



CONSTRUCTION STANDARDS DIV 1 SUBCOMMITTEE

Meeting Notes

November 12, 2009

Participants:

Tina Nelson, Kitsap County, Co-chair
James Coffman, City of Tacoma
Bill Helbig, City of Auburn
Rich Mizner, City of Tacoma
Tamara Nack, Gray & Osborne, Inc.
Theresa Parsons, Thurston County
Scott Sawyer, Shea Carr
Stephanie Seibel, City of Olympia
Diane Sheesley, Thurston County
Jackie Spears, Pierce County

Location:

City of Auburn, 25 W. Main Street, Council
Conference Room

Time:

10:00 am to noon

Attachments (see these notes for internet links to other documents discussed):

- Proposed WSDOT GSPs/amendments on Weighing Equipment and Steel Cost Adjustments
- City of Olympia Warranty Bond language

A. Introductions and “Housekeeping”

1. Welcome – Introductions
2. Review of this Agenda

B. Review/Approval of Meeting Notes from September 10, 2009 committee meeting

C. Review of Progress on existing Action items since last meeting

1. APWA Conferences –
 - a. Tina reported on Fall Conference in Kennewick – Five people came to our committee meeting; we met jointly with the Div. 7 group, and discussed what we’ve each been working on.
 - b. Spring Conference – GJ suggested joint session w/CM committee on “Ask the Contractor” – open panel discussion. GJ asked Christy Sanders-Meena, co-chair of CM committee, if they would like to co-sponsor; she is interested and will bring up with her committee at today’s meeting. Interested in hearing from “new” contractors. Scott Sawyer can help find contractors.
2. All 2009 meeting notes to date now posted on committee webpage, and links to 2010 WSDOT/APWA Standard Specifications added. <http://www.apwa-wa.org/committees/conststds.htm>
3. WSDOT GPSs say “Must use” on all projects, or under certain circumstances. Is this applicable to local agency projects? GJ confirmed with Mike Grigware – this only applies to State Ad & Award jobs, including the environmental GSPs just added. If Local Ad/Award, use only if you want to. The only “musts” we must use are the ones required

for certain funding sources; e.g., “use in all Federal Aid projects”, or “Use in all projects that contain any amount of ARRA funding”.

4. Supplemental Bidder Criteria – Tina report on 9/10/09 CPARB meeting – they never got to really discussing this issue. They have not yet formed a task force.
5. Pierce County GSPs on utility relocation/coordination – out for review to mailing list, comments due by December 1 – core group, please review and make edits/comments.

D. Report on & Review Actions by other organizations / committees

1. Tina reported on her presentation to CRAB on Oct. 7 – overview of contract documents. Committee discussed challenge of reaching the people actually writing specs – not just the high-level managers. Also looking for other organizations to present to (e.g., Road Builders).
2. WSDOT/AGC Administration Team –draft GSPs to address different issues are under discussion. Tina distributed the drafts (see attached) and asked for comments.
 - a. Weighing equipment - intent is to modernize the spec for current technologies.
 - b. Steel cost adjustment -- WSDOT still working on fuel cost and HMA adjustments. Contractors are divided in support.
3. H&LP updates / news – WSDOT is working on changes to the DBE GSPs, need to find out more from Dave Mounts.
4. WSDOT Development Office news
 - a. October amendment to add electronic bidding – but just for WSDOT Headquarters ad/award projects. Caused some confusion, so a clarifying amendment coming out in January. There was some discussion of local agencies using Bid Express; general consensus that it would be cost prohibitive for most.
 - b. 2010 Standard Specs
 - i. should be posted Nov. 14, available in hard copy Nov. 18; \$25/copy now, and local agencies do not get free ones.
 - ii. Mike G will do the “2008-2010 changes memo”, like Dave Mariman used to, but not done yet.
 - c. PSE Word Program does work w/Office 2007 now. Web-based PSE Word program planning has come to a halt, due to lack of budget.
 - d. Amendments and GSPs general updates from Theresa Schreier
 - i. January Amendments are prepared
 - ii. Amdts/GSPs will not be issued in hard copy anymore. Sign up for the ListServ, and you will get a PDF of the group all together, along with the revisions memo. And they will have revision bars!!
 - iii. Re-numbering and naming WSDOT GSP files – thanks to Theresa and Mike Grigware, the WSDOT GSPs WILL have a new numbering system that mirrors the spec Section #. Theresa/Mike wanted rollout to coincide with new book coming out, but many inside WSDOT are asking for delay til summer.

