

MINUTES
JUNE 23, 2006 AM INDUSTRY LIAISON MEETING

CAPITAL IMPROVEMENTS

- David Rader suggests Brim(bridge) method with a cap
- Alan Hymen said cap method works well
- Troy Dover said to use Force Account
- Ananth Prasad asked for avenues to make this happen
- Andrea Warfield suggested speaking to Texas as they had a good method
- Group is interested in pursuing Capital Improvements
- Ananth suggested Public-Private Partnership (PPP) & unsolicited proposals
- D3 has Ponce-De-Leon Rest Area off of Interstate that can be a trial for private ventures
- D1 has two off Interstate – They want to combine these two on mainline
- Group wants to try private business on the 3 Non-Interstate Rest Areas
- Debbie Hunt recommends build, finance, operate, & maintain project for RA
- Ananth said goal of liaison group is to share ideas & discuss global-scale issues & to freely communicate
- Group will have Quarterly meetings
- Jimmy Rodgers mentioned that I.G. latest report was inconclusive – Can't tell if AM results in cost savings or not
- Ananth stated I.G. wants to look at AM Contractors' Books
- **ACTION ITEM** - Tim Lattner is going to send Dean Perkin's RA study to Industry so they can make capital improvement proposals
- **ACTION ITEM** - Jimmy (D3) volunteered to get group together to discuss first AM Cap Imp Project
- D1 wanted to hold off on their soon-to-be-let Project so they can maybe have a AMCIP also
- VMS said in Virginia, they had complete responsibility (Including Repave) & problem initially was local contractors feared they would never have opportunity to get the work – but 5 yrs later, problem never happened
- Going to get Bob Burluson involved in future sub-committee meeting about PPP & CIP
- Chuck Henningsgaard asked if they can get a guarantee of FDOT pushing these ideas through if they put effort into meeting – Ananth responded saying no guarantee, but we would figure out a way to make it happen
- Paul DeAngelo stated he supported all items discussed so far in meeting about Capital Improvements
- Jimmy said some fear might be from pre-qualified contractors worried that non-pre-qualifieds are covered under PPP
- Debbie & Jimmy taking lead on the PPP/CIP subcommittee

EMERGENCY RESPONSE

- Mike Sprayberry covered the proposed changes to Natural Disaster Response for new contracts (also plan to amend existing contracts)
- Group mentioned FDOT should work with AM Contractors for DDIRs
- Responsibilities of AM under new plan were discussed
- Necessity of a separate contract for any reimbursable work was stressed
- Bob Bourdon said VMS is already getting different instructions from various Districts
- Debbie said all incidents will be different – communication is the key
- FDOT stated we are going with the H-Contracts this year (will be amending existing contracts)
- Troy said keys to success are consistency/uniformity & working w/contractor
- Amy asked for clarification on evacuation responsibilities – evacuation services will be onus of AM Contractor
- Group had no opinion on who administers the H-Contracts, although they were leaning toward FDOT Administering
- **ACTION ITEM** - Mike Sprayberry will send AMCTT decisions/results to all in the Liaison group.

MRP

- FDOT informed industry that MRP will not be done by FDOT crews
- Industry suggests FDOT needs to procedurally make MRP every 4 months (to avoid a rating right at end of cycle then again at beginning of next). Some in FDOT pointed out it should not matter as the contracts require 80 MRP 100% of time (not just around MRP time)
- Industry wants to accompany FDOT on MRP – Sprayberry said language addressing this is in proposed new scope
- Industry wants dispute escalation matrix identified and clarified – FDOT said this should be done procedurally
- Industry wants to add partnering rules in Scope – FDOT thinks good idea
- **ACTION ITEM** - Mike Sprayberry will look at including the partnering specification used by construction in AM contracts.
- **ACTION ITEM** - Sprayberry is to look into a problem reported by DBI with some Districts not promptly sharing MRP results/info after they complete cycle

THIRD PARTY LIABILITY

- Paul DeAngelo says he has seen creative contract language protecting from 3rd party liability – will send to Ananth
- Looking at Phrasing “Indemnify only if negligent”
- Virginia was not successful w/ sovereign immunity extension language that Ananth has (this according to Andrea & Richard w/VMS)
- **ACTION ITEM** - Industry will send ideas to FDOT (Liability)
- **ACTION ITEM** - FDOT will send to Industry the current Spec Language
- **ACTION ITEM** - FDOT to modify procedure to eliminate \$300 claim limit

ACCOUNTABILITY

- FDOT made it known that we will request from AM contractors a specific schedule of when FDOT requested repairs will be made
- Group ok with providing schedule
- Debbie Hunt reminded AM contractors that if they have a bad/ineffective sub to please replace promptly. Do not use the subcontractor as an excuse for the work not being performed.

DISCUSSION

- Spoke about ways to add Incentive clause into AM contracts – VMS said Utah had a good one – AMCTT has already addressed this idea and said “no” – Sprayberry said the AMCTT will revisit this idea at their meeting this Wednesday. Industry like the Utah idea
- Group (FDOT and Industry) is ok with providing bonuses for better-than-85 MRPs - AMCTT will also revisit this idea at their meeting this Wednesday
- Next meeting October 12th from 9-2