

MEETING MINUTES
ACEC-IL / IDOT Liaison Committee
Committee Meeting

Location: Den at Fox Creek Golf Course
3002 Fox Creek Road
Bloomington, IL 61705

Meeting Date: Thursday, November 15th, 2018

Time: 10:00 AM – 1:30 PM

Topics to that were discussed:

1. Welcome and Introductions
2. Review of Meeting Minutes – ACEC-IDOT member meeting - September 7, 2018
 - *The Meeting Minutes from the previous meeting will be distributed shortly.*
3. ACEC-IL Updates – Dave Bender (ACEC)
 - *Mr. Bender is in Springfield working with the legislators. The proposition of capital funding (sustainable) is gaining traction in Springfield.*
 - *Legislative agenda item – QBS threat. Media outlets have been targeting the QBS process. ACEC is trying to provide a response.*
 - *TFIC Funding Plan and Progress*
4. IDOT Updates
 - **Paul Loete Update**
 - i. *The number of vendors that are pursuing work on the IDOT Bulletin has been low. Low submittals are a problem for IDOT because it is viewed that there are opportunities that are being passed up even as consultants are indicating to IDOT that there is not enough work. The consultants are being selective on what they are pursuing. One idea to help consultants understand this is to publish the number of qualified submissions that IDOT received on each item on the Selection Press Release.*
 - ii. *Various/Variou – Mr. Loete’s directive to the Regional Engineers is to utilize the consultants that they have on board and hold them accountable.*
 - iii. *Errors and Omissions Policy – Change orders and construction changes. IDOT will be taking a more detailed look at why E&O are happening. Contract*

authorizations are not being approved until resolutions are provided. This will also be reflected on Consultant Evaluations.

- iv. Consultant Evaluations are being stressed by the Department and the intent is to provide more meaningful evaluations closer to the time the work by the consultant is being completed.*
- v. Fatality Reduction – about 1000 deaths on roadways. IDOT is renewing their effort to reduce the number of fatalities. Toward Zero Deaths initiative has worked well in Minnesota (reducing fatalities 40%). Director Loete is encouraging engineering professionals to lead by examples and pass the message along to their friends and families.*

- **Jack Elston Update**

- i. The Committee should feel free to indicate to IDOT on who should be attend the meeting. If certain IDOT staff should be present to facilitate a discussion, it should be made known to IDOT.*

- **Local Agency**

- *Local Agreement Contract Provisions (\$75/hr. cap on CECS, etc.) – this does not apply to local agency projects. As of today, there are still salary caps and use of the old CECS forms.*
- *Updates on CECS Forms / Spreadsheets – IDOT would like to have one CECS spreadsheet (rather than the three that are currently available to locals) for all projects state and local alike. There has been some resistance from a couple of Local Agencies. Timeframe for form adoption is targeted for the next few months but could take longer than anticipated.*
- *Maureen Castle (Local Roads) is retiring at the year end.*

- **IDOT CAD / 3D Design Policy**

- *IDOT working to embrace 3D design plans. IDOT is working with the Tollway on this and would like to move more quickly on a 3D Solution.*
- *The Illinois Tollway will be adopting the IDOT CADD Environment.*
- *IDOT is also adopting Bentley's Open Roads Design (ORD) Environment.*
- *Bentley will soon be halting support of the SS4 Environment.*
- *3D Plan sets will be required on a greater number of future bulletin items.*

- **DBE Program**

- *No update to the DBE Program.*
- *IDOT understands that it is sometimes challenging to determine DBE usage on Various-Variou Contracts.*
- *Primes have been giving DBE's their employees to run out DBE Budget/Goal. This is not within the spirit of the DBE Program.*
- *Statement of Interest – Subconsultants need to be prequalified. If the sub is not prequalified with IDOT, they are not considered a subconsultant and*

will not contribute to the DBE Goal. The exception to that is Public Involvement. For Mentor Protégé Programs – the protégé has to be prequalified in at least one category to be considered. Mr. Elston noted that the Prime firm should only be getting credit towards the DBE goal if the DBE is performing work that they are prequalified in. There is a recognition by IDOT that there are no tracking mechanisms in the subconsultant billing process to demonstrate compliance with this policy.

