

Meeting Minutes

SCDOT/ACEC/AGC Design-Build Sub-Committee Meeting

09-18-19 @ 9:00 am

I. Welcome/Introductions

- Attendees
 - Chris Gaskins (SCDOT)
 - Ben McKinney (SCDOT)
 - Jae Mattox (SCDOT)
 - Brad Reynolds (SCDOT)
 - Maria Ott (SCDOT)
 - Clay Richter (SCDOT)
 - Barbara Wessinger (SCDOT)
 - Austin Purgason (SCDOT)
 - Carmen Wright (SCDOT)
 - Daniel Burton (SCDOT)
 - Cedric Keitt (SCDOT)
 - Jack Locklair (SCDOT)
 - Leslie Clark (AGC)
 - Dave Pupkiewicz (AGC)
 - Pete Weber (AGC)
 - Michael Gantt (AGC)
 - Brice Urquhart (ACEC)
 - Hisham Abdelaziz (ACEC)
 - Paul Raad (ACEC)
 - Andy Gillis (ACEC)
 - Dave Rankin (AGC)

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II. Personnel Changes/Subcommittee Member Changes

Dave Rankin (Lane) Replacing Michael Gantt in November.

III. Project Updates

- Carolina Crossroads: Due to lack of competition, the original procurement was cancelled. A phased approach is being pursued by SCDOT, with 3 phases currently planned. An update to the website will be made next week (week of 9/23).
- Closed and Load Restricted Bridges: 16 bridges in District 2. One phase procurement, looking into possible opportunities to utilize one phase in other projects.
- New I-77 Interchange in York County – Expedited timeline with RFQ in early 2020

around February. Design development will be in excess of what we typically do for DB projects.

- US 15 over Indian Fields Swamp Bridge Replacement in Dorchester County – RFQ moved up to November with a 1-2 month procurement. Only Load Restricted Bridge in the 2020 Federal Fiscal Year.
- Closed and Load Restricted Bridges: SCDOT expects to issue a CLRB package every year for the next 10 years each with a value in the \$10-20 million range.
- Next up is District 4 with 6 to 10 bridges. RFQ in October 2020 to align with funding commitments.
- Low Country Corridor West –RFQ in 2022 or Beyond
- Mark Clark Expressway – RFQ in 2022 or Beyond
- I-26 over US 1, SCLRR, and SC 302 – RFQ in 2023 or Beyond
- I-20 over Wateree – RFQ in 2023 or Beyond
- I-85 MM 51 - 69 – RFQ in 2026 or Beyond
- I-85 MM 40 - 51 – RFQ in 2026 or Beyond
- Low Country Corridor East – TBD
- I-26 MM 15-22 – Currently on hold
- I-26 MM 212-218 – Currently on hold

IV. Action Items from 07-17-19

- a) RFQ Section 8.1.7 Language
 - SOQ org chart submittal requirements will change
 - Language refers to “key individuals” and discipline firms for SOQ’s
 - Concerns about discipline leads being required to be retained during entire project are alleviated by only requiring leads to remain on the team
 - New language eliminates conflicts between key people definition and para 8.1.7
- b) ROW Acquisition Language
 - AGC has submitted comments that will be considered
 - SCDOT is working to streamline ROW Process and taking broader look at R/W language in specification and contract.
- c) Redacted Proposal Language
 - 2 Technical Proposals will be submitted, one full proposal, and another with redactions made.
 - There is concern about ATCs that are redacted in the Technical proposal being given as part of a FOIA request for ATCs. This negates redacting the ATC in the proposal.
 - There is also concern about unapproved ATCs that contain trade secrets being given in a FOIA request.
 - With the stipend agreement, all ATCs are subject to FOIA.
 - Issue has not presented itself in practice, and further discussion is required
- d) Dispute Review Board

- SCDOT Construction and FHWA are actively looking for information from other states
- Discussion has moved beyond Design-Build into Bid-Build. Will most likely become a Supplemental Specification that would be reintroduced to the AGC/SCDOT Joint committee.
- No timeframe for decision and will be removed from Action Items.

V. Clarifications, Communications, Discussions, Presentations

- Clarifications- Written Exchange to address minor issues
- Communications- deal with perceived deficiencies, are a chance for proposers to explain the methodology behind a decision. Communications do not provide an opportunity to cure the deficiency.
- Discussions- allows proposers and the Design-Build Group to discuss possible deficiencies in the RFP or proposers after bid opening followed by BAFO or cancellation
- Presentations are currently being used, and all entities agree that there is value. Proposers see presentations as an opportunity to highlight the best points in their proposal, and SCDOT uses the time to clarify issues they perceive with the proposal.

VI. ACT 36 Impacts

- Affects DOT more than DB Teams, unless ROW acquisition is required in the scope of work in the RFP
- There was some discussion that if the utilities do participate in in-contract work, this would be captured in the DB Teams price proposal so there would be impact to the DB Teams in this case.
- SCDOT has developed language to be sent to utilities that are requiring their decision to participate no later than 120 days prior to issue of RFP
- Non prior rights language will have to be revised – should be in place by 2021

VII. Alternative Procurement Methods Legislation

- CMGC + Progressive Design-Build legislation has been drafted
- No formal response has been given
- Decision-makers are not convinced of the need to implement these methods.
- New web-tool is being implemented by FHWA that provides information on the best procurement method for a given project. This may provide helpful evidence for the usefulness of alternative procurement types.
- There is a possibility for an industry partner to draft legislation

VIII. Open Discussion

- New ATC Database concerns
 - Time-consuming due to redundant data entry
 - Attachments cannot be attached to original submittal form, which leads to

multiple documents for each ATC

- Confusion on which attributes are for DOT use only
- Solutions: After printing to pdf, submittal forms are able to accept attachments. Wizard will be rearranged for clarity and information will be provided in future RFPs and addendums

IX. Action Items.

- ROW Acquisition Language
- Redacted Proposal Language will be discussed
- Feedback on presentation process
- One-stage procurement will be discussed by industry.

X. Next Meeting Date November 20, 2019, 9:00 AM (ACEC Lead)

XI. Adjourn