

Meeting Minutes
SCDOT/ACEC/AGC Design-Build Sub-Committee Meeting
7/14/2021 @ 9:00 AM

I. Welcome/Introductions

SCDOT	ACEC	AGC
<ul style="list-style-type: none"> • Chris Gaskins • Clay Richter • Brooks Bickley • Ben McKinney • <i>Jae Mattox</i> • Brad Reynolds • John Caver • Randy King • Chris Lacy • <i>Will McGoldrick</i> • <i>David Hebert</i> • Daniel Burton • Barbara Wessinger • <i>Brian Gambrell</i> • Carmen Wright • Tyler Clark • <i>Tad Kitowicz*</i> • Austin Purgason^ • Kevin Harrington 	<ul style="list-style-type: none"> • Jim O'Connor • Erin Slayton • Walker Roberts • <i>Aaron Goldberg</i> • Oriana Roumillat^ 	<ul style="list-style-type: none"> • Dave Rankin • Pete Weber • Rob Loar • Lee Bradley

(Attended, Absent) *FHWA, ^Guest

II. Project Updates

- Carolina Crossroads Phase 2 – In procurement.
- Closed and Load Restricted Bridges 2021-1 – District 4 with eight bridges. In procurement.
- Cross Island Parkway Toll Conversion – SOQ evaluations are complete. Short-listing and RFP development imminent.
- I-20 over Wateree, River and Overflow Bridges – In project development to evaluate rehab versus replacement. Life cycle cost analysis under review. RFQ in early 2022.
- Carolina Crossroads Phase 3 – RFQ anticipated in 2022.
- I-26/I-95 Interchange Improvements – Awaiting PE funding. This funding is anticipated to be imminent.
- Mark Clark Expressway – Continuing development of Supplemental EIS. RFQ in 2023
- Low Country Corridor West and I-26/I-526 Interchange – ROD is expected in 2022 and

RFQ could move to 2027.

- Five phases are currently being evaluated for delivery method type.
- Low Country Corridor East – Currently in project development and NEPA. Procurement timeframe TBD.

III. Action Items from 5/19/2021 Meeting

- AGC/ACEC to give feedback on how proposal commitments are handled in other states.
 - Feedback provided and discussed. Continued industry input is welcome and encouraged. **[CLOSED]**
- SCDOT to continue to review insurance and bonding language comments and provide revised version to AGC/ACEC for further review.
 - Language in final stages of review within SCDOT Legal. Discussion deferred until next Sub-Committee meeting. **[OPEN]**
- SCDOT to provide revised shop drawing language to be reviewed by AGC/ACEC prior to May sub-committee meeting.
 - SCDOT provided comments and updated language to ACEC/AGC. Version of updated language is included in CCR Phase 2 RFP. **[CLOSED]**
 - ACEC/AGC to circulate new shop drawing language comments to industry for review and comment. **[ACTION]** SCDOT to provide update on proposed changes to shop drawing process for CCR Phase 3 as the RFP develops. **[ACTION]**
- ACEC to reach out to Utility and CEI Committee representatives regarding attendance at next or future DB Sub-Committee meetings.
 - ACEC/AGC coordinated with Utility and CEI representatives and gathered information from other discussions. AGC intending to be conduit for exchange of this information. **[CLOSED]**
- SCDOT to follow up with DBE Office regarding future design-build contracts and DBE utilization requirements
 - Professional services will be encouraged but not required. Percentage will vary from project to project.
 - Commitment currently intended to be required 30 days after contract execution.
 - DBE Office currently working on formula to identify specific percentage depending on project variables. **[CLOSED]**

IV. ATC Design Criteria: Location Within RFP

SCDOT

- SCDOT intends to remove certain design criteria from Exhibit 4 that does not pertain to project, specifically ATCs.
- Design criteria, ATC requirements, etc. will be included within Attachment B.

V. SOQ Scoring Within Weighted Criteria Formula

SCDOT

- SCDOT intends to remove SOQ scoring from the weighted criteria formula as the rule,

not the exception, for SCDOT design-build projects.

- SCDOT intends to put even greater emphasis on SOQ Scoring with the intent to only short-list the best and most qualified teams.
- Considering minimum scores for SOQ (i.e. overall, category, sub-category).
- SCDOT/ACEC/AGC to discuss with stakeholders and develop new language suggestions and/or scoring techniques for SOQ evaluations. **[ACTION]**
- ACEC suggested additional language revisions within RFQ to be abundantly clear what is being expected to appropriately address or propose best personnel or other SOQ considerations (i.e. years of experience, type of experience, etc.).
- ACEC noted the updated language/scoring should not limit teams from pursuing projects or stifle competition/innovation.
- AGC cautioned against short-listing a team that is on an uneven playing field with regards to SOQ evaluations and capabilities/likelihood to win project after being short-listed (i.e. two highly scoring teams with one significantly lower but above minimum scoring threshold).
 - SCDOT would consider short-listing only two teams depending on situation (potentially the one described above).
 - Given the situation where SOQ scoring is not included within the weighted criteria formula, every short-listed team has an equal opportunity to win the project with their technical proposal.
 - Intent is to get a team's best proposal/design with emphasis on added value and innovation.
 - SCDOT questions: when is the best time to share SOQ scores with teams?
 - How should the scores be shared (Individually share own score, share all scores, etc.), but recognizes this is irrelevant if the SOQ score will not be included as a factor in the weighted criteria formula? **[ACTION]**