- *Direct Costs and DBE's – Direct Costs that are in direct support of what the DBE is doing should count towards the goal. IDOT is trying to avoid a pass-through. Unwritten rule is the DBE should have 30% maximum direct costs.*
- *Invoices do not allow firms to recognize splitting between non-DBE and DBE services by the DBE firm. D1 is adding two lines to the CECS for ABC Firm – DBE and ABC Firm – Non-DBE for the Mentor Protégé (M-P) Program. IDOT is committed to reviewing the M-P Program as a whole. The goal of the program is to have the DBE's graduate from the program. DBE is only tracked when invoices are received which could be problematic, if only one invoice is submitted per firm.*
- *PTB 189 implemented the DBE utilization plan. For Various-Variou, it is expected that the firm will meet the DBE Goal. Good faith efforts and waivers are typically given on supplements where the prime may be the only entity able to perform the work.*
- *New DBE's need to be justified and cannot be added without cause.*
- *Automobile Lease versus billed Mileage - Auditors are looking into leased rates for company owned vehicles (mainly happens on Phase III contracts). IDOT would like to go to a mileage only system.*
- *Carrie Kowalski will be leaving at the end of the month. The position has been posted and interviews will be conducted at the end of December.*

5. ACEC-IDOT Committee / Subcommittee / Working Group Updates

- **IDOT Standard Agreement Working Group – John Clark (Peralte-Clark)**
 - i. *Working with industry to provide comments on the agreement to IDOT. IDOT noted that the Errors and Omissions and Insurance Requirements are not likely to change. Other comments were believed to be related to “a matter of semantics” and IDOT didn't quite understand the need for the changes. The Committee will follow up with a meeting with IDOT to discuss the comments further in detail.*
- **3D Design / Policy Committee – John Clinnin (Wight)**
 - i. *IDOT was concerned with overtaxing their resources any further on 3D (since they are already involved in the Roadbuilders 3D Committees). However, the Department is willing to be engaged with the committee as necessary.*
 - ii. *Legalities and Risk Management are already being covered by other committees.*
 - iii. *The Committee would like to engage in 3D as a process from planning to design to construction.*

- Education – Eric Meschewski (Graef)
 - i. *Eric Meschewski was not present, so John Clark provided an update. Carrie Kowalski is leaving (will be a 75-day employee). ACEC is looking leverage her experience prior to her departure from IDOT. One solution being considered would be to hire Carrie after she retires in January to provide a series of web-based training sessions to be used as a resource for firms looking to become prequalified in Illinois. ACEC could compensate Carrie for her involvement in this training. This option would involve some cooperation from IDOT. IDOT was open to the idea but stressed that everything should be transparent so that there isn't even the appearance of impropriety.*
- Administrative Policies Committee – Salvatore Di Bernardo (Ciorba)
 - i. *The goal of this subcommittee is to work as a liaison between the greater committee and IDOT.*
 1. *Local Roads – Forms, agreements, etc.*
 2. *EPAS – Lockout times.*
 3. *Polling Committee Members to determine other issues.*
 4. *Timing of NTP sometimes requires a supplement because rates have changed significantly from time of proposal to notice to proceed.*
 5. *Performance Evaluation coming way too late (after construction compete, sometimes 3 years later).*
 6. *Local Roads – Maureen Castle is retiring at the end of the year.*
 7. *Helping with the single Local Roads/IDOT CECS Form, for example, could be tackled by this committee.*
- District One – Stacie Dovalovsky, Chair (Clark-Dietz)
 - i. *Phase I CSS Committee – Training in D1.*
 - ii. *Innovation and Technology Subcommittee – Lunch and Learns for District Staff. Denis Hogan is requesting ideas for submission.*
 - iii. *Construction Subcommittee – Seminars for IDOT staff.*
 - iv. *Land Acquisition Subcommittee – Addresses issues that Phase I/II/III are having with Land Acquisition.*
 - v. *Design Subcommittee – Collecting topics for a design seminar in 2020.*
- District Eight – Steve Donahue, Chair (Horner & Shifrin)
 - i. *Met recently in Collinsville. Trying to keep the subcommittee informal. Wanted to have a dialog between the D8 staff and consultants (not BD people, but consultants that are performing the work). Meetings generally end with a technical presentation.*
 - ii. *The IDOT D8 staff needs to have more exposure to Alternative Delivery Methods.*

