
Agenda
SCDOT/ACEC/AGC Design-Build Sub-Committee Meeting
09-16-20 @ 9:00 am

I. Welcome/Introductions

- Chris Gaskins
- Austin Purgason
- Kevin Harrington
- Will McGoldrick
- David Hebert
- Josh Quattlebaum
- John Caver
- Barbara Wessinger
- Lee Bradley
- Robert J Heibel Jr.
- Pete Weber
- Rob Loar
- Elham Farzam
- Jim O'Connor
- Paul Raad
- Erin Slayton

II. Project Updates

SCDOT

- I-77 Panther Interchange in York County – In procurement, currently evaluating SOQs, announcing short-listed teams on 9/23/20, RFP for IR to be issues on 9/24/20.
- Carolina Crossroads Phase 1 – In procurement, currently evaluating Preliminary ATCs, Bid Opening 3/8/21.
- Carolina Crossroads Phase 2 – In procurement, currently evaluating SOQs, announcement of short-listed teams on 9/28/20, RFP for IR to be issues on 10/2/20.
- Closed and Load Restricted Bridges 2021-1 –District 4 with 9 bridges. In project development. RFQ in 1st Quarter of 2021.
- Cross Island Parkway Toll Conversion – Toll plaza removal, pavement strengthening, limited bridge rehab. Awaiting formal concurrence on delivery method and initiating project development in house. RFQ 1st or 2nd quarter of 2021.
 - In House Prep work is anticipated
- I-20 over Wateree, River and Overflow Bridges – Initiating on-call task order to evaluate rehab versus replacement. RFQ in 2021 or 2022 depending on project type.
- Carolina Crossroads Phase 3 – RFQ in 2022
- Mark Clark Expressway – Continuing development of Supplemental EIS. RFQ in 2023
- I-26/I-95 Interchange Improvements – Awaiting PE funding.

- Low Country Corridor West and I-26/I-526 Interchange – ROD is expected in 2022 and RFQ could move to 2027.
- Low Country Corridor East – Currently in project development and NEPA. Procurement timeframe TBD.

III. Action Items from 07-15-20

- A. SCDOT to incorporate check writing comments into the ROW Acquisition Language. (OPEN)
- B. SCDOT to revise the entire ROW section in the agreement. (OPEN)
- C. AGC/ACEC to provide examples of past design optimization attempts. (CLOSED)
 - ACEC members prefer to address SCDOT directly on this issue and not in an open forum.
 - ICE can share 14 issues on 4 projects, 3 are complete.
 - ACEC is reluctant to reveal to a large group. Most are certain that issues will come up again and could give others an advantage.
 - A meeting with FHWA and SCDOT would be preferable.
 - Issues equate to short-term ability to create a lump-sum bid. Shorter procurement time equals more issues.
- D. SCDOT to continue to review comments on Design Optimization language in RFP. (OPEN)
- E. AGC to provide comments on the Extended Jobsite Overhead sections of the agreement (CLOSED)
 - Is it possible for Proposer to provide overhead rate in Proposal?
 - Chris Gaskins will set up an independent meeting with HQ Construction and AGC to determine specific language.
- F. AGC to provide proposed revision language on schedules; recently received feedback, Dave will circulate for comments before the next meeting. (OPEN)
 - Make sure weather language accounts for rain and seasonal temperature.
 - Goal is that impact of weather is clear, so the contractor can account for it.
 - Bruce Wells was unable to attend. He will be involved with further discussion.
- G. SCDOT to review and respond to AGC/ACEC feedback on Design-Build Rehab concept. (CLOSED)
- H. AGC/ACEC to provide SCDOT state names and point of contacts where they provide SOQ debriefs of shortlisted teams after shortlist process in lieu of waiting until contract award. (CLOSED)

IV. Ranking of Quality Credits/Added Value

AGC

- SCDOT stated that on US 1 over I-20, right of way turned out to be a front runner for quality points. In addition, the operational improvements resulting from the grade separation were also high scoring for added value. SCDOT is not confident it would be in our best interest to list in order or define the value we would assign to certain items. This might result in teams heading in the wrong direction to try to gain points while missing other beneficial opportunities.

