



## CONSTRUCTION STANDARDS DIV. 1 SUBCOMMITTEE

### Meeting Notes

May 14, 2009

#### Participants:

Rae Bailey, City of Tacoma  
Gunnar Fridriksson, City of Bremerton  
Bill Helbig, City of Auburn  
Gretchen Johnson (GJ), KBA, Inc.  
Lori McFarland, Otak  
Mike Moderie, SDOT \*  
Tamara Nack, Gray & Osborne, Inc.  
Tina Nelson, Kitsap County  
Theresa Parsons, Thurston County  
Diane Sheesley, Thurston County

#### Location:

City of Auburn, 25 W. Main Street

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

1. Agenda for this May 14, 2009 meeting
2. Mike Myette/UCAW concerns about Traffic Control

#### A. Opening Business and Welcome

1. Tina Nelson welcomed the returning committee, and the new participants (see \* above). **Tina** to check in with Dave Mounts, as he has not been able to make the last couple of meetings.
2. Meeting notes for March 12, 2009 were not available, so were not reviewed.
3. Agenda for today was reviewed and approved (see Attachment 1).

#### B. Report on & Review Actions by other organizations / committees

1. WSDOT/AGC Administration Team
  - a. WSDOT has new Specifications Engineer – Mike Grigware, and he's on this team.
  - b. Working on 1-09.2, Weighing Equipment testing – rewriting the spec to match the 21st century; testing labs are helping them write this, has been in works over a year. FHWA has to accept the new language, and has had some problems. See [http://www.wsdot.wa.gov/biz/construction/Teams/Admin\\_2009/051509\\_admin.pdf](http://www.wsdot.wa.gov/biz/construction/Teams/Admin_2009/051509_admin.pdf) for draft specs & GSPs, & discussion as of 5/15/09.
  - c. WSDOT pushing for more detailed reporting on jobs, so they can report to the top on spending – will affect the specs. Esp. pushing for more Type C schedules – do resource loading, and pay off those – more accurate forecasting of future spending.
  - d. WSDOT moving ahead w/trial/mock electronic bid – wants to start for real by 2010. Through Bid Express (vendor); electronic signature via password. Will be voluntary – can still do it the old-fashioned way.
2. H&LP updates / news – [none, Dave Mounts not at meeting]
3. Bidder Responsibility Workshop in Tacoma (Tuesday of Spring conference week)

- a. Very successful. Contractors glad to get their say; agencies also liked.
- b. Mike Myette (UCAW) wants to tackle Traffic Control payment next – see his handout (#2)

C. New Items of Business

- 1. Bidder Responsibility – new GSP Options (printouts were distributed of GSPs listed below – see [http://www.wsdot.wa.gov/partners/apwa/Division\\_1\\_Page.htm](http://www.wsdot.wa.gov/partners/apwa/Division_1_Page.htm) for the latest GSPs themselves.)

Spec #	Title	Directions
1-02.1	Qualifications of Bidder	Replace existing GSP & Index entry with revised version below
1-02.1(1)	Supplemental Qualifications Criteria	New GSP – add to Index and GSPs
1-02.13	Irregular Proposals	Replace existing GSP & Index entry with revised version below
1-02.14 Option A	Disqualification of Bidders	New GSP – add to Index and GSPs --
1-02.14 Option B	Disqualification of Bidders	Replace existing 1-02.14 GSP dated 9/12/07 & Index entry with the Option B GSP below (labeled as Revision because it most closely resembles the original of the 3 Options)
1-02.14 Option C	Disqualification of Bidders	New GSP – add to Index and GSPs --
1-05.13	Superintendents, Labor and Equipment of Contractor	Replace existing GSP & Index entry with revised version below
1-07.23	Public Convenience and Safety	Delete entire existing GSP & Index entry – no longer needed. This includes GSPs 1-07.23(1) and 1-07.23(2).
1-10.1(2)	Temporary Traffic Control - Description	Delete entire existing GSP & Index entry – no longer needed

- a. Gretchen presented the GSPs to the group, and explained the intent behind each one, particularly the 3 options for 1-02.14:
    - i. Option A does not allow for ANY considerations beyond low bid.
    - ii. Option B is almost identical to the traditional wording, as still exists in the Std. Specs.
    - iii. Option C allows for Supplemental Bidder Criteria, as long as measurable and relevant, and require low bidder to meet them, to win award.
  - b. There was a lot of discussion on this. Gunnar felt Option C best on small jobs, where Contractors can get a bond, just by posting a cash deposit (so no pre-qualifications by bonding companies). Tamara felt, for Options B&C, 24 hours after bids due to submit supplemental info is not long enough. What if bid opening is a Friday? You will have 2nd low bidder watching closely to see if low bidder doesn't make this deadline. Should we change to a fill in – "Supplemental info is due by [time] of the following business day after the bid due date."??
  - c. Word on the street is that FHWA will not support the supplemental bidder criteria opportunities, even if state law does allow it. **Tina** to talk with FHWA liaison about this, when they meet at WSDOT/AGC Admin Team meeting, May 15.
- 2. Webinar on the APWA GSPs –
    - a. Idea is to help educate the actual spec writers (who do not usually attend the Conferences).