E. New Items of Business

1. **Committee meeting day/location** -- Discussed changing our meeting day to avoid conflicts with other committees (APWA CM committee and CSI/AIA trainings, and CPARB meetings, are all at the same day/time as ours) – decided to keep meeting

dates/times same as before, except January 14 meeting changed to Jan. 21, to accommodate Tina/GJ doing the CSI training. Also considered new locations to try to bring in more interested people -- decided each year we should hold 1 meeting up north, 1 down south (Olympia), and the remaining 3 in Auburn.

2. **CSI training** -- Tina and Gretchen are each going to give a 1.5 hour presentation/training for the Construction Specifications Institute on January 14. They have monthly meetings, mostly architects, some engineers. Gretchen to give overview of local agency contract documents – all the parts and how they interact. Tina to be in panel discussion with Doug Brinley, KPG (CSI) on how to combine specs for vertical and infrastructure work into one set of bid documents.
3. **GPS Grading and Surveying** –Bryan Thorp, Benton County sent sample GSP for 1-05.4, requiring PLS involvement and signoff, when staking using GPS (Machine Controlled Grading). Bryan not able to attend, so discussion tabled at this time.
4. **Kudos** – Gretchen gave kudos to WSDOT's Theresa Schreier, for keeping her (and therefore the committee) in the loop on specs and process changes. She is also continually improving usability of our GSP website. And best of all, she has been instrumental in getting WSDOT to update the numbering system of their GSPs!
5. **1-year Warranty** – City of Olympia attorney wrote stronger language/spec. Stephanie Seibel distributed copy for review and comment. This will go on the “consider later” list, until we are more caught up with other pending issues.
6. **E-verify** – request from Jacqui Spears, Pierce County – PC now has ordinance mandating that contractors use e-verify on every job, are any other local agencies showing interest in this? Link to site:
<http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=75bce2e261405110VgnVCM1000004718190aRCRD&vgnnextchannel=75bce2e261405110VgnVCM1000004718190aRCRD>

F. Future meetings calendar

<u>Date</u>	<u>Location</u>
January 21, 2010 – a week later than usual	City of Auburn
March 11, 2010	TBD
March 17, 2010	Spring Conference, Great Wolf Lodge, 10:30 am

Note from Mike Grigware:

Attached is the latest proposal for the Weighing Equipment Specification 1-09. It reflects the change that was brought up in our October 10/16/09 AGC Meeting from Mark Scoccolo. I've attached a copy of those minutes also. Please take the time to review. I will include its review as an Agenda Item in the Nov. 20, 2009 meeting.

Some Background:

I had reworked the Verification Testing section from the earlier proposed specification that Dave Mariman had moving forward when I replace him in this position. The biggest change between the two proposals is removal of the **Random Scale Verification Checks** portion that was included in the earlier proposal. Its removal came about from a Region review. In order to remove that portion, I required Verification Testing to be performed more often than once a project which was the language in the earlier proposal. The latest proposal now requires verification of scales once a week and once for every \$50,000 of cost for any bid item being weighed -this language came from what is stated presently in the two existing GSPs for Weighing Material. I have also attached the earlier proposal for comparison.

1-09.2 Weighing Equipment

1-09.2(1) General Requirements for Weighing Equipment

Unless specified otherwise, any Highway or bridge construction materials to be proportioned or measured and paid for by weight shall be weighed on a scale.

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Deleted: These materials include natural, manufactured or processed materials obtained from natural deposits, stockpiles, or bunkers.

Scales

Scales shall:

1. Be accurate to within 0.5-percent of the correct weight throughout the range of use;
2. Not include spring balances;
3. Include beams, dials, or other reliable readout equipment;

4. Be built to prevent scale parts from binding, vibrating, or being displaced and to protect all working parts and;

Deleted: 4. Be arranged so that operators and inspectors can safely and easily see the dials, beams, rods, and operating scale mechanisms;

5. Be carefully maintained, with bunkers and platforms kept clear of accumulated materials that could cause errors.

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Scale Operations

“Contractor provided scale operations” are defined as operations where a scale is set up by the Contractor specifically for the project and most, if not all, material weighed on the scale is utilized for Contract Work. In this situation, the Contractor shall provide a person to operate the project scale, write tickets, perform scale checks and prepare reports.

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“Commercial scale operations” include the use of established scales used to sell materials to the public on a regular basis. In addition, for the purposes of this specification, all batch, hopper, and belt scales are considered to be commercial scales. When a commercial scale is used as the project scale, the Contractor may utilize a commercial scale operator provided it is at no additional cost to the contracting agency.

