



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

**Friday, September 25, 2015 - 10:00 am – 12:30 pm
City Council Chambers, 25 West Main St., Auburn, WA**

Attending: (P = via phone)

X	Aubrey Argeris	X	Gretchen Johnson	X	Tina Nelson
X	Ty Bardwell	X	Bill Linton		Scott Sawyer
	Pat Baughman		Lori McFarland	X	Stephanie Seibel
X	Peter Dressel		Dave Mounts	X	Diane Sheesley
	Ted Hill	X	Tamara Nack	X	<i>Gunnar Fridriksson, guest</i>

A. Introductory Matters

1. Tina introduced Gunnar Fridriksson of Clark County, who used to be on the committee years ago, who is visiting to hear what we discuss and be part of that discussion, on 1-02.13 Irregular Proposals WSDOT amendment concerns (see discussion below).
2. Tina encouraged all APWA members to vote in the election for officers and board members for the Washington state chapter – the vote for Treasurer is key, since once elected, that person generally moves up the ranks to be APWA President in the next few years.

B. Activities & Actions by other groups – for our information & action as appropriate

1. GJ reported that the APWA-WA division 5 committee that was started to rewrite asphalt paving APWA GSPs, is going strong and has decided to branch out and cover all different materials issues – so they have renamed themselves the Construction Materials committee. They are working with our committee on the recycled materials issues (see discussion below). If you would like to follow what they are working on, or ask them to work on an issue, contact one for both of the co-chairs, as shown on their [committee webpage](#).
2. WSDOT LP - Dave is too busy to attend today, so Tina reported for him – Stacie Kelsey quit WSDOT and is now working for consultant KPG; Dave is doing her job as well while they look for a replacement. Susan Ellis has also left her role as FHWA liaison with local programs; until she is replaced Anthony Sarhan is filling in again. DBE issues and requirements are still under discussion with FHWA. Tina mentioned again that one of the challenges is that the State does not collect data on DBE usage by local agencies unless there are federal funds on a construction project, so the statewide DBE use looks lower than actual, which leads to higher goals on FHWA funded jobs.
3. WSDOT/AGC Administration Team – Tina reported that they are working on: the recycled spec/law (see discussion below), DBE, incremental gas tax increases and how they work on a multi-year contract that was awarded prior to the gas tax being enacted; and prompt pay especially to subcontractors – there is a new WSDOT form, but it is not posted for local agencies to use although it is an official amendment now. We may need an APWA GSP “undoing this”.
4. WSDOT issued new Std Specs Amendments and new/updated WSDOT GSPs on 8/3/15. This time, there were many changes that may adversely affect Local Agencies, and require committee review/action –
 - a. 1-02.13, Irregular Proposal. Someone at WSDOT Headquarters made the change without consulting with the AGC/WSDOT Admin Team. Irregularities are still divided between those that are irregular, and those that “may be” considered irregular, but now none of them are automatic causes for rejection of the bid. The committee (and Gunnar) were unanimous in feeling that this would cause serious confusion, and lead to more bid protests and challenges. Also, 3 of the items that used to be clear causes for rejection of bid, are just “may be” now, and they related to federal funding. **GJ** to edit our existing GSP to say to delete the WSDOT SS section, and replace it with our own GSP – which has our prior additions/edits, but also keeps the “will be rejected” for list #1; and coordinate with Dave Mounts on this, to make sure the APWA GSP can be used with federal funding.

