris	
FSBE Negotiation Meetings: Follow up with AGC and partner agencies to begin negotiations regarding FSBE strategies and targets.	Jackie Bayne / Consultant	
Drone Guidance: Clarify with the AG's office how drone restrictions will be communicated (federal law vs. change order).	WSDOT / AG's Office	
Improve Evaluation Return Rates: Increase emphasis on returning "Contractor Process Evaluation" forms to improve project feedback (current return rate is ~6%).	WSDOT / Contractors	
Review MATOC Template: Provide a template or version of the MATOC checklist for review at the next meeting.	Chris	
2027 Spec Book Update: Prepare to remove the 2% force account markup in the upcoming September 2027 book.	Trish Crane / Heidi Jensen	
Future Meeting Coordination: Block out confirmed dates for upcoming meetings (Feb 20, Mar 20, Apr 24, June 5).	All Members	

Meeting Minutes: AGC Administration Meeting

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	Jon	Deffenbacher	X	Shane	Spahr
	Quinn	Golden		Chris	Tams
	Paul	Gonseth	X	Josh	Taylor
X	Mike	Hall	X	Reggie	Wageman
			X	Alex	Tucker

1. DBE and FSBE Program Updates

- **Program Status:** OMWBE is currently undergoing a recertification process, and WSDOT is rewriting its DBE participation plan for FHWA approval.
- **Interim Strategy:** To address the "limbo" period for the DBE program, WSDOT is updating its Federal Small Business Enterprise (FSBE) specifications to include a "condition of award" similar to the DBE program.
- **Existing Contracts:** For existing design-build contracts, WSDOT plans to zero out original DBE goals and establish appropriate new FSBE goals for remaining work. Contractors are still expected to honor existing commitments made under the original DBE program.
- **Upcoming Meetings:** In-person meetings for AGC leadership and partners are being scheduled for April 6th through 10th in both Western and Eastern Washington.

2. Railroad Protective Services

- **Pricing Challenges:** Contractors reported significant difficulty obtaining upfront quotes from the railroad flagging firms specified in GSPs.
- **Contractual Issues:** The current process is problematic due to railroad firms requiring 50% upfront payment and billing full 12-hour shifts regardless of hours worked.

- **Proposed Solution:** WSDOT is considering moving away from minimum daily bid items (currently \$3,000/day) and instead treating these services as a direct invoice service to ensure a level playing field and simplify administration.

3. Contractor Performance Reports (PCPR & CCP)

- **PCPR Subcommittee:** A subcommittee is being formed to review the PCPR manual. The goal is to refine the criteria so that achieving a "superior" rating is less daunting for contractors.
- **CCPE Improvement Plan:** WSDOT is revamping the form contractors use to evaluate the agency. The new plan includes shortening the form, moving it to an online format to improve response rates, and adding questions regarding the effectiveness of General Engineering Consultants (GECs).

4. TRAINS 4.0 Migration (Statewide Accounting System)

- **Blackout Dates:** The statewide accounting system will go dark from **March 27th through April 15th**.
- **Impact on Payments:** WSDOT will be unable to process any checks or invoices during this blackout period.
- **Other Impacts:** The system shutdown also affects the submission and approval of materials mixed designs and the issuance of new contracts.

5. Legislative and Funding Update

- **Session Status:** Several high-profile bills, including Senator Zahn's bill and the Maytag bill, have died.
- **Funding:** Additional preservation and paving work for the upcoming season is contingent on funding from the supplemental budget.

6. Dispute Review Board (DRB) Specifications

- **Issues of Notice:** Proposed updates clarify that legal issues regarding "notice" (whether a contractor properly notified WSDOT of a dispute) do not go to the DRB. Only Chris Christopher or Jon Deffenbacher has the authority to waive a dispute based on notice.
- **Participant Status:** New language will define the Engineer of Record or designer as "participants" rather than "outside experts" during board hearings.

Action Items

Action Item

Program Update: Provide a status update on scheduled April in-person meetings.

