



**CONSTRUCTION STANDARDS
DIV. 1 COMMITTEE
AGENDA**

**Thursday, November 12, 2015 - 10:00 am – 12:30 pm
Office of Inslee Best, 10900 NE 4th Street, Bellevue, WA**

Attending: (P = via phone)

X	Aubrey Argeris	X	Ted Hill	P	Dave Mounts		Scott Sawyer
X	Ty Bardwell	X	Gretchen Johnson	X	Tamara Nack	X	Stephanie Seibel
	Pat Baughman	X	Bill Linton	X	Tina Nelson	X	Diane Sheesley
X	Peter Dressel	X	Lori McFarland	X	Jerry Brais	P	John Ho

A. Individual updates

Tina introduced Jerry Brais, King County and also on AGC/WSDOT Admin Team, who is visiting to listen to the discussion on how to respond to the new recycled materials law (more on this below). Stephanie is job-hunting. John Ho (via phone) introduced himself - he has taken Stacie Kelsey's place at Local Programs Headquarters; he has experience working for private firms, WSDOT, and local agencies. John hopes to make the January 28, 2016 committee meeting in person. This is Gretchen's last committee meeting, as she is taking early retirement effective 12/4/15 – she was presented with lovely and much appreciated parting gifts.

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

1. WSDOT LP – Dave reported that there will be no 2016 call for bridge projects – they are still working on backlog of previously approved projects. The 2016 Standard Specifications book is shipping to Local Agencies in December, as usual. Susan Ellis, who was Dave's liaison at FHWA and from whom we received approval to use APWA GSPs on FHWA-funded projects, is no longer at FHWA. This is a big loss, because she was the Buy America expert. As well, her position will not be filled, but rather 'farmed out' to various other FHWA employees – so for awhile, it will take Dave much longer to gain FHWA approvals than in the past. If Local Agencies urgently need a new/revised APWA GSP, we may need to post saying **“Not approved for use on FHWA funded projects; approval has been requested.”** Tina to decide/track this.
2. WSDOT/AGC Administration Team – Tina reported that the State has 17 projects in the hopper for 2016 to remove fish barriers and replace them with the special culverts. This may effect availability of culverts for other projects. At their last meeting, Guy Bowman of the AG;s office talked about the WSDOT SS Insurance specs – Contractors strongly want to drop the OCP requirement, and go with Additional Insured requirements instead (which is exactly what the APWA GSPs have done for the last 10 years).
3. WSDOT Amendments/GSPs updates – none to report

C. Action Item Updates –

1. Most committee members feel OneDrive shared workspace is way easier to use than SharePoint was. **Diane** has volunteered to be the 'moderator' of the site, and help anyone with issues, etc. Everyone except Dave has been successful accessing and using OneDrive; Diane explained to Dave that he probably just needs IT permission to access that website, but she will work with him to gain access.
2. GJ gave everyone a 'tour' of the current folders on OneDrive, including 4 key reference documents that show the proper protocols for GSP Introductory phrases and Index instructions, and a boilerplate announcement for Local Programs to send to their ListServ when GSPs are updated and/or new procedures or forms are required / available.
3. Tina discussed the impact of GJ's retiring. She thinks she has found someone who can help with actual GSP writing/editing. She also asked all committee members to review the [“GJ-TaskList”](#) on OneDrive, and consider volunteering for 1 or more ongoing tasks – fill in your name in the right-hand column. This will be a first topic of discussion at the January 2016 committee meeting.

