

NCDOT / ACEC-NC / CAGC DESIGN-BUILD JOINT COMMITTEE - Meeting Minutes

Date: February 1, 2022 at 9:30 AM

Location: Go To Meeting

<https://global.gotomeeting.com/join/685869781>

United States: +1 (571) 317-3122

Access Code: 685-869-781

Attendees:

- Teresa Bruton
- Ron McCollum
- Victor Barbour
- Michael Taylor
- Jim Seybert
- Sam Blevins
- David Gourley
- Mickey Wing
- Nilesh Surti
- Keith Nixon
- Mike Merritt
- Boyd Tharrington
- Reade Dawson
- Chuck Gallant
- Andy Barry
- David Pukiewicz
- Hope Grumbles
- Patty Eason
- Andrew Palahnuk
- John Copeland
- Kevin Knuettel
- Wiley Jones
- Brian Skeens
- Cadmus Capehart
- Pete Weber
- Kevin Charrier
- Lewis Cuthrell
- Kevin Bailey
- Thomas Wells
- Brian Banks
- Mike Zicko
- Dennis Jernigan
- Drew Baucom

I. Welcome and Introductions (Teresa)

II. NCDOT / NCTA Items (Teresa)

1. NCDOT

a. Announcements

- Bill Kincannon retired on January 31st and Cadmus Capehart, Division 2 Construction Engineer, has replaced on the Committee.

b. Updates

- ATC Process - Reference the attached *Alternative Technical Concepts and Confidential Questions* Project Special Provision modifications
 - The NCDOT will begin including why an ATC was not approved in the ATC response. However, should the Design-Build Team resubmit an ATC that is not approved, all resubmittals will count towards the maximum number of allowable ATCs.
 - The Department clarified that ATCs that are nullified also count towards the maximum number of allowable ATCs.
 - The Industry questioned why an ATC should count towards the maximum number of allowable ATCs if more than one Design-Build Team submits an ATC on the same topic, and the Department elects to revise the RFP without regard for confidentiality. Specifically, the Industry was concerned that a Design-Build Team has no way of knowing if another Design-Build Team submits an ATC on the same topic. The Department replied that the RFP is rarely revised due to the submittal of more than one ATC on the same topic. Instead, the Department typically chooses to maintain the confidentiality of the ATC topic.
- Technical Proposal Evaluation Modifications - Reference the attached Technical Proposal Evaluation Criteria modifications
 - The NCTA will more than likely continue to have a Long-Term Maintenance evaluation criteria.



- The Industry indicated that the Innovation / Added Value revisions were an appreciated improvement.
 - NCDOT requested that the Industry continue to provide recommended modifications / improvements to the evaluation criteria, as well as other sections of the RFP.
- Service Road Study Requirements
- Since the Department has not received any concerns / recommendations on the Service Road Study requirements, no revisions have been made to the RFP. However, the Department reminded the Industry to forward any concerns / recommendations to Victor Barbour or David Gourley for forwarding to the Department.
- Sound Barrier Wall Modifications - Reference the attached Sound Barrier Wall Modifications
- The Department indicated that the Board of Transportation has approved the 2021 Traffic Noise Policy. Thus, for those projects that are not subject to the 2021 Traffic Noise Policy, the RFP will clarify the 7dB(A) noise reduction design goal that was incorporated into the new Policy.
 - The Department is currently updating the 2016 Traffic Noise Manual to clarify design requirements / parameters, including specifying maximum sound barrier wall heights. The Department anticipates the following Traffic Noise Manual update schedule:
 - A draft version of the updated Manual will be provided to the Industry for their review by the end of February
 - The final version of the updated Manual will be approved in April, depending on the amount and magnitude of the comments received.
 - Future RFPs will require the Design-Build Team to adhere to the updated Traffic Noise Manual. However, if the updated Manual is delayed, the RFP will incorporate the design parameter revisions that will be included in the Manual.
 - For all projects, the RFP will include a maximum square footage of anticipated sound barrier walls on the shoulder and a maximum square footage of anticipated sound barrier walls in cut sections. If the accepted Design Noise Report and balloting process require more than the anticipated square footage of sound barrier walls, the square footage that exceeds the maximum amount will be paid for as extra work. The current unit prices for the design and construction of additional sound barrier walls constructed on the shoulder and in cut sections are \$55.00 per square foot and \$50.00 per square foot, respectively. The amount of extra work shall be determined by deducting all additional sound barrier wall square footage required as a result of the Design-Build Team's design modifications. Additionally, the amount of extra work for sound barrier walls on the shoulder and the amount of extra work for sound barrier walls in cut sections are independent and will not be considered cumulative.
 - The Industry asked NCDOT to consider including a maximum linear footage of sound barrier walls on the shoulder and a corresponding unit price for each foot that exceeds the maximum amount. The linear foot unit price would cover the additional paved shoulder width, single-faced barrier, etc. that is required for sound barrier walls constructed on the shoulder. The Industry indicated that this approach would allow the Department to use the same unit price for the additional square footage required for sound barrier walls on the shoulder and in cut sections. The Department indicated that the current price structure covers the additional expenses for sound barrier walls constructed on the shoulder (paved shoulders,

barrier, etc.) for the additional wall height and length, resulting in a larger quantity than additional linear footage. However, the Department will consider the pricing structure recommended by the Industry.

