



**SCDOT/CAGC Joint Committee Meeting
November 17, 2010
Minutes**

Attendees

**Jim Triplett, United Infrastructure, CAGC Co-Chair
Ken Atkinson, Palmetto Corp
Reid Banks, Banks Construction Co
Scott Fant, Sloan Construction Co, Inc.
Ted Geddis, HRI Bridge Co.
Benjy Hardee, A.O. Hardee & Son, Inc.
Marty McKee, Thrift Development Corp.
Bret Murray, Rea Contracting
Sally Paul, SPC, Inc
Randy Snow, United Contractors
Ben Whetstone, CR Jackson/Satterfield
Grady Wicker, Eagle Construction Co., Inc.
Leslie Hope, CAGC**

**Leland Colvin, SCDOT Co-Chair
Jason Johnston, SCDOT District #4
Mark Attaway, SCDOT Utilities
Russ Touchberry, SCDOT Construction
Brian Parnell, SCDOT
Chad Hawkins, SCDOT OMR
Clem Watson, SCDOT
Charles Matthews, SCDOT
Charles Eleazer, SCDOT
Claude Ipock, SCDOT Construction
Jay Hawkins, SCDOT
Bryan Jones, SCDOT
Kyle Berry, SCDOT
Robbie Isgett, SCDOT District #1
Jim Porth, SCDOT District #7
Merritt Vann, SCDOT
Tim Henderson, SCDOT District #6
David Glenn, SCDOT District #6
Patti Gambill, SCDOT Construction
Stephanie Jackson-Amell, SCDOT District #3
Rob Bedenbaugh, SCDT Preconstruction
Steve Ikerd, FHWA**

The meeting was called to order by Jim Triplett with introductions

Old Business

Update CPM Schedule Spec

Issue: Develop a simpler CPM Schedule Specification for small/short projects. Changes to the Schedule Specification include schedule complexity,, dollar amounts, and the number of bid items.

Discussion: Patti Gambill informed the group she was still in the process of working on this spec and has finally received comments from all interested parties.

Action: SCDOT plans to have this spec finalized and out in the next couple of months.

Borrow Material Spec Issues

Issue: Updating the Borrow Material Spec. There is significant concern about the material SCDOT is requiring due to the availability, cost, and the time needed to locate, obtain and test.

Discussion: Leland Colvin reported SCDOT is working with the pre-construction division, meeting with the folks at lab, as well as with Jeff Sizemore, and determining if SCDOT needs to spec as is or look at going another route.

Leland said maybe SCDOT can tweak the current spec to make it a little better. SCDOT will consider allowing, on an interim basis, contractors to perform and go directly to the lab. Leland also said SCDOT understands there is a time issue and will look at going with classification vs. fee angle.

Jim Triplett noted this was a dynamic issue and suggested putting together an ad-hoc committee made up of select members of the Joint Committee, SCDOT geo techs, and private sector geo-techs, then hold a half or full day workshop. This would allow the opportunity to get all the parties in one room and work through it in one day.

Leland said SCDOT would need to meet internally to discuss prior to a meeting with the contractors and private sector geo techs.

The contractors asked, in the interim, if they could get some advanced notice prior to advertisement in order to have time to do due diligence. It was stated that 3-4 weeks does not give adequate time to sample, test, know, and bid the project and

the numerous tests and numerous sites is expensive and it takes time to run those tests.

Leland Colvin said if we don't need high quality material on the job site, we don't need to spec.

Action: SCDOT will meet internally to discuss. Once they have met, then both SCDOT and the Contractors will set up a meeting and will invite geo techs from S&ME and/or F&ME (one each from lower and upper state) to participate in that meeting as well.

Leland will contact Leslie Hope after SCDOT has met internally. Would like to have the top 10 items that need to be addressed and walk away from the meeting with the group having those issues decided and ready to be addressed in the spec.

Contractor Payments

Issue: Several Contractors have expressed concern over how long it has taken to receive payments for the work completed.

