



**CONSTRUCTION STANDARDS
DIV. 1 COMMITTEE
Meeting Notes**

**Thursday, February 12, 2015 - 10:00 am – 12:30 pm
Conf Room 3, 25 West Main St., Auburn, WA**

Attending: (P = via phone)

	Pat Baughman	X	Bill Linton	X	Tina Nelson
	Peter Dressel	X	Lori McFarland		Scott Sawyer
X	Ted Hill	X	Dave Mounts	X	Stephanie Seibel
X	Gretchen Johnson	X	Tamara Nack	X	Diane Sheesley
	Susan Ellis				

A. Introductory Matters

1. November 2014 meeting notes have been posted to public committee webpage.
2. Review this Agenda.
3. Individual updates

B. Action Item Updates –

1. Some committee members still having trouble revising documents & checking back in. GJ asked them to email/call Ashlee Prince directly – she wants to resolve this.
2. GJ reported that our [Committee website](#) has been updated, and asked people to check it out and make sure the links work, etc.
3. Spring conference session planning – **Diane’s** panel and content is almost ready for the TESC session (10:30 AM Thursday, 4/2). **Tina** is working on the buy America session (9 AM Thursday, 4/2).
4. GJ has finished making revisions to Performance and Payment Bond forms, and Bill Linton has checked them – **GJ** to send to Dave Mounts for approval and posting as part of the Local Agency bid package forms, and ask Stacie Kelsey to make them fillable forms. Once this happens, GJ will create a link on the committee webpage to access them. (Revisions are to only maintain one set of P & P bond forms, to use whether or not you have federal funds, whether or not you have retainage. Also added some language requested by several city attorneys, that matches the requirements in Section 1-03.4. These forms will then also mesh with the recently revised APWA GSP for this spec section.)
5. We had another discussion on how best to both “pass the word” and ask for input on Div. 1 and bidding issues. Need an e-mailing list targeted to spec writers/compilers and city clerks (rather than just City Engineers and/or APWA-WA members). Also discussed pros and cons of webinars and in-person trainings. **Tina** to talk w/John Carpita/MRSC about resources for us. GJ is keeping a list on SharePoint of information that needs to be shared and/or discussed in this manner. **Tamara** to contact various City Clerks (they have an [association](#)) to find out best way to spread the word on how to use and implement APWA GSP 1-02.9 Option B, allowing 1-3 hour delay between submitting bids and submitting DBE confirmation letters (and then opening bids). Dave Mounts has requested this, since most agencies do not use this option, but use would increase accuracy of DBE confirmations, and hopefully reduce bid rejections.

C. Activities & Actions by others – for our information & action as appropriate

1. APWA/Local Programs liaison progress – Tina reported that there is no actual liaison group, but LP is definitely committed to improving communications, etc. There may be plans for some kind of liaison meeting at each APWA-WA conference, but we have no further information on this. Dave reported LP is meeting with Counties at quarterly roundtables. **Tina** to continue to try for clarity and information.
2. WSDOT/AGC Administration Team – Tina reported WSDOT posted new GSPs with the 1/5/15 packet that change several sections of the Standard Specs to transfer all Construction Stormwater General Permits to the construction contractor for the construction period. It also includes a new LS item for TESC (but as an

additional choice, not deleting the other unit items). For some reason, this proposed change was not submitted to the WSDOT/AGC Admin team for discussion, so it came as a surprise. Tina is trying to have this kept as a GSP, although the WSDOT explanation with the GSP update package is that the next step will be to make it an amendment. If it does become an amendment, our committee will need to discuss creating two APWA GSPs going back to the old standard, to provide a choice to Local Agencies. The draft amendment is posted on our committee SharePoint site under the 2/12/15 meeting. All committee members to review.

Tina also posted a proposed WSDOT GSP: "TemporaryStreamDiversionGSPDRAFT2" on the SharePoint site under 2/12 meeting folder, and asks that **ALL** committee members review & comment by Wednesday, 2/25.

3. We reviewed the 1/5/15 WSDOT Division 1 Amendments, no committee action needed: 1-03.3 -- fully replaced by APWA GSP, which does not need changing; 1-03.5 & 1-07.23(1) & 1-09.6 – amdots fine as-is.

D. APWA GSP Updates & Review - status, discussion, decisions –

1. The following new or revised APWA GSPs were posted on 12/8/14, and are approved for use with FHWA funding: 1-07.11 Options A and B; 1-09.2(1) Weighing Equipment, options 1 & 2; 1-08.0(2) Hours of Work; 1-03.4 Contract Bond; 1-08.1 Subcontracting – DBE reporting.
2. The Committee reviewed the following APWA GSPs, drafted by GJ:
 - a. 1-02.10, Withdrawal/Revision of Proposal – we made further edits, and this new GSP will be ready to go as soon as Bill researches any rules/laws about the withdrawn/superseded proposal – do they need to be retained, even if unopened, or do they “cease to exist” as far as the Local Agency is concerned?
 - b. 1-05.17, Oral Agreements – initial review, needs further edits.
 - c. 1-09.6, Force Account – a CM consultant proposed change, but committee members not sure of the reason or ramifications. GJ to gather more information from proposer before we consider further, or may just pass on to AGC/WSDOT Admin Team for the next time they work on this section of Standard Specs.

