

**Minutes**  
2012AASHTO SOC  
**Contract Administration Section Meetings**  
San Francisco, CA  
August 13 and 16, 2012

**Welcome / Introductions:**

Contract Administration Section Vice-Chair, Brenda O'Brien (Michigan DOT) and Lewis Cannon (ConnDOT) welcomed everyone to the Section meeting. SOC Vice-Chair, Claude Oie addressed the group briefly and asked the members present if anyone was interested in taking the position of the Contract Administration Section Chair Person- last held by Brad Lewis (now retired from Mississippi DOT).

**Organization Issues:**

After some discussion, the members of the Section nominated Brenda O'Brien to serve as the Chair Person for the coming year. Brenda accepted the nomination. Other CA Section volunteers and appointments included:

- Lewis Cannon agreed remain as one of the two Vice-Chairs.
- Andy Long, Wyoming DOT volunteered to serve as the other Vice-Chair.
- Gary Angles, Ohio DOT volunteered to serve as the Section Research Liaison.

**Strategic Plan:**

The Section members reviewed the Subcommittee's Strategic Plan and discussed how these goals might apply to the workplan and objectives of the Contract Administration Section. Ms. O'Brien asked for Section members to send any specific comments on the strategic plan to her.

**Status of 2011-2012 SOC Contract Administration Section Work Items:**

1. Consultant Inspection Issues - Complete. Sue Darling, Kansas DOT provided a brief overview of the survey findings to the Section members on Monday afternoon and a more detailed presentation to the entire Subcommittee on Tuesday August 14<sup>th</sup>. An Excel spreadsheet summarizing the responses to the questionnaire will be posted on the SOC website after the annual meeting.
2. Guidance for Field Staff for Prompt Payment Issues Complete - 38 states responded to this three-question survey. A summary of the responses will be posted on AASHTO's SOC web site after the SOC meeting.
3. State practices for administering schedule issues - 90% Complete - The Section volunteers for this task agreed to compile case studies from three states (VA, RI and NY) as well as solicit industry comments on scheduling issues. Virginia DOT and Rhode Island DOT provided an overview of their construction scheduling programs. Norm Marzano provided a PowerPoint presentation and explained recent changes in Rhode

Island's program to the Section members. Representatives from the American Road and Transportation Builder's Association (ARTBA) provided a list of concerns and recommendations regarding their issues with State DOT scheduling procedures. Upon finalization of the input from NYSDOT, the Section will post the case studies and the ARTBA feedback on the SOC website.

Additionally, based on discussions with the full Subcommittee, Jerry Yakowenko forward the ARTBA input to all Subcommittee members for their information via email on August 18<sup>th</sup>.

4. Partnering Survey – Complete. In conjunction with a presentation by Mark Leja regarding Caltrans partnering program, the Section also sent out a questionnaire regarding the State DOT's use of partnering in construction projects. 38 States responded to this questionnaire. The summary of responses will be posted on the SOC website.

Fatal flaws in Design-Build Proposals - This workplan item was not initiated as the Section members that volunteered for this assignment were unable to define the scope of work. This task was withdrawn from consideration.

### **Recommendations for Workplan Items for 2012-2013**

The Section members agreed to pursue the topics listed below in the coming year. The lead coordinator will schedule a conference call with the appropriate Section members, discuss the scope of their effort and identify any action items to complete the task.

1. Complete Scheduling Case Studies (Lead: Jerry Yakowenko- FHWA)
2. Collect and compile State DOT internet resources for the oversight of local public agency projects (Lead: Brenda O'Brien- MDOT, Bernie Kuta- FHWA-RC, Kurt Zachary- FHWA-MI, Kerry Bates- VDOT, Richard Duval-FHWA-TFHRC)
3. Compile Alternative Contracting web pages and best practices (Lead: Jerry Yakowenko- FHWA, Shailendra Patel- VDOT, Cal Gendreau- ND DOT, Mike McGrath- MassDOT, Richard Duval – FHWA-TFHRC )
4. State DOT Approaches for Dealing with Unsatisfactory Contractor Performance – Time, quality, safety (Lead: John Eddy- CDOT, Randy Jensen- FHWA-CO, Jerry Yakowenko, Laura Zamora- CO DOT, Kostas Svarnas FHWA-NJ, Jeff Benefield – ALDOT )

Note: the following topics were discussed but not selected for further action.

- Best practices for accelerating contract after the award of contract– how and when to accelerate work; case studies; list of strategies/ issues
- Constructability review process
- Independent cost review of change orders (force account, additional work; unit price vs. force account)

### **Recommendations for 2013 SOC Contract Administration Section Presentations:**

The following is a list of potential presentations for the 2013 Contract Administration Section portion of the SOC meeting. Potential speakers or agencies are listed in parenthesis.

