

## ACTT Steering Committee Meeting Minutes

03/03/20

12:30pm - 3:30pm

Turnpike Turkey Lake - Rm 3001

### Past Business:

#### 1. Design Build Pushbutton Task Team (Larry Ritchie)

- Summary from Kickoff Meeting
  - *Meeting held 02/19/20*
  - *Discussed:*
    - *Opportunities for improvement*
    - *History of program*
    - *Short- and long-term goals*
    - *Lengthening contract duration and increasing amount of TWO*
    - *Different percentages for design and mobilization*
    - *History of stipends*
      - *Only DBPB model doesn't have stipends*
    - *How to best bid for master pay item list (1,500 Items)*
      - *Originally started as safety improvements*
      - *Goal is to set master pay item list, so it is more focused*
    - *ACEC needs to be added next round*
      - *Especially in terms of design fees*
    - *Bid Factor Bulletin needs to be reviewed further*
      - *D3 and D5 both had one in which had to let more than once because of bids*
  - *Meeting minutes will be sent to Steering Committee*
  - *Next meeting TBD*

### ACTION ITEMS:

- **Larry to send meeting minutes to the Steering Committee**

#### 2. General Tolling Requirements (Christina Colon)

- Summary from Industry Meeting
  - *Industry Review of October 2019 GTR for 2020 Update*
  - *January Face to Face Meeting*
  - *Published in 2020 with many of the comments from the review*
    - *Provide a Link to the manual in Meeting Minutes*
  - *Plan for follow up review in Summer 2020 and possible routine meeting at FTBA 2021 construction conference*
  - *Takeaways was lack of communication*
  - *Key changes:*

- *Tolls Operation group moved to Design through the District Design Engineer*
- *Looking at items that could be standard specification or drawings and working on taking bites out of it where can*
  - *First up is toll buildings*
- *Rewrote so now a design manual and talking to the EOR*
- <http://www.floridasturnpike.com/design.html#gtr>

## **New Business:**

### **3. DB Procurement and Risk Register (Ananth Prasad)**

- **General Discussion/Risk**
  - *Ananth - Need a reset on DB, not working at optimum intent. Some contractors not interested in pursuing anymore because risk is too high. Want to shift the risk. Although management is fair and reasonable, the fear is that it could change and need it written down that risk should be shifted. Many DB firms are looking hard to whether want to pursue as margins are going down.*
  - *Dan - Feels there is room for improvements in different areas for risk. Such as early coordination and FDOT doing work ahead of time but still allowing innovation*
  - *Ananth - what about a dedicated Risk Register one-on-one meeting ahead of time with each DB team? Then FDOT can decide who is best fit to manage those particular risk.*
    - *AJ - At least for FDOT to have takeaways and then have list of risk allocation items*
  - *Pete - Wants to develop task team to discuss in smaller group on how to move the needle*
- **Utility**
  - *FDOT is willing to dedicate resources and help facilitate with obtaining the utility schedules etc.*
    - *Assign Department representative to help utility coordination*
      - *Could be a FDOT FTE or a consultant but someone that represents the Department to sit at the table*
  - *AJ - Believes Departments commitment is step in right direction*
    - *Gene - Issues is making them do the work*
  - *Kerrie - Have been doing just this and the District still didn't have the hammer*
  - *Robert - Set aside a fund of money and separate utilities into its own pot? Possibly cost sharing.*

- Differing Site Conditions
  - *Specification as written is good but just don't take out of the contract like on Howard Franklin*
  - *Big water crossings can be issue*
- ROW
  - *Not a real big issue*
- Geotechnical
  - *Still a big issue.*
  - *Miami Tunnel there was some risk sharing thresholds and could implement on all DB projects*
  - *Is lack of information the issue?*
    - *Depends, each project is highly variable*
    - *If don't see the information needed, the DB team may ask Department to do more borings and sometimes they will and sometimes they won't*

**ACTION ITEMS:**

- **Dan and Ananth to provide names to Joe Santos to develop a smaller group to help move the needle**
- **Ananth to send FTBAs Draft Utility Specification to Dan for review**

4. DB Written Declaration (Larry Ritchie)

- *Language was originally developed by Greg Schiess for large complex jobs only and the language was meant to be a catch all*
- *The Department is willing to remove the language*
- *AJ – Currently used at bid protests*
  - *Ananth – Don't remove yet*

**ACTION ITEMS:**

- **Larry to send Declaration language to Ananth for him to review**

5. DB Stipends (Ananth Prasad)

- State of Economy (Lots of Work), teams deciding against DB pursuit due to cost and risk
- Costs of ATCs
  - *Ananth - need to revisit because current stipends not going anywhere*
  - *Walt - Seen where contractor and design firms not agreeing to upfront and teams dropping out on shortlist because not agreed upon. Some LBDB plans need to be updated yet no stipend built in.*
    - *Kerrie - Don't pay on LBDB nor DB pushbutton*