- It's possible that if SCDOT had ranked right of way as the priority and assigned 30 points, we would have had walls and other less than desirable options presented to shave right of way to the bare minimum. In addition, we could have possibly lost the benefit of the grade separation. We need to be able to award points for innovation that we cannot or do not predict.
- The issue that the Proposers have is a balancing act of which items carry most importance to SCDOT.
- ACEC and AGC suggested that specific, quantitative information is ideal.
- SCDOT has shown ability and willingness to award points for innovation, which excites more innovation from teams.
- Teams would like to have each item assigned a specific point value, i.e. "Tell us what you want".
- SCDOT is concerned about pushing a team to a specific item, and pulling them away from an innovation they could provide, which may be a better value.
- SCDOT stated that ranking is possible, but weighting the items is unlikely.
- SCDOT is committed to Quality Credits.
- Confidential meetings and communications are the most important part of the process.

V. DBE Committal Requirement

SCDOT

- SCDOT DBE Office wants a committal up-front at time of bid and prior to construction.
- ACEC stated that DBE firms feel excluded from design-build.
- In addition, DBE firms are concerned about payment during project, and receiving as much work as they were promised.
- Current process allows early DBE involvement, but most of the time they are limited to construction activities.
- Professional services are a part of current DBE language.
- AGC – 2% at time of bid may lead to over-commitment.
- ACEC – Price should be determined by the DBE, similar to how Prime firms are handled.
- AGC - Percentage should remain low, 2% seems unreasonably high for professional services, even just for design. If a professional service goal is required, it may need to be closer to ½% or 1%.
- ACEC – Confirmed that whether there is a professional service goal or not, the overall goal should be achieved, and will consist of a blend of professional services and construction.
- ACEC – Concerned about having a DBE firm commit to professional services and then under perform. Referenced a specific example.
- ACEC - Stated that we do not have a stable set of DBE design firms in South Carolina. May have to go to Georgia or North Carolina, or further to get DBE resources. The problem arises when SCDOT DBE office mandates professional services as a requirement and there are not enough firms present in South Carolina; and the firms that do exist may already have more work than they can handle.

- ACEC – DBE firms are not interested in risk associated with design-build.
- ACEC – We are not just talking about design, we are discussing professional services as a whole.
- ACEC – What is SCDOT DBE office’s real goal here? Are we after a larger goal or specifically professional services?
- ACEC – Reinforced that DBE firms are unwilling to accept risk.
- ACEC – DBE firms outside of South Carolina do not want to come to SC because they are very busy in their own state.
- ACEC – SCDOT should seriously consider DBE utilization on design-build prep work.
- SCDOT – Gary Linn is already looking at DBE utilization on preliminary engineering and NEPA work.
- SCDOT summarized the following.
 - ACEC has concern with what is committed to up front versus what is actually handed out to DBE firm post contract execution. ACEC also has concern with liability with DBE firm once agreement signed with Prime.
 - Committing to a percentage at time of bid is a serious concern of AGC and ACEC. Industry is not interested in committing to a percentage at time of bid.
 - AGC has no problem with professional service requirement being encouraged, just no mandate. SCDOT may be able to strengthen the professional service requirements. Encouraging the use of a professional services toward an overall DBE goal has been well received by AGC and ACEC.
 - This leaves two questions.
 1. What is the SCDOT DBE office really trying to accomplish with mandating 2% at time of bid?
 2. What is the goal of the SCDOT DBE Office relative to a professional services requirement?
- Chris to set up meeting with Gary Linn in DBE office to share this information and discuss path forward.

VI. CPM Schedule in Technical Proposal

SCDOT

- Concept is not an issue, implementation will require some discussion.
- SCDOT is concerned with reasonableness of the schedule.
- Could impact technical score if the schedule is unreasonable.
- Georgia has a similar process in place.
- Texas has a detailed CPM schedule process for technical proposals.
- How much latitude is there between the technical proposal CPM and the baseline schedule?
- Short duration projects may be more difficult to provide CPM schedules.
- Contractor should have it already.

VII. Open Discussion

- None

VIII. Action Items

- SCDOT to incorporate check writing comments into the ROW Acquisition Language.
- SCDOT to revise the entire ROW section in the agreement.
- SCDOT to continue to review comments on Design Optimization language in RFP.
- SCDOT to schedule an independent meeting with AGC to discuss field overhead rates.
- SCDOT to review “Recommended Changes to SCDOT Weather Spec” and discuss and next meeting with Bruce Wells present.
- SCDOT to internally discuss DBE findings and report back to Subcommittee a position.

IX. Next Meeting Date November 18, 2020, 9:00 AM (AGC Lead)

X. Adjourn