



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

January 29, 2008

MEMO TO: Jay Bennett, Jonathan, Bivens, Stuart Bourne, Jennifer Brandenburg, Judith Corley-Lay, Ron Hancock, Berry Jenkins, Don Lee, Michael Manning, Gerhard Pilcher, Dave Rankin, Ed Spencer, Michael Taylor, and Brian Webb

FROM: *for* Victor Barbour, PE *RA Barbour*
State Project Services Engineer

SUBJECT: AGC/Roadway Subcommittee Meeting Minutes
December 20, 2007

The subject committee met on December 20, 2007 at 9:30 a.m. in the Riverwood Conference Room at the Century Center with the following in attendance:

Jonathan Bivens	Chris Howard	Gerhard Pilcher
Jay Bennett	Joel Howerton	Dave Rankin
Scott Capps	Berry Jenkins	Ted Sherrod
Judith Corley-Lay	Dennis Jernigan	Norma Smith
Randy Garris	Michael Manning	Lamar Sylvester
Ron Hancock	Michael McKoy	Brian Webb

The following items were discussed:

1. **DBE TRACKING SYSTEM (MICHAEL MCKOY)**

The Industry said that some Divisions are trying to enforce the new DBE provision on on-going projects that have the older Special Provision in their contract. The Department explained that the new provision was discussed with the Divisions and they were told to administer under the provision in the contract. This item was tabled until the next meeting.

2. **MASONRY DRAINAGE STRUCTURES (DENNIS JERNIGAN)**

The Department reiterated that the surveyors and installers had definite preferences for staking masonry drainage structures. The methods are discussed at every preconstruction.

conference and there is a form for every scenario. The Committee agreed to wait and see how this works. The Department will provide handouts for the next meeting and Dennis Jernigan will be available to receive comments.

3. BREAK OUT ASPHALT QUANTITIES

The Industry said that major earthwork quantities are posted with the letting. Why cannot asphalt quantities from the phases be summarized like the grading summary as well? The discussion following included how the traffic control sequencing changes so often that it would not be accurate. There were several suggestions as to what could be provided to help the bidder determine the quantities, including station lengths and sections to calculate the quantities, providing mainline and Y-line quantities, on which projects to provide the quantities, and what the threshold quantities should be. The Department agreed to review the request and report at the next meeting.

4. CLAIMS FORM REVIEW AND SPECIFICATION

The Department handed out a draft Project Special Provision and form for claims submittals. The Industry said that they would prefer not to have another form to turn in with the claim. It could be a technicality for which the Department could reject a claim. The Department said that was not the intent, the intent is to give the contractor a checklist by which to review their claim. The Committee was asked to review and provide comments to Ron Hancock by February 15, 2008. (Handout No. 1)

This item was tabled until the next meeting.

6. SHOULDER BERM GUTTER

The Industry asked for an update on the status of revising or strengthening the design for Shoulder Berm Gutter. The Implementation Committee has the request on hold, waiting for additional comments from the Divisions. The Department has reviewed what some other states are doing and have not seen a more effective design. After this meeting, the Department will summarize and send an email to Roadway Construction Engineers, requesting feedback again.

7. FUNNEL DRAINS ON BRIDGE MAINTENANCE PROJECTS

The Industry stated that funnel drains are still being shown on Bridge Maintenance Projects. They also stated that they are hard to get and hard to install. The Industry asked if the Bridge Maintenance Projects could be patterned after the Raleigh letting more closely. The Department said that the funnel drains are no longer shown in the standards and discussion would be held with Bridge Maintenance on this topic.

8. SHALLOW (THIN) SHOULDER SECTIONS USED ON TYPICALS

The Industry has an issue on Design Build projects concerning thin shoulder sections. They said the typicals call for one layer of surface mix on the shoulders. Generally, the shoulder thickness is stone with 1 inch of asphalt in front of the guardrail. The project

may sit for two years before other work begins there. The Industry suggested using 2 inches of asphalt that would eliminate the need to repair the shoulder later in the project. The Department said there have been changes in the typicals to full depth paved shoulders and this issue will be discussed in the shoulder committee.

9. STATE ARCHEOLOGY AND ARCHITECTURAL CERTIFICATIONS FOR WASTE AREA (SP8R02 SHPO DOCUMENTATION FOR BORROW/WASTE SITES) AND E&SC/SW CERTIFICATION UPDATES

The National Environmental Policy Act and State Env. Policy Act (NEPA/SEPA) trigger SHPO involvement on DOT projects to address adverse impacts on historic properties. This encompasses borrow and waste activities in pits under the reclamation plan process. The reclamation plan check list has always required a SHPO letter for borrow and waste. The standard specifications required clarification, as this requirement was clearly noted under borrow but not waste. This action led to the specification update for waste sites.

The SHPO was closed late last year for a period of several weeks while they moved into a renovated office. During this period of moving, SHPO required a written request for review of proposed borrow and waste sites by contractors. All of their maps and other materials were boxed for moving. The SHPO has now completed their move and welcome visitors/contractors to review maps, etc.

Other informational items discussed from Roadside Environmental:

Level III E&SC/SW Certification requirement for Designers of E&SC plans and reclamation plans becomes effective with January 2008 lettings and forward.

Level II E&SC/SW Recertification for Site Managers will begin in 2008 with a one-half day class with no examination. Classes should be posted beginning in spring 2008.