E. New Business

1. We discussed question brought up by City of Spokane Valley – confusion over whether the contract total includes sales tax or not? Agreed this can be confusing, especially since for local agencies, some bid item schedules have tax built into the unit prices, and for some schedules the tax is calculated separately (and thus could be easily included or not in totals). We agreed it’s best to follow the standard specifications and applicable RCWs in each specific instance – e.g., Performance and Payment Bond amounts should include sales tax; DBE goals are based on the amount you award; etc. We will not revisit further, since only one agency has stated concerns about this.
2. General discussion on all the confusion surrounding Section 1-07.2, Taxes, the different kinds of taxes, and when each applies. **GJ** is working on update to APWA GSP to address changes made to SS in 2014. Ted and Tamara to send helpful info. they’ve found. **GJ** to suggest to CASC another workshop on taxes, covering: when to use Rule 170 vs 171, covering many scenarios from real life; the different kinds of taxes on PW projects. Need to have as speaker a WA DOR person who really understands our business. Note that any agency/consultant can also ask DOR for an official tax ruling on a scenario – takes 10 days, but it’s official and in writing. See [here](#) (thanks to Tamara for the link).

F. Future meetings – put on your calendars

<u>Date</u>	<u>Time</u>	<u>Location</u>
March 19, 2015	10 am	Auburn City Hall, Room 3 upstairs
April 1, 2015		Spring Conf, Tacoma Convention Center
May 21, 2015	10 am	Auburn City Hall, Room 3 upstairs

Action Items

Who	Sec. #	Issue	Due/status
ALL		Review proposed WSDOT GSP on temp stream diversion for Tina & WSDOT/AGC committee	by 2/25/15
Dave	forms	send bad examples of Agreement Forms for construction contracts to GJ. Then GJ write sample short Agreement Form to post and publicize as a Best Practice, train LAs in not repeating topics already covered in Bid Documents or SS. see 5/30/13 meeting notes	March 2015 & ongoing
Dave		Resolve confusion from LP on certification of individual materials tester people – not required by LAG.	ASAP
Tamara	1-02.9	explore how to educate local agency city clerks on Option B, with 1-3 hour delay in bid opening, to allow time to get DBE confirmations (see 5/15/14 & 2/12/15 mtg notes)	ASAP
Diane		Spring Conf. Session – TESC – Organize panel and content	Mar 2015
Tina		Spring Conf. Session - Buy America -- Follow through w/Kyle/WSDOT on rules/FAQs; form panel	Mar 2015
Tina		Talk to John Carpita/MRSC about the best way to impart information or ask for input from local agency specs-writing/compiling and construction contract admin. people. Targeted mailing list, webinars, etc. Also about shared workspace hosting (KBA SharePoint replacement)	ASAP
Tina	1-05.4	Finish <u>Agency-provided Survey</u> spec and to committee to final proof.	in progress
GJ	1-07.2	Request CASC to sponsor another tax workshop – see 2/12/15 meeting notes	ASAP
GJ	forms	Revised P&P bond forms – Bill L. has approved – send to Dave Mounts for approval and to update these forms in the Local Agency bid package. Post updated Bond forms on committee website – there's already a place for it. Work with Stacie to make PDF "fillable" forms, post revised forms on WSDOT forms site after Dave M. approves. And <u>publicize</u> .	March 2015
GJ	1-05.4	Proof Tina's rewrite of Contractor-provided Survey & prepare to post; divide current APWA GSP into 2 separate GSPs	by May, 2015
GJ	1-07.2	Taxes - draft changes per notes	by May, 2015
GJ	1-07.18	Insurance GSP update with task force	2015
GJ	1-08.4	revise per 5/15/14 meeting notes and markups on SharePoint	
GJ	1-10.5(2)	Traffic Control Labor minimum bid – add fill-ins to add more items, w/suggestions in Index	
Scott		Coordinate with MRSC to post sample contract/bidding documents.	Ongoing
Tina		Track development of APWA/Local Programs partnership. Request contact information to be published so issues can be sent, progress check-in information. Do they have a mission statement? What is the group's structure?	Ongoing
Tina		Work w/WSDOT and APWA Board on memorializing cooperation agreement, deciding parameters of the cooperation, etc.	ongoing
Tina		Obtain approval to use posted GSPs on FHWA-funded projects, not currently approved – revise GSPs as needed -- 1-02.1(1); 1-03.4(1); 1-04.6; 1-04.6, Options A & B – or get a definitive "never" after trying.	in progress
Tina	1-04.6	both options – needs work related to the change order language (besides trying to get FHWA approval)	in progress

Action Items

Who	Sec. #	Issue	Due/status
Tina		Discuss w/Board our committee relationship to Strategic Plan	no hurry
<i>Ted</i>		<i>Work w/CASC co-chairs & CSI, other LAs, on how we can support non-WSDOT based General Requirements needs of LAs, and how to combine WSDOT/CSI based Special Provisions in one project</i>	<i>Ongoing</i>
<i>Lori</i>		<i>Lead coordinator for Conference sessions – applications, follow-through.</i>	<i>Ongoing</i>
<i>GJ</i>		<i>Coordinate w/State Specs Engineer on issues that could be fixed in Std. Specs. Sent Ricky Bhalla email list 1/22/12; it's on his To Do list – but Greg Morehouse is the State Spec Engineer now, so see if he inherited the list and what's up or if I need to resend</i>	<i>Early 2015</i>
<i>Dave</i>	--	<i>Send to Gretchen the type of changes agencies ask for to Div. 1, so we can gather info on trends, see what we might help with.</i>	<i>Ongoing</i>
<i>Diane</i>	---	<i>Help users who have problems with our APWA GSP format – usually when using the PSE Word program.</i>	<i>Ongoing</i>