

ODOT/Industry Leadership Group
April 21, 2006

Attendees: (See Attached Attendee List)

Contractor Evaluation Process:

Jeff Gower handed out copies of the attached Contractor's Construction Process Feedback (Part A) and Prime Contractor Performance Evaluation (Part B) forms. The Part A will give the contractor an opportunity to provide feedback on the quality of ODOT plans and specifications as well as on the contract administration process. Part B will be a revision to the existing form for ODOT to evaluate the Prime Contractors performance. This form is still a draft, but is envisioned to be finalized in the near future. Any comments were asked to be returned in the next to weeks so the final version of the form can be completed.

In terms of implementation, the new forms will be implemented for all projects let after a target date (ie: July 1). For projects let prior to that target date, we will continue to utilize the existing form for the Contractor evaluation as the official evaluation, but will complete the new form to generate data to identify any problems. Contractors will be asked to complete the Part A of the new form on projects immediately to provide ODOT feedback now.



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ODOT ProjectEvaluat

Labor Compliance Meeting Update:

Jeff Gower updated the group on the Labor Compliance meeting that had been held April 13. The subcommittee had met on April 13 and put together a process that would get the certified payrolls reviewed and accepted within 30 days of them being submitted. In general the process would have the following steps:

- Review in detail the first payroll submitted by each contractor and subcontractor working on the project.
- For following payrolls, a detailed review would be completed for each contractor and subcontractor for one weekly payroll per month.
- If the above checks found the payrolls satisfactory, all the payrolls for that month would be accepted at that point and would receive no further ODOT review unless an official complaint were filed.
- The ODOT Labor Compliance officer would perform random reviews to assure accuracy and consistency in the review process, but would not send any payroll issues back to the contractor. Issues identified would be

used as opportunities for training and improvement in ODOT's overall review process.

Mark Dostal will be detailing the entire review process. When complete, he will submit to BOLI for their concurrence. Once approved, ODOT will need to look at how best to accomplish the reviews. It is expected that this new process could be implemented within the next few months.

Oregon Administrative Rule on Payroll Submittals:

The attached copy of the section of Oregon Administrative Rule (OAR)839-025-0010 was distributed and discussed. This rule requires ODOT to withhold 25% of a current month progress estimate if the contractor does not submit the required certified payrolls (See paragraph (5)). It also requires the Prime Contractor to withhold 25% of the subcontractors payment if they do not submit the required certified payrolls (See paragraph (6)). It was noted that the AOR does not address whether the payrolls are correct, only that they must be submitted.

Insurance Issues – Lead and Asbestos:

Marge West shared information regarding recent confusion with ODOT's insurance specifications, particularly the asbestos and lead insurance requirements. The issue being some of the recent specifications listed an "na" under the limit amounts. This was being interpreted as the insurance was not applicable when in fact the intent was simply that separate limits were not applicable. Addendums were being put out for the projects currently advertised with this specification and Contractors were asked to let us know if they see this specification prior to bid openings so it could be corrected.

Boli Issues on Labor Classification:

The issue of what labor classification different types of work should fall into was discussed. The primary issue being to help identify the appropriate classification and to document to the information is available to both contractors and ODOT labor compliance staff. It was agreed to form a task group to work this issue. Jeff Gower will work with Jessica Harris to identify members for the task group. Key members will be Mark Dostal (ODOT Labor Compliance Officer) as well as representatives from BOLI.

DBE Goals:

The status of ODOT's DBE program was discussed. In an earlier meeting this morning Matt Garrett told industry that the DBE goals would be set at zero until a disparity study can be completed. There will be "aspirational" goals until the disparity study is completed. It was expected that the disparity study could take up to one year to complete.

NOA's

A couple of items that were not on the agenda were discussed. The first was a concern raised by industry regarding a shortage of fly ash. The supply of fly ash is becoming a real problem. Industry was looking at what ODOT would do if this product becomes unavailable. It was agreed that ODOT would schedule a meeting with AGC, OCAPA and ODOT technical experts to discuss alternatives to mix designs that require fly ash.

The second additional item was a discussion on vertical clearance issues. ODOT is trying to help Motor Carrier – Permit staff identify when vertical clearances change on our highways. Effective May 1, ODOT has agreed to provide 30 day advance notice anytime vertical clearance will be reduced below standards. Our Project Managers will be tasked with coordinating this effort, but may negotiate change orders with the contractors to get the actual measurements. We are also working on a specification to be included with our survey specification to make the contractor responsible for this notification in the future. When the draft specification is ready, it will be shared with industry for input.

Next Meeting:

The next meeting of the leadership team will be on May 19 at 9:00 am.

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List of Attendees

Jeff Gower	ODOT - Construction
Jessica Adamson	AGC
Bob Pappé	ODOT – Contract Administration
Wynnette Gentemann	ODOT – Procurement
Mike Long	ODOT – Region 2
Bob Reinhard	AGC
Ted Aadland	Wildish
Larry Gescher	Slayden Construction
Reed Thatcher	KT Contracting
Marge West	ODOT – Region 1 PM
David Henderson	OBDP
Cathy Nelson	ODOT – Technical Services
Tim Dodson	BDU
Dave Mingo	Cascade Bridge
Scott Williams	Hamilton Construction
John Dudasch	CH2M Hill