



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

**Thursday, September 25, 2014 - 10:00 am – 12:30 pm
City Council Chambers, 25 West Main St., Auburn, WA**

Attending: (P = via phone)

X	Pat Baughman	X	Bill Linton	X	Tina Nelson
X	Peter Dressel	X	Lori McFarland	X	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. May meeting notes have been posted to public committee webpage.
2. Fran Eide visiting from City of Olympia. Diane has a new job at the City of Tacoma. Congratulations to Stephanie on the birth of her twins, and thanks for showing pictures.

B. Action Item Updates –

1. Our committee did not sponsor any session at the Fall 2013 APWA Conference – we need to make a stronger effort to get our session requests in on time; lately there has been high demand. GJ brought up that sponsoring sessions is a really great way to increase our committee visibility, as well as increasing knowledge on important issues.

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

1. Ready to send to Dave Mounts for posting: 1-09.2(1) Weighing Equipment; 1-08.0(2) Hours of Work;
2. In progress, ready soon: 1-08.4, 1-08.5 Option A & B; 1-07.11 – 3 former WSDOT GSPs are now APWA GSPs, use w/fed funds – allows quarterly reporting still.
3. 1-08.1 Subcontracting – DBE reporting – WSDOT may be working on another amendment.

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

1. Tina reported on the progress of development of a new APWA/Local Programs partnership – Crystal Donner/Perteet is taking the lead from APWA side with help from Jim Rioux/City of Olympia, Scott Eggers/City of Lacey, and Mike Clark/DEA. Kathleen Davis has tasked Kyle McKeon with leading this from the WSDOT Local Programs side. The first meeting was 7/31/14. The first issue they worked on is regarding consultant and subconsultant audited overheads by the Consulting Services Group. Some progress has been made: the responsibility to audit OH costs has been moved from auditor's office to the WSDOT Consulting Services Group. They are interpreting the CFRs to use a more analytical process based on risk analysis. Tina will request contact information to be published so issues can be sent, and track their progress, and make sure our committee has input. Crystal will report to the APWA-WA Board in October.
2. WSDOT Local Programs – Dave Mounts
 - a. Greg Morehouse is now the regular State Specifications Engineer. Kyle McKeon is now on the AGC/WSDOT Admin Team, with Stacie Kelsey as backup.
 - b. Contractor DBE utilization reporting – this used to be quarterly, then the Standard Specs changed to require it monthly. Dave authorized our committee to write an APWA GSP changing the spec to quarterly for local agencies only. However, this is governed by the National DBE Association, and when the WSDOT/FHWA reconciliation agreement goes into effect next year for local agencies, our contractors will have to do monthly reporting as well. Dave has requested that APWA be allowed to keep their own quarterly reporting GSP.
 - c. GJ mentioned that some Local Programs personnel are requiring documentation of certification of each individual materials tester person, which is hard to obtain – but the LAG

Manual specifically says that if the testing lab itself is certified, then all its employees are de facto certified. Dave said that the LAG Manual is correct, and he will look into this confusion and resolve it, and report back. Even if only the lab itself needs to be certified when work is on NHS routes, more routes were added to the NHS system, intended to help make federal funding available for more projects.

- d. There have been questions on what bid total is used to calculate the dollar amount of a DBE goal, based on the assigned percentage COA – with or without sales tax? The CFRs say should be on total amount awarded. Case law says the contract does not include sales tax. The answer depends on how each term is really defined. (SS 1-07.2(2) uses “full Contract price”.)
- e. The WSDOT Real Estate Office has been moved into Local Programs; Dave feels this is a good development, since they make about 40 purchases for WSDOT, and close to 500 for local agencies.
- f. There is a Local Agency Guidelines update coming October 2014; key changes are:
 - i. There are now going to be six different consultant agreements – one for each payment type. This will reduce the number of exhibits consultants have to deal with. It also will be provided as either a protected Word document or a pdf.
 - ii. The committee brought up to Dave that there are varying degrees of enforcement of ADA requirements from different Local Programs staff, and generally the fact that there is no tolerance allowed is not practical. Dave said there is no time to cover ADA issues in this update, but coming in future.
3. Tina reported on current issues the WSDOT/AGC Administration Team is working on. Several agreed-on changes to the SS will be coming out in January 2015 as amendments: 1-06.1 - contractors may have to pay if they need more than 2 reviews due to submitting multiple source approval requests, TCS required experience, steel escalation price adjustment.
4. Tina and GJ reviewed the August 2014 amendments to the Standard Specifications – we do not need to revise any APWA GSPs in response. Engineer and Inspector terms are redefined; Project Engineer term deleted throughout. CRIPs are now called VECP-Value Engineering Change Proposal, and the process for these was added to the SS as an amendment.