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In addition, the Contractor shall ensure that:

1. the Engineer is allowed to observe the weighing operation and check the daily scale weight record;
2. scale verification checks are performed at the direction of the Contracting Agency (see “1-09.2(5) Measurement”);
3. several times each day, the scale operator records and makes certain the platform scale balances and returns to zero when the load is removed; and
4. test results and scale weight records for each day’s hauling operations are provided to the Engineer daily. Unless otherwise approved, reporting shall utilize form 422-027, Scalemans Daily Report.

Deleted: The Contractor shall provide, set up, and maintain the scales necessary to perform this work.

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Deleted: The Contractor may also utilize permanently installed, certified, commercial scales.

Deleted: Commercial scales shall meet the same requirements as Contractor-provided scales.

Trucks and Tickets

Each truck to be weighed shall bear a unique identification number. This number shall be legible and in plain view of the scale operator. Each vehicle operator shall obtain a weigh or load ticket from the scale operator. The Contracting Agency will provide item quantity tickets for scales that are not self-printing. The Contractor shall provide tickets for self-printing scales. All tickets shall, at a minimum, contain the following information:

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1. date of haul;
2. contract number;
3. contract unit Bid item;
4. unit of measure;
5. identification number of hauling vehicle; and
6. weight delivered
 - a. net weight in the case of batch and hopper scales
 - b. gross weight, tare and net weight in the case of platform scales (tare may be omitted if a tare beam is used)
 - c. approximate load out weight in the case of belt conveyer scales

The vehicle operator shall deliver the ticket in legible condition to the material receiver at the material delivery point. The material delivery point is defined as the location where the material is incorporated into the permanent Work.

1-09.2(2) Specific Requirements for Batching Scales

Each batching scale shall be designed to support a weighing container. The arrangement shall make it convenient for the operator to remove material from the weighing container while watching readout devices. Any weighing container mounted on a platform scale shall have its center of gravity directly over the platform centerline. Batching scales used for Portland cement concrete or hot mix asphalt shall not be used for batching other materials.

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Readout devices used for batching or hopper scales shall be marked at intervals evenly spaced throughout and shall be based on the scale's nominal rated capacity. These intervals shall not exceed one-tenth of 1 percent of the nominal rated capacity. Before use at a new site and then at 6-month intervals, all batching and hopper scales shall be approved under rules of the Weights and Measures Section of the Washington State Department of Agriculture, or serviced and tested with at least 10,000 pounds by an agent of its manufacturer. In either case, the Contractor shall provide the Engineer with a copy of the final test results.

1-09.2(3) Specific Requirements for Platform Scales

Each platform scale shall be able to weigh the entire hauling vehicle or combination of connected vehicles at one time. No part of the vehicle or vehicle combination will be permitted off the platform as it is weighed. A tare weight shall be taken of each hauling vehicle at least once daily.

Any platform scale shall be installed and maintained with the platform level and with rigid bulkheads at either end to prevent binding or shifting. The readout device shall be marked at intervals of no more than 40 pounds. Test records shall show results to the nearest 20 pounds. During weighing operations, weights shall be read and recorded to the nearest 100 pounds. Before use at a new site and then at 6-month intervals, any platform scale shall be approved under rules of the Washington State Department of Agriculture's Weights and Measures Section, or serviced and tested with at least 10,000 pounds by an agent of its manufacturer. In either case, the Contractor shall provide the Engineer with a copy of the final test results.

1-09.2(4) Specific Requirements for Belt Conveyor Scales

The Engineer may approve conveyor-belt weighing of untreated materials if the method and device meet all general requirements for weighing equipment. The recording tape, odometer, totalizer, calibration adjustment, and clock-time imprinter shall be kept locked and the Engineer shall retain all keys. All belt-conveyor scales shall comply with the requirements for Belt-Conveyor Scales in the National Institute of Standards and Technology (NIST) Handbook No. 44, except where these specifications modify those requirements.

A static load test shall be made: each day after the belt-conveyor has run continuously for about 30 minutes, and again, immediately after the air temperature changes significantly. If the static load test reveals a need for adjustment, the Contractor shall perform a chain test. The Contractor shall make the computation of the test chain calibration, the calibration procedures and results, and related records available for the engineer's review. The test chain shall be clearly marked with its calibration, carried in a suitable container, and kept immediately available for testing.

1-09.2(5) Measurement

Scale Verification Checks

All weighing shall be subject to verification checks through random checks made with a secondary scale. The secondary scale shall be either an independent certified commercial scale or an independent certified platform scale installed by the Contractor. The inspector will select loaded trucks at random and weigh them with the secondary scale. The same trucks will be weighed empty when the tested load has been delivered. The frequency of verification checks will be such that at least one test is performed for each contract item paid by weight for each \$50,000 of payment for that item and at least one test weekly for each weighed contract item performed during that week.

