



MINUTES
ICI/INDOT STATEWIDE JOINT
COOPERATIVE COMMITTEE MEETING
MAY 3, 2017



ATTENDING:

INDOT – Co-Chair Robert Tally (Central Office), Co-Chair John Lecke (Central Office), Vice-Chair Greg Pankow (Central Office), Michael R. Beuchel (Central Office), Tim Buckner (Vincennes District), James Colonis (Greenfield Office), Steve Duncan (Central Office), Mark Fligor (Vincennes District), Rob Goldner (Central Office), Tom Harris (Central Office), Derrick Hauser (Central Office), Joe Jones (Seymour District), Stephen Merz (Central Office), Bart Mueller (Vincennes District), Ting Nahrwold (Central Office), Joe Novak (Crawfordsville District), Andrew Pangallo (Central Office), Kurt Pelz (Central Office), Rick Phillabaum (Central Office), Andrew Pinkstaff (Vincennes District), Jay Ritter (Crawfordsville District), Clint Scherzer (Vincennes District), Curt Schum (Vincennes District), Erik Seef (Crawfordsville District), Scott Sipes (Greenfield District), Jason Spreen (Fort Wayne District), Scott Trammell (Central Office), Jay Woenker (Fort Wayne District) and Nathaniel Whitacre (Fort Wayne District).

ICI – Co-Chair Todd Fredrick (Primco, Inc.), Vice-Chair Keith Mullens II (The Hoosier Company, Inc.), Board Liaison Daniel F. Brown (Phend & Brown, Inc.), Board Liaison Mark Thompson (Milestone Contractors, L.P.), Leadership Jason Yeager (Weddle Bros. Construction Companies), Don Adamson (Fox Contractors Corp.), Mark Andrews (Milestone Contractors, L.P.), Scott Beyer (HIS Constructors, Inc.), Sanders Courtney (Construction Engineering Solutions, LLC), Jon Day (HWC Engineering, Inc.), Todd A. Fawver (Milestone Contractors, L.P.), Jason Gasaway (E & B Paving, Inc.), Randy Hancock (HWC Engineering, Inc.), David Heyde (E & B Paving, Inc.), Todd Hyder (Primco, Inc.), Pat Kirchner (Force Construction Company, Inc.), Marlin A. Knowles (HWC Engineering, Inc.), Thane Knox (E & B Paving, Inc.), Kevin Kruckeberg (E & B Paving, Inc.), Bernie Kruse (C-Tech Corporation, Inc.), Mike Madrid (Highway Safety Services, Inc.), Cam Paddock (E & B Paving, Inc.), Michael Pritchett (Harmon Steel, Inc.), Darrell Pruitt (Superior Construction Co., Inc.), Austin Sanders (Sanders Pre-Cast Concrete Systems, Inc.), Ross E. Snider (USI Consultants, Inc.), Ken Walschlager (Milestone Contractors, L.P.) and Jay Woenker (Brooks Construction Co., Inc.).

FHWA – Eryn Fletcher.

ICI Staff – Richard Hedgecock, Calvin Lee, Lori Lynn and Dan Osborn.

Guest – William I. Knopf (Asphalt Pavement Assoc. of IN) and Mike Stair (HNTB Corporation).

CALL TO ORDER

Co-Chair Fredrick welcomed everyone in attendance, conveyed appreciation for the large attendance, and introduced Mr. Leckie, INDOT Director of Construction and Materials Management, who will assume Mr. Miller's assignments. Self-introductions ensued.

WORK ZONE SAFETY

Mr. Lee and Mr. Tally expressed mutual appreciation for INDOT's and ICI's cooperation for a common goal regarding the ICI/INDOT Work Zone Safety Task Groups. Mr. Lee provided an update on three key areas of focus including: (1) early industry input on projects to improve maintenance of traffic, phasing, scheduling, and other feedback (INDOT has recently provided a temporary link on the INDOT Contract Letting Information webpage to solicit comments and suggestions from contractors for several future contracts), (2) increased law enforcement presence on selected contracts (ICI and INDOT are working through several issues including funding, liability, and workforce availability in effort to increase the use of law enforcement in work zones), (3) INDOT Interstate Highway Congestion Policy (IHCP) exceptions (INDOT is offering contractors the opportunity to attend exception training). Mr. Tally stated that LaPorte District Director of Construction, Jon Kruger, is working with E & B Paving, Inc. to add speed display buggies to a current contract.

Committee discussion included A+B project delivery, early IHCP exception submittal during development and design, revisions to the design manual to improve positive protection, and improving work zone safety / maintenance of traffic design with a greater emphasis on development phase site investigations.

COMMITTEE UPDATES

Partnering

Mr. Osborn and Mr. Pangallo attended the Federal Highway Every Day Counts Partnering conference. They shared recommendations including: agreement and documentation of expected dates and durations associated with pay estimate reviews and processing and change order processing/approvals, review of the contractor's schedule, generating a risk register, co-located field offices, joint training, and a dispute resolution process.

Committee discussion included emphasis on joint understanding of contractor schedules, collaborating on mitigating issues, the benefits of communication, and the possibility of utilizing a third party for dispute resolution.

ACTION ITEM: Generate items for preconstruction checklist. (Osborn/Pangallo)

Note: Mr. Leckie requested input from the committee in an effort to generate a master pre-construction checklist.

Change Orders, Pay Estimates, and Purchase Orders – Expected Processing Durations and Performance Tracking

Mr. Mullens explained that industry would like INDOT to develop a process to track processing of change orders, purchase orders (P.O.s), and progress estimates. He suggested that contractors can help improve the process efficiency by utilizing the Change Order Request form. Mr. Leckie stated that INDOT is looking into their capabilities to track processing of change orders and progress estimates. Mr. Leckie said that their currently utilized "aging report" could be used to track progress estimates. Mr. Leckie does foresee a mechanism to track P.O. processing at this point.

