

## Comments Received From Industry Review

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Jennifer Taylor

File: 1021100 - Maintenance of Traffic-Method of Measurement  
Username: Jennifer Taylor  
UserEmail: jennifer.taylor@dot.state.fl.us  
UserTel: SC 373-3471  
Date: Friday, October 21, 2005  
Time: 08:04:02 AM

Comments:

102-11.12 Temporary Vehicular Impact Attenuator:  
Replacement of damaged attenuators, should we address this in the spec?

**Response:** Addressed in 102-13.12.

102-11.3 Special Detours: ..."Where a separate item for a specific detour facility is included in the proposal, payment will be made under Special Detour."  
Will fuel & bit adjustments be made for this? If not, it should stated here.

**Response:** Items that allow for fuel and bit adjustments are included at following weblink:  
<http://www.dot.state.fl.us/construction/fuel&bit/EnglishFUELfactors04.pdf>

102-11.5 Work Zone Signs: & 102-11.6. Business Signs & 102-11.7 High Intensity Flashing Lights:  
Relocation called for in the plans due to TCP traffic shifts should be included in the contract unit price. Replacement of signs due to theft, crashes or other incidents out of FDOT & the contractor's control should be reimbursable. Channelizing Devices do not fall into this thought process as their use is intended to be unfixed front-line features.

**Response:** Each of these items is paid on a per day basis which includes the installation, relocation, maintenance and removal. Refer to section 102-13 for more information on this. As for replacement due to theft, crashes or other incidents, the specifications require contractor to maintain the devices and those damaged would fall under maintenance.

102-11.10 Lights, Temporary, Barrier Wall Mount & 102-11.11 Glare Screen (Temporary):  
Please consider addressing pay for these items on temporary walls that are being relocated.

**Response:** These are per day pay items that when installed on barrier wall that is relocated (wall relocation is paid under relocation pay item) would continue to be paid on per day basis after wall relocated.

102-11.14 Advance Warning Arrow Panel: & 102-11.15 Changeable (Variable)  
Message Sign:

Can we add language that will deter contractor from leaving this equipment in the clear zone when not in use?

**Response:** Contractor is required to remove these devices from the clear zone per standard index 600 Temporary Traffic Control Devices notes. These devices have the same requirements for relocation out of the clear zone when not in use that other equipment has. Leaving them in the clear zone puts the contractor at risk.

102-11.22 Work Zone Pavement Markings:

Pay for reapplications due to poor workmanship, age, and/or LIQUID ASPHALT TRACKING is incidental to the contract unit price.

**Response:** Section 102 directs the contractor to section 710, which addresses this. However, for contracts let in January 2006 and thereafter, revised language is that if the work zone pavement markings retroreflectivity values fall below 150 mcd/lx·m<sup>2</sup> within six months of initial application, the striping will be reapplied at the Contractor's expense.

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Rusty Burchall

FDOT personnel stated at the Specification Meeting held on October 20, 2005 that the unit prices they were seeing on projects were high enough to justify the elimination of the five day minimum payment for Changeable Message Signs and Arrow Boards. I disagree. Here are some prices on two active projects that I currently manage:

**FIN 256336 - State Road 54 in Pasco County**

Arrow Board - \$9.00 per day

VMS - \$30.00 per day

**FIN 256957 - US-19 at Drew Street in Pinellas County**

Arrow Board - \$10.00 per day

VMS - \$20.00 per day

I would also note that the prices being quoted on jobs bid recently don't show any appreciable increase in price above these amounts.

At these rates, there is no way a contractor can recover mobilization costs for a one day rental.

**Response:** The prices referred to at the Specs meeting were based on averages being seen around the state. Like all pricing, there will be some project that will not represent

a true cost (i.e., like off duty law enforcement for \$1.00/hour which sometimes occurs). In the examples cited above, impact to the project would be \$45 to \$150 total based on the specification. It is the Department's contention that this small amount can be included in the bid price without the need of a minimum number of days payment.