Assigned To

Jackie Bayne

FSBE Specs: Present the new FSBE GSP to the AGC group for input once drafted.	Chris Tams & Patricia Crane
Railroad Services: Discuss transitioning railroad flagging from a bid item to a direct invoice service with John Deffenbacher.	Chris Tams & Megan Mosebar
PCPR Subcommittee: Schedule a phone call for the week of March 2nd to establish the subcommittee and review the manual.	Chris Tams & Daniel Kuney
WSDOT Evaluation: Develop new, relevant questions (including GEC performance) for the CCP evaluation form.	Chris Tams & Megan Mosebar
Accounting Bulletin: Issue a formal construction bulletin to all stakeholders regarding the TRAINS 4.0 blackout period and its impacts.	WSDOT / Chris Tams
DRB Clarification: Follow up with John Keeth to clarify the specific intent and background for the "outside expert" language changes.	Chris Tams

Meeting Minutes: AGC Administration Meeting April 2026

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X	Amy	Amos	X	C.J.	Handforth
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X	Paul	Gonseth	X	Josh	Taylor
X	Mike	Hall		Reggie	Wageman

- Bidders List Form Requirement and FHWA Negotiations:** Chris, Earl, Patricia, Kyle, and others discussed the ongoing requirement for the bidders list form in Washington, its legal basis, challenges with compliance, and efforts to negotiate with FHWA for potential removal or modification, with Earl committing to investigate other states' practices and bring the issue to upcoming negotiations.
 - Legal Requirement and Bid Rejection:** Chris explained that bids are rejected if legally required subcontractors are not listed on the bidders list, as mandated by state law and federal regulations, and clarified that modifications are allowed for certain details but not for adding new companies after bid opening.
 - Comparison with Other States:** Tim and Chris noted that other states, including Oregon, do not require a similar form, highlighting Washington's unique and stricter standard, and discussed the lack of comparable requirements elsewhere.
 - Attempts to Remove Requirement:** Chris described previous efforts to seek leniency or removal of the form requirement from FHWA, which were unsuccessful, and outlined plans to revisit the issue with national representatives and elevate it to the director level.
 - Negotiation Strategy and Consensus:** Earl proposed adding the bidders list form issue to the AGC negotiation table, stating that if consensus is reached, he could make an executive decision to remove it, and committed to contacting FHWA and surveying other states' practices.
 - Interim Final Rule Changes:** Patricia clarified that the interim final rule only removed the collection of gender and race data from the form, leaving other

requirements intact, and provided the relevant CFR reference for meeting minutes.

- **Minority and Women Goals and State Certification Changes:** Chris and Earl discussed the elimination of minority and women goals from state-funded contracts, the rationale behind this change, and the transition to a new certification program, with input from the Attorney General's office and plans to strip related language from current contracts.
 - **Zeroing Out Goals:** Chris stated that recent state-funded contracts have had zero minority and women goals, and that change orders are being processed to remove these goals from existing contracts.
 - **Legal Rationale and Unconstitutionality:** Earl asserted that the current system is unconstitutional due to tangible benefits for certified minority or women businesses, and referenced a National Review article highlighting Washington's problematic certification program.
 - **Transition to New Certification:** Earl described ongoing collaboration with DES and OMW to develop a new certification, pending a formal opinion from the Attorney General's office, and confirmed that the old certification will be discontinued regardless of the opinion.
- **DBE and FSB Goal Adjustments for Design-Build Contracts:** Chris outlined the process for adjusting DBE goals to FSB goals in existing design-build contracts, explaining how credits are given for pre-existing subcontracts and how new goals are established for remaining work, with guidance being implemented in coordination with OAS and OEC.
 - **Change Order Language:** Chris described the provision of change order language to zero out existing DBE goals in lengthy design-build contracts and initiate the establishment of new FSB goals.
 - **Credit for Existing Subcontracts:** The team will credit design builders for subcontracts signed before and after the October 3rd cutoff, using these amounts to determine the new FSB goal for remaining subcontractable work.
 - **Implementation Guidance:** Chris confirmed that guidance is being distributed and that coordination with OAS, OEC, and relevant contracts is underway to ensure proper implementation.
- **Prequalification Multiplier and Emergency WAC Change:** Chris presented plans to revise prequalification multipliers for contractors, proposing an emergency WAC change to increase the starting multiplier and maximum bidding capacity, aligning with bonding company practices and enabling bids on large upcoming projects.
 - **Current and Proposed Multipliers:** Chris explained the current system (5% starting, up to 7.5%) and proposed increasing the starting multiplier to 7.5% and the maximum to 12.5%, reflecting industry feedback and inflation.
 - **Emergency and Permanent Change Process:** The emergency WAC change will be implemented for 120 days in June/July, followed by public hearings and a permanent modification process.
 - **Impact on Large Projects:** The change is intended to allow qualified contractors to bid on mega projects, such as the \$3 billion IBR bridge, which current multipliers would exclude.

