Meeting Minutes Summary

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

7-15-20 @ 9:00 am

I. Welcome/Introductions
   A. Attendees (By WEBEX)
      1. Chris Gaskins (SCDOT)
      2. Brooks Bickley (SCDOT)
      3. Ben McKinney (SCDOT)
      4. Brad Reynolds (SCDOT)
      5. John Caver (SCDOT)
      6. Maria Ott (SCDOT)
      7. Will McGoldrick (SCDOT)
      8. Barbara Wessinger (SCDOT)
      9. Carmen Wright (SCDOT)
     10. Clay Richter (SCDOT)
     11. Steve Nanney (SCDOT)
     12. David Rogers (SCDOT)
     13. Katherine Scott (SCDOT)
     14. Kevin Harrington (SCDOT)
     15. David Hebert (SCDOT)
     16. Daniel Burton (SCDOT)
     17. Dave Rankin (AGC)
     18. Rob Loar (AGC)
     19. Pete Weber (AGC)
     20. Lee Bradley (AGC)
     21. Elham Farzam (ACEC)
     22. Jim O’Conner (ACEC)
     23. Erin Slayton (ACEC)

II. Project Updates
   Current Projects:
   - US 1 over I-20 – Bids Opened, nearing contract execution
   - I-85 over Rocky Creek – Design review underway
   - District 2 Closed and Load Restricted Bridge Package 2020-1 – Bid opened on 6/3/20 and contract has been awarded
   - US 15 over Indian Field Swamp – Bridge is open to Traffic.
   - New I-77 Interchange in York County (Panthers) – Permit issued last week, RFQ/RFP nearing completion, anticipating RFQ release in late July with accelerated procurement and award by end of the 2021.
- Carolina Crossroads Phase 1 – Teams shortlisted; Draft Industry RFP came out on July 6th.
- Carolina Crossroads Phase 2 – RFQ came out on 7/15.

**Future Projects:**
- Closed and Load Restricted Bridges 2021-1 in District 4 with 9 bridges. RFQ in 1st Quarter of 2021
- Carolina Crossroads Phase 3 – RFQ in 2022
- Low Country Corridor West and I-26/I-526 Interchange – ROD is expected in 2022 and RFQ is getting pushed out
- Mark Clark Expressway – RFQ in 2023
- I-26 over US 1 and SCLRR – Currently on hold (will be Rehab)
- I-26 over SC 302 – Currently on hold (will be bridge rehab)
- I-20 over Wateree – Currently on hold
- I-85 MM 40-69 – RFQ in 2026 or Beyond
- US 278 over MacKay Creek – Did not meet requirements for DB Project
- I-95 Widening MM 0-8 – Evaluating project delivery method, it will likely DBB
- I-26/I-95 Interchange Improvements – Evaluating project delivery method. Likely DB
- Mark Clark Expressway – RFQ in 2023
- Low Country Corridor East – TBD

### III. Action Items from 05-20-20

A. SCDOT to incorporate check writing comments into the ROW Acquisition Language (open)

B. SCDOT to revise the entire ROW section in the agreement (open)

C. SCDOT to provide new language for Design-Build coordinator on less complex Design-Build projects (closed)

D. SCDOT to review comments on Design Optimization language in RFP (open)
   - AGC/ACEC will provide examples of past design optimization during design review.
   - The issue at hand is compliancy with RFP and a clear focus on items of enhancements and added value items offered by proposers.
   - The proposed language would allow SCDOT to clearly evaluate and score enhancements and added value items while providing flexibility to DB Team to further optimize the original technical proposal design with added knowledge and advanced design within the financial and schedule constraints posed by utilities, R/W and the original assumptions and quantities of the bid.
E. SCDOT to share Differing Site Conditions/ Force Majeure/ and 
Default/Suspension/Termination/ Extended Jobsite Overhead sections of the 
agreement with the Subcommittee (open)

F. AGC to provide proposed revision language on schedules (open) 
   • SCDOT requested postponement of this items to the September meeting due 
to late arrivals of the requested language change.

G. AGC/ACEC to give feedback on Design-Build Rehab concept (closed) 
   • SCDOT to review and respond to the feedback received from AGC/ACEC 
   • SCDOT will contact other DOTs with previous bridge rehabilitation experiences 
     including VDOT.

IV. Design Builder Responsibility for Girder Design – FIB Span vs. Depth (closed at last 
meeting)

V. Improved Utility Coordination / Relocation for SCDOT Projects 
Oriana Hernandez made a very nice presentation on the latest enhanced practices for 
utility coordination during the pre-procurement. A copy of the presentation slides is 
attached.

