INDOT new commissioner and Issue Resolution Process

INDOT welcomes Commissioner Brandye Hendrickson to her new position. Hendrickson served as the Deputy Commissioner for the Greenfield District since 2007 and served as Interim Commissioner during the summer of 2013.

Within her first week as commissioner, Hendrickson promptly relieved concern about an agency policy that restricted post-employment opportunities for INDOT staff.

In addition, Hendrickson released an Issue Resolution Process that will be used by INDOT for outstanding consultant issues that are not worked out in the normal course of events. Per the Commissioner’s instructions, this is a simple and informal communication process which makes it clear to INDOT personnel that their supervisors are committed to helping in the solution of any difficult problem.

If an issue persists despite the best efforts of both sides, the Issue Resolution Process contemplates the elevation of the issue to the next level in their respective organizations.

Consultants are encouraged by INDOT to utilize this process and to elevate issues whenever necessary, but there are no legal or financial obligations imposed by it. No adverse consequences for the consultant will occur because the consultant elevated an unresolved issue in accordance with this informal Issue Resolution Process.

Click here for the full Issue Resolution Process and Flow Chart.

Indiana top scholar receives $15,000

ACEC Indiana was recently informed that scholarship applicant Mariah Schroeder received ACEC National’s $10,000 ACEC Scholar of the Year award. This award amount is in addition to the $5,000 awarded from ACEC Indiana.

Schroeder will enter her master’s year at Purdue University, studying Civil Engineering. She maintains a 3.63 GPA while serving in several leadership roles in student organizations such as the Civil Engineering Student Advisory Council, Student Ambassador of the Lyles School of Civil Engineering, Secretary for the Purdue Air and Waste Management Association and active within ASCE.

Please make plans to attend or sponsor at the Annual Scholarship Golf Outing on August 27, which proceeds other top scholars pursuing degrees in the engineering field. For more information and to register, please click here.

Additionally, at Stephanie Morse’s retirement celebration on May 7, the ACEC Indiana membership presented her with a $5,000 special “Stephanie Morse Collegiate Scholarship” recognition. This scholarship will be awarded with the 2016 scholarships in dedication to Stephanie’s commitment to providing funding for students pursuing degrees in engineering.

If your firm needs INDOT certification for Erosion & Sediment Control Training, contact Colleen Merkel at staff@acecindiana.org or (317) 637-3563.
4.6 Informal Issue Resolution Process - Consultant

This is a bilateral resolution process and may be initiated or elevated by a consultant or by INDOT. By using the Steps of this Issue Resolution Process, a party may provide informal notice to the other party of important issues that remain outstanding and allows the parties an opportunity to cooperate in the resolution of those issues.

Whenever appropriate, an issue should be elevated to the next Step to provide for timely resolution. If necessary, INDOT will make available a Deputy Commissioner at the appropriate Step to participate in this process. However, the goal is to resolve issues promptly at the earliest Step in the process.

The consultant is encouraged, without any adverse consequences, to elevate unresolved issues in accordance with this informal Issue Resolution Process. No contractual, legal, or equitable rights or obligations of INDOT or of the consultant shall be created, enhanced, released, delayed, or otherwise affected because that party participated in this informal Issue Resolution Process.

The Steps to the informal Issue Resolution Process include (from INDOT’s perspective):

- In Step 1, consultant or INDOT’s Project Manager sends (by email or letter) to the other party a description of the important issue that remains outstanding. Project Manager then meets with the consultant and attempts to resolve the issue.

- If the issue is not resolved in Step 1, Project Manager discusses the issue with his or her supervisor described below and completes an online issue form, which will include the written Step 1 description and any written Step 1 response. The issue will then be elevated to the Project Manager’s supervisor, who becomes the Step 2 owner of the issue, and to the supervisor for the consultant:
  - If a District issue, Project Manager discusses the issue with (and elevates the issue to) INDOT’s Capital Program Manager Director for that District (District CPMD), who becomes the owner of the issue for Step 2.
  - If a Central Office Capital Program issue, Step 2 is omitted since the Statewide Capital Program Manager Director (“Statewide CPMD”) is the supervisor and will become the Step 3 owner of all issues involving a consultant.
  - If an Engineering & Asset Management Department issue, Project Manager discusses the issue with (and elevates the issue to) the Director of the appropriate Division of that Department, who becomes the owner of the issue for Step 2.
  - If the issue is elevated to Step 2, the Step 2 owner of the issue reviews the online issue form, contacts the appropriate counterpart in the consultant’s chain of command, and
schedules a meeting with the consultant. If the issue involves a District, then INDOT’s Deputy Commissioner for that district (DDC) is to be notified.

• At the Step 2 meeting, the Step 2 owner of the issue (with assistance from Project Manager and, if appropriate, from the DDC) attempts to obtain the consultant’s agreement as to the scope of the issue, explains INDOT’s preferred resolution and considers any alternative resolution offered by the consultant, and sets a reasonable deadline for necessary action by the consultant and/or by INDOT.

• After the Step 2 meeting, the Step 2 owner of the issue sends (by email or letter) to the consultant a description of the action expected from the consultant and/or INDOT in order to resolve the issue. The consultant is urged to respond promptly in writing to the Step 2 owner and either indicate the consultant’s agreement with the Step 2 owner’s writing or specifically disagree with any particular point.

• If the issue is not resolved in Step 2, the Step 2 owner or the Central Office Capital Program Project Manager discusses the issue with the Statewide CPMD and updates the online issue form, which will include the written Step 2 description and any written Step 2 response. The issue will then be elevated to the Statewide CPMD, who becomes the Step 3 owner of the issue, and to the appropriate management personnel of the consultant.