- **Insurance Threshold Increase for Contracts:** Chris announced an increase in the standard insurance threshold for contracts from \$10 million to \$15 million, explaining the rationale and operational changes, with no objections raised by participants.
 - **Threshold Adjustment:** The standard insurance coverage threshold will be raised to \$15 million, meaning projects below this amount will use standard coverage, while those above will be evaluated for additional requirements.
- **Railroad Flagging Bid Item and Force Account Discussion:** Chris, Daniel, Tim, and Patricia discussed the railroad flagging bid item, recent commitments from flagging companies to provide quotes before bidding, ongoing concerns about force account treatment, and the need to review risk assignment and contract language.
 - **Flagging Company Commitment:** Railroad flagging companies have committed to providing quotes before bid issuance, allowing minimum values to be set in contracts and reducing uncertainty for bidders.
 - **Force Account Concerns:** Daniel raised concerns about managing flagging services as force account items, noting that contractors have limited control and suggesting pass-through costs to the agency.
 - **Contractual Agreements:** Daniel shared that flagging companies often refuse to sign standard subcontracts, instead providing their own agreements with limited flexibility and insurance provisions.
 - **Risk Assignment Review:** Chris and Patricia agreed to review the risk assignment and relevant specification language, including protections for contractors when flagging companies fail to perform.
- **Utility Locating Policy and Specification Alignment:** Chris, Mark, Patricia, Corey, and Thomas discussed inconsistencies between utility locating policies, RCW requirements, and contract specifications, with plans to delete problematic sections and clarify responsibilities for locating utilities and drainage structures.
 - **Specification Deletion:** Patricia confirmed plans to delete section 7-09.3(6) from the specifications, aligning utility locating requirements with section 1-07.17 and RCW 19.122.
 - **Policy Clarification:** Chris and Corey discussed confusion over WSDOT's policy on locating drainage lines, with Chris committing to investigate and clarify responsibilities, especially regarding city infrastructure within state right-of-way.
 - **Design-Build Contracts:** Chris noted that stormwater systems are not classified as utilities in design-build contracts, prompting further review of RCW applicability and potential reclassification as drainage structures.
- **Prime Contractor Performance Reviews and Contractor Feedback:** Chris, Megan, Mark, and Dan discussed efforts to improve the contractor process evaluation form and prime contractor performance reviews, seeking meaningful feedback, interim reviews, and greater usage, with plans to circulate revised questions and involve a subcommittee.
 - **Form Revision and Feedback:** Chris and Megan developed additional questions for the contractor process evaluation form, aiming to capture concerns about contract administration and partnering, and will circulate drafts for group feedback.
 - **Interim Review Process:** The team discussed implementing interim reviews for multi-season jobs, allowing contractors to evaluate agency performance annually and address issues proactively.

- **Subcommittee Formation:** A subcommittee with representatives from WSDOT and AGC will be formed to review the PCPR manual and recommend changes to the evaluation process.
- **Steel Escalation Clause and Subcontractor Opt-Outs:** Daniel and Chris discussed the steel escalation clause in contracts, noting that structural steel and rebar subcontractors are opting out due to index thresholds and perceived risks, and proposed forming a subcommittee to review the clause and consider lowering the trigger percentage.
 - **Opt-Out Trends:** Daniel reported that most subcontractors are opting out of the steel escalation clause, citing concerns with the 10% threshold and the selected index, which limits the clause's effectiveness.
 - **Potential Clause Revisions:** Chris and Daniel suggested lowering the trigger percentage to 5% and reviewing the index used, proposing a subcommittee of experts to evaluate alternatives.
 - **Material on Hand Protection:** Chris and Daniel discussed the use of material on hand payments as a practical protection against price volatility, especially for large jobs where storage is feasible.
- **PLA Updates and Real Estate Acquisition Issues:** Chris provided updates on the NSC PLA contract, the upcoming Yelm Loop PLA, and ongoing real estate acquisition challenges affecting project timelines, with plans to share updated questionnaires and GSPs as they become available.
 - **NSC and Yelm Loop Status:** The NSC PLA contract is moving forward after a lawsuit was dropped, and the Yelm Loop PLA is pending real estate acquisition, with funding secured but start dates uncertain.
 - **Questionnaire and GSP Updates:** Chris committed to sharing the updated PLA evaluation questionnaire and confirmed that GSPs are published and included in specifications.
- **PDF Plan Sets and Licensing Board Agreement:** Chris, Mark, and Kyle discussed the locked PDF plan sets required by agreement with the PE Licensing Board, the inconvenience for contractors, and available workarounds, with ongoing concerns about plan modification risks.
 - **Locked Plan Sets:** Chris explained that plan sets are locked to comply with PE Licensing Board agreements, requiring contractors to print and convert them to PDF for use in software tools.
 - **Modification Concerns:** Mark and Chris noted engineers' concerns about unauthorized modifications to plans, which could compromise the integrity of stamped drawings.
- **Force Account Markup Structure and Overhead Costs:** Mark and Kyle discussed challenges with the current force account markup structure, rising overhead costs, and the need for potential increases or itemization, with Kyle agreeing to review the issue with their team.
 - **Markup Structure Challenges:** Mark highlighted that increased taxes, insurance, and licensing fees are straining the existing markup structure, suggesting a 5% increase or itemization of overhead costs.
 - **Local Agency Practices:** Chris noted that local agencies often reduce the standard markup, making federal aid work less financially viable for contractors.