- b. Many sections of Std Specs now reference Type 1, 2, 3 Working Drawings – most Local Agencies do not use these callouts (see 1-07.1 and 1-05.3 for examples). Type 1,2, and 3 drawings are defined (by number of days required for review). After discussion, the committee decided we do not need to add/edit a APWA GSP to deal with this – the 3 Types are defined in a new amendment to 1-05.3 of the Std Specs, and it says if a submittal is not listed as to ‘type’, then it will be considered Type 3, which has the standard 30 day turnaround process.
- c. 1-07.1 new paragraph on Contractor Safety Plan, references the Contractor providing training to “WSDOT” employees. **Tina** to call Greg Morehouse/WSDOT to confirm that was inadvertent, and ask him to fix to “Contracting Agency” for next round of Amendments. (10/22/15 note – Tina called, and Greg said he would fix this.
- d. 1-08.1, Subcontracting, has major rewrite, apparently all driven by the “prompt pay to subs” movement. Bill L. mentioned that this could result in the Contracting Agency being put between the Prime and their Subs – which is not supposed to happen. **Tina** to work on this with Kyle McKeon and Greg Morehouse (see notes in update package markup). First, WSDOT deleted the clause that lets Contracting Agency ask for a Sub to be removed from the site -- Div. 1 committee wants that back in. The new language requires a form which is not available on the WSDOT forms site – if Local Agencies have to use it, needs to be made easily available. If Tina finds this form is not required by FHWA, then she will write APWA GSP going back to the old language (including asking to remove sub from site process). If FHWA does require this, then she will coordinate with Greg M to rewrite the Amendment to say “on Local Agency projects, for federally funded projects only . . . “
- e. 1-08.1(1) – same problems, also has a reference to WSDOT that should be “Contracting Agency”. **Tina** to work on.

C. Action Item Updates –

- 1. Diane and GJ reported that it looks like One Drive will be a good workspace to use in lieu of SharePoint. Some committee members have accessed and tried Diane’s sample ‘site’. We decided to use it. GJ to make sure files are moved over from SharePoint in time for the November meeting. **Diane** will be the site administrator for the time being. GJ urged all committee members to make sure they can access and use the new site.
- 2. GJ’s tasks/services ending – GJ sent Tina a list of her many tasks/responsibilities (may have forgotten some). Tina to send that list to committee members to think of solutions and ideas on who can help – do we hire someone? or spread out tasks to committee members? etc.
- 3. Tina also said this is a good time for all committee members to think about their involvement in the committee, and if they would like to continue involvement – she reminded all we need all members to be active members, contributing fully. (GJ mentioned that only a few members have been reviewing GSPs and meeting notes when asked.) Huge appreciation to our active members for all their contributions!

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

- 1. Finalized and posted: 1-05.17 (deleted), 1-01.3, 1-02.10, 1-03.7, 1-05.4, 1-09.11(3), 1-09.11(3)A, and many more with fixes to format and/or introductory sentence – all approved for use with federal funds.
- 2. **GJ** is still plowing away at 1-07.18 update – challenges with task force going on extended vacations, but almost finished.
- 3. GJ had posted proposed new 1-05.12 GSP, at request of Bob Dixon, City of Lynnwood, to tailor final completion process to Local Agency (varying) procedures – and asked committee members to review. After discussion and GJ concurrence, committee agreed to not add a new GSP, but rather **GJ** to revise the citation of Final Contract Voucher Certificate in APWA GSP 1-01.3.
- 4. 1-02.1(1) revisions are housekeeping changes we should have caught before, and **GJ** will finalize and post.
- 5. **Tamara** and **Peter** will work on SS 1-09.2(5) Scale Verification Checks – it’s use in light of new APWA GSP 1-09.2(1), etc., and present their solutions at 11/12/15 committee meeting.
- 6. **Stephanie** and **Diane** to work on changes to 1-02.14 A, B, and C for committee review to clean up some language and confusion on what is required from the low bidder and other bidders and when it is required.

E. New Business

- 1. SHB1695 was passed into law, and will be effective 1/1/16 – this is related to recycled materials requirements for permanent placement into construction projects. GJ is working with Cody Hart of Materials Committee, and will post the law and draft solutions on OneDrive for committee to review, then discuss in depth at 11/12/15 meeting.
- 2. Spring APWA conference sessions – Lori urged everyone to start thinking now of sessions they would like to give or sponsor.

