

FDOT District 4/ACEC FL Liaison Committee Meeting Agenda

Friday, April 05, 2024, 3:00 PM

1) Update topics from most recent statewide ACEC/CO Relations Committee Meeting and regular coordination with CO leadership (February 2024 as next meeting is March 20, 2024)

- Design Build stipends.
Increasing stipend would be considered by districts only on a case-by-case basis. More discussion is going back to Alternative Contracting subcommittee.
- Publication of Average OH and Expense Ratios.
Publication of new average OH and expense ratios will be updated by CO. The last update was in November 2022
- Mutual Gains Training.
CO is taking the lead. The contents of this training are being reviewed by districts. There is no timeframe for roll out yet however, it is expected to have this in calendar year 2025.
- Statewide vs. DW average rates for negotiation.
Districts will be using district average rates unless rates are not available for specific positions which, in that case, statewide averages will be used.
- Logos.
There was a FDOT memo asking consultants not to use consultant's logos on FDOT plans, documents, PowerPoint presentations. However, consultants can only use their names on all FDOT documents. This requirement is still in effect.
- Timeline from shortlist to selection.
This was discussed in depth back in January 2024 meeting. All districts are being graded by CO and D4 is meeting the required timeline.
- CDAF application on projects with contract time over 24 months and Post Design Services.
District does provide CDAF on projects that go beyond 24 months and on projects with contract extension beyond six (6) months. District uses the Negotiation handbook where many examples on contract scenarios are discussed. Consultants should ask for it and allow the district for a review and determination.

2) New FDOT D4 Topics (including follow up on items from prior meetings):

- a) Follow to ACEC Regional Meeting (SB)
Lessons learned from this meeting is being passed on to the next regional meeting, D2/D3 later in 2024. Here are some points discussed:
 - i. More time should be allocated to the executive leadership.
 - ii. Industry is encouraged to actively participate in the Compass initiative.
 - iii. Tell the community the story: the industry should communicate effectively about all projects (small and large) associate with the Compass. This means sharing the purpose, progress, and impact of these projects with the community. This way, the industry can

- help the community understand the value of these projects and how they contribute to the overall goals of the Compass.
- iv. The Compass is a strong message for ACEC to take on to distribute to all consultants.
 - v. As FDOT Secretary stated, the industry should be more involved in legislative matters, at both statewide and congressional levels.
 - vi. Consultants are encouraged to go beyond mere words in their letters of interests to actively incorporate the Compass elements into their projects, thereby contributing to a sustainable and inclusive transportation system.
- b) Workforce Development:
- 1) Construction Career Days Update
This event is tentatively scheduled for October 22 and 23, 2024. This is a high priority to D4 therefore, D4 is looking for volunteers and sponsorship from consultants. There will also be a “career fair (hiring event)” as part of this event.
 - 2) AASHTO TRAC Program
Is an educational outreach introducing students from K-12 to the world of transportation/civil engineering. FELI is involved in this event. D4 would like local consultants to have more involvement as well.

3) Local ACEC FL Topics (including follow up on items from prior meetings):

- a. Feedback on D4-D6 Regional Meeting?
Extended discussion from 2a covered items to consider early start of this meeting to provide appropriate time for panel discussions and networking.
- b. Update on D4 Safety Committee – ACEC participation
The ACEC suggested a rotation system where new consultant representative with Traffic Safety background are brought in every six months, with one month overlap to gain insights from a diverse range of experiences. The Department expects increased engagement from consultants in this committee. It was stated for ACEC Liaison team to disseminate the message of safety to help promote National Work Zone Awareness week of April 15. ACEC Liaison team did coordinate with ACEC Regions 5 and 7 to promote this event on social media.
- c. Update on Consultant Forum 2024 tentative dates?
Anson indicated to expect this event in Fall 2024.
- d. March 2024 Draft Standard Professional Services Agreement Terms is being reviewed by industry. What is D4 view on approval of use of Artificial Intelligence (AI) by the Department project manager?
This item is tabled to the next meeting in June 2024.
- e. GEC contracts in Development and Operations have partnered with many sub-consultants on their contracts. How does the district view sub-consultant’s role in GEC contracts impacting their chances on stand-alone contracts specially with residuals?
Typically, these contracts provide staffing needs to the department therefore, if an in-house staff is proposed on a LOR could create a conflict. Or if a sub has worked on a portion of a scope of work for a project in CAP that would create a conflict of interest. Residuals have not been factored in shortlisting a sub in a GEC contract.