- **Action Plan:** Kyle agreed to discuss the issue with their team and follow up with Mark for further details.
- **DRB Outside Expert Language Clarification:** Chris and Patricia clarified new language in contract specifications regarding the definition of outside experts for DRB hearings, specifying that engineers of record and designers are participants, not outside experts.
 - **Specification Update:** Patricia shared the updated specification language, which distinguishes between project participants and outside experts, ensuring clarity in DRB hearings.
- **Electronic Contract Approval and Award Letter Clarity:** Chris raised concerns about the lack of breakdowns in electronic contract award letters, suggesting improvements to include contract values and alternate details, and committed to discussing changes with Jenna.
 - **Award Letter Improvements:** Chris proposed that award letters should specify the base bid, alternates, and total contract value to improve clarity for contractors signing electronic documents.
- **Meeting Date Change and Scheduling:** Chris discussed conflicts with the June meeting date and proposed rescheduling to May 29th, confirming plans to update participants once the new date is verified.
 - **Rescheduling:** The meeting date was moved to May 29th due to conflicts with Memorial Day weekend, with Chris responsible for confirming the venue and notifying attendees.

Follow-up tasks:

- **Bidders List Form Requirement:** Coordinate a joint effort between AGC and WSDOT to revisit FHWA regarding the necessity of the bidders list form and explore options to remove or modify its submission requirements. (Chris, Kyle, Earl)
- **Bidders List Form Requirement:** Add the relevant CFR number (49 CFR 26) to the meeting notes and minutes for reference in future discussions. (Chris)
- **Bidders List Form Requirement:** Reach out to other states and civil rights boards to investigate whether they collect the bidders list form and report findings to the group. (Earl)
- **Minority and Women Goals in Contracts:** Continue working with DES and OMW to develop a new certification program and await the Attorney General's formal opinion on the constitutionality of the current system. (Earl)
- **Prequalification Multipliers Update:** Initiate an emergency WAC change to modify prequalification multipliers, followed by permanent rulemaking, and communicate with AGC to ensure no opposition during public hearings. (Chris)
- **Railroad Flagging Bid Item:** Review the risk assignment and updated spec language for railroad flagging, including the impact of railroad flagging companies' commitment to provide quotes before bid, and report back to the group. Share the new RR specs and GSPs with the group. (Chris and Megan)

AGC Administration Meeting Summary May 2026

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Attended	First	Last	Attended	First	Last
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	Jeff	Anderson		Tim	Hayner
X	Jackie	Bayne		Earl	Key
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X	Paul	Gonseth	X	Josh	Taylor
X	Mike	Hall	X	Reggie	Wageman

Meeting notes:

- Columbia River Bridge Replacement Project Updates:** Chris led a detailed discussion on the Columbia River Bridge replacement project, outlining the timeline, funding, delivery method, scope, and key challenges, with input from Reggie, Kyle, and others regarding project size, permitting, tolling, and progressive design-build experiences.
 - Project Timeline and Funding:** Chris explained that the RFQ for the Columbia River Bridge replacement project will be released around July 8, with the RFP expected in October. The project is estimated at \$5.7 billion, with \$1.5 billion in dedicated funds that must be allocated by a September 30 deadline. Meeting key milestones is necessary to secure funding, and the anticipated start for in-water work is in 2028.
 - Scope and Corridor Expansion:** The project covers the corridor from Delta Park through 500, with the current phase focusing on utilizing available funds and managing risks. The final build-out will be larger, and the corridor is expected to grow beyond the initial project. The removal of the existing river structure, previously a separate contract, is now included in the main package.
 - Permitting and Navigation Channel Changes:** Chris highlighted the need for a Coast Guard permit, which is contingent on funding for the removal of the existing bridge. The navigation channel will shift to the center of the river,

requiring dredging as part of the project. The design builder will be responsible for obtaining the permit.