Discussion: Leland Colvin met with the SCDOT accounting department and he informed the members SCDOT had a cash flow issue during the summer months. The state balance went down to \$5 million over the summer and SCDOT was not making payments as quickly as it had been in the past.

Leland called it the perfect storm - there were ARRA fund payments as well as state cash flow issues and the result of those was a slower turn around in paying the contractors.

John Walsh informed the members that due to the federal and state funding issues, SCDOT pulled a lot of projects from the Oct and Nov lettings. The department has been trying to balance the \$10 million, which was lost through the budget process, while at the same time trying to continue with the projects contractually committed.

Projections are being considered from the Contractor schedules as well. Patti Gambill urged the Contractors to make sure they are keeping up with and reporting their schedules; the more accurate the better.

Todd Stegall also stressed the need to make sure subs are getting paid in a time fashion, as the department has gotten a lot of calls from the subs as well.

There was discussion about Contractors paying the subs according to estimate because that is work that is approved and already performed.

Jim Triplet pointed out there are concerns with trying to make the prompt payment provision take precedent and seniority over all other contractual provisions between prime and sub, especially when a sub is in breach of their subcontract. If there are bonafide reasons why a sub is not being paid by a Contractor, SCDOT needs a very detailed letter from the Contractor about the issues at hand and what is being done to address/resolve these issues. SCDOT often hears from the subs, but not from the Contractors. Bottom line, SCDOT does not want to be in between the Contractors and subs.

Sally Paul pointed out if a DBE does not work on a project in a given quarter, then the Contractor can sign the DBE Quarterly Report. However, sometimes the DBE does work in a quarter which does not get measured or paid and the Contractor signs the report. The RCE needs to be looking at this, even though every situation is dynamic and it might not apply to every job.

Action: SCDOT expects payments will go back to being more consistent since the cash flow issue of the summer months is behind them. Also, SCDOT will consider asking the RCE's, where quarterly DBE reports are required, to look at the contracts quarterly and to make sure they are correct and will not negatively impact how the DBE's are paid.

New Business

Thermo Shortage – Latest Information

Issue: There is an on-going shortage of thermoplastic pavement marking tape and there is expected to be another spike in prices after the first of the year.

Discussion: SCDOT is allowing contractors to stockpile thermo. The RCE's will be able to approve, however, there is a shelf life on the thermo and Todd Stegall said the RCE's will need to have an invoice identifying the shelf life. SCDOT will not stockpile the material themselves and the material should be kept in a secure covered place that is accessible. SCDOT is not encouraging stock piling, but it is an option, if requested.

Action: SCDOT will address each request regarding thermo on a case by case basis. The Supplier Subcommittee is meeting on 11/23/10 and they have this item on their agenda for further discussion.

Environmental Issues – Wetlands Permit

Issue: There is new emphasis from Army Corp of Engineers (ACOE) on the wetlands permit and changes that are on-going. SCDOT will need feedback from the Contractors as the permit is being review and discussed.

Discussion: Jay Hawkins informed the members that on the current projects, ACOE is going by the permitted plans and the ACOE plans are included in the SCDOT plans. Everyone needs to be aware that the ACOE plans exist and SCDOT is working according to these plans.

Jay said SCDOT was looking for examples on how contractors can install a temporary bridge. Currently, the ACOE is trying to define what a crane mat is. ACOE wants to require a commercially available timber mat. Jim Triplett suggested the wording be changed from a timber mat to a structural mat since there are steel and plastic mats currently being used which are stronger and safer.

ACOE has hired more personnel and will have an increased presence after the first of the year.

Jay mentioned a double row of silt fence will be required around the wetlands. Also, just staking and flagging are currently required but this change to orange fencing and will become a pay item.

SCDOT has asked the ACOE for clear guidance on channel width restrictions. SCDOT is planning to get some environmental consultants on board to discuss this issue and to explore whether or not rip rap rock would be a good fill option.

Jay said SCDOT is pretty sure they have survey data on all projects. Individual permits are project specific and would have additional requirements, so if there are any questions, Contractors need to be asking for clarification.

SCDOT is trying to get an environmental person at each pre-con. Have been inviting ACOE to attend each of the pre-cons as well.