VI. Explore Ways of Improving the IMR Process / Quality Credit of the RFP 
   • Industry was very happy with the new IMR process including the “NEPA Box” 
   • The process was very interactive between the Proposers and SCDOT. 
   • AGC-ACEC requested that SCDOT consider increasing the stipend to assist the 
     proposers to fund the additional traffic analyses and development of the IMR 
     document. 
   • AGC-ACEC also requested that the RFP provide additional clarifications and 
     guidance for quality credit scores with respect to innovation and 
     enhancements.

VII. Design-Build Team Performance Evaluation (Final Score) 
   • SCDOT is evaluating Teams based on actions during 6-month intervals of the 
     contract. 
   • Final Score will be an evaluation of the entire contract. 
   • AGC/ACEC is interested in having open dialog during the evaluation process 
     once evaluation is received. Currently the responses are merely an 
     acknowledgement of receipt of the document. 
   • SCDOT has done extensive discussion and vetting of interval scores before 
     sending to the Design-Build Team. 
   • Farzam suggested SCDOT to review GDOT’s final Report on Project and have
that document in hand prior to the finalization of the final score.

VIII. Open Discussion

A. The Industry requests a debrief for ALL Teams that submit a SOQ on Design-Build Projects. ACEC to research and provide other states process on debrief of SOQs. This is more an issue of timing as all teams have the option for a debrief on the SOQ after the project is awarded. Ms. Wessinger requested state name and point of contacts

IX. Open Action Items.

A. SCDOT to incorporate check writing comments into the ROW Acquisition Language
B. SCDOT to revise the entire ROW section in the agreement
C. AGC/ACEC to provide examples of past design optimization attempts.
D. SCDOT to continue to review comments on Design Optimization language in RFP
E. AGC to provide comments on the Extended Jobsite Overhead sections of the agreement
F. AGC to provide proposed revision language on schedules
   • Recently received feedback, Dave will circulate for comments before the next meeting.
G. SCDOT to review and respond to AGC/ACEC feedback on Design-Build Rehab concept.
H. AGC/ACEC to provide SCDOT state names and point of contacts where they provide SOQ debriefs of shortlisted team after shortlist process in lieu of waiting until contract award.

X. Next Meeting Date September 16, 2020, 9:00 AM (SCDOT Lead)

XI. Adjourn
SC-ACEC UTILITY SUBCOMMITTEE

MEMBERS
- CEDRIC KEITT, P.E., SCDOT
- JACK LOCKLAIR, SCDOT
- VANETTA JACKSON, SCDOT
- MARVIN DAWSON, PLS, SCDOT
- CARLOS GITTENS, P.E., KCI
- CHEVIS STRANGE, P.E., OLH
- BRAD WHITTLE, P.E., MBI
- ORIANA HERNANDEZ, P.E., STV

MEETINGS & TOPICS
- MEET EVERY QUARTER
- REVIEW TOPICS AND STATUS, INTRODUCE NEW OBJECTIVES FOR THE YEAR
- TOPICS
  - STANDARDIZE U-SHEETS & OTHER UC DELIVERABLES
  - UTILITY CAD RECOMMENDATIONS
  - IMPORTANCE OF SUE
  - DESIGN SCHEDULE AND HOW IT RELATES TO UC DELIVERABLES
  - SENATE UTILITY RELOCATION BILL
  - BEST PRACTICES IN OTHER STATES THAT SC IS MISSING
  - COLLABORATION ON HOW TO MAKE UC BETTER FOR ALL STAKEHOLDERS
UC CHALLENGES

• LACK OF RIGHT OF WAY (ROW)
• MINIMAL FUNDING FOR UTILITY RELOCATIONS (RECENT SENATE BILL FOR WATER/SEWER IN 2019)
• NO SIGNIFICANT IMPACT TO UTILITY OWNERS IF THEY ARE UNRESPONSIVE (EXCEPT FOR WATER/SEWER WHO SEEK REIMBURSEMENT)
• HIGH RISK = HIGH CONSTRUCTION COSTS
• DESIGN SCHEDULE
• CONSTRUCTION LIMITS
• UNKNOWN OF CONTRACTOR’S APPROACH TO BID AND CONSTRUCTION
• UC DURING DESIGN CARRYING THROUGH TO CONSTRUCTION
• UNFORESEEN CONDITIONS
• LACK OF UTILITY INFORMATION IF SUE IS NOT PERFORMED
• POOR COMMUNICATION
UTILITY COORDINATION DURING DESIGN BUILD

PROJECT RISKS

MAJOR RISKS FOR DESIGN-BUILD TEAM (DBT)
- SCHEDULE DELAYS
  - RIGHT OF WAY
  - PERMITTING
  - UTILITIES
- UNFORESEEN CONDITIONS & EVENTS

UTILITY COORDINATION RISKS
- UNRESPONSIVE UTILITY OWNERS
- CONFIDENTIALITY
- LACK OF COMMITMENT AND NO RECOURSE
- RELYING ON 3RD PARTIES FOR RELOCATIONS
- USUALLY WAITING ON ITEMS LIKE ROW AND PERMITTING AND THEN LITTLE TIME FOR UTILITIES TO RELOCATE PRIOR TO CONTRACTOR ACTIVITY
UTILITY COORDINATION DURING DESIGN BUILD

HOW DO WE MAKE CHANGES TO UC TO REDUCE RISK???