- **Tolling and State Responsibilities:** Washington will control tolling for the project, as Oregon has withdrawn from tolling efforts. The tolling vendor will be the same as used in northern projects, and tolling infrastructure will be moved into Washington. The pre-completion tolling package is slated for advertisement in November, with tolls expected to start alongside in-water work in 2028.
- **Progressive Design-Build Delivery and Risks:** The project will use a progressive design-build method, with Atkinson and Kiewit as the main teams currently interested. Chris and Kyle discussed previous experiences with progressive design-build, including challenges and the possibility of taking an 'off ramp' if negotiations fail. The project involves coordination between two DOTs, two cities, and 22 transit agencies, presenting unique risks and complexities.
- **Office of Equity and Civil Rights (OECR) Program Status:** Jackie Bayne provided an update on OECR activities, including upcoming AGC community negotiations, current status of contract goals, and ongoing communication with Federal Highway Administration, with Chris and Trish contributing to discussions on contract language changes and reporting requirements.
 - **AGC Community Negotiations:** Jackie announced that AGC community negotiations are scheduled for next Thursday, and encouraged participants to submit their lists and information to consultant Angela Berry. No program changes have been made pending the outcome of these negotiations.
 - **Contract Goals and Federal Guidance:** Chris and Jackie discussed the transition to FSBE and the elimination of training, regional female, and minority goals. Jackie stated that enforcement and monitoring of these goals have ceased, and the team is awaiting guidance from Federal Highway Administration due to conflicting regulations and executive orders.
 - **Change Order Language and Bid Build Contracts:** Trish and Chris are working on removing minority and women goals from state-funded jobs, with language set to zero for the current construction season. Change order language is being developed to eliminate these goals from existing contracts.
 - **Training Special Provision Program:** Jackie clarified that the training special provision is a Federal Highway program, and the team has asked FHWA for direction. The program is not being enforced or monitored, and the team is in a holding pattern until FHWA provides guidance.
 - **Reporting and Documentation Status:** Chris confirmed that reporting and bid-time documentation will remain status quo for now, with no new requirements or monitoring being established. Jackie reiterated that the EEO program is paused and not included in new contracts.
- **Railroad Flagging and Insurance Specification Revisions:** Chris led a review of the revised railroad flagging specifications, discussing unit pricing, insurance requirements, and coordination with third-party providers, with input from John, Connie, Wilson, and Patricia on implementation and contractor reimbursement.
 - **Specification Rewrite and GSP Transition:** Chris explained that many railroad flagging specs have been moved to the GSP, with requirements clarified for when a right of entry permit is needed.

- **Unit Pricing and Contractor Reimbursement:** The revised approach sets a unit price per day for railroad flagging, with a minimum bid of \$3,000 included in the proposal form. Contractors will be reimbursed per day of flagging performed, and the minimum bid is intended to ensure cost coverage if third-party pricing is unavailable.
- **Coordination with Third-Party Providers:** Wilson, a consulting firm managing railroad flagging, has committed in writing to provide pricing prior to bid time. Connie communicated the importance of timely pricing to Wilson, and the team will revisit the process if pricing is not provided.
- **Insurance Requirements and Specification Placement:** Patricia noted that railroad insurance is currently part of the standard spec but will be moved to the special provision. If the insurance specification is not in the GSPs, it will not be required, and any necessary insurance should be listed in the specials to avoid post-award surprises.
- **Utility Locate Guidance and Unlocatable Systems Policy:** Chris and Cory discussed updated guidance on utility locates, including responsibilities for marking, maintenance obligations, and handling unlocatable systems, with input from Mark, Trish, and Megan on legal review and contractor obligations.
 - **Locate Guidance Distribution and Policy:** Chris sent out a memo on locate guidance, clarifying that the policy was developed by headquarters traffic and not headquarters construction. The guidance addresses marking responsibilities and references RCW 19.122.030.
 - **Unlocatable Utilities and Contractor Responsibilities:** The policy identifies storm drains and nonconductive utilities as unlocatable, with contractors not required to locate them at their own expense. Electrical and ITS systems are to be located by the state, and careful excavation methods are recommended for areas with unlocatable utilities.
 - **Maintenance Locates and As-Built Documentation:** Contractors are obligated to perform maintenance locates until final acceptance, which can extend beyond physical completion. Chris and Mark discussed the burden this places on contractors and the importance of timely as-built submissions.
 - **Record Keeping and Responsibility Transfer:** Contractors must maintain records of locates, including GPS data and photo documentation, to facilitate future marking. Responsibility for locates transfers to subsequent contractors, and proper record keeping is essential to avoid disputes.
 - **Policy Review and Future Actions:** Chris and Megan will consult with Flint to clarify policy nuances and address concerns raised during the meeting. Updates will be provided in the fall after further review and discussion.
- **Small Business and FSBE Program Negotiations:** Mike and Chris discussed upcoming AGC negotiations on FSBE and small business programs, including contractor input, participation requirements, and confusion over bid forms and award conditions, with Kyle confirming attendance and Jackie referencing related updates.
 - **AGC Negotiation Meeting Preparation:** Mike announced a meeting next Thursday with AGC, Earl, and Nina to discuss FSBE and small business program requirements. Contractors are encouraged to submit suggestions for the 'wish list' by Monday, with Jerry Vanderwood and Mike as points of contact.

