



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

April 14, 2009

MEMO TO: Don Lee, Berry Jenkins, Michael Taylor, Jay Bennett, Ron Hancock, Judith Corley-Lay, Stuart Bourne, Randy Garris, Jonathan Bivens, Dennis Wofford, Ed Spencer, Brian Webb, Michael Manning, Gerard Pilcher, Jim Seybert and Ben Lanier

FROM: R. A. Garris, PE  
Contract Officer

SUBJECT: AGC/Roadway Subcommittee Meeting

The subject committee met on February 19, 2009 at 9:30 a.m. in the Riverwood Conference Room at the Century Center with the following in attendance:

Jay Bennett	Andy Gay	John Kristensen
Jonathan Bivens	Ron Hancock	Michael McKoy
Terry Canales	Joel Howerton	Gerhard Pilcher
Ken Cates	Berry Jenkins	Ted Sherrod
Judith Corley-Lay	Ben Lanier	Brian Webb
		Dennis Wofford

**1. NEW PIPE SPECIFICATION**

Ron Hancock distributed a detail highlighting the changes for pipes in the Specifications and Details.

Separate details for flexible and rigid pipes were shown in the handout. Main differences are amount and type of select backfill material.

**2. ELECTRONIC SUBMITTALS**

The Industry offered suggestions for electronic submittals. Advantages for electronic submittals include quicker submittal time and since the submittals are date-stamped, there are no debates as to when it was received. The Industry recommended starting with the easier submittals and then working through to the more difficult ones. Berry asked for submittal suggestions to be sent to him within the next two weeks.

**MAILING ADDRESS:**  
NC DEPARTMENT OF TRANSPORTATION  
CONTRACT STANDARDS AND DEVELOPMENT UNIT  
1591 MAIL SERVICE CENTER  
RALEIGH NC 27699-1591

TELEPHONE: 919-250-4128  
FAX: 919-250-4119

WEBSITE: [WWW.NCDOT.ORG](http://WWW.NCDOT.ORG)

**LOCATION:**  
CENTURY CENTER COMPLEX  
ENTRANCE B-2  
1020 BIRCH RIDGE DRIVE  
RALEIGH NC

3. **DBE COMMITMENTS AT TIME OF BID**

The Industry and Department discussed the method of showing DBE participation and the issue of entering goal participation into Expedite. The Industry related the problems with entering the participation just before the bid letting. According to the Industry, cities of Raleigh and Durham, and other states' DOTs require a lump sum submittal for goal participation. NCDOT is the only state that requires line items. The contractor must determine if they are going to put in the "best price" or the "exact goals". The Industry asked the Department to review the methodology. The Department cautioned the Industry to read the DBE/MBE/WBE Special Provisions before entering the participation. This item will be discussed further at subsequent meetings.

4. **WALL THICKNESS OF WELDED STEEL PIPE**

The bid items for Boring and Jacking no longer has the wall thickness shown in the pay item. This was not intentional and will be added back.

5. **MASONRY DRAINAGE STRUCTURES**

The Industry wanted to discuss the masonry drainage structures on one project. There were Special Detail Junction Boxes pay items. The Special Design Junction boxes had 10-12 cu yards concrete and 2000 lbs of rebar, that were paid for as "each," plus 1.5 vertical foot of height for a box that weights 50,000 lbs. There were five normal sized boxes and two huge special design boxes included. The Industry suggested that these special design boxes should have been priced as cubic yards of concrete, in order to be fair and equitable to both the Department and the contractor. If a box had been added, the price would have reflected the large box, thus not getting a good price for the DOT; if a box had been deleted, there would not have been enough money left for the contractor to build the two special design junction boxes. The Industry suggested that any time a box had to be a special design, it should be paid for as cubic yards of concrete and consider adding another line to the summary. Joel Howerton, Standards Engineer will review.

6. **OTHER**

**A. EPA RULE MAKING COMMENTS DUE FOR PROPOSED EFFLUENT (DISCHARGE) LIMIT AND EROSION/SEDIMENT CONTROL REQUIREMENTS (73 FED REG 72562 NOVEMBER 28, 2008)**

Berry Jenkins announced that the EPA rulemaking comments period ends on Feb 26, 2009 for *Proposed Effluent Limit and Erosion/Sediment Control Requirements*. The proposed legislation would tell contractors how to control sediment discharges from their sites and require 13 nephelometric turbidity units (NTUs) effluent water leaving the project site.

There are three options for consideration:

1. Prescriptive sediment and erosion controls, (BMP and state standards)
2. Prescriptive sediment and erosion controls plus a numeric turbidity standard for construction on certain larger sites that meet rainfall and soil-type conditions;  
or
3. Prescriptive sediment and erosion controls, plus a numeric turbidity standard for all sites that disturb at least 10 acres.

This would affect most of NC west of I-95, with soil conditions of more than 10 percent clay. This would have a great effect on linear construction in NC. The only way to attain 13 NTUs on the project would involve setting up active treatment systems similar to a water treatment plant on the project. There is a section on the AGC website with a link for comments. Berry urged all contractors to send comments opposing this measurement and recommending option one. DOT has sent comments from Roadway Design through AASHTO and directly from the Chief Engineer. Ted Sherrod complimented NCDOT and NCDOT contractors for the good job they do in protecting the environment with our erosion and sediment control. NCDOT has had standards in place since 1973.

**B. SP FOR INTERMEDIATE CONTRACT TIME NUMBER 1 AND LIQUIDATED DAMAGES**

Ted Sherrod anticipates a tremendous amount of bridge work in the next several years. He expressed concern about having to mobilize state forces on about 50 percent of our small Bridge jobs to address erosion problems, scour, eroded areas, and washed slopes after the project is completed. This is primarily a Coastal Plains criteria issue in Divisions east of I-95. He has formed a work group with the DCEs, Bridge Construction, Roadway Construction, and Roadside Environmental to address the concerns. They developed a Special Provision that has an ICT for Stabilization on site 60- 90 days post ICT, with compensation for the contractor to mobilize back on site for about 60-90 days post ICT. Ted presented this SP to AGC Structures Design Subcommittee at their last meeting and asked for their review and comments. After much discussion, it was determined that this could impact the smaller contractors' bonding capacity. Ted distributed a copy of the draft SP asked for feedback from this committee. Please send your comments directly to Ted and copy Randy Garris and Andy Gay.

The next meeting will be held on **April 23 at 9:30 am in the Riverwood Conference Room, Century Center, Building B.**

Future meetings:                      June 11                      August 20                      October 22                      December 17

C:     Victor Barbour, PE  
       Ellis Powell, PE  
       Terry Canales, PE

Michael McKoy  
Norma Smith