

## NOTES

### NCDOT / ACEC-NC / CAGC ALTERNATIVE DELIVERY SUBCOMMITTEE

Date: November 7, 2023 at 9:30 a.m.

Location: **In Person:** Century Center Bld. A – Tech. Services Conf. Room Col. C11 (Cap 30)

**Virtual:** [Click here to join the meeting](#)

Meeting ID: 227 200 605 292

Passcode: dDNEmX

**Audio Only:** [+1 984-204-1487,,466373757#](#)

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- I. Welcome and Introductions (Tim)
- II. NCDOT / NCTA Items (Tim)
1. Announcements:
    - a. DOT Organization – Joey Hopkins is new NCDOT transportation secretary.
    - b. ADU Assistant Manager Position – Malcolm Watson was appointed assistant manager.
  2. NCDOT Updates
    - a. Status of ORD implementation in design-build
      - a. No go-live date scheduled. Two active projects are staying in V8i. Getting feedback from PEF's to convert new projects to ORD
    - b. Update to NCDOT Submittal Guidelines
      - a. Comments received. NCDOT will review and consider comments for next draft.
    - c. PDB Workgroup (November 6)
      - a. Meeting yesterday. Next step is to update draft PDB guidelines and get the next draft out to the workgroup.
      - b. Hoping parts of agency bill will move forward in short session starting in April 2024. Build NC bonds are also tied up in this delay, which will affect \$300m projects in the STIP.
      - c. Question raised: Would current DB legislation cover ability to do PDB (similar to how express DB is done under the DB legislation)? NCDOT leaning on council to help make that decision, and currently they think they need authority for PDB outside of the DB legislation because the process is vastly different.
    - d. Video Inspections for hydraulically deficient pipes
      - a. Scope of work asks DB teams to video inspect pipes. RFP requires inspections to be done prior to the first hydro submittal. Timeliness of video inspections have been an issue. Delays often due to obstructions and access issues. NCDOT is considering doing the pipe inspections and providing the data along with recommendations in the RFP. There were no immediate objections from industry. Would inspector be precluded from pursuing a role on a DB team? Probably not, but NCDOT recommends the inspection firm ask for permission ahead of time.
    - e. Utility Relocation Language
      - a. Follow up topic from last meeting. NCDOT sent draft language for



industry review and received unfavorable responses. Industry wanted the language to encompass more than just the design aspects. Revised language as follows for industry review (noted that this is the language used on the I-26 RFP):

- i. *The Design-Build Team shall be responsible for ensuring the utilities are relocated, both horizontally and vertically, in accordance with the approved utility relocation plans.*

*NCDOT, the Department's Resident Engineer and the project CEI firm(s) are not responsible for: a.) conducting utility relocation preconstruction meetings; b.) verifying that utility companies have relocated their facilities to the approved locations (both horizontal and vertical); or c.) coordinating for the relocation of utilities installed in incorrect locations and thus causing conflicts with other utilities or the construction of the project.*

- f. 100% / RFC submittal
  - a. NCDOT has a right to review the RFC submittal and require revise/resubmit, but the intent is that there will be no comments on RFC set and they are final plans. RFC shouldn't be viewed as another round of review. NCDOT's view is that final comments should be provided by NCDOT and resolved during the 100% design step. NCDOT is educating their people to treat the 100% review as their final review, and not to push review items to be looked at in the RFC plan submittal. Intent is that the team goes to work upon submitting the RFC plans.
  - b. In other states, they stamp the RFC plans.
  - c. Related topic, NCDOT ADU is flexible and wants to do what works best for each project. For example, they have in the past agreed to combine the 60% and 90% submittals upon request.
- g. Limited Liability Insurance
  - a. NCDOT's question to the subcommittee: What benefits would there be if NCDOT put LLI as a requirement in the RFP? Every DB team looks at this differently for each project. The cost for project specific policies have increased dramatically in recent years. Risk approach is going to be widely different on different projects. A one size fits all approach may not work well.
- h. Searchable pdf for Technical Proposals
  - a. Make sure technical proposals (Volumes 1 and 2) are searchable.

