

SCDOT/ACEC/AGC Design-Build Subcommittee
Meeting Minutes – September 13, 2017

I. Welcome/Introductions

a. Attendees

Chris Gaskins (SCDOT)	Jeff Mulliken (ACEC)
Claude Ipock (SCDOT)	Cameron Nations (ACEC)
Jae Mattox (SCDOT)	Bryan Shiver (ACEC)
Brad Reynolds (SCDOT)	Michael Gantt (AGC)
Binh Nguyen (SCDOT)	Kirsten Duffy (AGC)
Trapp Harris (SCDOT)	Richard Nickel (AGC)
	David Fletcher (AGC)

II. Personnel Changes / Subcommittee Member Changes

a. AGC to use the same rotation format as ACEC

III. Project Updates

a. Chris Gaskins gave an overview of upcoming projects.

i. Changes/New Projects:

1. I-85 Widening MM 98-106 – Project is in the procurement phase.
2. SC 277 NB over I-77 – Procurement for this project will be initiated before the end of 2017.
3. I-26 Widening MM85-101 – Project is in the design-build prep phase. Project will begin procurement phase in early 2018.
4. US 1 over I-20 – This is a new project. Prep services being delivered through the Design-Build Prep On-Call contract.
5. Carolina Crossroads – The project continues to move forward and will be awarded by December 31, 2019.
6. Lowcountry Corridor – The Final RFP is currently scheduled to be posted on June 30, 2020.

ii. Project Discussion

1. AGC inquired about Mark Clark Expressway. No update from SCDOT available at this time.
2. ACEC asked about the SC 277 procurement process. Chris Gaskins stated that it will be a two-phase selection process. ACEC inquired about stipends for this project and Chris stated that there will probably be stipends available for this project.
3. ACEC asked about I-85 Widening MM 40-69. Chris stated that the current prep contract items for a portion of this project will not be completed and the design-build prep contract for the entire project will be readvertised.

4. AGC asked about projects associated with any damage to the state highway system that may have been caused by Hurricane Irma. SCDOT responded that there was one culvert failure on I-95 in Dillon County, but no other significant issues were identified.
5. AGC asked about load restricted bridges. No updates were available from SCDOT. All of the approximately 350 bridges are in the Preconstruction division and low volume design criteria are being developed to help procure and deliver these projects.

IV. Action Items from 07-12-17

- a. Project Size
 - i. The concerns expressed by ACEC/AGC about project size and specifically, larger projects, have been elevated to senior leadership within SCDOT. There are no additional updates.
- b. Agreement Template
 - i. This has not been sent out for review and comment. SCDOT is developing the QC Plan section further and will then send it out. Updates have been made to the Construction Manual.
- c. RFQ and Work History Templates
 - i. Comments have been received from ACEC/AGC. SCDOT is developing responses and incorporating changes where necessary.
- d. Design-Build Team Performance Evaluation Forms
 - i. This is a specific agenda item and will be discussed further later in the meeting.
- e. Stipends
 - i. ACEC stated that files typically handed over to various DOT's to receive payment of stipends generally include ATC's, CADD files, and technical proposals. Other items such as geotech, SUE, etc., may cause a liability issue for the DOT.
- f. Dedicated Positions
 - i. No update from AGC and this item is still being researched.
- g. NOI Submittals
 - i. There have been several Environmental personnel departures and SCDOT is still working on coordinating this effort.
- h. Escrow Documents
 - i. A draft of escrow document submittals has been submitted for review and approval, but has not yet been approved.
- i. DB Subcommittee Agenda Development
 - i. Claude Ipock suggested a rotation of ACEC/AGC led and SCDOT led meetings and potentially having a pre-meeting with SCDOT Co-Chairs and ACEC/AGC leads.