SCDOT will be seeking clear direction on the 3-5 foot buffer/silt fence and will be seeking clearing defined tolerance levels and limits.

John Walsh pointed out that clear guidelines are important on the 404 and 401 permits (re: DHEC). John informed the members that they were getting ready to enter into the next round of the General Permit for SCDOT.

SCDOT needs help from the Contractors to get a good General Permit. John pointed out that every individual project opens the door for comments, delays, etc. Jim Triplett said CAGC will volunteer to have someone at the table to assist with the comments.

John also pointed out the ACOE seems to be interested in resolving one issue at a time before going to the next one. Therefore, they are holding up statewide permits if there are issues on individual projects. John said this is not the time to have projects delayed.

Action: This item needs to stay on the agenda for months to come. SCDOT was asked to send information on issues that need to be addressed in the permit to Leslie Hope. Contractors also asked to provide information regarding permits and conditions to Leslie. (ie. Manufactured mats vs. timber mats). Leslie will pass info along and coordinate feedback from the Contractors.

Design Build Subcommittee

Issue: There is interest in establishing a Design Build Subcommittee to assist SCDOT in creating good design build public policy for the SCDOT and the Contractors.

Discussion: Leland Colvin recommended the following members from SCDOT, FHWA, and ACEC:

SCDOT

Claude Ipock – Construction – HQ – Co-Chair
David Glenn – Construction – District
Matt Lifsey – Pre-Construction
Rob Bedenbaugh – Pre-Construction (Road)
Barry Bowers – Pre-Construction (Bridge)
Barbara Wessinger – Legal

FHWA

Tad Kitowicz

ACEC

Billy Coleman – Coleman-Snow
Freddy Kicklighter – LPA
Greg Schuch – F&H

Jim Triplett informed the group there had been several members who were interested from CAGC. There was agreement to name three CAGC members to the subcommittee:

CAGC

Jim Triplett, United Infrastructure Group, Co-Chair
George Hassfurter, Lane Corporation
Richard Nickel, Carolina Bridge

CAGC may rotate other members on and off the committee as different issues are addressed.

Action: Jim Triplett and Claude Ipock, Co- Chairs, will prepare a list of items to be addressed by the sub-committee and prioritize them for consideration at the first meeting. The items that need to be addressed quickly are:

- 1) Confidential One-on-One Pre-Proposal Meetings
- 2) Proposal Stipends

Claude and Jim hope to have the first meeting the week of Dec 13th.

Contractor Status

Issue: The Contractors would like to see a Monthly Status Report at each meeting.

Discussion: Leland Colvin handed out a few graphics which are part of their report provided to SCDOT senior staff every month.

Jim Triplet said it was good for the contractors to see our industry from SCDOT's perspective. Jim suggested some additional information within the categorical info provided would be helpful.

Leland said the information can improve if the schedules are turned in on time.

Action: Leland will provide updated handouts at every meeting and will email to Leslie to include in the minutes as well.

Subcommittee Reports:

Roadway Subcommittee

Marty McKee reported the following:

- Effluent limit testing is on hold for 18 months. There are other requirements that will be enforced by EPA, such as BMP changes, which will have to be modified; but EPA has put the effluent limit testing on hold for 18 months.
- Reclamation Task Force was formed and a spec was approved for the December letting.
- Seeding Spec - there will be a new seeding spec in early 2011. Permanent vegetation is now in the old spec.
- Pipe Spec – members need to be aware that they cannot use a class 3 pipe on SCDOT projects; can use Class 4 and/or 5, but not 3. SCDOT is reviewing field height tables again. Pipe break down tables will soon be on the plans.
- Right of Way Spec - The SCDOT will pay for a Right of Way plat as a lump sum bid item and will pay for markers on a per each basis. Draft of this spec is out now.
- All forms are now on the Extra net; the most current forms are available. Can not yet submit them electronically, but SCDOT is working on that.

Bridge Subcommittee

Ted Geddis reported the subcommittee had worked to create a draft for new Crane Safety Regulations. This was a great partnering session and both sides worked together to update the specification due to changes in OSHA Rules.