F. Future meetings – *put on your calendars*

<u>Date</u>	<u>Time</u>	<u>Location</u>
Oct. 28, 2015	10:30 am	Fall Conference, Yakima Convention Center
Nov. 12, 2015	10 am	Auburn City Hall, downstairs

Action Items

Who	Sec. #	Issue	Due
ALL	1-02.14	Review 1-02.14 Options A & B posted on OneDrive and add any ideas you have for update / fixing, so Stephanie & Diane can incorporate.	11/3/15
ALL	1-06.6, etc.	Review materials posted on OneDrive under Ideas and Issues/ Recycled Materials, and comment.	11/12/15
Bill	1-01.3	Review GJ's list of references to "State", propose generic fix or individual fixes. Discuss at 11/12/15 meeting, then someone finalize and post.	9/24/15
Ted	1-02.9	develop presentation 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). Coordinate w/pertinent organizations to get the word out.	ASAP
Steph/ Diane	1-02.14 Opt A/B/C	update/cleanup Options A & B, then copy Option B edits to Option C when finalized.	11/12/15
Steph/ Diane	1-08.4	Add fill-in as done for 1-08.5, to resolve confusion. (see notes on document)	11/12/15
Tamara/ Peter	1-09.2(5)	Scale verification checks confusion, and relation to APWA GSP 1-09.2(1)	11/12/15
Tina	1-07.1	Solve w/Greg Morehouse about training WSDOT employees	11/12/15
Tina	1-04.6	both options – needs work related to the change order language (besides trying to get FHWA approval)	summer '15
Tina	1-05.4	Finish <u>Agency-provided Survey</u> spec and to committee to final proof.	summer '15
Tina	1-08.1 & 1-08.1(1)	Work w/Kyle McKeon & Greg Morehouse on new amendment challenges – see 9/25/15 meeting notes.	11/12/15
Tina		Obtain approval to use posted GSPs on FHWA-funded projects, not currently approved – revise GSPs as needed -- 1-03.4(1); 1-04.6; 1-04.6, Options A & B – or get a definitive "never" after trying.	in progress
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> .	June 2015
GJ	1-02.1(1)	Finalize and post per markups on OneDrive	11/12/15
GJ	1-02.13	Revise APWA GSP by making it complete replacement, & add item 2 but old pre-8/3/15 version from SS.	11/12/15
GJ	1-05.4	Proof Tina's rewrite of Contractor-provided Survey & prepare to post; divide current APWA GSP into 2 separate GSPs	by Aug 2015
GJ	1-06.6	Write GSP to change SS back to the old way for Local Agencies (8/3/15 SS amendment requires use of recycled materials, only applicable to WSDOT)	11/12/15
GJ	1-07.2	Taxes - draft changes per notes	by Aug 2015
GJ	1-07.18	Insurance update with task force, & write memo on what/why changes.	July 2015

Action Items

Who	Sec. #	Issue	Due
On-going Tasks			
Diane		Administer OneDrive site, and help with access and editing problems	
Scott		Coordinate with MRSC to post sample contract/bidding documents.	
Tina		Work with Board & John Carpita/MRSC on ways 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)	
Tina		Work w/WSDOT and APWA Board on memorializing cooperation agreement, deciding parameters of the cooperation, etc.	
Tina		Discuss w/Board our committee relationship to Strategic Plan	
Ted		Work w/CASC co-chairs & CSI, other Local Agencies, on how we can support non-WSDOT based General Requirements needs of Local Agencies, and how to combine WSDOT/CSI based Special Provisions in one project	
Lori		Lead coordinator for Conference sessions – applications, follow-through.	
Dave	--	Send to GJ the type of changes agencies ask for to Div. 1, so we can gather info on trends, see what we might help with. Also send the “wild & crazy” Agreement forms LAs put in Bid Documents, so Div 1 committee can consider improving those with education and samples.	
Diane	---	Help users who have problems with our APWA GSP format – usually when using the PSE Word program.	