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

1. Ready for Dave to post: 1-02.1(1), 1-02.13

2. 1-07.18, Insurance – GJ received last Task Force answers 11/17/15, and will finalize for posting. Thanks to Task Force members: GJ, Peter Dressel/Mountlake Terrace of this committee, Eric Larson/WA Cities Insurance Authority risk pool, Keith Mitchell/Snohomish County Risk Manager, and Terri Franklin/Kibble & Prentice contractors' insurance broker.
3. Recycled Materials – In response to the new law going into effect 1/1/16 (see [here](#) for Session Law and history), GJ drafted 3 GSPs: 1-06.6, 1-02.6, and 1-03.1(1). She also drafted a 'form' for certain Bidders to include in bid package, to propose an amount of recycled materials to be incorporated into the Project. Lively discussion ensued. Note: the law applies to "construction aggregate and recycled concrete materials" – they are not trying to achieve goals for all types of materials to be recycled or made of recycled materials (park benches, etc.). Edits were made to the GSPs, and especially to the statement Bidders must include in the Proposal packet for agencies > 100,000 residential population. The consensus/conclusions are:
 - a. GJ to revise & publish these GSPs, to meet the requirements of the law, even if it is problematic, and basically toothless for all but WSDOT, but requires local agencies to jump through complicated hoops. Bill says it is the law, and we must comply, even if it contradicts another law, etc.
 - b. **Tina** to work with APWA-WA leadership and WSDOT to make sure there is a plan to comply with Section 1 of the law, which requires agencies and WSDOT to work together on an overall recycled materials implementation plan.
 - c. **Tina** to coordinate with Jim Rioux/City of Olympia, Gov't Affairs committee chair, on pursuing amendments to the law to be more reasonable and realistic – the GAC is already aware of this, and will work on this for the next legislative session.
 - d. Education of local agencies, both over and under 100k population, is crucial, but we are not yet sure how best to do this. This will be a key agenda item for our Jan. 28, 2016 meeting.
4. 1-07.2 – WSDOT did a complete re-write awhile ago in the SS; GJ reviewed against the existing APWA GSP, and decided to start w/the current SS version, and just add a few statements geared toward Local Agencies to that, to form an updated APWA GSP. The reason for the WSDOT rewrite was due to some confusion related to tribal land, and also to remove any directions to the Contracting Agency on which tax rules applied to which part of the project – instead to just divide or label bid items in the Summary of Quantities (the APWA revised GSP adds the choice of showing the divisions via Schedules in the Bid Proposal). GJ drafted the revised GSP, but before finalizing, **Tina** to ask John Carpita for formal MRSC advice – will the WSDOT SS, as amended in draft APWA GSP, work for non-State/non-private land? (Taxes questions cause so much confusion, so committee members are concerned. There was also discussion about further training needed for Local Agencies – it may be time for another CASC workshop on this topic.)
5. 1-01.3 – GJ noticed that our posted GSP says to replace all instances of "State" in the SS with "Contracting Agency". In fact that is not appropriate in many instances, for instance when the reference is to a specific State department like L&I. So Bill researched this challenge, and proposed deleting that blanket statement about "State" references, and instead adding a qualified statement in that same GSP. GJ will finalize for posting. In the meantime, Tina asked **ALL** members to be on the lookout for references in the SS or WSDOT GSPs to "WSDOT" or "State", that could **universally** be changed to Contracting Agency – and show her the reference. She will then work with Greg Morehouse to have the change made in the SS themselves, instead of needing an APWA GSP.
6. GJ to finish updating the Local Agency Bond forms and to **Dave**/John Ho to post as revised WSDOT forms, and put in Local Agency Bid Proposal package. **Lori** to update the link to those forms on the Div. 1 committee website. This led to a reminder by Bill on the importance of educating Local Agencies that it is not in their best interests to release the Contract/Performance bond, although Contractors and their Sureties will press them to do so. Peter thought he had seen a fed aid WSDOT GSP mandating releasing this bond – but Dave did not know of such a requirement. **Peter** will research and report to the committee at the January meeting.
7. Due to time constraints, discussion on 1-09.2(5) – Tamara/Peter and 1-02.14 – Stephanie & Diane, will be delayed until the January 2016 meeting. **ALL** committee to review and comment on those GSPs prior to the January meeting.

E. New Business

1. Lori, Tina, and Ty were at the committee gathering at the APWA-WA Fall Conference. They connected with the new Construction Materials committee and talked with co-chair Cody Hart about their activities.
2. Lori reported that proposals for Spring 2016 APWA conference sessions are due November 30. These days, there is heavy competition for a spot, so it's important to get proposals in early. GJ suggested teaming with the construction materials committee to have a session on the recycled materials laws and specs. Several other suggestions were brought up – each committee member is to draft a proposal and send to Lori to clean up and send in. You do not need to know all your presenters and panel members at that point, just have a synopsis of the content and whether it will be a one-person presentation or panel discussion.

3. We need a new meeting location for January 28, while Auburn City Hall is being remodeled. **Tina** and **Diane** to work on a Tacoma location.

F. Future meetings – put on your calendars

<u>Date</u>	<u>Time</u>	<u>Location</u>
January 28, 2016	10 am	TBD
March 10, 2016	10 am	Auburn City Council Chambers

Action Items			
Who	Sec. #	Issue	Due
ALL	Task List	Review “GJ-TaskList” on OneDrive and volunteer for one or more ongoing tasks	1/15/16
ALL	1-09.2(5)	Review Tamara/Peter proposed new GSP on Scale verification checks	11/12/15
ALL	1-01.3	Be on alert for references in the SS to “State” or “WSDOT” that should really read “Contracting Agency”, and send to Tina to request that WSDOT change the SS, instead of us writing an APWA GSP.	ongoing
Tina, Diane		Arrange for meeting location for January meeting	12/1/15
Steph/ Diane	1-02.14 Opt A/B/C	update/cleanup Options A & B, then copy Option B edits to Option C when finalized. Send out email asking committee to review and comment.	1/6/16
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 John Ho to make PDF “fillable” forms, post revised forms on WSDOT forms site after Dave M. approves. And <u>publicize</u> .	June 2015
Peter	Bonds	Research possible FHWA requirement to release bond at end of job	1/28/16
Tina	Recycled	Work with APWA-WA leadership & WSDOT to make sure there is a plan to comply with Section 1 of the law – develop Implementation Plan. Work w/Jim Rioux on pursuing changes to law to reasonable and doable.	ASAP
Tina	1-07.2	Ask John Carpita for MRSC advice – will the WSDOT SS, as amended in draft APWA GSP, work for non-State/non-private land?	by 1/28/16
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	1-08.4	Add fill-in as done for 1-08.5, to resolve confusion. (see notes on document)	11/12/15
Tina	1-07.1	Solve w/Greg Morehouse about training “WSDOT” employees typo – can he just fix the SS?	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	Finalize Contractor-provided Survey GSP & prepare to post	ASAP
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

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.	