Rusty Birchall  
Cone & Graham, Inc.  
[rbirchall@conegraham.com](mailto:rbirchall@conegraham.com)

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Christian Cummings

File: 1021100 - Maintenance of Traffic-Method of Measurement  
Username: Christian Cummings  
UserEmail: ccggcc@hotmail.com  
UserTel: (904) 781-1950  
UserFAX: (904) 781-1921  
Date: Tuesday, October 25, 2005  
Time: 09:39:12 AM

Comments:

I strongly oppose this proposed modification for several reasons. As a MOT contractor, we supply advanced warning panels and variable message boards to contractors on numerous state projects. Often times we are required to mobilize and demobilize these items for emergencies that require the equipment for short terms (often less than one day). The five day minimum is the only way we are able to recoup our costs in these instances. For example, we recently were called by the contractor on a state road construction project several miles away to mobilize and place four variable message panels on the project for an emergency. We were then told to remove the equipment later that same day. We spent roughly 12 man hours plus fuel and mileage to perform this task. Without the five day minimum, our compensation would have been \$72.00. This does not cover the mobilize/demobilize costs much less the rental costs. This is the reason why the five day minimum was written in to the specifications for the arrow boards and the message boards. The state originally felt that it was important to adequately compensate the MOT subcontractors for supplying equipment for emergencies that is critical to the safety of the motorists and the workers. Removing the five day minimum would not only place undue hardship on the MOT contractors, but more importantly it would inevitably reduce the incentive for the immediate response to project emergencies. In addition, the five day minimum protects the Department and MOT companies from frivolous and sporadic use of the equipment in question. The prices that the state receives for the equipment in question are a result of the expectation that the equipment will be utilized a significant number of days in succession. This allows for less frequent mob/demob which in turn reduces the price. I believe that removing the five day minimum will open the possibility of sporadic short term uses which at the current prices and with out a mobilization fee will cause undue hardship on the MOT co

**Response:** It is expected that the MOT contracting industry will account for these costs in the daily bid price submitted for the project. I don't believe that there is currently frivolous use of these devices or that there will be after this spec change goes into effect.

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Bob Burleson

These points (by Christian Cummings) are well taken. I would say that when delivered for an emergency that the pricing should be open or should contain a minimum. As discussed at the Spec meeting if the current spec allows only a one-time 5 day minimum on any project it seems that a clarification of that is all that is necessary. That would cover the argument of a single emergency use and it seems that a bid item would only be set up if there was going to be usage on the job well in excess of 5 days anyway.

Bob

**Response:** Refer to response to Rusty Birchall's comments. The five day minimum would amount to, in his example, \$45 to \$150 for a five day minimum. It is expected that this cost should be distributed across the contractor's bid for daily price.

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BOB'S BARRICADES, INC.  
921 SHOTGUN ROAD  
SUNRISE, FL 33326  
(954)423-2627

RE: Proposed Specifications Change: 1021100 – Maintenance of Traffic – Method of Measurement

Dear Mr. Brautigam,

I am disappointed to see that the Florida Department of Transportation(FDOT) is considering the removal of the 5 day minimum payment for arrow panels and changeable variable message signs. The minimum was implemented to compensate the supplier for the costs of mobilizing the trailered units to and from the jobsite for short durations. Mobilization costs, which include labor, fuel, and insurance, have only increased, even since the implementation of the 5 day minimum. I am asking you not to take away something that we need now more than ever to cover our mobilization costs.

In most cases, the 5 day minimum does not even take effect. It is only in those cases where arrow panels and changeable variable message signs are required for a short duration, such as a weekend road closure/detour. The rental prices for a couple of days do not cover the mobilization costs. Even at 5 days we are still close to a break even point. Your response to this may be to charge an adequate unit price to cover our costs of a worst case scenario, such as a one day rental. This would work to the detriment of

FDOT, causing the Department to “overpay” for arrow panels and changeable variable message signs, especially where these devices are utilized consistently on long term projects.

I hope that you value my opinion and see that the current method of payment was implemented for good reason. There is now greater reason it should continue untouched, not only in the interest of being fair to the suppliers/barricade companies, but fair to the Florida Department of Transportation.

**Response:** We do value your opinion as well as the others received from industry. However, we have a difference of opinion on the minimum five day compensation. The contract provides for a lump sum mobilization that through negotiation and pricing to the prime can account for the mobilization. Additionally, as has been stated in earlier responses, the total cost that is being discussed here is less than \$200. This could be distributed across in the bid for the item.

Thank you,

Thomas M. Brady  
Vice President – Bob’s Barricades, Inc.

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