1. Performance measures for construction programs (AASHTO representative?)
2. Construction Manager at-Risk Guidelines – NCHRP 10-85 overview (Professor Douglas Gransberg, Iowa State U. or Professor Jennifer Shane, Iowa State University)
3. Use of Adobe electronic signatures (Jason Clark, MI DOT)
4. Risk Management (Jon Tapping, Caltrans)
5. Alternative models for contractor payments for traditional bid-build contracts (based on invoices, schedule of values) (CT, FL, VA, RI, OH )
6. False Claims (Ted Doherty USDOT-OIG, Eric Kerness –Kerness Consulting)

### **Contract Administration Related Research**

During the Tuesday morning SOC Research Steering Committee Meeting, Ms. O'Brien relayed information regarding several potential research topics that were discussed during the CA Section meeting on Monday including: current practices for digital dissemination of plans and proposals, interactive websites for online ordering and dissemination of plan documents, best practices for making digital survey data available to prospective bidders, a guide for best-value procurement, an update of NCHRP 10-58 Construction Engineering and Management Research Program, a synthesis on use of videography/ photography to track construction progress, and the use of 4D modeling in construction.

On Thursday afternoon, the Contract Administration Section's new liaison to the Research Committee, Gary Angles (Ohio DOT) gave an overview of the discussion at the Research Committee's Tuesday morning meeting. See the Subcommittee's Research Steering Group Meeting Notes (prepared by Mr. Smythe's and Ms. Petros) for details.

**New issues / new business / issues assigned by SOC Chairs**

Brenda O'Brien noted that conference calls will be held during the upcoming year to stay on track with work plan items and help in identifying potential presenters for the August 2013 meeting in Detroit.

Ms. O'Brien thanked everyone for their participation and discussion and the meeting was concluded at 2:55 PM on August 16, 2012.