E. New Business

1. We began planning for APWA spring conference session. We will propose sessions on Buy America (panel/Q&A format – include someone from a franchise utility [PSE?], WSDOT Local Programs Headquarters, FHWA WA Division, a local agency, etc.), and on Erosion Control (panel format, LS vs. Bid Items). Lori will send in the proposals. Tina will organize BA session; Diane will organize TESC session.
2. Tina sent the 2015 Committee Budget Request to the Board already.
3. 1-08.4 and 1-08.5
4. Contract Award Amount
5. 1-02.14 – Disq of Bidder - SS

F. Future meetings – *put on your calendars*

<u>Date</u>	<u>Time</u>	<u>Location</u>
October 8, 2014	10 am	Fall Conference, Wenatchee Convention Ctr.
November 20, 2014	10 am	Auburn City Hall
January __, 2015	10 am	Auburn City Hall

Action Items

Who	Sec. #	Issue	Due/status
need volunteer	1-02.9	Find way to educate local agencies on Option B, with 1-3 hour delay in bid opening, to allow time to get DBE confirmations (see 5/15/14 mtg notes)	ASAP
ALL	meetings	Put Nov. 20, Jan., Mar., May meeting dates on your calendar	ASAP
Lori		Send Spring Conf. session request to APWA – Buy America	ASAP
Lori		Send Spring Conf. session request to APWA – Erosion Control	ASAP
Tina		Buy America -- Follow through w/Kyle/WSDOT on rules/FAQs; form panel for Spring Conference, if we get our session.	
ALL		Submit ideas for conference sessions to sponsor	11/20/14
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
GJ	1-08.1	Polish 1-08.1 GSP for submittal	
ALL		Send input for insurance spec update to GJ	10/15/14
GJ		Check w/Antoinette re room reservation for November 20, and make reservations for January 22 (or 15), March 19 and May 21 – and sign up for the upstairs board room, not the council chambers.	
Diane		ask CM committee to revive annual Mock Bid	
Dave		Resolve confusion from LP on certification of individual materials tester people	ASAP
Ted		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	Ongoing
Tina	1-07.18	Find contact for GJ, on who is driving new proposed changes to SS	ASAP
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	ASAP
Tina	1-05.4	Finish <u>Agency-provided Survey</u> spec and to committee to final proof.	in progress
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 1
GJ	1-07.9(5)	deleted GSP as of 12/31/13 – rule no longer in force – just update log	ASAP
GJ	1-07.2	Taxes - ck Mike Grigware's history behind Amendment, decide what we should do, and draft changes	by May 1
GJ	1-03.4	convert to 2 options, update per 3/6/14 amendment if appropriate; Finalize, send for posting & to pursue FHWA approval. See action item below for P&P bond forms. March 2014 SS amendment makes the payment bond cover the items retainage usually covers for all projects regardless of funding source, which makes having separate P&P bond forms for fed fund vs. local fund meaningless – so we have to either write a GSP putting back to the old way, or just ditch the local fund P&P bond forms. See notes below. Dave was supposed to find out why WSDOT did that – no reply yet. GJ call Greg Morehouse and see what's up with this, now that he is the regular State Specs Engineer.	waiting for answers
GJ	forms	P&P bond forms – posted PDFs – change into fillable forms so can be used by Cities or Counties, etc. – see my notes. Add the indemnity	when can

Action Items

Who	Sec. #	Issue	Due/status
		language – see Redmond example. May need to delete the set to be used w/local funding, and just use the fed funding one for all projects – see notes under 1-03.4. And <u>publicize</u> .	
GJ	1-07.11	Revise 3 former WSDOT GSPs and turn them into APWA GSPs – see the ones already started, and fix index	ASAP
GJ	1-08.4	revise per 5/15/14 meeting notes and markups on SharePoint	June 2014
GJ	1-07.18	Insurance GSP update with task force	12/31/14
GJ	1-02.10	Write a new GSP to delete the new paragraphs WSDOT added via amendment (added to 2012 book) – deals w/when/how you can revise, withdraw, supplement your bid	summer 2014
GJ	1-10.5(2)	Traffic Control Labor minimum bid – add fill-ins to add more items, w/suggestions in Index	
GJ		Update committee website, including posting revised Mission Statement	ASAP
GJ		check Bid Preference statement for Information for Bidders that will be posted on our committee Best Practices webpage, and make sure it states it must apply with non-federally funded projects, but will not apply with federally funded projects	when can
GJ		work w/CASC co-chairs & John Carpita on good mailing list for General Requirements and procurement issues.	
Tina		Work w/WSDOT and APWA Board on memorializing cooperation agreement, deciding parameters of the cooperation, etc.	ongoing
Tina		Obtain approval to use all posted GSPs on FHWA-funded projects – 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
Tina		Discuss w/Board our committee relationship to Strategic Plan	no hurry
Lori		<i>Lead coordinator for Conference sessions – applications, follow-through.</i>	<i>Ongoing</i>
GJ		<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>
Dave	--	<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>
Diane	---	<i>Help users who have problems with our APWA GSP format – usually when using the PSE Word program.</i>	<i>Ongoing</i>