2. NCTA

- a. Mid-Currituck updates based on the SELC appeal, but no other updates (Dennis)

III. Upcoming Design-Build Projects - Reference the anticipated list of Design-Build projects (Teresa)

IV. Carolina AGC Items (Victor)

1. Update on Steel Price Adjustment Provision

- o NCDOT has provided a draft Steel Price Adjustment provision for AGC's review and scheduled a meeting the week of February 7th to discuss.
- o AGC has solicited feedback on the Provision from subcontractors.
- o NCDOT's current approach is to implement the Provision on new projects as soon as possible, and then address active contracts.
- o NCDOT is also working on opt-in / opt-out requirements for the Provision.

2. Cutoff date for Addenda

- o The AGC requested that the Department implement a deadline for Addendum distribution. Specifically, Addendums distributed late in the procurement have the potential to impact the Design-Build Team's price, schedule, design, etc.
- o The Department indicated that an Addendum deadline will not be implemented. Specifically, if an Addendum is required, it will be distributed regardless of the timeframe.
- o The Department ensured the Committee that Addendums are distributed as quickly as possible once it is determined that they are required. Additionally, the Department often distributes an e-mail to the short-listed teams or contacts them to convey an Addendum's content prior to the Addendum distribution.
- o The Department encouraged the Industry to notify the Design-Build Unit if an Addendum significantly impacts the project price, schedule, design, etc. so that the procurement may be extended to minimize risk.

3. Geotech - adequate asphalt cores for pavement to be removed, especially in travel lanes

- o The AGC requested that the Department provide additional pavement cores when pavement must be removed, or traffic placed on paved shoulders.
- o To minimize exposure to traffic, NCDOT indicated that it is preferred that the Department obtain additional investigative information that is required in lieu of each short-listed team obtaining the same information.
- o One consideration is for the Department to request specific locations where additional pavement cores / geotechnical borings are required during the first Q&A Sessions. The Department would perform the investigations and provide all the additional cores / borings to all the short-listed teams, regardless of which Design-Build Team requested the information.
- o Victor will request more details from the AGC membership on the specific additional investigative information requested - number of cores / borings at specific locations, etc. The deadline for providing this feedback is February 8th.

4. Extension of project limits and project upgrades

- o The AGC questioned if recent project limit extensions on Design-Build projects are increasing costs, especially when compared to Design-Bid-Build projects. The Department indicated that project limits have been extended to adhere to design criteria, such as providing the required length to reduce four lanes to two lanes or adhering to

- MASH requirements.
- The Department indicated that all modifications to project limits, design criteria, maintenance items, etc. are coordinated with the Division and other appropriate NCDOT personnel prior to incorporation.
- The Industry indicated that this topic was included on the Agenda to alert the Department to the perception that Design-Build projects are more expensive than Design-Bid-Build projects.

5. Project file availability at time of shortlist

- The Industry requested that the Department provide all the project material when the short-listed teams are announced or as quickly as possible, thereafter.
- The Department indicated that the project material is provided as soon as it becomes available. However, if the NEPA Process is not complete prior to beginning the Design-Build procurement process, many project items are not available at the time of short-listing.
- The Industry indicated that significant time is required for the initial review or the First Industry Draft RFP and project material. The Department asked if the Industry prefers three weeks, instead of the standard two weeks, between distribution of the First Industry Draft RFP and the first Q&A sessions to allow additional review time. The Industry agreed that the additional week would be beneficial.

V. ACEC Items

(David)

1. Private Utility Approval Process

- The Industry questioned if the NCDOT Utilities Unit reviews the utility relocation plans for Design-Build projects. The Department indicated that the relocation plans are reviewed for adherence to NCDOT standards and to ensure that multiple utilities do not propose relocating their facilities in the same corridor. However, the details of the NCDOT utility reviews need to be confirmed.

VI. Open Discussion / Ongoing Items

(Committee)

1. As-Constructed Drawings vs. As-Built Plans

- The Department asked if there are any concerns with the Design-Build Team's roles and responsibilities for As-Constructed Drawings and As-Built Plans.
- The Department indicated that the definitions for As-Constructed Drawings and As-Built Plans may be found in Division One.
 - As-Constructed Drawings are red-lined mark-ups of the latest Released for Construction Plans containing the information listed under As-Constructed Plans in the Records and Reports Section of the NCDOT Construction Manual
 - As-Built Plans are coordinately correct plans documenting the details, dimensions and location of the completed work.
- AGC indicated that on several Design-Build projects the inspectors (CEI firm) have not developed the redline drawings that are typically their responsibility on Design-Bid-Build projects, requiring the Design-Build Team to be responsible for all redline mark-ups.
- The Department indicated that changes have been made to Division One (Pages 1-88, Article 109-10) to clarify the As-Constructed Drawings and As-Built Plans requirements.
- The Department indicated that the As-Constructed Drawings and As-Built Plans responsibilities on Design-Build projects should be consistent for every project and requested feedback from the Industry to clarify the roles and responsibilities.



VII. Next Meeting

(David)

1. 2022 Meeting Schedule:

- May 3, 2022
- August 2, 2022
- November 1, 2022

VIII. Meeting Adjourn