6. Past Coordination Items With IDOT

- *The list of coordination items below was identified as past, ongoing issues that remain open with IDOT. A detailed discussion of these items was not undertaken, but a plan to document these issues with “white paper” summary documents to maintain consistent efforts to address and resolve these issues was discussed.*
 - Contracts
 - Lump Sum Agreement
 - Advertisements
 - Request for Clearer Descriptions on Various/Variou Solicitations
 - Request for Selection Results to show team including DBE subconsultant
 - Project Delivery
 - Zero-dollar contract adjustments (adopt ISTHA reallocation process)
 - Transfers between expense and labor budgets
 - Various-various task order overruns
 - Consistency between Districts (policies, standards, level of effort)
 - Department Support
 - Advocacy
 - Process Review
 - Legislative
 - Design-Build/P3
- Various-Variou Contracts
 - *Concerns regarding Various-Variou contracts were discussed. When reporting backlog on PTB consultant utilization forms, the entire Various-Variou contract amount is typically the backlog that consulting firms report. This is often a concern for firms since Various-Variou contracts can be in place for years with no work orders issued.*
 - *Jack Elston indicated that they understand the issue and emphasized that the consultant utilization forms don't weigh in that heavily on selections. Since the issuance of work orders in a Various-Variou contract determine the actual “true” backlog, the idea that consultants should only be required to report this amount as backlog was discussed. IDOT said that this the backlog is “consultant determined” and was up to their interpretation for determination of true backlog. They agreed that in a situation where a Various-Variou contract was issued with no work orders, the consultant could report this backlog as \$0, as long as the consultant was not aware of any upcoming assignments under this contract.*
 - *IDOT is pushing to close out projects. The remaining backlog that lingers from these projects has to be reported by consultants on PTB utilization forms, even though no additional work is planned to be performed under these contracts.*

- *ACEC member firms noted that additional clarifications regarding the scope of work for these contracts would be greatly appreciated, including a clarification regarding whether it is an “add staff to be embedded at the Department” type contract.*
- *IDOT will continue to encourage the Districts to post more information and for consultants to review the additional information posted to the District website links to find out more information about item details and requirements.*

7. Issue Resolution Process and Tracking

- *A proposed “white paper” tracking and issue resolution process was discussed. IDOT agreed with this approach. Chairman Clark noted that suggested improvements to this proposed process are welcome at any time.*
- **White Paper Process**
 - Identification of key issues & resolve sticking points.
 - Identify a consistent point of contact from IDOT and ACEC to champion this effort moving forward.
 - Make a commitment to keep same resources involved in the process until it is resolved.
 - Establish a timeframe for getting the agreement updated and approved.

8. New Items

- *Committee Members and IDOT should provide any feedback on how these meetings could be more effective. The goal is to maintain an open, honest dialogue between ACEC Membership and IDOT to facilitate improvements to workflows, processes and improve the efficiency of IDOT projects.*
- *CCDD – Testing frequency or depth has been a topic of debate. Section 669 in the Standard Specifications has been updated to include qualifications of the individual in charge of testing. IDOT has developed a working group to address some of the questions and concerns regarding CCDD and Special Waste.*

9. Open Discussion

10. Next ACEC/IDOT Full Committee Meeting:

- *Thursday, May 23rd, 2019 – (Firms & IDOT) – Bloomington, IL*