- V. DB Performance Evaluation Process
 - a. Hard copies of the proposed DB Team Performance Evaluation form were handed out. Chris Gaskins gave a brief explanation of the form. Significant discussions were had about what falls under each of the criteria. ACEC/AGC expressed some concern over how to meet expectations.
 - b. SCDOT is developing a list of examples for each of the criteria and these examples will be listed on the evaluation forms.
- VI. Withdrawals/Bid Bonds
 - a. No stipends given for withdrawals.
 - b. ACEC/AGC stated that SC is the only state that does not require bid bonds.
 - c. ACEC/AGC stated that builder's risk insurance is tightening up.
 - d. AGC confirmed that there is no cost for bid bonds.
- VII. Bid Opening/Public Announcement
 - a. Bids will be due at 10:00 AM on the same day as the public announcement.
 - b. A closed session will be held for bid analysis.
 - c. Technical proposal will be due before bids.
 - d. Technical scores will be provided to the DB Teams when bids are submitted.
 - e. If SCDOT reads scores and prices, the apparent low bidder will be announced with the intent to award the contract.
 - f. No major concerns were expressed by ACEC or AGC.
 - g. ACEC asked if technical scores can be provided for all teams prior to bid. SCDOT stated that this will likely not happen.
- VIII. Presentations/Clarifications
 - a. Presentations of technical proposals is intended to clarify items that may have different interpretations, clarify minor oversights, typos, etc.
 - b. Teams are not given the opportunity to cure or make changes to the Technical Proposal.
 - c. AGC state that NCDOT memorializes presentations and makes them part of the contract.
 - d. ACEC asked if it is possible for the DB Teams to obtain questions in advance to better prepare/tailor their presentation. SCDOT will typically provide questions in advance.
 - e. ACEC expressed concern with presentations getting out of hand with items such as graphics, animation, etc. SCDOT will continue to allow the teams to access their Technical Proposals from the Agency's files.
- IX. Confidential Questions
 - a. SCDOT is considering incorporating written responses to confidential questions into the contract.
 - b. SCDOT considering how these are incorporated within the hierarchy of documents.

- c. Confidential questions are intended for clarification of RFP interpretation specific to a DB Team's design.
 - d. ACEC recommended using Question form with response section and incorporate into the Technical Proposal, similar to the ATC approval process.
- X. ATC Reviews
- a. SCDOT considering using DB Prep consultant for reviewing ATC's and asked for feedback from ACEC/AGC.
 - b. ATC's would be provided to the consultant with no indication of what team submitted the ATC.
 - c. ACEC asked that they be provided the opportunity to vet this with the larger ACEC group and provide a formal response.
 - d. AGC to look at NCDOT to determine if they use consultants as a part of the ATC review process.
- XI. Open Discussion
- a. Builder's Risk – language interpreted for Construction Cost only, but seems that it is intended for the Total Contract. SCDOT may need to consider further clarifying.
 - b. AGC requested that we look at specific dimensions on the ATC form.
- XII. Action Items
- a. SCDOT to develop responses to comments on the RFQ and Work History and Quality Form.
 - b. SCDOT to provide Agreement template to ACEC/AGC for review and comment, specifically related to the QC section.
 - c. SCDOT Co-Chairs and ACEC/AGC leads to meet to discuss DB Subcommittee agenda and meeting development (9:00 AM, October 31st, 2017.)
 - d. SCDOT to develop examples of each criteria listed on the DB Team Performance Evaluation Forms.
 - e. Cameron Nations (ACEC) to solicit feedback from ACEC about consultant review of ATC submittals.
 - f. Kirsten Duffy (AGC) to solicit feedback from NCDOT on their use of consultants during ATC reviews.
 - g. Kirsten Duffy (AGC) to solicit feedback from ACEC/AGC and conduct research on the requirement for dedicated positions on projects.
 - h. Ben McKinney (SCDOT) to coordinate with SCDOT Environmental on NOI Submittals and approaching SCDHEC regarding the expectation of phased or segmented submittals on projects.
 - i. SCDOT to revise ATC forms to better accommodate additional text in applicable categories.
 - j. ACEC to provide additional information on stipend requirements.
- XIII. Next Meeting Date November 8, 2017

XIV. Adjourn