VI. Project Selection Process: Design-Build vs Design-Bid-Build SCDOT

- SCDOT gave general overview of Chapter 2 from the Design-Build Procurement Manual.
 - Projects presented to design-build group through a variety of internal channels that include Maintenance, RPG's, Construction, etc.
- ACEC questioned if there were exclusionary items that would remove a project from design-build consideration.
 - SCDOT indicated there can be certain constraints or triggers that would encourage design-bid-build project delivery (i.e. level of plan development, lack of schedule constraints, allowances for innovation, etc.) and vice versa.
- SCDOT demonstrated [FHWA CASE Tool](#) utilization for current method for project delivery selection workshop.
 - CASE tool can analyze short and long-term projects.
 - SCDOT indicated that there is still engineering judgment or discretion utilized independent of the results from the CASE tool.

- ACEC questioned if other project delivery methods were analyzed or scored.
 - SCDOT indicated that there are other methods built into each CASE tool analysis to include CM/GC and Progressive Design-Build.
 - SCDOT indicated the Alternative Delivery (AD) Office is in the process of being setup with the Department. AD will include design-build and SCDOT believes other forms of project delivery, such as those referenced above, may be authorized in the coming years.

VII. Utility Presentation

ACEC

- Presentation by Oriana Roumillat.
 - CCR utility challenges highlighted.
 - Early right of way and utility coordination is successful and is encouraged to be developed as a priority on most projects.

VIII. Contract Commitments: Continued Discussion

ACEC

- ACEC/AGC have provided an exhibit from TxDOT that sets forth proposal commitments included within the design-build contractor's proposal.
 - This is included in Exhibit 2, Appendix 1, Design-Build Contractor's Proposal Commitments. This becomes an area of negotiation after contract award but prior to contract execution. These commitments become contractual upon execution.
 - Appendix 2 lists ATCs that the design-build contractor included within its proposal.
- SCDOT has concerns that post award innovation would be sacrificed or stifled if a hard line is taken on the entire Technical Proposal being a commitment.
 - Potential for many paths forward, commitment matrix, technical proposal language/commitments, limited negotiations, scope validation, use of Communications to memorialize commitments, etc.
 - SCDOT will review TxDOT information along with previously submitted language from ACEC and AGC and develop a path forward. **[ACTION]**
- ACEC suggested inclusion of a discussion related to what is/isn't a commitment within the technical proposal when question/clarification discussion occurs.

IX. Standard of Care Language Within RFP

ACEC

- ACEC recommends the language utilized in some recent procurements (i.e. CCR Phase 2) should be included within all RFPs.
 - ACEC advocates standard of care language inclusion wherever applicable.
- SCDOT indicates they intend to incorporate this as boiler-plate language moving forward.
 - AGC requests opportunity to circulate current iteration of language for review/comment. **[ACTION]**

X. CEI Discussion

AGC

- AGC gave an update and indicated this is under discussion, outside of the Sub-Committee, for potential future inclusion at meetings.

XI. MOT Process: Preliminary/Prep

ACEC (Updated from AGC)

- ACEC inquiring on SCDOT approach to inclusion of MOT within technical proposal and prep contracts.
- SCDOT has continued to evaluate how best to include MOT requirements within RFP.
 - The expectation of provided MOT information and criteria is related to project complexity.
 - Conceptual MOT plans have been beneficial on most design-build projects.
- AGC encouraged leaving room for innovation (i.e. not require too much detail or commitments related to MOT at technical proposal phase).

XII. Schedule of Values: Continued Discussion

AGC

- ACEC/AGC requested an update on standard template for Schedule of Values related to design-build contracts.
- SCDOT to coordinate with Director of Construction Office and Field Offices to determine a consistent Schedule of Values for design-build contracts. **[ACTION]**
 - Need to compare/contrast with internal cost-estimating and related bid items.
 - Intent is to utilize or have this Schedule of Values for all design-build projects (i.e. most/all values could be utilized).

XIII. Open Discussion

- No additional items discussed.

XIV. Action Items

- SCDOT to continue to review insurance and bonding language comments and provide revised version to AGC/ACEC for further review.
- ACEC/AGC to circulate new shop drawing language comments to industry for review and comment.
- SCDOT to provide update on proposed changes to shop drawing process for CCR Phase 3 as the RFP develops.
- SCDOT/ACEC/AGC to discuss potential new RFQ language suggestions and/or scoring techniques for SOQ evaluations with stakeholders.
 - Additionally, gather feedback regarding when and how SOQ scores should be released?
- SCDOT to review and discuss examples of commitments from other states (provided by ACEC/AGC) and potential changes/implementation.
- AGC to circulate current version of standard of care language to stakeholders for review and comment.
 - SCDOT to discuss with internal Policy Committee
- SCDOT to coordinate with Director of Construction Office and Field Offices to



determine a consistent Schedule of Values for Design-Build contracts.

XV. Next Meeting Date: 9/15/2021 @ 9:00 AM (SCDOT Lead)

XVI. Adjourn