Verification checks will not be routinely conducted for small quantities of weighed material. A small quantity shall be defined as one who's estimated proposal quantity, multiplied by its unit price, has a value of less than \$20,000. The inspector may choose to apply verification checks to a minor quantity item if, in the inspector's judgment, there is reason to suspect that the ticket weight might be incorrect.

If a separate scale is not reasonably available, the Project Engineer may approve a Contractor request to use one of the following alternatives as a method of scale verification:

1. Weigh a vehicle that weighs at least 10,000 pounds on a separate certified scale and then check the project scale with it.
2. Establish a certified fixed load weighing at least 10,000 pounds as a check-weight. The certification shall consist of an affidavit affirming the correct weight of the fixed load.

Belt Scales

To test the accuracy of a belt-conveyor scale, the Contractor shall weigh five or more payloads from sequential hauling units and compare these weights with weights of the same payloads taken on a separate certified platform scale. If the test results fluctuate, the engineer may require more than five check loads. Conveyor weights will be based on tonnage values taken from the sealed odometer at the beginning and end of each check period.

If scale verification checks show the scale has been under weighing, it shall be adjusted immediately.

If scale verification checks show the scale has been overweighing, its operation will cease immediately until adjusted.

Minor Construction Items

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Deleted: Any Contractor-supplied scale shall include a scale house with a floor space of at least 6 by 10-feet. The scale house shall be wind and weather tight, shall have windows for light and ventilation, shall include a door, and shall be lockable. It shall include a table, a chair, electrical power, and a space heater. The Contractor shall provide a rest room near the scale house.¶

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Deleted: Regardless of the type of scale used, a scale verification test shall be performed daily. The Contractor shall designate a separate, certified, platform scale or a separate commercial platform scale, independent of the scale used for weighing construction materials, to be used for scale verification checks. Each batch, hopper or platform scale will be tested by routing a loaded truck onto a separate certified platform scale or a separate commercial platform scale and comparing the weights.

Deleted: If such a separate scale is not reasonably available, the Engineer may approve a Contractor request to use an alternate method of scale verification checks as described on Form 422-027, "Scaleman's Daily Report" and as appropriate for the type of scale.¶

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Deleted: The Contractor shall not be compensated for any loss from under weighing.

Deleted: The contracting agency will calculate the combined weight of all materials weighed after the last verification check showing accurate results. This combined weight will then be reduced for payment by the percentage of scale error that exceeds 0.5-percent unless the Contractor demonstrates to the satisfaction of the Engineer that the defect in the scale was present for a lesser period of time.

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If the specifications and plans require weight measurement for minor construction items, the Contractor may request permission to convert volume to weight. If the Engineer approves, an agreed factor may be used to make this conversion and volume may be used to calculate the corresponding weight for payment.

1-09.2(6) Payment

~~Unless specified otherwise, the Contracting Agency will pay for no materials received by weight unless they have been weighed as required in this section or as required by another method the Engineer has approved in writing.~~

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~~The Contractor shall not be compensated for any loss from under weighing that is revealed by scale verification checks.~~

~~If scale verification checks reveal that the scale is over weighing, then payment for all material weighed since the last valid scale verification check will be adjusted. The contracting agency will calculate the combined weight of all materials weighed after the last verification check showing accurate results. This combined weight will then be reduced for payment by the percentage of scale error that exceeds 0.5-percent unless the Contractor demonstrates to the satisfaction of the Engineer that the defect in the scale was present for a lesser period of time.~~

Unit contract prices for the various pay items of the project cover all costs related to weighing and proportioning materials for payment. These costs include but are not limited to:

- furnishing, installing, certifying, and maintaining scales;
- ~~providing a weigher to operate a contractor provided scale;~~
- ~~providing a weigher to operate a commercial scale, if necessary;~~
- providing self-printing tickets, if necessary;
- rerouting a truck for verification weighing;
- assisting the engineer with scale verification checks;
- any other related costs associated with meeting the requirements of this section.