Charles Matthews reported that overall crane safety was good, statewide, and there were no pending significant issues or concerns.

Project Development - No report

Utility Subcommittee - No report

Supplier Subcommittee - Meeting 11/23

Other Business

Issue: For 2011, Jim Triplett suggested everyone consider having the Joint Committee and subcommittees meet on the same day in Columbia with morning and afternoon sessions to minimize travel and improve efficiency.

Discussion: There was little discussion and it was suggested to push the issue to the subcommittees.

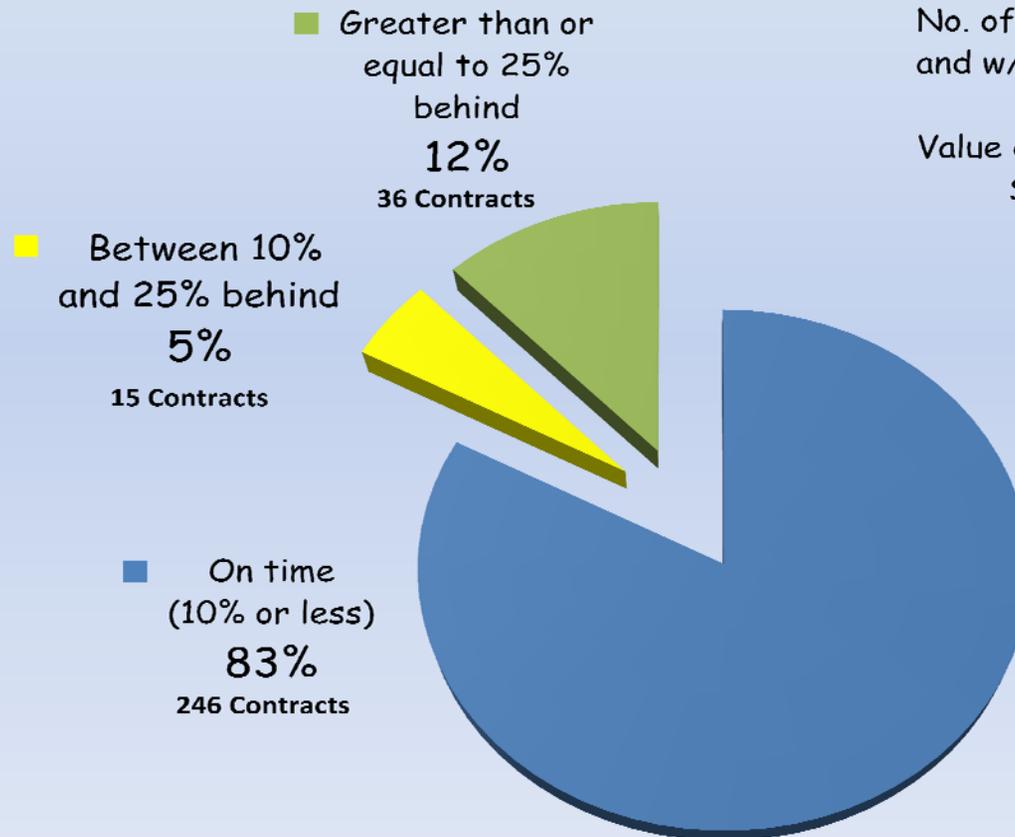
Action: Each subcommittee to discuss advantages/disadvantages at the next subcommittee meetings and report back to the Joint Committee. (List of 2011 meeting dates provided/attached)

CAGC Legislative Agenda

Leslie Hope informed the members that CAGC is still working with the Senate to come up with Utility Legislation for the 2011 session. Leslie asked that information, including pictures, of mismarked/unmarked lines be forwarded to her at lhope@caroliansagc.org.