- **Participation and Representation:** Earl has limited agency participation to four management representatives, with Kyle, Brandon, Scott Wilms, Jerry Vanderwood, and an agency member attending. The group aims to reconcile differences between contractor and government perspectives.
 - **Bid Forms and Award Conditions:** Chris clarified confusion regarding bid forms, condition of award, and mandatory requirements for FSBE. The meeting will address tracking and reporting issues, as well as participation percentages and capacity concerns.
 - **Contractor Evaluation and Capacity:** Contractors no longer have visibility into small business participation through bid forms, making self-evaluation difficult. OECR's capacity assessment is seen as insufficient, and contractors must independently assess their ability to participate.
- **Prime Contractor Performance Review (PCPR) Manual Rewrite:** Chris initiated plans to rewrite the PCPR manual, coordinating with Dan, Amy, and Mike to schedule meetings and review guidance for design-build contracts, with updates on manual posting and volunteer participation.
 - **Manual Rewrite Scheduling:** Chris will set up PCPR manual rewrite meetings based on Dan's availability, with Jenna Kemp returning to assist. Amy and Mike have volunteered to participate, and others interested should notify Chris.
 - **Design-Build Guidance Updates:** The PCPR manual for design-build contracts has undergone a full change and is posted on the website, with a new form available for prime contractor performance reviews.
- **Team Assignments and Escalation Chart Updates:** Chris provided updates on team assignments, including Ben Ford's hiring, ongoing recruitment for Jim Cuthbertson's replacement, and instructions for updating the escalation chart, with input from Ed Kane and Jason on approval processes.
 - **Team Changes and Recruitment:** Ben Ford has been hired as the new ASCE, replacing Dan Mckernan, and recruitment is underway for Jim Cuthbertson's replacement. Assignments will be shuffled once the position is filled.
 - **Escalation Chart Maintenance:** Chris instructed team members to report any issues with the escalation chart to Becky for correction. The chart details escalation procedures for project issues, with Ed Kane and Jason involved in approval processes.
- **Scheduling Future Meetings:** Chris and the group discussed and tentatively scheduled meetings for September 18, October 23, and December 11, pending room availability, and invited participants to submit topics for the fall agenda.
 - **Tentative Meeting Dates:** Chris proposed September 18, October 23, and December 11 as future meeting dates, with confirmation pending room availability. Invitations will be sent once dates are finalized.
 - **Agenda Topic Submission:** Participants are encouraged to send topics for discussion over the summer, which will be compiled for the fall meetings.

Follow-up tasks:

- **Minority and Women Goals Removal:** Develop and finalize change order language to remove minority and women goals from existing contracts and ensure these are stripped from state-funded jobs going forward. (Chris, Trish)
- **Training Special Provision Clarification:** Follow up with Federal Highway Administration to obtain clear guidance on the enforcement and monitoring of the training special provision program in light of conflicting executive orders and regulations. (Jackie, Earl)
- **Bidders List Requirement:** Investigate and clarify whether the bidders list form is still required, including checking with FHWA and communicating findings to the group. (Jackie, Earl)
- **Railroad Flagging Pricing Process:** Monitor and review the process for obtaining railroad flagging costs from Wilson, and revisit the approach if Wilson does not provide pricing as committed. (Chris, Connie)
- **Railroad Insurance Specification:** Confirm and update the insurance specifications to ensure railroad insurance requirements are clearly listed in the specials if needed, and communicate any changes to the team. (Chris, Megan, Patricia)
- **Unlocatable Utility Policy Review:** Consult with Flint to clarify the intent and address nuances in the unlocatable utility guidance, including maintenance locates and contractor obligations, and bring updates to the group in the fall. (Chris, Megan)
- **PCPR Manual Rewrite:** Schedule and conduct meetings over the summer with interested volunteers to review and rewrite the PCPR manual for prime contractor performance reviews. (Chris, Amy, Dan, Mike)