1ST IDENTIFY STAKEHOLDERS’ CONCERNS

• UTILITY CONCERNS
  • LACK OF FUNDING AND RESOURCES
  • DAMAGE TO RELOCIATED UTILITIES DUE TO DESIGN CHANGES AND NOT BEING REIMBURSED
  • NO AVAILABLE ROW
  • LITTLE TIME ALLOWED FOR RELOCATIONS
  • PROJECTS STATEWIDE
  • UNFORESEEN WEATHER EVENTS

• SCDOT/CLIENT CONCERNS
  • PRECEDENCE IF CONCESSIONS ARE MADE
  • DELAY CLAIMS
  • WASTE OF MONEY ON COORDINATION EFFORTS IF UTILITIES DON’T RESPOND
  • POOR PUBLICITY
  • DAMAGE TO RECENTLY CONSTRUCTED PROJECT
  • PERMIT VIOLATIONS
  • LACK OF CONTROL OVER 3RD PARTIES
  • NO ACCOUNTABILITY FOR UTILITIES IN SCDOT ROW WHO DELAY PROJECT
UTILITY COORDINATION DURING DESIGN BUILD

CURRENT EFFORTS TO REDUCE RISK ITEMS

• DESIGN-BUILD PREP
  • IDENTIFY MAJOR RISK ITEMS AND RESOLVE/ACCOMMODATE DURING PREPARATION

• SENATE BILL FOR WATER/SEWER RELOCATIONS
  • INCLUDE WATER/SEWER RELOCATIONS FOR SMALL UTILITY OWNERS IN-CONTRACT

• EARLY ROW ACQUISITIONS, WHEN POSSIBLE

• EARLY PERMITTING EFFORTS (EIS, FONSI)

• EARLY LEVEL B SUE
UTILITY COORDINATION DURING DESIGN BUILD

ADDITIONAL EFFORTS NEEDED TO IMPROVE RISK

• FOLLOWING ITEMS ARE RECOMMENDATIONS AND/OR IDEAS TO CONSIDER TO FURTHER IMPROVE RISK CONTINGENCIES INCLUDED IN BID:
  • WRITTEN COMMITMENTS FROM UTILITY OWNERS
  • EARLY UTILITY AGREEMENTS FOR PRIOR RIGHTS UTILITIES
    • COLLECTION AND CERTIFICATION OF PRIOR RIGHTS
    • PRELIMINARY ENGINEERING UTILITY AGREEMENT
  • MEMORANDUM OF AGREEMENTS FOR REMAINING UTILITIES TO RELOCATE BY DBT
    • LARGE WATER/SEWER
    • POWER
    • TELECOM
    • GAS
UTILITY COORDINATION DURING DESIGN BUILD

ADDITIONAL EFFORTS NEEDED TO IMPROVE RISK

- Additional row for utility relocations (evaluate if reducing row using items like storm drainage, retaining walls, etc. is worth losing row that can be used for utilities that serves the project)
- Early clearing & grubbing contracts to allow additional time (includes row)
- Full transparency for all submitting DBT
  - Level B SUE for entire project
  - Level A performed at key locations
  - Quick reference resource to assist all teams evaluate utility impact risks
  - Provide utility criteria for DBT to use for relocation options
- If utility relocation of a **Major Risk** item is agreed & committed to by all parties, identify and make DBT responsible for impact if designs change to alter approved relocation.
UTILITY COORDINATION DURING DESIGN BUILD

ADDITIONAL EFFORTS NEEDED TO IMPROVE RISK

• IMPROVE COMMUNICATIONS TO GAIN INFORMATION
  • UTILITIES TO COMMIT TO BEING RESPONSIVE
    • ROUND ROBIN UTILITY INFORMATION MEETING DURING PURSUITS
    • QUESTIONS THROUGHOUT PURSUIT WILL GO THROUGH SCDOT
  • CONTRACTOR PROVIDES PLANS AND SCHEDULE ASAP AFTER AWARD
• CONDUCT MANDATORY WEEKLY/BI-WEEKLY MEETINGS AFTER ROW PLANS ARE APPROVED UNTIL UTILITIES ARE COMPLETE
CAROLINA CROSSROADS
EXAMPLE FOR PROACTIVE UTILITY COORDINATION DURING DESIGN-BUILD PREP