Contract Status

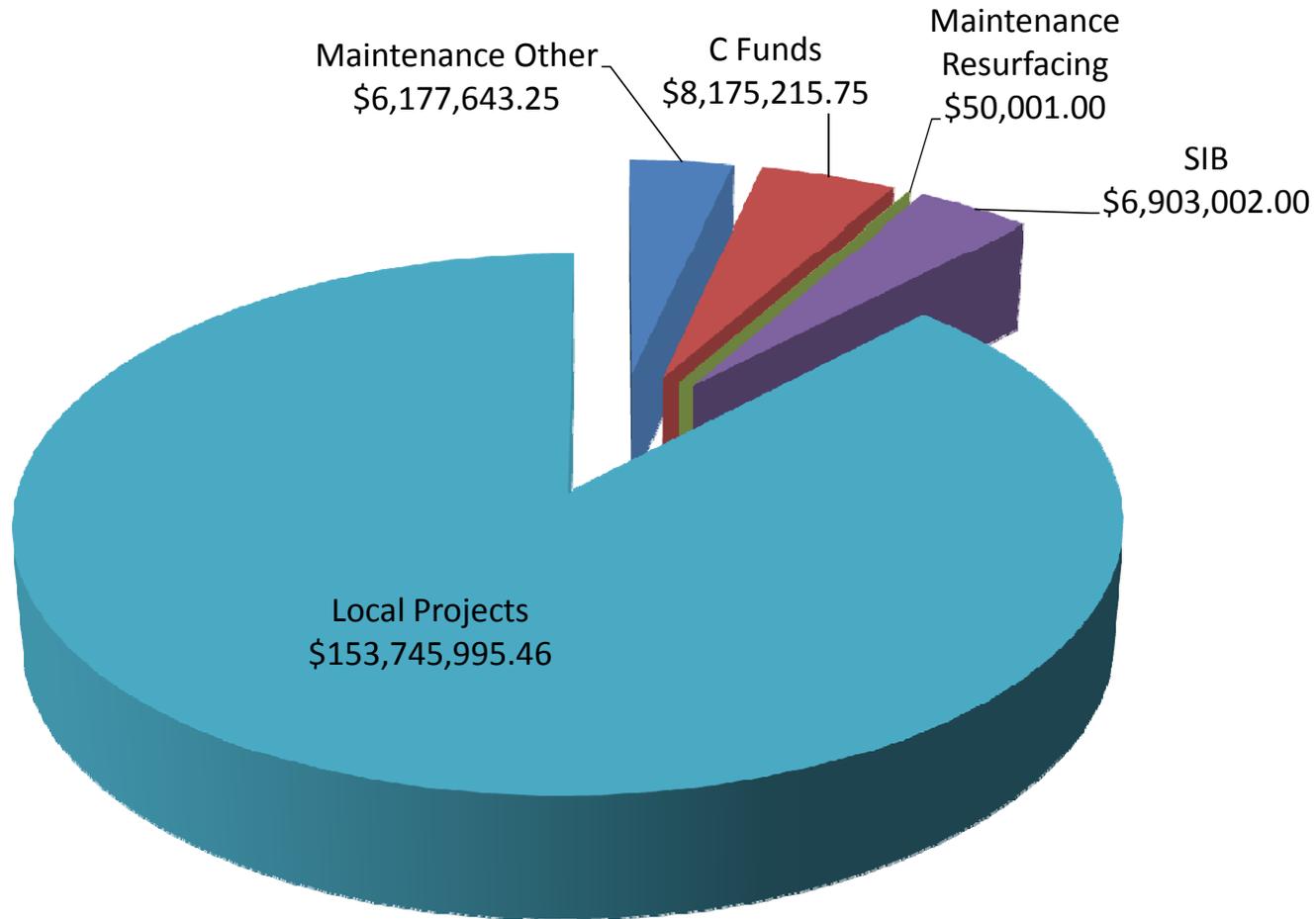
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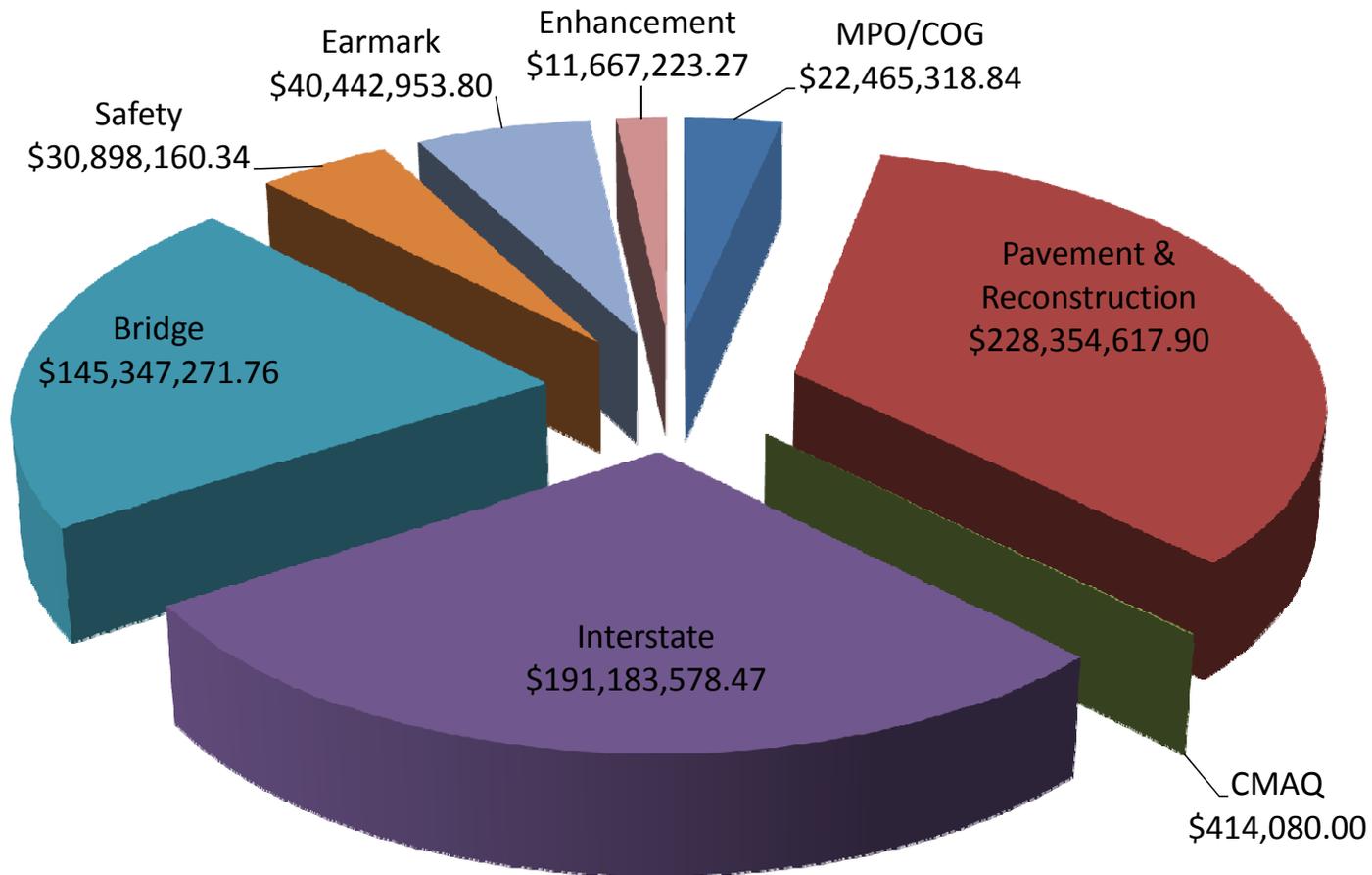
No. of Contracts Executed and w/o SWKC: 297

Value of Contracts:
\$1,302,921,922.40

Federal Fiscal Year 2010 - 2011
State Funded Anticipated Letting Value
Total: \$175,051,857.46



**Federal Fiscal Year 2010 - 2011
Federal Program Anticipated Letting Value
Total: \$670,773,204.38**



**Federal Fiscal Year 2009 - 2010
Construction Program
Total: \$815,386,878.81**