AGC Administration Meeting Summary September 2026

	Name			Name	
Attended	First	Last	Attended	First	Last
	Jeff	Anderson	X	Justin	Janke
X	Jackie	Bayne	X	Jon	Keeth
	Devanta	Black		Earl	Key
	Tom	Brasch	X	Dan	Kuney
	Mike	Briggs		Jake	Lewing
	Nicole	Brockwell		Dan	Lewis
X	Corey	Christensen		Gary	Martindale
X	Brice	Cobean	X	Kyle	McKeon
X	Derek	Compton		Megan	Mosebar
X	Trish	Crane		Arti	O'Brien
	Jeff	Deal	X	John	Salinas II
X	Jon	Deffenbacher	X	Mark	Scoccolo
X	Quinn	Golden	X	Shane	Spahr
X	Paul	Gonseth	X	Jason	Streuli
X	Mike	Hall		Chris	Tams
X	C.J.	Handforth		Josh	Taylor
X	Tim	Hayner	X	Reggie	Wageman

Meeting notes:

- **New members**
 - Justin Janke for WSDOT Olympic Region
 - Jason Streuli for AGC
- **WSDOT temporary staffing changes**
 - Chris Tams temporarily out on loan to Olympic Region
- **Meeting Minutes Review (May)** – Looked good. No comments.
- **PWSBE Qualified Firm Listing** – Hard to look up, See OECR update below.
- **Bird Protection GSP Changes** – Jon Keeth talked about new upcoming GSPs – birds have been more complex and a lot of species are covered. We are adding four options. The biologist does assessment, then they decide if it is high risk or low risk, high risk is the risk of a bird that will need to be addressed, low risk is low, or moderate for somewhere in between. Biologists will put together a memo that says what species are likely to be there, and what they saw are there. Four GSPs have been created that assign responsibilities for training, site monitoring, and nest removals. Some where the Contractor is fully responsible, and then ones where WSDOT is and then other options in between those two. Please review and make sure clear on assignment of risk. If we are

expecting raptors, we will do something else that will be a different case. Reach out to Jon or Trish with questions.

- Differences from how we are doing now, our current process isn't as consistent. We are trying to take what we are currently putting as special provisions into GSPs for some consistency. It's in line with what we are doing now, but trying to add consistency, and clarity on risk assignment. Some is done before bid. This also lets the Contractor know if there is a barrier or something up and they need to work around it. Once turned over to the Contractor, the Contractor is desired to catch things before nest starts.
- Anticipating normal bird species - if we are doing relocation, it will take time to get a biologist out there. Long paving job is concern, on structures with nests or tall grass in roadside there are concerns. Discussed which projects would have it, specifically structures and areas where there are risks. WSDOT is not anticipating using these GSPs on all projects, but will need to discuss with the biologist and address what projects next month.
- **Office of Equity and Civil Rights (OECR) Program Status:** Jackie Bayne provided an update on OECR activities:
 - Discussed the rumor that Veteran goals are going up to five percent – Jackie said it is evaluated on each job. Though the authority allows up to 5%, they haven't been issuing that.
 - Federally funded jobs, OMWBE website shows FSBE if they are an SBE even though not designated that way – Jackie demonstrated searches, for SBE then did search for PWSBE only however, it was not a successful search for all the SBEs.
 - The OMWBE website is difficult to get information and this is the only place where Contractors can go to get the information. Very frustrating for Contractors. – Jackie went over the OMWBE site and information. Jackie asked for an email summarizing on all that needs fixed. Dan Kuney offered perhaps get a top 10 list of what Contractors would like to see, it would be worth the money.
 - Veteran owned business look up is hard as well. If Contractors can't find the businesses, they can't use them. If they are increasing the percent, Contractors would like WSDOT to make sure there are enough businesses willing to do the work.
 - WSDOT did remove voluntary goals from active state projects. Stopped using it going forward and took it off existing projects. WSDOT went away because even though not part of the DBE program, it was directly tied to the Title VI and is not needed.
 - Concern was expressed over a survey sent out for underworked Contractors and it was questioned on who has the authority to move the Western Washington survey group forward for implementation. Salina's received survey and was shocked by the actual survey, because it will have massive consequences to the industry if it moves to it. Trying to figure out how it will be implemented. Really wanting to see if this is something we are actually moving forward with. Contractors do not want this to be something WSDOT presents, then gets feedback, then moves forward with, without addressing the feedback. – There is a quarterly secretary meeting next week, Jackie suggested adding to that agenda, but can handle in the admin meeting. Jackie to have Earl talk about it at next meeting.

