



**CONSTRUCTION STANDARDS
DIV 1 SUBCOMMITTEE**

Meeting Notes

Thursday, May 13, 2010 - 10:00 am
Thurston County - 929 Lakeridge Drive SW Bldg 4, Olympia

Attending: (P = via phone)

P	Craig Aldworth, City of Spokane Valleu	X	Tamara Nack, Gray & Osborne
X	Pat Baughman, Pierce County	X	Tina Nelson, Kitsap County
X	Thuy Hong, City of Seattle		Derek Pohle, Grant County
X	Gretchen Johnson, KBA		Scott Sawyer, Shea Carr Jewell
X	Grace Kane, City of Everett	X	Stephanie Seibel, City of Olympia
X	Lori McFarland, Otak	X	Diane Sheesley, Thurston County
X	Dave Mounts, WSDOT H&LP, Headquarters		

Please check Yellow-Hilited items for your assignments and deadlines.
Also check the ActionItems-TaskList (Excel file) on our SharePoint worksite

Guests:

- Theresa Schreier, WSDOT Headquarters
- Mike Grigware, WSDOT Headquarters
- Theresa Parsons, Thurston Co.
- Tim Benedict, City of Everett

Attachments:

- 1-08.1 comparison – WSDOT amendment and APWA GSP

A. Introductions and “Housekeeping”

We started late – hard to find venue, then A/V difficulties. Tina welcomed new members and guests:

- Pat Baughman, new member of the core committee
- Derek Pohle, Grant County Public Works Director, has agreed to join our committee, but was tied up in other meetings for today.
- Mike Grigware & Theresa Schreier are here from WSDOT Headquarters, Project Development office – so we can meet them in person, and they will update us on latest improvements to GSP availability, formatting, and file naming.
- Grace Kane brought Tim Benedict, a City of Everett attorney, visiting and considering if he will be able to commit to being on our committee as our attorney advisor.

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

1. Update on **Retainage issue** from Dave M and Mike Grigware –
 - a. FHWA pressing WSDOT to drop retainage (on FHWA funded projects, anyway). The key issue is apparently subcontractors – with primes retaining 5% from them as well, it’s taking too long for them to get fully paid – hardship on disadvantaged businesses especially. FHWA seems to dislike the whole concept of retainage.
 - b. Mike G. said they are working on dropping retainage, but then not release the P&P/Contract Bond until there is proof everyone/thing has been paid.
 - c. Per Mike, once decided, this will be a Std Specs change, not just for FHWA funded jobs. [and will require change to State Law] Asked Mike if they could keep the old

spec as a GSP, so Local Agencies can use – if not, we'll need to make an APWA GSP.

2. Theresa & Mike reported on their progress with the WSDOT GSP reformatting & renumbering system, and gave a demo –
 - a. Set up as 3 part system: Headings, Instructional Statement, Option(s). File names will be the standard specs #, so will sort properly now.
 - b. Status -- it's all set up, being Beta tested in-house right now. The Regions will only be able to use after they convert their Regional GSPs to the new convention. Plan is to deploy on July 1, 2010, and hope to be able to incorporate into the PSE Word program by then – may have to wait til October, after the Regions have (hopefully) converted their Regional GSPs. August 2010 update will still have the old file names. January 2011 update will have new file names, so everyone will have to re-load the PSE Word program.
 - c. WSDOT is dropping support for Word 2003, as of 12/31/10. GSPs will only work in Office 2007, and they won't even have a .docx extension, so can't open in Word 2003, even with the converter program. APWA GSPs should still work in the program OK, since we use .rtf files.

C. Report on progress on existing Action Items and Issues

1. Gretchen and Tina reported on Spring Conference at Great Wolf Lodge. The Committee meeting – chaotic, each committee had one table, almost touching other tables. The “Ask the Contractor” panel session was standing-room-only, quite successful, all 4 contractors gave thoughtful answers to each question.
2. HB2805, requiring reporting out-of-state fabrication of non-standard items – now a law, but huge confusion on who it applies to – not to WSDOT, and not to “local transportation projects” – but what does that mean? What about a utility project? All projects with signed contracts 9/1/10 and after have to follow these rules, so need to know what to do NOW. Tina will keep asking, and Mike Purdy is pursuing answers, also.
3. GSPs progress
 - a. 1-04.6 – Tina trying to get approval to use our GSPs on FHWA funded projects, thinks they might approve if we set some limits on fill-ins. Craig reported he uses Option B when no FHWA funds. Gretchen suggested Tina meet w/FHWA in person.
 - b. 1-05.4, Survey – Tamara is asking surveyors for input.
 - c. 1-05.14 and 1-07.23, regarding notifications and coordination – Lori posted drafts on our SharePoint site. **All members to review and comment/edit, before Sept. meeting.**
4. **All committee members to check the Action Items / Task List posted on SharePoint, and update as they finish their tasks.**