UC CHALLENGE

1. GETTING ALL STAKEHOLDERS TO PUT AWAY THE PAST AND PARTNER WITHOUT FEELING LIKE THEY ARE SETTING NEW “STANDARDS” (PRECEDENCE FOR FUTURE PROJECTS)
2. COMMITMENTS FROM UTILITY OWNERS
3. PROTECTION OF INFRASTRUCTURE AND NEEDING ABSOLUTE ASSURANCES IF EARLY RELOCATIONS ARE DONE.
4. ROW/ PERMITTING ALLOW FOR UTILITY RELOCATIONS TO OCCUR IN TIMELY MANNER

RECOMMENDATION

1. GET ALL PARTIES TO REALIZE THE COMPLEXITY AND SIZE OF THIS PROJECT AND HOW IT IS NOT THE SAME AS ANY OTHER PROJECT IN HISTORY.
2. WRITTEN AGREEMENTS THAT SHOWS COMMITMENT WITHOUT INTRODUCING LEGAL CONCERNS THAT WOULD VIOLATE CURRENT LAWS/ STANDARDS
3. SCDOT AGREES TO PAY FOR RELOCATIONS IF IMPACTED
4. EARLY CLEARING & GRUBBING REQUIRED DURING DESIGN PHASE
END RESULTS

1. ALL PARTIES CAME TO THE TABLE OPENED TO PARTNER, SUPPLIED INFORMATION AS REQUESTED, RESPONDED TO ALL MEETING REQUESTS. EVERYONE WAS EXTREMELY PROACTIVE.

2. SEVERAL MOA’S AND EARLY ENGINEERING UA HAVE BEEN SIGNED. PRIOR RIGHTS CERTIFICATION FOR 2 OF 3 OWNERS COMPLETED. ALL UTILITY OWNERS PROVIDED CRITERIA AND TIMEFRAMES FOR DBT TO USE DURING PURSUIT FOR EVALUATION OF CONFLICTS.

3. SCDOT WAS VERY TRANSPARENT AS TO WHAT UTILITIES HAVE AGREED AS FAR AS RELOCATION OPTIONS, WHICH ONES HAVE STARTED ACTUAL RELOCATION EFFORTS, AND ALL SUPPORTING DOCUMENTS REGARDS TO PROPOSED RELOCATIONS. SEE RFP POSTING FOR UTILITY COORDINATION.

4. DBT CAN ELECT TO PERFORM C&G IN AREAS THEY FEEL WOULD BENEFIT THEIR SCHEDULE. SCDOT HAS STARTED ROW ACQUISITIONS SO ROW IS AVAILABLE FOR PROJECT ACTIVITY INCLUDING UTILITY RELOCATIONS ON DAY 1.
CAROLINA CROSSROADS
EXAMPLE FOR PROACTIVE UTILITY COORDINATION DURING DESIGN-BUILD PREP

PROPOSED UTILITY RELOCATIONS

• RELocation plans that have been reviewed and agreed as viable relocation options with all stakeholders

• LEVEL B SUE

• ENCROACHMENT PERMIT LOGS
## CAROLINA CROSSROADS

**EXAMPLE FOR PROACTIVE UTILITY COORDINATION DURING DESIGN-BUILD PREP**

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**Quick Reference Table**

- **“ONE STOP SHOP” FOR KEY INFORMATION NEEDED TO EVALUATE CONFLICT IMPACT DURING ATC DEVELOPMENT, SCHEDULE, BIDS, ETC.**
- **SAVES TIME FROM HAVING TO DIG FOR INFO**
- **SUMMARY OF INFORMATION FROM REPORT**

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CAROLINA CROSSROADS
EXAMPLE FOR PROACTIVE UTILITY COORDINATION DURING DESIGN-BUILD PREP

PRIOR RIGHTS CERTIFICATION

UTILITY AGREEMENTS
UTILITY COORDINATION DURING DESIGN BUILD

KEYS TO SUCCESSFUL PARTNERSHIP & RISK REDUCTION DUE TO UTILITIES

• CREATED A WIN-WIN FOR ALL STAKEHOLDERS

• MINDFUL OF STAKEHOLDERS CONCERNS

• OVERALL IMPACT = REDUCED PROJECT RISK BY PROVIDING DBT A WEALTH OF INFORMATION WITHOUT RELYING ON 3RD PARTY RESPONSE; MINIMIZING THE NEED TO ASSUME WHAT WOULD MEET UTILITY OWNER’S CRITERIA; PROCESSING AGREEMENTS SO RELOCATIONS CAN BEGIN ASAP; STARTING PROJECT WITH A PROACTIVE ATTITUDE.

• MODEL FOR FUTURE PROJECTS AS FAR AS GATHERING/PROCESSING AS MUCH UPFRONT COORDINATION EFFORT DURING DESIGN-BUILD PREP PHASE (REFER TO COMMITTEE RECOMMENDATIONS ON PREVIOUS SLIDES)