- Bidder's questionnaire still told we can't remove it. Still issues, and complaints that other states are not doing it. – Not sure what WSDOT can do at this point.
 - Earl will be here next month.
- **Small Business (Mike Hall):** The group had a discussion of the AGC Small Business meeting held in June at Tabor 100 in Tukwila to improve small business participation. A sub-committee of this team would be good to look at it. A smaller group to recap things and maybe to get a sense of where we are and what needs done. Jon Deffenbacher would be happy to kick off but doesn't want to be part of it. Should include someone from WSDOT Construction and definitely needs to include a small business.
- **Interest Payment Policy**
 - TRAINS Link to website for payments no longer exists with updated TRAINS. A work around was sent, but payments have really slowed down, and it is difficult to unpack. Sent work around out, but that work around involves sharing it on an FTP site and requires the project office to upload it there.
 - For payment reporting, Contractors will need to talk to the Project Engineer. When TRAINS was first implemented it took time to work through issues, then there were issues to set up contracts and get payments out were the high priority issues, the reporting issue was not the top priority at the time, so WSDOT needs to circle back on that.
 - Progress payments are an issue with some projects, an internal WSDOT problem. WSDOT has been communicating with interest payments and work arounds, the only slightly good news is we have come up with a way to execute interest payments, we have a process – but the Contractor still needs to request interest payments.
 - Updating payments are occurring manually into DCMS, the PEOs were asked to do this.
 - The current process is not working well. The trouble with all of it is it is manual entry. When it was automated, it happened quickly.
 - There was a discussion on having interest payments added automatically. Jon D and Jon K will discuss options and report back.
 - On the local side, there are about 800 backed up. WSDOT reimburses the Local Agency so Contractors might not see an issue but depends on how the agency processes payments. Local Programs is still trying to wrestle with how to pay interest.
- **Utility Locate Guidance and Unlocatable Systems Policy:** New guidance that came out. New specs came out last spring. Local Agencies were taking a step too far. It seems like it has been fixed.
- **Prime Contractor Performance Review (PCPR) Manual Rewrite Meeting Over the Summer:**
 - Looking at ideas to make quality higher. Examples given was that for finishing concrete there is no reason to go over the basic. No date for update yet, so will leave on agenda. In one or two meetings there will be something to update on. P4 (Contract time) is also being looked at.
- **Contractor's Performance Evaluation Form – Content Changes & Migration**

- In conjunction with the PCPR, WSDOT wants to update the feedback for the Contractors review for the PE office. Not useful right now, either comes in all great or all bad, and don't get all that often. So will have the form sent to HQ office, with HQ sharing as appropriate. WSDOT wants feedback. There is feedback from Contractors that consultant led jobs do not go that well. Maybe updated process can include who was on the job and how that was going as this affects how well it went. Will also look to see if there is anything else we need to look at.
 - Considered awhile ago having a final survey meeting at close out to discuss how did the administration go, and how did the project ultimately turn out and if there is something to work on. Jon Keeth needs input on how WSDOT can actually get Contractors to respond. What does WSDOT need to do to get Contractors to give feedback on every job to make sure we get it, short of making it mandatory. If being asked to rate the client, it depends who it goes to. Contractors are worried about what will happen if they give negative feedback. Maybe consider aggregating it. WSDOT hasn't made a lot of progress yet. Whatever WSDOT does, have to be upfront on them for clarity on how they give that feedback and where it ends up. Whatever is decided, will make sure it is clear on how the information will be shared.
- **Maximum Capacity Ratio:** Started process to have this revised. IBR was prime example, giant project and not very many Contractors could pursue it. At Ad & Award this is established. It maxes out at 7.5 times the gross. WSDOT was trying to bump up maximum to 12 times. Also looked at bonding. WSDOT thought this was reasonable, but FHWA wants exhaustive study. It requires a rule change, this is going to sit on back burner for a little bit, but won't start in earnest until January, but then WSDOT will have to start with an analysis. This group might be a good place to start. FHWA wants to see proof. The emergency rule will expire and not be used. Earliest this would be put into place would be late next year, after finalized the law change can take more than six months.
- **Updates on Upcoming Projects:** Nothing really on budget front. WSDOT will continue to post advanced schedule. Still a few fish projects coming. The state is in mediation with tribes now, and not sure if this will mean more work or not. WSDOT is still pushing for more money in preservation. Contractor reminded we used to get work out in Dec. That is starting to move into after legislation meeting. December or so is best price. WSDOT regions are working on getting some preservation contracts out by April 1, but unfortunately it is all money that has to be spent in the biennium. Lot of P1 that will go out with expectation that it is done in this biennium. Requested that WSDOT allow the option of pushing into the next year, and reminded that there is reason for those questions when they ask. The push though is to have the money spent this biennium. Reminder that the industry ended up losing quality people because the jobs didn't come that were expected a few years ago.
- **Follow-Up Tasks:**
 - Reminder: Applications for the partnership awards, deadline to submit a project is October 6th. If you had a good project, please make sure you submit it. (doesn't need formal partnership to submit)