

Agenda

SCDOT/ACEC/AGC Alternative Delivery Sub-Committee Meeting

1/29/2025 @ 9:30 AM

I. Welcome/Introductions

SCDOT

Meeting Attendees

SCDOT	ACEC	AGC
<ul style="list-style-type: none"> Jae Mattox Carolyn Fisher Ben McKinney Maddy Barbian Austin Purgason Brian Gambrell 	<ul style="list-style-type: none"> Abdul Fekrat (Terracon) Hisham Abdelaziz (CTEA) Matt Lifsey (NS) Cameron Nations (ICE) 	<ul style="list-style-type: none"> Chris Boyd (Crowder) Matthew Payne (Archer Western) Mike Grey (United) Pat McGriff (Lane)

II. Program and Project Updates

SCDOT

General

OAD Vacancies: Alternative Delivery Construction Manager, LCC Construction Manager, Roadway Discipline Lead

Projects in Construction

- Bridge Package 18 – Project in design (Lee Construction)
- Carolina Crossroads Phases 1 & 2 – Project in construction (United Archer Western JV)
- Closed and Load Restricted Bridges 2021-1 – Complete (Reeves)
- US 301 over Four-Hole Swamp – Complete (Crowder)
- Bridge Package 14 – Project in construction (Lee)
- Bridge Package 15 – Project in construction (ES Wagner)
- I-20 over Wateree River and Overflow Bridges – Project in construction (Lane)
- Bridge Package 16 – Project in construction (Palmetto Infrastructure)
- US 1 over I-20 - Project in construction (Superior)
- I-26/I-95 Interchange Improvements – Project in construction (Archer Western)
- US 17A/21 over CSX Emergency Bridge Replacement – Complete (Crowder)
- Bridge Package 20 – Project in construction (ES Wagner)
- Bridge Package 17 – Project in construction (United)
- I-77 Exit 26 Interchange & Connecting Roads – Project in design (Lane)
 - NS Railroad Bridge over I-77 (DBB) – Project in construction (United)
- I-85 at I-385 Wall Improvements – Project in design (Crowder)

- Carolina Crossroads Phase 3 –
 - Phase 3A Design-Bid-Build (Clearing and grubbing contract for approximately 270 acres of previous Phase 3) began in December 2024.
- Emergency Bridge Package 29 (Crowder), 30 (Reeves), and 31 (Wright Brothers) are all under contract

In Procurement

- CCR Phase 3C (I-20 Phase that ends before Bush River Road) – Technical Proposals due February 25, 2025
- Bridge Package 19 – Final RFP on 1/10/2025, Public Announcement in May
- I-95 over Lake Marion bridge replacement – RFP Industry Review 1/8/2025, Final RFP in March
- Emergency Bridge Package 32 – RFP for Industry Review on 2/13/2025

Projects in 2025

- Long Point Road/Wando Port Interchange, Procurement is anticipated to begin in March 2025 (TBD), no firm RFQ date has been decided; details forthcoming.
- Bridge Package 27 – RFQ Advertisement March 2025
- Bridge Package 21 – RFQ Advertisement May 2025
- Bridge Package 22 – RFQ Advertisement November 2025
- Mark Clark Extension – Pursuing Final EIS and related documentation/permits. RFQ unknown due to funding shortfall.

Projects anticipated in 2026 and beyond

- Bridge Package 23 – RFQ Advertisement May 2026
- Bridge Package 24 – RFQ Q4 2025
- Bridge Package 25 – 2027
- Bridge Package 26 – 2027
- Bridge Package 28 – 2028
- Low Country Corridor East – Currently in project development and NEPA. Procurement timeframe TBD. Public involvement meetings held in October 2021.
 - EJ mitigation for the next five years until procurement in 2028.
- I-95 Over Great Pee Dee River bridge replacement. Received planning grant (~\$700k). Professional Services contract awarded to CDM Smith to execute PEL study.
 - Potential for overflow bridge replacement, as well.
 - Decision on scope of work is dependent on results of the PEL study.
- Low Country Corridor West and I-26/I-526 Interchange – EJ mitigation in 2023, first phase RFQ in 2028.
 - Five phases are currently being evaluated for project delivery type.
- I-85 @ US 178 (Buc-ee's)

- Funding by Anderson County, construction not currently funded. \$5M Federal earmarked money received by Anderson County for interchange.
- Note: Additional project information has been posted to the website: [SCDOT Design-Build Overview](#).

Other Design-Build Projects (Not SCDOT)

- Charleston County – Main Road (in construction – Archer United Banks JV)
- Dorchester County – Bridge Package (in construction-Republic)
- City of Charleston – Pedestrian Bridge (in construction – Mastec Civil)

III. Action Items from 11/20/2024 Meeting SCDOT

- **SCDOT/ACEC/AGC** to continue ongoing discussion for potential new RFQ language suggestions and/or scoring techniques for SOQ evaluations with stakeholders.
- **ACEC/AGC** to poll and involve members in order to look for examples across industry in order to establish positive potential adoption of PDB, CM/GC, and other methods.
 - Kansas DOT provided SCDOT with information about a recent successful PDB project.
 - NCDOT has ramped their PDB deliveries up, especially with Emergencies.
- **SCDOT** will continue to look for ways to improve utility coordination and relocation efforts to better assign responsibility and manage risk.
- **SCDOT/ACEC/AGC** to continue discussion on feedback for tidal stream/waterway permitting in regards to the future bridge packages.
 - Will be important for Bridge Package 22
- **SCDOT/ACEC/AGC** to continue ROW discussion.