## 2012 Contract Administration Section Attendance

Stuart D.	Anderson	Texas A&M University	(979) 845-2407	<a href="mailto:s-anderson5@tamu.edu">s-anderson5@tamu.edu</a>
Gary E.	Angles	Ohio DOT	(614) 466-7057	<a href="mailto:gary.angles@dot.state.oh.us">gary.angles@dot.state.oh.us</a>
Mick	Bartholomew	Atkins, North America	(858) 514-1011	<a href="mailto:mick.bartholomew@atkinsglobal.com">mick.bartholomew@atkinsglobal.com</a>
Kerry	Bates	Virginia Department of Transportation	(804) 371-4312	<a href="mailto:Kerry.Bates@VDOT.Virginia.gov">Kerry.Bates@VDOT.Virginia.gov</a>
Jeff	Benefield	Alabama DOT	(334) 242-6213	<a href="mailto:benefieldj@dot.state.al.us">benefieldj@dot.state.al.us</a>
Lew	Cannon	ConnDOT	(860) 594-2680	<a href="mailto:Lewis.cannon@ct.gov">Lewis.cannon@ct.gov</a>
Richard	Chisolm	Mississippi DOT	(601) 359-7301	<a href="mailto:rchisolm@mdot.state.ms.us">rchisolm@mdot.state.ms.us</a>
Dana	Cleveland	Mississippi DOT	(601) 683-3341	<a href="mailto:dcleveland@mdot.ms.gov">dcleveland@mdot.ms.gov</a>
Daniel	Coffee	Georgia DOT	(404) 631-1494	<a href="mailto:dcoffee@dot.ga.gov">dcoffee@dot.ga.gov</a>
Gary	Corino	FHWA, Oklahoma	(405) 254-3300	<a href="mailto:gary.corino@dot.gov">gary.corino@dot.gov</a>
Brandon	Crawley	Tennessee DOT	(615) 741-2414	<a href="mailto:brandon.crawley@tn.gov">brandon.crawley@tn.gov</a>
Steven	Criswell	KYTC	(502) 564-4780	<a href="mailto:steve.criswell@ky.gov">steve.criswell@ky.gov</a>
Susan K.	Darling	Kansas DOT	(785) 296-3576	<a href="mailto:sdarling@ksdot.org">sdarling@ksdot.org</a>
Gilberto	DeLeon	FHWA - VA	(804) 775-3362	<a href="mailto:gilberto.deleone@dot.gov">gilberto.deleone@dot.gov</a>
Richard	Duval	FHWA-TFHRC	(202) 493-3365	<a href="mailto:richard.duval@dot.gov">richard.duval@dot.gov</a>
Brian	Egan	Tennessee DOT	(615) 741-2414	<a href="mailto:Brian.Egan@tn.gov">Brian.Egan@tn.gov</a>
Mark	Eisenhart	Wyoming DOT	(307) 777-4459	<a href="mailto:Mark.Eisenhart@wyo.gov">Mark.Eisenhart@wyo.gov</a>
Randy	Garris	NCDOT	(919) 707-6900	<a href="mailto:rgarris@ncdot.gov">rgarris@ncdot.gov</a>
Cal	Gendreau	North Dakota DOT	(701) 328-2563	<a href="mailto:cgendrea@nd.gov">cgendrea@nd.gov</a>
Earl	Glenn	Mississippi DOT	(601) 359-7301	<a href="mailto:eglenn@mdot.state.ms.us">eglenn@mdot.state.ms.us</a>
Ron	Hancock	NCDOT		<a href="mailto:rhancock@ncdot.gov">rhancock@ncdot.gov</a>
Chris	Harper	U. of Colorado	(303) 887-3055	<a href="mailto:harperc@colorado.edu">harperc@colorado.edu</a>
Katherine	Holtz	Sam Construction Services	(512) 560-8802	<a href="mailto:kholtz@sam-cs.biz">kholtz@sam-cs.biz</a>
Randy	Jensen	FHWA-CO	(720) 963-3031	<a href="mailto:Randy.Jensen@dot.gov">Randy.Jensen@dot.gov</a>
Rich	Juliano	ARTBA	(202) 289-4434	<a href="mailto:rjuliano@artba.org">rjuliano@artba.org</a>
Bernie	Kuta	FHWA- RC	(720) 963-3204	<a href="mailto:bernie.kuta@dot.gov">bernie.kuta@dot.gov</a>
Mike	Leegard	MnDOT	(651) 366-4219	<a href="mailto:mike.leegard@state.mn.us">mike.leegard@state.mn.us</a>
Andy	Long	Wyoming DOT	(307) 777-4425	<a href="mailto:andy.long@wyo.gov">andy.long@wyo.gov</a>
Norman	Marzano	Rhode Island DOT	401-222-2468 ext 4312	<a href="mailto:nmarzano@dot.ri.gov">nmarzano@dot.ri.gov</a>
Mike	McGrath	MassDOT	(617) 973-7610	<a href="mailto:michael.mcgrath@mhd.state.ma.us">michael.mcgrath@mhd.state.ma.us</a>
Scott	Mullis	AHTD	(779) 968-2486	<a href="mailto:scott.mullis@arkansashighways.com">scott.mullis@arkansashighways.com</a>
Brenda	O'Brien	Michigan DOT	(517) 322-1085	<a href="mailto:ObrienB2@michigan.gov">ObrienB2@michigan.gov</a>
Shailendra	Patel	Virginia DOT	(804) 786-1103	<a href="mailto:Shailendra.Patel@vdot.virginia.gov">Shailendra.Patel@vdot.virginia.gov</a>
Greg	Pawlowski	Delaware DOT	(302) 760-2256	<a href="mailto:gregory.pawlowski@state.de.us">gregory.pawlowski@state.de.us</a>
Robert	Reaugh	International Partnering Institute	(925) 447-9100	<a href="mailto:robreaugh@partneringinstitute.org">robreaugh@partneringinstitute.org</a>
Mike	Sebren	Arkansas SHTD	(501) 569-2251	<a href="mailto:mike.sebren@ahtd.ar.gov">mike.sebren@ahtd.ar.gov</a>
Ali	Shakeri	DC DOT	(202) 409-2316	<a href="mailto:alishakeri@dc.gov">alishakeri@dc.gov</a>
Ron	Smith	WVDOT	(304) 558-9564	<a href="mailto:ronald.g.smith@wv.gov">ronald.g.smith@wv.gov</a>
Kostas	Svarnas	FHWA-NJ	(609) 637-4208	<a href="mailto:kostas.svarnas@dot.gov">kostas.svarnas@dot.gov</a>
Jon	Tapping	Caltrans	(916) 654-2359	<a href="mailto:jon_tapping@dot.ca.gov">jon_tapping@dot.ca.gov</a>
Tony	Tuinstra	Ontario-Ministry of Transportation	(905) 704-2197	<a href="mailto:tony.tuinstra@ontario.ca">tony.tuinstra@ontario.ca</a>

Joel	Williams	MnDOT	(651) 366-4241	<a href="mailto:joel.williams@state.mn.us">joel.williams@state.mn.us</a>
Gerald	Yakowenko	FHWA -HQ	(202) 366-1562	<a href="mailto:gerald.yakowenko@dot.gov">gerald.yakowenko@dot.gov</a>
Kurt	Zachary	FHWA- MI	(517) 702-1832	<a href="mailto:kurt.zachary@dot.gov">kurt.zachary@dot.gov</a>
Laura	Zamora	Colorado DOT	(303) 757-9233	<a href="mailto:laura.zamora@dot.state.co.us">laura.zamora@dot.state.co.us</a>