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1 (August 4, 2008)

2 **Scope of Payment**

3 Section 1-09.3 is supplemented with the following:

4
5 **Steel Cost Adjustment**

6 **General**

7 The Contracting Agency will make a steel cost adjustment, either a credit or a
8 payment, for qualifying changes in the index price of raw steel used in the production
9 of specified materials that are incorporated into the permanent Work. The adjustment
10 will be applied to partial payments made according to Section 1-09.9. The
11 adjustment will be applied to the following materials:

- 12
- 13 • Reinforcing steel conforming to Section 9-07 used in non-proprietary
14 walls, and pedestrian and vehicular bridge Substructure and
15 Superstructure.
- 16
- 17 • Structural steel conforming to Section 6-03.2 used in pedestrian and
18 vehicular bridge Substructure and Superstructure.
- 19
- 20 • [Soldier Piles](#)
- 21
- 22 • [Permanent steel casings for vertical shafts and horizontal borings and](#)
23 [jackings](#)
- 24
- 25 • [Permanent steel casings for concrete piling](#)
- 26

27 The adjustment is not a guarantee of full compensation for steel price changes. Any
28 adjustment provided by this provision shall not obligate the Contracting Agency for
29 any costs due solely to changes in steel costs beyond the amount adjusted by this
30 provision. The Contracting Agency does not guarantee that steel will be available at
31 the base steel cost or monthly steel cost. No additional adjustment will be made for
32 changes in the cost of manufacturing, fabrication, shipping, or storage.

33
34 For the purpose of determining the adjustment, the Base Steel Cost shall be the
35 *Engineering News-Record **Materials Cost Index for Steel \$/CWT*** index value for the
36 month prior to the month that Bids are opened. The Base Steel Cost is fixed for the
37 duration of the Contract and will be used for determining all adjustments.

38
39 The Monthly Steel Cost shall be the *Engineering News-Record **Materials Cost Index***
40 *for Steel \$/CWT* index value for the month that the steel is actually shipped from the
41 producing mill. If the specified index ceases to be available for any reason, the
42 Contracting Agency at its discretion will select and begin using a substitute price
43 source or index to establish the Monthly Steel Cost.

44
45 For each month that steel material that is specified in this Section is incorporated into
46 the permanent Work or paid for as Materials on Hand, the Contractor shall provide
47 the Engineer with written documentation (such as bills of lading, invoices, or
48 purchase orders) of the actual date and quantity of steel in pounds shipped from the
49 producing mill to the manufacturer and the Contracting Agency contract number that
50 the steel is used in.

51

Measurement

No adjustment will be made if the Monthly Steel Cost is within 10 percent of the Base Steel Cost. No adjustment will be made for Work performed after the authorized time for completion. No adjustment will be made for any products manufactured from steel having a mill shipping date prior to the date the contract is executed.

If the Monthly Steel Cost is greater than or equal to 110% of the Base Steel Cost, then:

$$\text{Adjustment} = \frac{(\text{Monthly Steel Cost} - (1.1 \times \text{Base Steel Cost})) \times Q}{100}$$

If the Monthly Steel Cost is less than or equal to 90% of the Base Steel Cost, then:

$$\text{Adjustment} = \frac{(\text{Monthly Steel Cost} - (0.90 \times \text{Base Steel Cost})) \times Q}{100}$$

Where Q = total pounds of reinforcing steel and structural steel paid in the current month's progress payment. No adjustment will be provided for quantities of steel exceeding the estimated quantity shown in the Contract, even though the actual quantities required may deviate from those listed. If the Contract provides no estimated quantities, then the maximum quantity of reinforcing steel or structural steel shall be the quantity determined by the Engineer using WSDOT approved shop drawings and a unit weight of 490-pounds per cubic foot of steel.

Payment

Payment will be made in accordance with Section 1-04.1 for the following bid item included in the bid proposal:

"Steel Cost Adjustment", by calculation.

To provide a common proposal for all bidders, the Contracting Agency has entered an amount in the proposal to become a part of the Contractor's total bid.

No adjustment payment will be provided until the Contractor provides written documentation of the actual date and quantity of steel in pounds shipped from the producing mill to the manufacturer. If the Contractor fails to provide the required documentation, then adjustment credits will be calculated using a shipment date determined by the Engineer in accordance with Section 1-05.1.

Gretchen,

Here is the spec that our legal department approved. If we have to tweak it let me know. It sound likes we might have to.

Stephanie Seibel, E.I.T.

Add the following new sub-section:

1-05.12(1) Warranty

(January 1, 2010 – OLY GSP)

Contractor shall warrant said work to be new, unless otherwise specified in the Contract Documents, of good quality and workmanship, free from faults and defects, and in accordance with the Contract Documents.

This warranty shall survive termination of this Contract. Conducting of tests and inspections, reviews of specifications or plans, payment for goods or services, or acceptance by the City does not constitute waiver, modification or exclusion of any express or implied warranty or any right under this Contract or law.

The Contractor shall, at its sole cost and expense, correct all Work that the City deems to have defects in workmanship and material discovered within one (1) year after the City's final acceptance of the Work. Contractor shall defend, hold harmless and indemnify the City for any claims made as well as claims paid pertaining to defects in workmanship and material.