D. New Items of Business Discussed

1. WSDOT Amendments and GSPs – April 5 update. A summary is available at: <http://www.wsdot.wa.gov/biz/construction/MoreBooks.cfm#ssrev> . We agreed the only one needing our committee's action is the changes to 1-08.1, Subcontractors. Per Mike G., the key to the change is that the annual MBE reporting was being overlooked, although quarterly DBE reporting was being done. So, now both reports are due quarterly, at same time. It is now in conflict with our APWA GSP, though – see attached comparison. **Gretchen to revise APWA GSP so it matches WSDOT Std Spec, but just says Contracting Agency can use their own form – do not have to use WSDOT form 421-023.**
2. Gretchen arranged with Ruth McIntyre & Theresa, WSDOT Headquarters – when we have approved new or updated APWA GSPs –

- a. they go to Dave Mounts & Ruth, who send to Theresa to post on website and update in PSE Word program. Gretchen gives Theresa updated log of changes to post, as well.
 - b. Theresa will tell Ruth when new/revised APWA GSPs are posted, and Ruth will send a notice out to her Local Agency ListServ – the notice will just say something like: “the APWA GSPs have been updated, see the [changes log](#) to find out what changed” – with a hyperlink to the log -- and people can take it from there as needed.
 - c. **So – be sure you are signed up for that Local Agency ListServ** – go to the top of this webpage and click on the link to sign up: <http://www.wsdot.wa.gov/partners/apwa/>
3. Each APWA-WA committee has an assigned committee liaison/advocate on the APWA-WA Board. Ours is Tina.
 4. Fall Conference in Wenatchee – nothing special planned, just committee meeting/outreach.
 5. SharePoint worksite – Gretchen introduced committee to the SharePoint workspace, hosted by KBA. Due to licensing rules, we can only have 3 individual licenses – for Gretchen, Tina, Lori – everyone else will be on group log-in, so can only have one person working on documents at a time – we’ll try this and see if there is conflict. Gretchen showed how to upload, check out, and edit documents. There is a “READ ME” document posted, with instructions.

E. Future meetings

1. Topics
 - a. Gretchen suggested planning Spring 2011 Conference session “Ask the Subcontractor”; general consensus that was a good idea, no assignments made yet.
2. Schedule – decided on dates for Sept. and Nov. Gretchen told about new free venue at Port of Seattle, thanks to Sherry Arcineaga – but committee members will have to bring coffee, cups, goodies, napkins.

<u>Date</u>	<u>Location</u>
September 10, 2010	POS Logistics Building, 10-noon
October 6, 2010	10:30 am, Fall Conference, Wenatchee
November 5, 2010	TBD

1-08.1 Subcontracting

Yada yada yada, no change, til we get to the 8th & 9th paragraphs --

8th ¶ of Std Specs, as amended	APWA GSP, 10/10/08
<p>On all projects funded with Contracting Agency funds only, the Contractor shall certify to the actual amounts paid Disadvantaged, Minority, or Women’s Business Enterprise firms that were used as Subcontractors, lower tier subcontractors, manufacturers, regular dealers, or service providers on the Contract. This Certification shall be submitted to the Project Engineer on WSDOT form 421-023, “Annual Quarterly Report of Amounts Paid as MBE/WBE Participants”, annually quarterly for the State fiscal year quarters: July 1 through June 30, or January 1 through March 31, April 1 through June 30, July 1 through September 30, October 1 through December 31, and for any remaining portion of a quarter through Physical Completion of the Contract, whichever occurs earliest. The report is due July 20th following the fiscal year end 20 calendar days following the fiscal quarter end or 20-calendar days after Physical Completion of the Contract.</p>	<p>On all projects funded with Contracting Agency funds only, the Contractor shall certify to the actual amounts paid Disadvantaged, Minority, or Women’s Business Enterprise firms that were used as subcontractors, lower tier subcontractors, manufacturers, regular dealers, or service providers on the contract. <u>This certification shall be submitted to the Engineer, on the form provided by the Engineer, on \$\$1\$\$, or 20 calendar days after physical completion of the contract, whichever comes first.</u></p>

On all projects funded with both Contracting Agency funds and Federal assistance the Contractor shall submit a “Quarterly Report of Amounts Credited as DBE Participation” on a quarterly basis for every quarter in which the Contract is active (Work is accomplished) or upon completion of the project, as appropriate. The quarterly reports are due on the 20th of April, July, October, and January for the four respective quarters. When required, this “Quarterly Report of Amounts Credited as DBE Participation” is in lieu of WSDOT form 421-023, “~~Annual Quarterly~~ Report of Amounts Paid as MBE/WBE Participants”.

If dissatisfied with any part of the subcontracted Work, the Engineer may request in writing that the Subcontractor be removed. The Contractor shall comply with this request at once and shall not employ the Subcontractor for any further Work under the Contract.