- *Ananth - bigger issue is on complex projects with ATCs*
  - *Kerrie - burning the stipend on ATCs?*
    - *Yes*
  - *Robert - Complex interchanges need to be remodeled and not enough stipend to do so*
- *Ananth - Fraction is disproportional on complex projects*
- *Pete - Stipends is based on Departments estimates and the Departments estimates have been incorrect lately*

**ACTION ITEMS:**

**Robert to provide recommendations to Joe and Dan, along with some examples**

6. Innovation (Ananth Prasad)

- Prescriptive RFPs and GEC not helping cause
- Are Districts interested in ATCs? Costly to pursue and told no
  - *Ananth - Post selection preferences, too prescriptive with RFPs and being told no, but don't know the stats on that statement*
  - *AJ - Need to balance the items which the Department doesn't want, and thou shall not, versus those likely not to approve but still can propose.*
  - *Ananth - Appear Department is going too far with thou shall not*
  - *Dan – Need to strike balance between innovation and delivery*
  - *Ananth - Part of ATC could be added time*
  - *Tim - once you start construction you are still in design so how does that work*
    - *Robert - makes you think*
    - *Ananth - Believes in Site Manager there must be a start time to process design payment but possibly have two separate Notice to Proceeds (NTPs)*

**ACTION ITEMS:**

**Ananth to further discuss with Dan Hurtado and Tim Lattner the concept of two NTPs, one NTP for design and one for Construction**

7. TRC Training (Dan Hurtado)

- Status
  - *Dan - This was discussed at Henry Fuller Task Team*
  - *Solicited Districts for best practices*
  - *Larry Ritchie to develop TRC master class on how to be effective*

- Inconsistencies amongst TRC members
  - *AJ - TRC needs to see big picture and be well rounded*
  - *Dan - Looking at a certain item, if not a high dollar percentage, don't have such a big deciding swing on that item*
  - *Keith - Looking at the overall project ahead of time and the items which are more valuable and important, emphasize those items. Spread for value.*
  - *John – Adjectival grading where TRC doesn't know the point values and an independent 4th person (Director) picks the weighted value. What about a pilot?*
    - *AJ - Had on one project*
  - *Ananth - Lots of states do it, maybe try on smaller job*
- Provide Certification
  - *Ananth - Provide some sort of certification, maybe elevate with DBIA?*
    - *Inconsistencies such as writing kudos comments about proposals when item is already required per RFP, so did that get extra weight?*
    - *Larry - Sometimes the TRC members aren't the expert*
  - *Ananth - so one gives favorable marks where another tanks the firm*
- Fulltime TRC (Projects >\$100 million)

**ACTION ITEMS:**

- **Ananth and Robert to send Dan a list of elements which they believe would make a person a suitable TRC member**

8. Progressive DB & Construction Manager/General Contractor (CMGC) (Amy Tootle)

- Workshop tentatively scheduled April 24th @ Turnpike
- Progressive DB
- CMGC
- General Discussion:
  - *Ananth - Bigger grenade from public policy standpoint because pick contractor on technical proposal and not competitive. Governor's office likes low build because of the competition. Negotiating with contractors will not go well. Industry in general not interested, especially not CMGC*
  - *AJ - Feels we will lose value of innovation*
  - *Pete – It's an open book process and showing the sub's prices. Allegedly negotiate the risk but will client believe what the contractor's risk is?*
  - *Gene – As plans are developed, the risk should be eliminated?*
    - *Yes*

- *Possible SME's are Maryland, Utah and Arizona*
- *Meeting time ran out and the group did not have a complete discussion on this Agenda item*

**ACTION ITEMS:**

- **Ananth and Robert to email Joe a list of items their steering committee members would like to hear about in a workshop**

9. Alternative Contacting Task Team Meeting (Amy Tootle)

- July 9<sup>th</sup> @ Turnpike
- Notice via FDOT Website/FTBA/ACEC

**ACTION ITEMS:**

- **Larry and Joe will work on noticing this meeting**

**Attendees:**

1. Amy Tootle
2. Larry Ritchie
3. Dan Hurtado
4. Scott Arnold
5. Tim Lattner
6. John Tyler
7. Keith Slater
8. Christina Colon
9. Kerrie Harrell
10. Joe Santos
11. Ananth Prasad
12. AJ Demoya
13. Pete Kelley
14. Gene Strickland
15. Felipe Jaramillo
16. Gayle Grady (Substitute for Ryan Forrestell)
17. Robert Carballo
18. Gus Quesada (Via Phone)
19. Walter Kloss
20. JC Miseroy (Guest)