

District 4/ACEC FL Liaison Committee Meeting Summary Notes
Friday, January 14, 2022, 3:00 PM

1) Action Items from the September 24, 2021, Meeting

- a) Consultant Team “availability” topic and follow up on coordination between Morteza Alian and Robert Bostian following the September 24th meeting – For non-CEI professional services (Planning, PD&E, Design, etc.), the District will continue considering key personnel availability and commitment to serve in the proposed roles. at the longlist and shortlist timeframe, Consultants may state their availability in the way they feel is most appropriate to get the point across. There will not be an expectation of providing % availability in the LOR.

It was also noted that availability will remain a critical consideration for shortlisting and final selection, by the TRC and Selection Committee, for CEI contracts.

- b) QA/QC – Level of effort and complexity of approach to achieve required objectives being revisited with the ACEC Transportation Committee. Determination of need to revisit this at a future meeting will be made by ACEC D4 group, following Florida ACEC coordination through the staffhour committee.
- c) ERC Responses level of effort - To be discussed with the ACEC Transportation Committee. Determination of need to revisit this at a future meeting will be made by ACEC D4 group, following Florida ACEC coordination through the staffhour committee.

2) Statewide Relations Committee Activities – Quarterly updates (September 2021 Meeting, as reported on October 8, 2021, Transportation Committee meeting)

- a) “Lessons Learned” on virtual meetings sent out to the Districts – two items were discussed that D4 is aware of. All public meetings will be held as “hybrid” with both virtual and in-person options being offered to the public. Also, use of places of worship for public meetings require special approval based on unique circumstances, and should be avoided. D4 is not using places of worship for public meetings.
- b) Grading: The final grade does not supersede the interim grades received; they are averaged together for an overall score. Carla is sending out the guidance (the formula used) and will share that with the committee. Kereisha Ottey ~~to~~ will check with Carla Perry on this matter and this item can be brought to the next meeting
- c) D7 sent a list of potential FDOT Cost-Savings Methods and Budget Reductions. Some ideas include:

o Negotiating rates better, modifying CDAF (but that's been tabled), distributions between PE and Non-PE, reduced plan submittals, virtual meetings, reduced efforts on typical sections, reducing drainage structure summary sheets, eliminating independent peer review for signing and marking, 3D model only when moving dirt, the production of ROW maps, etc. Gerry O'Reilly said that D4 has provided comments ~~into~~ related to the cost savings for Design and CEI projects report for legislature. Steve Braun indicated that ACEC provided input into the legislative report.

- d) As far as CEI, they're looking at expanding lump sum CEI, looking at rates, among other methods. – Matt explained that Lump Sum still required CO approval on a case-by-case project. It is considered a "pilot program" still. The program has been positively received and used so far in D4, and they expect to continue using this contracting method going forward. The CEI industry is supportive of using Lump Sum as well, for the majority of the future CEI work in the future.
- e) We brought up mutual gains training with the Relations Committee, and they are also thinking about that – maybe as a webinar with multiple participants at once. Tim Lattner confirmed this was already part of FDOT's plan. – Kereisha Ottey will check with Carla Perry on this as well. There is interest from D4 leadership, and ACEC D4, to bring back this training in the future.

3) New FDOT Topics:

- a) Bibi Parmer was introduced as the new FDOT D4 Transportation Support Manager, as Rosielyn Quiroz is retiring on January 31, 2022, after 30-years with the Department.
- b) The Design Office is establishing a TCP Review Team to review every non-interstate project TCP plan. Their focus will be developing consistency in TCP notes, lane closures, working hours, pedestrian/bike accommodations and special circumstances such as schools, etc. The process is being fine-tuned now but will involve a TCP specific review prior to biddability with comments back to the design teams. The Construction Office TCP reviews will continue as always. – John Olson explained that the new group in D4 will be involved in reviewing all non-Interstate projects at (potentially prior to Biddability, however the timing is still being evaluated for this new team), for consistency of TCP elements for best practices to be built into future Production Plans put out by the D4 EORs (In-house and Consultants). This review will be above and beyond the ERC review performed (such as at Constructability). Comments are anticipated to be emailed outside of the ERC. Matt Carlock explained that the Construction Office has a similar effort underway to perform TCP reviews and result in more functional and implementable TCP schemes and approaches. District Design and District Construction will coordinate on a process that combines efforts and avoids overlap or conflicting comments.
- c) We have received request on numerous occasions to include new payroll after negotiations occurred, due to pay raises. According to the negotiations handbook payroll registers are required at the date of the audit package submittal. This

is the information that is used to prepare and finalize the negotiations process. The Department requires the payroll registers to confirm the accuracy of pay rates. The submittal contains a certification from a responsible company official that the rates are actual current on that particular date. – Kereisha Ottey confirmed that payroll information that will be used to establish the final contract rates are the rates submitted at the time of the initial AFP submittal, and that salary increases that occur following the first AFP submittal, post-negotiations, will not be factored into the contract rates.