ACTION ITEM: This item will remain on the agenda. Mr. Leckie plans to provide an update at the June leadership meeting.

Above Normal Inclement Weather Days

Mr. Pankow shared that INDOT is working on a document to improve the interpretation consistency of the current specification language. INDOT plans to provide a draft of the document for review to ICI by the end of May 2017.

ACTION ITEM: Mr. Osborn will distribute the draft document to ICI leadership upon receipt from INDOT.

CONTINUING IMPROVEMENT TOPICS

Resurfacing with Grade Correction

Mr. Brown discussed relevant bid items and the conflict between pay items and standard details in the plan. He relayed that there is conflict with respect to the planned slope in plan details versus reality, particularly pertaining to secondary two-lane roads. He explained that often contracts do not include the proper pay items and suggested that additional design phase pavement investigation is needed. Mr. Walschlager further explained when a contract includes resurfacing for a road with an existing cross-slope that is greater than planned two percent, a variable depth milling or wedge and leveling pay item should be included. Mr. Leckie stated that INDOT Design Dir. John Wright is working with district design personnel on this topic.

ACTION ITEM: Mr. Leckie will work to have an update at a subsequent Statewide Leadership meeting.

401 Permits and Dealing with IDEM Oversight

Mr. Fredrick explained several issues experienced recently including surprise IDEM 401 certification inspection, lack of consistency between contract documents and a 401 certification narrative, and deficient certification and contract language leading to lack of adequate means and methods to construct structures and coffer dams. Mr. Fredrick suggested improving collaboration with IDEM and the design community to improve communication and design and 401 certification documentation.

Committee Discussion included promotion of more flexible wording of plan notes and 401 certification narratives to provide for adequate and applicable construction means and methods. Water of the U.S. interpretation is not consistent among the stakeholders including the local Soil Conservancy Districts. Are utility contractors responsible for working with the NPDES regulations?

ACTION ITEM: Mr. Osborn will reach out to IDEM and ACEC.

Storm Water Quality

Mr. Osborn presented this topic and asked what issues are industry and INDOT seeing with the Erosion Sediment report? Mr. Fredrick said contractors do not have access to an accepted inspection report. He explained that the report is removed from the ITAP web access site upon

INDOT PE/S or inspector acceptance. Mr. Fligor reported that he has spoken to INDOT central office about posting a copy of the accepted inspection reports on the ITAP web page. Mr. Pankow reported some occurrences of contractors reporting no deficiencies on reports to avoid future legal repercussion. Mr. Tally emphasized accurate reporting to build history. Mr. Fredrick added the importance of photographic records pre and post corrective action. Mr. Pangallo mentioned a possible future report version could auto populate past item comments. Messrs. Brown and Fredrick expressed approval of that idea.

ACTION ITEM: Mr. Osborn will follow up with appropriate INDOT.

Owners and Contractors Protective (OCP) Liability coverage

Mr. Fredrick presented that contractors are frequently asked to renew OCP on contracts with a delayed completion date to subsequently receive a completion notice very soon thereafter. He explained, in one instance, a contractor was denied a notice to proceed on an unrelated contract until the OCP on an existing contract was provided. Mr. Fredrick asked if INDOT could send communication about expired OCP to multiple contractor recipients to improve the chances of prompt action. Mr. Jones suggested that contractors should update contact information at the time of the pre-final inspection. Mr. Spreen noted that INDOT should not be solely responsible for OCP lapse.

ACTION ITEM: INDOT - look at possibilities to add multiple contractor contacts to contact list.
Contractors – Develop a procedure to set up an OCP expiration/renewal reminder.

Electronic Payroll Submission

Mr. Pankow announced that INDOT plans to begin requiring electronic (pdf) submittal of payroll documents. He added that all subcontractor payroll will need routed through the prime contractor. INDOT may hold an estimate if payrolls are not submitted. The change will begin in July for new and existing contracts. Information about the procedure and how to create electronic documents will be placed on the INDOT website. A construction memo will be released explaining the new policy and direction to generate change orders on current projects.

Committee Discussion included a statement that DBEs could struggle submitting payroll files on time and INDOT is interested contractor and INDOT staff concerns regarding this change.

ACTION ITEM: no action needed

OPEN FORUM

Bid Express electronic bidding

Industry requested training. A question was asked about when "DBE.BIN" files are updated? INDOT responded by stating that updates are entered several days before letting. INDOT recommends to go to the EOD/IDOA website to see who is approved. DBE BIN file is on Bid Express at letting level. Wooden waits to post several days before letting to be as current as possible. EEO officers are not aware, so INDOT needs to send to staff. This is OK – roll out formal process. Need to put in correct folder – State Board of accounts

ACTION ITEM: Mr. Osborn is working with INDOT E.O.D. to generate a Prime Contractor's DBE procedures guide.

Re. Trainees vs. Journeyman Ratio

The Vincennes district has required a contractor to pay trainees at journeyman pay scale at a ratio that is contrary to current regulations. Mr. Pritchett stated that this is due to a labor shortage. Mr. Fredrick suggested a distribution of a survey to explore the issue.

ACTION ITEM: Survey industry

Mr. Osborn adjourned the meeting.

Approved by Co-Chair Todd Fredrick (via email) _____ 5/26/2017

Approved by Co-Chair Robert Tally (N/R) _____ / /2017

Approved by Co-Chair John Leckie (N/R) _____ / /2017

Approved by Vice-Chair Keith Mullens(N/R) _____ / /2017

Approved by Vice-Chair Greg Panko (N/R) _____ / /2017