- f. Questions from D4/D6 Regional Meeting - *Whenever projects are bundled, we are sometimes asked to cover both projects in a single LOR. This approach makes it extremely challenging for us consultants, since we only have 2.5 pages available and there are many issues to be addressed on two separate projects. Please take this into consideration when advertising.*

D4 Response - The reason we bundle projects is to save both the Department and the consultants time and energy in the acquisition process for relatively straightforward projects, i.e. projects that we don't feel a deep dive by the interested consultants into the project details, background, potential issues, etc. is necessarily beneficial. We understand very well the energy it takes for consultants to pursue a project. I have only received positive feedback from consultants when explaining this approach.

The dilemma we face is that when we award the projects, the first-place team usually will be ready to negotiate the project that was the focus of the LOR, however the second-place team which is awarded the smaller project often has not done any work on preparing staff hours for that project. The reduction of the consultant acquisition timeframe from 6 to 5 months has removed any float from the process and often we don't even receive complete staff hours on time for projects which were the focus of the pursuit. The selection method for the D4 ads below was LOR's, followed by Technical Proposals. The reason we requested both projects to be covered at the Technical Proposal stage (shortlisted teams only) is to ensure we can execute the contract for the smaller project on time. As mentioned, we relented on this approach.

This year in our CAP we have 3 advertisements with bundled projects. The LOR and Technical Proposals will only focus on the major/larger project. However, we intend to require staff hours for each project by all shortlisted firms. I would ask the ACEC to give feedback that the 6-to-5-month reduction for acquisition (from advertisement to execution without exception) is placing a burden on the consulting industry as well as FDOT.

D6 Response - when the district has one advertisement to award two separate contracts, we typically focus the letters of response and the interview in the largest contract only.

- g. Questions from D4/D6 Regional Survey –

1. What are the criteria and/or procedures involved in the selection and approval of TRC members?

TRC members are appointed by the Directors. Directors could delegate this responsibility to the department heads. D4 directors have delegated this to the department heads. In D6 while, the department heads choose TRC members, the directors have the final approvals.

2. What controls are in place in your District to prevent your GECs from gaining an unfair advantage on projects they pursue in your District?

This item is tabled to the next meeting in June 2024.

4) General Discussion:

- a) Next Meeting date/time: Meetings to be 3-4 weeks prior to the statewide ACEC Transportation Committee meetings whenever possible, to allow for summary note distribution and discussion at the statewide meeting.
- b) John Olson brought a recent issue with LREs encountering major mistakes in quantities. As a result, it was emphasized that LREs need to undergo a similar rigorous Quality Control (QC) process as our plans and other project documents.

Given the importance of LREs, it is imperative that they receive thorough scrutiny during the QC process to avoid inaccuracies or oversights that could have significant implications for project funding and timelines. Therefore, all consultants need to prioritize the meticulous review of LREs alongside other project documentation during QC. This includes verifying cost assumptions, quantities, and all factors influencing the long-term financial outlook of our projects. Our attention to this matter is crucial in maintaining the integrity and credibility of project LREs submissions to D4.

2024 D4 ACEC Liaison Committee Meetings (as scheduled)

- January 26, 2024
- April 5, 2024
- June 28, 2024
- September 27, 2024

2024 ACEC Transportation Committee Meetings (statewide):

- February 6, 2024 (Orlando)
- April 23, 2024 (Jacksonville)
- July 16, 2024 (Tampa)
- October 2024 (date/location tbd)

Participants (Invitees shown, attendees in Bold):

- FDOT – **Steve Braun, Matt Carlock**, Deborah Ihsan, **John Krane, Paul Lampley, John Olson, Kereisha Ottey, Anson Sonnett.**
- ACEC – **Morteza Alian (Chair), Karina Enrico**, Justin Freedman, **Coriann Salas, Randy Scott.**