### 3. NCTA Updates

- a. See updates for Anticipated DB List below.

### III. Upcoming Design-Build Projects (Anticipated DB List)

(Tim)

- a. No new projects but DOT is looking to add more projects. Looking for smaller projects, not just the big ones. Looking for new projects that will start in 2024, not just in the out years.
- b. Is there a list of CMGC projects somewhere? Answer: they are on the DB website. However, the point is that the Anticipated DB List should be expanded to include CMGC (and eventually PDB). Consider changing the name to Anticipated Alternative Delivery List.
- c. Tim asked for help in talking to Divisions about projects that may be good to go DB.
- d. I-5703/I-5701 – updated to \$244m estimate.
- e. I-5719/U-5800 – moved RFQ to March 2024 with let Nov 2024. Added U-6044 to the project. Updated estimated construction cost is \$619m and may go higher.



f. R-2576 – MidCurrituck moved to 2026.

#### IV. Carolina AGC Items

(Victor)

1. Progressive Design-Build Update
  - a. Already discussed.
2. Electronic Submittal of Technical & Price Proposals
  - a. Reminder that this would be good for industry. NCDOT objection is that electronic submittals are not allowed by individuals for review. NCDOT would need to know how many hard copies they need for reviewers (e.g., for third party reviewers).
  - b. NCDOT asked for a description of the proposed process. Include a vision for how to secure confidentiality and prevent unintended spread of the information prior to interviews.
  - c. NCDOT would need modify its system to allow electronic submittals. Integrity of the process is the most important.
  - d. NCDOT question: Is technical or price proposal more important for electronic submittal, or both? Technical most important from industry perspective.
3. Railroad Flaggers
  - a. Follow up from last meeting. Flagger availability is the biggest issue. More problems with availability occur on small projects. Rail Pros is trying to hire more people, not sure about Railroad Consultants.
  - b. NCDOT is communicating the anticipated DB list to the flaggers so they can staff accordingly.
  - c. Rail Division will be taking over agreements with railroads for railroad coordination.

#### V. ACEC Items

(Brian)

1. ORD Implementation
  - a. Tim needs to talk to other groups about details for the roll out. Tim suggested that unit representatives come to the next DB meeting to talk with the group about the roll out. The plan is to roll it out all at once, not unit by unit. It is recognized that there is a difference between using the model and developing plans in the workspace. The model use will take more planning before roll out.
2. Questions and Answer Process & Reponses
  - a. NCDOT recognizes the benefit of providing written responses to non-confidential questions. They are considering doing a combined forum to discuss responses to non-confidential questions; however, there is some industry reluctance in having an open forum to discuss the responses because of lack of value. General consensus is to keep the confidential, one-on-one meetings. If NCDOT will publish the responses to non-confidential questions in advance, there will be more time for confidential questions and discussions in the one-on-one meetings.
  - b. Random, one-off questions, if non-confidential, would be answered for everyone.
  - c. ADU would like to move to written responses on the I-85 project.
  - d. Tim requested establishing a workgroup to iron out the process and approach. Send names for the workgroup.
  - e. Related note: ADU wants to have an industry forum for the I-85 project, and have associated one-on-one meetings with prospective teams to discuss project risks and how best NCDOT can mitigate risks, make the RFP better, etc.
3. Timing of Cost Proposal Submittal and Technical Presentation
  - a. ACEC's ask is to build in a day or two between cost and technical interview to allow prep time for the interviews. ADU is open to adding two days.



- b. It was also suggested by one CAGC member that the cost proposal should be submitted after the technical presentation, as much as a week later. GA and VA were given as examples where tech submittal comes before cost. The concern by others is that the Q&A would then become more of a negotiation. This is a larger issue that needs discussion. Meanwhile, some timing separation can happen to allow prep time for the technical presentation.

VI. Next Meeting – March 5, 2024, 9:30am

(Brian)

VII. Meeting Adjourn

