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## Meeting Minutes

### SCDOT/ACEC/AGC Design-Build Sub-Committee Meeting

11-20-19 @ 9:00 am

#### I. Welcome/Introductions

- Attendees
  - Chris Gaskins (SCDOT)
  - Ben McKinney (SCDOT)
  - Jae Mattox (SCDOT)
  - Brad Reynolds (SCDOT)
  - Maria Ott (SCDOT)
  - Clay Richter (SCDOT)
  - Chris Lacey (SCDOT)
  - Barbara Wessinger (SCDOT)
  - Carmen Wright (SCDOT)
  - Brooks Bickley (SCDOT)
  - Will McGoldrick (SCDOT)
  - Leslie Clark (AGC)
  - Dave Pupkiewicz (AGC)
  - Pete Weber (AGC)
  - Lee Bradley (AGC)
  - Brice Urquhart (ACEC)
  - Hisham Abdelaziz (ACEC)
  - Andy Gillis (ACEC)

#### II. Personnel Changes/Subcommittee Member Changes

- Brice Urquhart and Hisham Abdelaziz will not be returning for 2020.
- Casey Schwager replacing Dave Pupkiewicz from AGC
- Lee Bradley replacing Chuck Gallant from AGC

#### III. Project Updates

- US 1 over I-20 on schedule
- I-85 over Rocky Creek on schedule
- Closed and Load Restricted Bridge Package 2020-1 – one phase procurement underway
- US 15 over Indian Field Swamp – 2 month procurement for expedited schedule underway.
- New I-77 Interchange in York County - Expedited timeline with RFQ in Q1/Q2 2020.

- Carolina Crossroads: Two Phases to be released in 2020. PH1 April, PH2 July.
- Closed and Load Restricted Bridges 2021-1: Next up is district 4 with 6 to 10 bridges. RFQ in October 2020 to align with funding commitments.
- Low Country Corridor West –RFQ in 2022 or Beyond
- Mark Clark Expressway – RFQ in 2022 or Beyond
- I-26 over US 1 and SCLRR– RFQ in 2023 or Beyond
- I-26 over SC 302 – RFQ in 2023 or Beyond
- I-20 over Wateree – RFQ in 2023 or Beyond
- I-85 MM 40 - 69 – RFQ in 2026 or Beyond
- US 278 over McCay Creek – Evaluating project delivery method
- I-95 Widening from GA– Evaluating project delivery method
- I-26 Widening MM 136 to the east thru Orangeburg– Evaluating project delivery method
- Low Country Corridor East – TBD
- I-26 MM 15-22 – Currently on hold
- I-26 MM 212-218 – Currently on hold

IV. Action Items from 09-18-19

- ROW Acquisition Language – OPEN
  - SCDOT is revising all ROW acquisition language in the agreement, and plans to incorporate the ACEC/AGC comments into the revised document.
  - SCDOT will submit for review through the subcommittee after comment revisions are complete at the January meeting.
- Redacted Proposal Language – OPEN
  - SCDOT plans to continue research and revisions to this language. SCDOT is being inundated with FOIA requests and aims to protect any confidential information enclosed in these ATCs.
  - 2 Technical Proposals will be submitted, one full proposal, and another with redactions made.
  - There is concern about ATCs that are redacted in the technical proposal being released as part of a FOIA request for ATCs. This negates redacting the ATC in the proposal.
  - There is also concern about unapproved ATCs that contain trade secrets being given in a FOIA request.
  - With the stipend agreement, all ATCs are subject to FOIA.
  - Issue has not presented itself in practice, and further discussion is required
  - SCDOT to research whether this is going to be a concern.
- Clarifications, Communications, Discussions, Presentations – CLOSED
  - SCDOT will use presentations, communications and clarifications prior to bid opening.
  - At its discretion, SCDOT will use the discussion process after bid opening.
  - SCDOT plans to use a BAFO if it uses discussion process.

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- SCDOT is looking for ways to make this process more effective.
  - AGC asks – Have you ever come across a proposal that had so many questions that you couldn't get through all of them? - Industry would like to have more flexibility to dive into some of the questions to get the answers that SCDOT needs to score the proposal accordingly.
  - There was discussion about limiting the presentations time and give more time for questions.
  - SCDOT to keep the presentations in the procurement process and update the language to reflect and changes to the schedule.
  - SCDOT to include language in the RFP to Allow/Require clarification/ communication letters.
  - One Phase Procurement – CLOSED
    - Includes a qualifications component in the submittal of the technical proposal.
    - SCDOT plans to continue to use a weighted criteria scoring process for one phase procurements. It is unlikely that a quality credit component is included in a one phase procurement.
    - ACEC - Ensure that adequate information about the project is available before the procurement begins. For some smaller firms, the stipend plays a big part in the decision to pursue. There is concern that a team would spend the time and money to create a proposal and then be cut before the stipends.
    - AGC – Stipend does play into the decision to pursue. There is concern over the use of one phase. If a project is going to be one phase, it should be low bid, with the scoring being “technically acceptable”. The work needed to complete a proposal for a qualitative scoring is much more complex.
  - CMGC/Progressive Design-Build Legislation - CLOSED
    - SCDOT held a meeting in October where it utilized FHWA’s web-based ACM tool for determining the suitability of a project for the DBB, DB, Progressive DB, or CMGC project delivery methods.
    - SCDOT will continue developing the language about the CMGC/Progressive Design-Build and share when appropriate.
- V. Quantities on Design-Build Projects – CLOSED
- SCDOT is working to standardize the list of quantities required for Design-Build projects. Primary intent was to get quantities to help further refine the quantities used in our engineer’s estimate.
  - Some districts have added additional quantities to help with CEI quantities for testing.
  - SCDOT plans to develop a consistent set of items to include on roadway plans.
- VI. IQF/CEI Overview for CCR - CLOSED
- Independent quality firm – CEI will work for the Design-Build Team.
  - AGC - IQF involvement is limited in the pursuit phase.

VII. IQF/Lead Designer Project Overlap and COI - CLOSED

- Independent quality firm needs to have a firewall between the two firms.
- No language needs to be added to the contract to limit IQF
- Language currently sets limits where the designer cannot compete in the same role on competing teams, but could perform IQF services for another team.
- After shortlisting teams, any overlap concerns would be realized and could be handled at that time.

VIII. Open Discussion

- Single ATC – to be submitted just before the 30 day window of technical proposals development. Team submits one day, meet the next day to discuss. This could allow a team to submit an ATC that may have come up after the end of the ATC discussion and approvals.
- Technical Proposal Commitments – Should SCDOT require teams to include things that are shown in the technical proposal? If contractor plans to do something other than what was shown, is it a credit to the project. Design optimization vs cost sharing. Items not in accordance with the RFP will use cost sharing. If something is proposed in the technical proposal that SCDOT values, and during construction the team wants to make a change, then cost and time changes would be identified and cost will be shared.

IX. Action Items.

- SCDOT to incorporate industry check writing comments into the ROW Acquisition Language.
- SCDOT intends to reevaluate and revise the entire ROW section in the agreement and send out for industry review once complete.
- SCDOT to research confidential aspect of ATCs in redacted proposal language.
- ACEC/AGC to give comments on single final ATC submittal topic.
- SCDOT to develop a position statement and determine if contractual changes to clarify commitments and changes to the original intent of the technical proposal are needed.

X. Next Meeting Date January 15, 2020, 9:00 AM (SCDOT Lead)

XI. Adjourn