**Innovative Contracting Advisory Committee**

**Meeting Minutes**

February 3, 2015, 1 PM – 2:30 PM

CDOT HQ Bridge Conference Room

**In Attendance:**

|  |  |
| --- | --- |
| Nabil Haddad, CDOT Innovative Contracting  Ben Acimovic, CDOT R1  Tim Maloney, Kraemer  Elizabeth Kraft, Parsons  Reza Akhavan, Jacobs  Scott Epstein, Pinyon Environmental, Inc.  Tamara Maurer, CDOT R1  Randy Jensen, FHWA  Jordan Rudel, CDOT PMO, Env. | Cory Kindle, CDOT-R5 Phone  Jeff Seiders, RKI/Austin  Justin DuMond, Skanska  Mark Talvitie, Jacobs  Alan Eckman, AE Com  Bruce Hamon, Hamon  Frank Kinder, CDOT |

**Summary of Discussions**

1. **Introductions**
2. **ICAC 5 year anniversary** 
   * Acknowledgement to the committee and special thanks to those who had been there from the beginning. Keith Molenaar, Tim Maloney, Jim Moody, Randy Jensen, Nabil Haddad, and Neil Lacey
3. Update of Commission Workshop/CMGC on January 21, 2015

Biggest concern overall cost and contractors have is to level opportunities across the board, but was advised to forge ahead with the CMGC program once the project team had ran through the selection matrix. Pilot Streamlined CMGC to see how that works as well as how it can be as an opportunity for all contractors across the board.

Randy Jensen, FHWA, suggested that the ICAC make a recommendation to the Chief Engineer that risk based cost estimate be done on all projects greater than 15 Million.

FHWA has a 4 to 8 hour workshop that would be good for the project team, the contractors thought it might be good to invite industry as well.

Ben Acimovic said that work needs to be done to determine the software as well as determining the level of depth to be utilized.

The contractors agreed that it would be more able to capture real time situations that effect pricing as well as production.

1. Subcommittee Updates:

* CMGC subcommittees update:
  + - Industry Relations (Ben Acimovic)

Meeting to be held first week of March.

Work as true partners, not one hired by the other.

Matrix of Delivery Method

Qualification resume of project experience

Sort List

Interview

Need to take a strong look at Possible Price Component, but difficult as there are changes to phasing, timing, etc.

This will require further discussion, since there needs to be a CAP.

Possible idea for the matrix is to have a 2nd tier to determine method.

* + - Best Practices- Internal to CDOT (Tammy Maurer)

Meeting next week to be attended by staff working on CMGC so they can share experiences of lessons learned

Look at CMGC training for CDOT and contractors that would be effective in increasing the delivery of projects.

* Quality Programs subcommittee update: (Wayne Pittman/David Brown) (assigned to Elizabeth Kraft this meeting.

TRB Prospective

Oversight and Material Testing

Quality for new alternative project management

Jeff Seiders from Texas is working on definitions.

To meet FHWA Technical Advisory with the TxDot defined terms, TxDOT developed a matrix to trace the various TxDOT process to the Federal Requirements.

The Quality Program needs to recommend to management that the CE rate is applied appropriately as to where the work is being performed.

* Environmental Sub-Committee (Jordan Rudel provided the update this meeting)

Two meetings have be conducted with the final draft version of their charter determined. Once the sub-committee has their final review, then the charter will be sent to the ICAC for review.

Risks up front on D-B Process – Determine where environmental need is in each of the processes.

Prioritize where the highest risks occur. Benefit to have breakout sessions with a product(s) to facilitate the environmental process.

Cross section of group on the committee: FHWA, Consultants, Contractors, Environmental Specialty Group (CDOT and Consultants). Goal is that these groups would provide information in/out to their peers.

Technical working groups will be formed as needed based on topics to discover.

- Design-Build Manual update effort started

1st meeting yesterday. Core team identified (CDOT led with Consultant assistance), consisting of Regional representatives, HQ, Contracts and Market Analysis, PE III)

Pull in Subject Matter Experts (SME) for specific chapters to CMGC manual.

Sept time frame, review out for draft comments

Oct/Nov, produce final draft.

Many lesson learned.

FHWA- handle QA/QC changes. Living document to incorporate or modify as changes are necessary.

Environmental Section from the Env. Sub-Committee will be elevated as a priority to meet need.

Information will be sent out and gathered from the specialty groups.

Tim Maloney – team needs to look at previous RFI’s for questions that were previously raised in order to clean up templates and questions of the documents.

Look at past working changes in the past contracts.

Action Item (Nabil Haddad) – distribute D-B Manual outline for comments

- Criteria for Innovative Contracting Award Discussion (Jennifer Billings)

Need to determine criteria that is better suited to Innovative Contracts by December

Jim Moody had Design/Build call for entries for national awards to reference as possible criteria.

Jennifer and Jim planned to get a small group to work on the criteria this spring.

Jennifer offered to call out to other states to see what they are using if they have awards.

- DRB Specifications on Design-Build projects (Jim Moody)

Jim Moody, option for DRB for all D-B projects. Almost all projects add the specification. Tim Maloney has seen it useful, but not necessary on all projects.

Most project add DRB specifications on Innovative Contracting projects and most use them.

- On-call DRB on D-B projects (Jim Moody)

Less effective to bring up to speed then existing, but it is an option for the team.

Training would be helpful. Contracts allow that either party can request.

Bruce Hamon commented that DRB need to be championed as a positive and not as a black eye in resolving project issues.

Document in the manual the Pros/Cons and consideration in the manual when best to use standing/on-call DRB’s

1. Miscellaneous/Open Discussions

Jim Moody – Best and Final Offer (BAFO) Transparency is important. Contractors recommend that policy be developed on how CDOT will communicate outcome. Let the community know if BAFO was accepted or if there were scope changes.

Procurement Process – Design Bulletin was sent out on minimizing impact.

CDOT Design Bulletin: [Reducing Construction Duration and Minimizing User Impacts and Delays](https://www.codot.gov/business/designsupport/bulletins_manuals/design-bulletins/current)

FHWA, Randy Jensen recommended that Bruce Hamon, himself, Tammy Maurer and Neil Lacey form a working group to expedite several key items:

Collaborative effort with contractors earlier in the design process, constructability reviews, cost estimate reviews. A way to have issues identified or other options up front in the design process.

Start proceeding prior to April’s next meeting

1. Next Meeting: April 7, 2015, 1 pm – 2:45 pm, CDOT HQ Bridge Room 107B

[Reducing Construction Duration and Minimizing User Impacts and Delays — CDOT](https://www.codot.gov/business/designsupport/bulletins_manuals/design-bulletins/current/db-2015-1/view)