• If the issue is elevated to Step 3, the Statewide CPMD reviews the online issue form, contacts the appropriate counterpart in the consultant’s chain of command, schedules a meeting with the consultant, and notifies the Deputy Commissioner-Legal (DC/L), the Consultant Contracting Manager (CCM), and the “Contract Owner” (CO).

• At the Step 3 meeting, the Statewide CPMD (with assistance from the Step 2 owner, Project Manager, and, if appropriate, from the DC/L, CCM, and CO) attempts to obtain the consultant’s agreement to complete INDOT’s preferred resolution, considers any new alternative resolution offered by the consultant, and sets a reasonable deadline for necessary action by the consultant and/or INDOT.

• After the Step 3 meeting, the Statewide CPMD sends (by email or letter) to the consultant a description of the action expected from the consultant and/or INDOT to resolve the issue, and provides a copy to everyone at INDOT involved in Step 3. The consultant is urged to reply promptly in writing to the Statewide CPMD and either indicate the consultant’s agreement with the Statewide CPMD’s writing or specifically disagree with any particular point.

• If the issue is not resolved in Step 3, the Statewide CPMD discusses the issue with the appropriate Deputy Commissioner described below and updates the online issue form, which will include the written Step 3 description and any written Step 3 response:
• If an Engineering & Asset Management Department issue, the Statewide CPMD discusses the issue with (and elevates the issue to) the Deputy Commissioner-Engineering & Assets Management (DC/EAM) for Step 4.

• For all other issues involving a consultant, the Statewide CPMD discusses the issue with (and elevates the issue to) the Deputy Commissioner-Capital Program Management (DC/CPM) for Step 4.

• The issue will then be elevated to the appropriate Deputy Commissioner, who becomes the Step 4 owner of the issue, and to the appropriate executive management personnel of the consultant. The Commissioner reserves the right to designate INDOT’s Chief of Staff or another Deputy Commissioner as the Step 4 owner of the issue.

• If the issue is elevated to Step 4, the Deputy Commissioner (or Commissioner’s designee) reviews the online issue form, contacts the appropriate counterpart in the consultant’s chain of command, schedules a meeting with the consultant, and consults with the DC/L, Statewide CPMD, CCM, and the CO.

• At the Step 4 meeting, the Deputy Commissioner or Commissioner’s designee (with assistance from the Statewide CPMD, Step 2 owner of the issue, and Project Manager and, if appropriate, from the DC/L, CCM, and CO) attempts to obtain the consultant’s agreement to complete INDOT’s preferred resolution, considers any new alternative resolution offered by the consultant, and sets a reasonable deadline for necessary action by the consultant and/or INDOT.

• After the Step 4 meeting, the Deputy Commissioner or Commissioner’s designee sends (by email or letter) to the consultant a description of the action expected from the consultant and/or INDOT to resolve the issue, and provides a copy to everyone at INDOT involved in Step 4. The consultant is urged to reply promptly in writing and either indicate the consultant’s agreement with the writing of the Deputy Commissioner (or Commissioner’s designee) or specifically disagree with any particular point.

• If the issue is not resolved in Step 4, the Deputy Commissioner or Commissioner’s designee updates the online issue form, which will include the written Step 4 description and any written Step 4 response, discusses the issue with the DC/L, CCM, and CO to determine INDOT’s next course of action, and notifies the Commissioner.
# Informal Issue Resolution Process—Consultant

*The consultant is encouraged to use this process to raise issues and to elevate unresolved issues to the next step.*

## Step 1: Identification of Issue and Initial Communication

Consultant or INDOT’s Project Manager (a) identifies issue; and (b) notifies other party in writing, describing issue.

## Step 1: Initial Meeting with Consultant

Project Manager meets with counterpart from consultant and attempts to resolve issue.

## Step 1: Issue is Resolved; Or

Project Manager (i) discusses issue with his/her supervisor; (ii) completes online issue form; and (iii) elevates issue to the supervisor, who becomes Step 2 owner of issue.

## Step 2: Supervisor Meeting with Consultant

Supervisor (1) attempts to obtain consultant’s agreement as to scope of issue; (2) explains INDOT’s preferred resolution and considers any alternative resolution offered by consultant; and (3) sets reasonable deadline for necessary action.

## Step 2: Review of Issue by Supervisor

Supervisor (a) reviews online issue form; (b) contacts counterpart from consultant; (c) schedules a meeting with consultant; and (d) if issue involves a District, notifies the DDC.

## Step 3: Review of Issue by Statewide CPMD

Statewide CPMD (a) reviews online issue form; (b) contacts counterpart from consultant; (c) schedules a meeting with consultant; and (d) notifies DC/Legal, Consultant Contracting Manager, and “Contract Owner.”

## Step 3: Statewide CPMD Meeting with Consultant

Statewide CPMD (1) attempts to obtain consultant’s agreement to complete INDOT’s preferred resolution; (2) considers any new alternative resolution offered by consultant; and (3) sets reasonable deadline for necessary action.

## Step 3: Issue is Resolved; Or

Statewide CPMD (i) discusses issue with DC/EAM or DC/CPM; (ii) updates online issue form; and (iii) elevates issue to DC-EAM or DC/CPM (or Commissioner’s designee), who becomes Step 4 owner of issue.

## Step 4: DC/EAM or DC/CPM Meeting

DC/EAM or DC/CPM (1) attempts to obtain consultant’s agreement as to scope of issue; (2) explains INDOT’s preferred resolution and considers any alternative resolution; and (3) sets reasonable deadline for necessary action.

## Step 4: Review of Issue by DC/EAM or DC/CPM

DC/EAM or DC/CPM (or Commissioner’s designee) (a) reviews online issue form; (b) contacts counterpart from consultant; (c) schedules a meeting with consultant; and (d) consults with DC/Legal, CCM, and “CO.”