IV. Contract Insurance Update/Builder's Risk SCDOT/AGC

- Proposed updated insurance contract has been attached. **[ACTION]**
- AGC requests to revisit using Project Specific Professional Liability (PSPL) insurance on larger projects.
 - SCDOT responded that if this is the path forward on a project, the current template language would likely be used
 - FDOT requires PSPL on all projects as a response from Industry to “level the playing field”. Florida has large corporations bidding against smaller boutique firms. The larger firms have larger professional liability overhead policies which gives them a bidding advantage if the smaller firms still have to get a PSPL for the same project.
 - Some insurers are hesitant to write policies, especially before the contract is signed. SCDOT requires that the COI be submitted prior to Contract execution.

- ACEC mentioned that occasionally a firm's umbrella coverage includes provisions for professional liability coverage as well.
 - SCDOT understands this and would require that the COI include this clause. If it's not clear, SCDOT may reach out for clarification.
 - Lead Designer has discretion for limits on second-tier subs
- SCDOT has no issue with Contractors having more insurance than required by the contract.
- AGC raised the point that when Builder's Risk insurance is required at 100% of the contract price, requirements are excessive not cost effective.
 - For large complex projects with large amounts of structure that will require significant temporary work, Builder's Risk may be appropriate at a level 10-20% of contract price
 - GDOT Jasper County project is good example of appropriate coverage where they set a base amount and require contractor provide a 3rd party risk analysis to set the rate. On that project, the larger of the two numbers governs the requirement.
 - SCDOT asked if the group is aware of a situation where there was a claim against the Builders Risk Policy - Pensacola Bay Bridge (Three Mile Bridge) collapse during Hurricane Sally in September 2020
- Cyber Liability insurance is required of only the contractor because SCDOT only has a contract with that company
- Committee takes no issue with requirements for sub-contractor insurance
 - Subcontractor insurance is included in subcontracts. Contractors must provide SCDOT with subcontracts when requested. This would be the verification action.
 - Contractors may be asked to provide an affidavit attesting that they have imposed the Contractually required insurance limitations on their subcontractors.
 - Most Prime Contractors require more insurance than the draft from their subs

V. Federal Requirements for DBE

SCDOT

- For Bid-Build PROJECTS, a spreadsheet with all subcontractor quotes is required at time of bid
 - This is a federal requirement in order to determine how many companies are available for certain work items, and the proportion of those companies who are DBEs
 - This information helps states with DBE goal setting methodology.
- For Design-Build Projects, there is an annual reporting requirement by December 1st.
 - AGC requested that SCDOT require all subcontractor quotes within a certain amount of time after Contract Execution.
 - AGC proposed 60 days after award

- Is it quarterly or yearly report to FHWA?
- DBE Utilization Plan
 - Federal regulations updated in May 2024 require this to be submitted “at time of bid” – for SCDOT this is either the Technical Proposal or Cost Proposal
 - Industry prefers submitting at cost proposal
 - Not a commitment, just a plan. But as our current specification indicates, this plan is to be monitored regularly.
 - If a Contractor fails to submit this, they would be considered non-responsive.

VI. Emergency Project Stipends

SCDOT/AGC/ACEC

- AGC and ACEC members have received significant feedback regarding SCDOT not paying stipends on Emergency procurements.
 - AGC and ACEC contend that these projects are not planned therefore they cause significant disruption to the industry.
 - AGC suggested that many contractors are not interested in this work and often reluctantly agree to participate to be good partners in a time of great need.
 - AGC and ACEC agree that a payment of a stipend could lead to lower overall costs because the cost of the stipend would help teams justify more at-risk work during procurement. In some cases, the stipend payment could be less than the premium added to the bids.
 - Cost and time to pursue these types of projects is as much if not more the cost to pursue a typical bridge package. Rough estimate of \$25K per bridge (low end) to prepare a technical proposal.
 - Even though these are very short procurements, Lead Contractor still expects the Lead Designer to produce quantities for bidding.
 - Typically the Lead Design Firm is having to assign senior level staff members to do the entirety of the design work due to the short timeframes.
 - The short time line on these projects has not given SCDOT time to complete Hydro modeling for inclusion into Attachment B. AGC and ACEC both agree that SCDOT taking an extra two weeks and completing the modeling would save time and money overall.
- SCDOT is open to discussion regarding the payment of stipends for Emergency procurements

VII. Open Discussion

ALL

- DBE Goals
 - Lead Designers are finding it difficult to achieve Professional services goals on design-build projects
 - Some of the typical DBE work is being completed by SCDOT during the preliminary engineering (design-build prep) phase.
 - Expedited timeframes during the design phase of a design-build project has been less enticing for DBE's
 - ACEC suggests that the Design-Build Prep teams' DBE should be included in our DBE percentage calculation
- Topics for future discussion
 - How is OAD setting stipend amount?
 - Differences between project types?
 - Utility Relocation and Risk
 - Contractor cannot coordinate with underground utilities until drainage plans are complete, for example
 - Discussion of lessons learned on the Quality Assurance Program for the Carolina Crossroads Program and discussion of whether this model is being planned for other projects.

VIII. Action Items

- **SCDOT/ACEC/AGC** to continue ongoing discussion for potential new RFQ language suggestions and/or scoring techniques for SOQ evaluations with stakeholders.
- **ACEC/AGC** to poll and involve members in order to look for examples across industry in order to establish positive potential adoption of PDB, CM/GC, and other methods.
- **SCDOT** will continue to look for ways to improve utility coordination and relocation efforts to better assign responsibility and manage risk.
- **SCDOT/ACEC/AGC** to continue discussion on feedback for tidal stream/waterway permitting in regards to the future bridge packages.
- **SCDOT/ACEC/AGC** to continue ROW discussion.
- **SCDOT** to provide new insurance and builder's risk language to committee members to distribute to industry for review.

IX. Next Meeting Date: **March 26, 2025 @ 9:30 AM**

X. Adjourn