- b. GJ to check into APWA National, or Go to Meeting programs – who can do and what it cost?
  - c. Gretchen and Theresa of WSDOT working on, and Lori volunteered to help.
  - d. Waiting to pursue, until WSDOT has finished updating (or not) their GSPs layout and PSE Word program – present the new setup all at once.
3. Fall Conference in Kennewick (Oct. 20-23) – ideas and planning
- a. Tamara felt it's better to sponsor a session than just have a committee meeting. However it was pointed out that you don't have to be registered for the conference to attend comm.. meeting (which you do for a session)
  - b. Idea – have a booth, and show on a computer screen how to download and use PSE Word?
  - c. Or just a general table for all the APWA committees – show them, what they do, and have a sign-up sheet for each.
  - d. GJ suggested having one session at each conference called “Ask the Contractor”, and have panel of local contractors. Pre-think of questions to get the ball rolling, but then make it an open forum. Example questions: materials – new ones? how's it going? scarcity? Quantities and Unit bid prices – why does Contractor always ask for higher unit price for overrun quantities of dirt? Why no economies of scale? **Tina** to talk w/Christy Sanders-Meena (co-chair CM committee) about this.
  - e. Per GJ, we need more outreach to eastern WA spec writers – there currently is only one eastside person on our mailing list! **Gretchen** is to find out who else is out there – ask Theresa Schreier? Email them, ask for interest. We can bring them into meetings via conference call.

D. Topics for Future Meetings

- 1. SS Section 1-04.6 –
  - a. does increased vs. decreased quantities differently (negotiate vs. “equitable adjustment”). Are we missing this if our GSP is used? **Gretchen** to check into this.
  - b. Bremerton and Auburn, at least – for certain big ticket items (dirt and rock), they use a GSP disallowing changes in unit prices, even if quantities change. (Note: is this allowed by FHWA?)

E. Future meetings

<u>Date</u>	<u>Location</u>
September 10, 2009	City of Auburn
October 21, 2009	APWA Fall Conference, Kennewick; 10:30 am
November 12, 2009	City of Auburn



**CONSTRUCTION STANDARDS  
DIV 1 SUBCOMMITTEE**

**A G E N D A**

**Thursday, May 14, 2009 - 10:00 AM - City of Auburn**

- A. Introductions and "Housekeeping"
  - 1. Welcome – Introductions
  - 2. Review of this Agenda
- B. Report on & Review Actions by other organizations / committees
  - 1. WSDOT/AGC Administration Team
  - 2. H&LP updates / news
  - 3. Bidder Responsibility Workshop in Tacoma
- C. New Items of Business
  - 1. Bidder Responsibility – new GSP Options
  - 2. Webinar on the APWA GSPs
    - a. Cover purpose, requirements, content, download and use
  - 3. Fall Conference in Kennewick (Oct. 20-23)
    - a. Technical Session? Open House?
    - b. Committee meeting – open to all,
- D. Topics for Future Meetings
- E. Future meetings

<u>Date</u>	<u>Location</u>
September 10, 2009	City of Auburn
October 21, 2009	APWA Fall Conference, Kennewick; 10:30 am
November 12, 2009	City of Auburn

**This is message that Myette P.E., Executive Director, Utility Contractors Association of Washington, provided to the APWA Construction Management Committee, that I thought may provide some discussion for the Div 1 Committee – after all traffic control is in Div 1.**

From Mike:

I am hearing by rumors, that there is going to be trend for Public Agencies to place the “ SUBJECT ITEMS” into projects as incidentals.

I would like to alert all of you in the Agency Business to avoid this trend. As you know from being in the business for many years, this situation will cause health and safety problems on projects. Those who know the business and really care about doing the work and protecting the public safety will not minimize this issue, and place the proper hourly rates for flaggers and TCS in their Bid. They will probably not be the low bidder.

Now those who do not know what it takes to protect the public will probably minimize the flaggers and use rates that do not reflect the higher training and quality of the “flagger”.

So daily and weekly on your projects this will happen.

- ·How many Flaggers to you want on this work? **I planned 2 you want 4?**
- ·What has to be flagged. **Not that operation!!!!**
- ·When the TCS is required on the projects. **We planned 3 hours a day!!!!**
- ·You need flaggers this weekend? **No we do not!!!!**
- ·When the flaggers should leave the project. **This only has to be flagged during peak hour!!!!**
- ·I did not put money in the bid for that area over there to be flagged.
- ·I do not need to put a flagger at every side street, **that was not in my plan-**
- ·If you want him there you will need to pay extra.
- ·I turned in a flagging plan and now you will not approve it until I flag the work the way you want to flag it. **Did not plan it that way.**

**Please** do not take an item as flagging(Health and Safety) and reduce it to an incidental item.

I believe this should be a topic at one of our construction meetings.

Thanks for listening- Incidentals are just asking for problems-

Mike Myette P.E.  
Executive Director  
Utility Contractors Association of Washington  
May 6, 2009