The Committee was reminded of the LQ Annual Review that was anticipated to begin in early January and early February 2008.

10. OTHER BUSINESS

a. Payment for Endwalls, Precast and Cast In Place

The Divisions pay differently for the precast versus cast-in-place endwalls. The contractors' understanding is that they were to be paid the same. It was discussed and the Department agreed to review the specifications (Section 838) and clarify the payment to reflect the same payment for both items if needed.

b. Permanent Seeding and Mulching Incentive

Ron Hancock announced that the Department is considering eliminating the incentive for *Response for Erosion Control*. From 2004 through 2006, the

payment was only \$475,000 statewide. Some subcontractors are saying they never see the payment. It was once a tremendous incentive but since the environmental regulations are so stringent now, it is not. Ron asked for comments from the Industry on its elimination and will follow-up at the next meeting in February 2008. (Attachment No. 1)

c. 3D Modeling

Ron Hancock asked for comments on the 3D modeling for the Wake Forest Bypass (R-2809A). This is the first test project to include this proposed surface model. There is a link on the project letting website in which one can request the data during advertisement. It will be sent via File Transfer System (FTS) for download. Additional projects that will have 3D modeling available will be the Goldsboro Bypass (R-2554) in Wayne County and US 19 (R-2518) in Madison and Yancey Counties.

Gerhard Pilcher mentioned that Minnesota is giving out 3D models with the bidding documents.

11. MEETING DATES FOR 2008

February 21 April 17 June 19 August 21 October 16 December 18

Note: All meetings will begin at 9:30 a.m. You may want to reserve all day for the meeting in case it runs long, or there is a need to make a field trip in the afternoon.

C: Scott Capps
Randy Garris, PE
Chris Howard
Joel Howerton, PE
Dennis Jernigan, PE
Michael McKoy
Ellis Powell, PE
Ted Sherrod, PE, CPESC, CPSWQ
Norma Smith
Lamar Sylvester, PE

CONTRACTOR CLAIM SUBMITTAL FORM:

If the Contractor elects to file a written claim or requests an extension of contract time, it shall be submitted on the *Contractor Claim Submittal Form (CCF)* available through the Construction Unit or http://www.ncdot.org/doh/operations/dp_chief_eng/constructionunit/formsmanuals/.



North Carolina Department of Transportation

Contractor Claim Submittal Form

Handout No. 1 continued

Contract No.:	_____	Division:	_____
TIP No.:	_____	County:	_____
Project No.:	_____	Contractor:	_____
Date:	_____	Resident Engineer:	_____

The Request is for:

- An Extension in Contract Time: Amount: _____ Days
- An Extension in Intermediate Contract Time No. _____ For: _____ Days Hours
- Additional Compensation Amount: \$ _____

Contractor Claim Submittal Form Instructions

1. Complete the requested project information on page 1.
2. Complete the applicable specification section(s) on pages 2-4. For contract time extension requests, complete the applicable section on page 2. For requests for additional compensation, complete the applicable section(s) on pages 3-4.
3. Attach supporting documentation (i.e. cost records, weekly records, supporting data and information).
4. Complete the certification section on page 1. *Note: The Contractor's Authorized Representative should be someone who has the authority to sign supplemental agreements for the Contractor.*
5. Forward the original form and supporting information to the Resident Engineer if the claim is an active claim. If the claim is a final claim, forward the original form and supporting information to the State Construction Engineer.

Contractor's Certification

I hereby certify that the information contained herein is submitted in accordance with the Standard Specifications and is true and accurate.

Signature

Title

(Print or Type Signer's Name)

Date

Comments

Contractor Claim Submittal Form

Handout No. 1 continued
End

Requests for Extensions in Contract Time: (Applicable section(s) to be completed by Contractor)

108-10(B)3 Delays To The Contractor's Controlling Operation(s)

1. What is the alleged controlling operation delayed? _____

2. What are the circumstances resulting in the alleged delay? _____

3. What calendar dates/times was the controlling operation allegedly delayed? _____ *through* _____

108-10(B)4 Changes In The Work Ordered By The Engineer (Additional Work, Etc.)

1. What is the category of the request?
 Reduction in Quantities Elimination of Items Additional Work Extra Work
2. What is the affected operation? _____

3. What is the controlling operation? _____

4. What are the calendar dates/times affected? _____ *through* _____
5. What time extension is being requested? _____

RESPONSE FOR EROSION CONTROL:**Description**

Furnish the labor, materials, tools and equipment necessary to move personnel, equipment, and supplies to the project necessary for the pursuit of any or all of the following work as shown herein, by an approved subcontractor.

- (A) Seeding and Mulching
- (B) Temporary Seeding and Mulching
- (C) Temporary Mulching
- (D) Fertilizer Topdressing
- (E) Repair Seeding
- (F) Supplemental Seeding
- (G) Silt Fence Installation or Repair
- (H) Installation of Matting for Erosion Control

Construction Methods

Provide an approved subcontractor who performs an erosion control action as described in Form 1675. Each erosion control action may include one or more of the above work items.

Measurement and Payment

Response for Erosion Control will be measured and paid for by counting the actual number of times the subcontractor moves onto the project, including borrow and waste sites, and satisfactorily completes an erosion control action described in Form 1675. The provisions of Article 104-5 of the *Standard Specifications* will not apply to this item of work.

Payment will be made under:

Pay Item	Pay Unit
Response for Erosion Control	Each