- d) Steve Braun informed the group that D4 is evaluating trends and lessons learned specific to supplemental agreements on active professional service contracts (non-CEI specifically). He mentioned that supplemental agreements are being closely reviewed before approval to confirm the need and to identify any process improvements in scoping and/or identification of anticipated needs earlier in the process. FDOT D4 will bring this to a future meeting as appropriate, based on the results of the on-going review of these elements of contracting with industry. Robert Bostian also noted that he and Kereisha are reviewing trends in negotiations and that more information will be coming forward from that review, related to approaches that D4 will take for future negotiations and contracting.

4) New Local ACEC FL Topics:

- a) CITS – contract amendment delays can put system out of service for weeks and even months at a time, affecting ability to invoice FDOT in a timely fashion. Is this an issue FDOT D4 has heard about from other Districts or Central Office? – Kereisha Ottey noted that Central Office mentioned plans for CITS refinements. It was noted that Consultants that do not have access to CITS for more than a few days should reach out to PSU and their PM. Kereisha said that CITS should never be suspended for more than a couple days, for the amendment updates.
- b) Additional projects to be added to FY 2023 CAP, via legislative session and/or “Infrastructure Bill” (IIJA) or prior COVID bills – ARPA advanced projects have already been factored in and no new FY 2023 contracts are expected from this fund source, from District 4. The IIJA has over 20 new Federal Grant programs, and District 4 and Central Office are still in the process of understanding how the funding could affect the 5-year work program and the approach for the Department to take in pursuing grants through these programs.
- c) Results of statewide report on FDOT overall efficiency and status of evaluation of cost concerns with CEI and Design fees – this item was discussed above. It was noted by FDOT that the report was sent to legislature and that it would be expected that ACEC would take up a response or reaction on a statewide basis.
- d) Approach taken by District to determination of whether PD&E firm is awarded the final design as a design optional service, versus being allowed to compete for it? It was

discussed that only 40% of the time that a PD&E firm pursues the final design are they selected. It was also discussed that the only times when the PD&E firm is given the optional service for final design is in cases of significant schedule need/advantage to achieving a work program goal or advancement, or when the next phase is near term RFP development.

- e) Use of Scope Clarification meeting after award and before negotiations. Some ACEC members feel it should be mandatory, for standalone PD&E or design projects (not DW or CSC). Two-week window for scope/fee submittal a challenge for scope clarification, fee development, audit package preparation, etc. Kereisha explained that this meeting is optional, and that if a FDOT PM requests it (either because he/she want it or because the consultant requests it), that PSU will adjust the negotiations schedule to allow sufficient time to accommodate this meeting.
- f) BDI set-aside contracts allowing non-BDI as subconsultants? Some BDI ACEC members recommend against this approach. – This topic will be included in the agenda for the next meeting.
- g) Operating Margin – some ACEC members find a lack of consistency in determination among contract negotiators – This topic will be included in the agenda for the next meeting. For CEI, Construction performed an analysis and has been working toward more consistency over the past few years.
- h) Abbreviated Technical Proposals for small project selections, versus interviews. Is it optional at the District level? Kereisha Ottey confirmed that the decision on alternative selection process for non-complex projects is made at the Director level. ACEC D4 Liaison Committee heard feedback that abbreviated proposals are more desirable to technical proposals, in certain cases. It was agreed that this topic will be brought to the next quarterly meeting, and industry can provide more feedback on which types of projects this would be suitable for.

5) General Discussion

- a) Next Meeting date/time

Participants (Invitees shown, attendees in **Bold**):

- FDOT – **Robert Bostian, Steve Braun, Matt Carlock, Paul Lampley, John Olson, Gerry O’Reilly, Kereisha Ottey, Bibi Parmer**
- ACEC – **Morteza Alian, Karina Enrico, Randy Scott, Coriann Salas, and Will Suero**