

**CAWV / DOH
JOINT COOPERATIVE COMMITTEE**

December 19, 2007

WVDOH Headquarters ~ Capitol Complex

MINUTES

INDUSTRY REPRESENTATIVES:	Lee Cooperrider	Mike Harvey	Tim Priddy
	Willie Crane	David Lawman	Stuart Sigmon
	Randy Epperly	Jim Mattingly	Gene Thompson
	Mike Griffith	Bill Medcalf	Ed Treadway
	Sumith Hapuarachy	Ed Phares	
DOH REPRESENTATIVES:	Paul Mattox, <i>Co-Chairman</i>		
	Darrell Allen	Aaron Gillispie	Jim Sothen
	Greg Bailey	Joe Hall	Paul Turman II
	David Cramer	Marvin Murphy	John Walker
	Lovell Facemire	Charlie Riling	
	Jason Foster	Todd Rumbaugh	
FHWA REPRESENTATIVES:	Tom Smith		
	Joe Werning		
STAFF:	Mike Clowser, CAWV		
	Pat Parsons, APAWV		

The meeting was called to order at 12:30 p.m. by Acting Co-Chairman Pat Parsons, and no corrections were made to minutes of the June 11, 2007 meeting. A motion to approve the minutes was made by Bill Medcalf, seconded by Gene Thompson; motion carried.

SUBCOMMITTEE REPORTS

1. CONSTRUCTION SUBCOMMITTEE

Minutes from a December 6, 2007 meeting were provided by Co-Chairmen Rumbaugh and Lawman. Items advanced for discussion included the following:

- A. Jurisdictional Information** – Industry stressed the importance of the WVDOH providing bidders information on jurisdictional determinations.

The DOH stated that they plan to establish a database that will contain surveyed areas and many others, likely filed by county and stream name. The Corps of Engineers reportedly will also have information available. The DOH noted that the information will at times include data for areas beyond the 1,000 corridor.

- B. In Lieu Fees and Mitigation Banks** – Industry noted their interest in the availability of these tools. The DOH stated that they were not sure of the status of these items, adding that they must exhaust other mitigation options first. The DOH also noted private mitigation banks can be very expensive.
- C. Weather Stations & Upset Clause** – The DOH reported that they will probably add a weather station item to the standard field office list, adding that many systems are available.
- The DOH also reported that they are developing criteria relative to the Upset Clause that should help everyone understand what constitutes an event, basis for measuring it, reporting, follow-up, etc.
- D. DBE** – Industry told the DOH that they would submit in writing some DBE questions related to bidding and goals. The DOH said they would respond to the inquiry with guidance from Drema Smith.
- E. Electronic Bidding** – Industry expressed their enthusiasm for the reported start up of the Bid Express implementation process.

2. PCC SUBCOMMITTEE

The committee was provided minutes of an October 17, 2007 subcommittee meeting and the following items were advanced for discussion:

- A. Class H Concrete** – Industry inquired as to the status of sub-committee recommended Class H Concrete specification changes.

Aaron Gillispie responded that the DOH and FHWA had approved and implemented the recommendations.

3. ENVIRONMENTAL SUBCOMMITTEE

The committee was provided minutes of a November 8, 2007 meeting by Chairman Epperly and the following items were advanced for discussion:

- A. Corps/DOH Staff Position** – Industry asked the DOH to provide them a job description for Sarah Workman's US Corps of Engineers (Huntington Division) position within the DOH, adding a recommendation that some of her time can be devoted to contractor permit issues.

The committee briefly noted and discussed the additional risk and time associated with the permitting process, adding that the Pittsburgh Corps would retain the responsibility for Corridor H and Route 9.

4. PUBLICATIONS SUBCOMMITTEE

Industry inquired about the status of the proposed pavement alternate bid project and related publications development. The FHWA stated they would be reviewing the DOH's proposal in early 2008.

TASK FORCE REPORTS

1. DBE

Industry thanked the DOH for the opportunity to have representatives attend the Annual FHWA-WVDOH DBE Conference.

2. SMOOTHNESS

The DOH reported that they are moving forward with plans to utilize the new Special Provision in select projects this year, pointing out that the first operator/equipment certification class was held this month.

3. SECTION 108

Industry acknowledged the considerable time and effort that the task force has devoted to updating Section 108, while pointing out that no compromise was reached on a couple of significant issues. Mattox agreed to a request by industry for a meeting with the DOH to discuss the latest proposal.

4. SHOP DRAWINGS

The committee acknowledged the work of the task force on updating the Shop Drawing Specification, thus removing it from the agenda.

5. ELECTRONIC BIDDING

Todd Rumbaugh reminded the association that the DOH will need 8-10 contracting "pilot" firms to participate in Bid Express training and implementation efforts.

OLD BUSINESS

1. REGIONAL CERTIFICATIONS

The DOH reported that not much progress is being made on the program due to individual state issues and concerns. Gillispie did note that West Virginia may be the prototype for a regional database being developed in Pennsylvania. He also said that the WVDOH is considering a mid-season round of certification exams, possibly with an associated testing fee.

A question arose regarding how the DOH decided to handle the verification of ready-mix concrete designs. The DOH stated they would look into the issue.

2. DESIGN BUILD (DB)

Jim Sothen updated the committee on the status of the three DB projects authorized by the Legislature. Sothen stated that the first project on Rt. 35 is progressing; an RFQ is out for the second project on Rt. 2 in Marshall County; and the third project is a group of four bundled bridge projects in Cabell County. An RFQ for this project, he stated, should be out in January, 2008. Sothen noted that an emergency bridge

DESIGN BUILD (DB) (Continued)

project in Summers County was slated to be done by DB but had to be replaced by the Cabell County project due to a mussels issue. He added that the DOH plans to ask the Legislature for the ability to utilize DB in a Public Private Partnership (PPP) project.

The DOH responded to a question from industry regarding stipends for bidders on DB projects by stating they would not provide any at this time. The DOH added that this decision was based on a study they had done on the issue.

3. OUTSOURCING

Industry inquired as to the status of privatizing DOH maintenance activities. The DOH stated their position has not changed, adding it would have a negative impact on the program and the amount of funds available for contracts. This item can be removed from the agenda.

4. WVBT

Staff reported on the activities and growth of WVBT and their educational campaign. Secretary Mattox thanked the CAWV and WVBT for their efforts.

5. GARVEE BONDS

Secretary Mattox said the DOH had \$200 million in authorized funding for Rt. 35, with \$108 million of that dedicated to the section from the I-64 interchange to the Buffalo Bridge. A remaining 8 mile project (two contracts) in Mason County, he added, will use up the remaining \$92 million in Garvee money, plus the state's earmarks and matching funds.

6. TRAFFIC CONTROL

No report.

7. 70 PERCENT SUBCONTRACT RULE

Industry suggested that the DOH reconsider their decision to reduce the required subcontract percentage from 50 to 30 percent.

The DOH said they would monitor the situation but that they plan to place the 30/70 provision in all future contracts.

NEW BUSINESS

1. PUBLIC-PRIVATE PARTNERSHIPS (PPP)

Secretary Mattox discussed PPP legislation the DOH plans to introduce this year, noting the goal is to bring in sources of new money to the DOH. Mattox pointed out that the proposal protects the road fund, follows normal procurement procedures, and calls only for proposals solicited by the DOH.

Mattox discussed the roll toll roads could play in PPP's, pointing out that a recent toll road study identified 43 miles of roadway in West Virginia that qualify for tolling.

2. STIP

Mattox also provided an overview of the new Statewide Transportation Improvement Program (STIP), encouraging firms to utilize the document. Referencing the six-year STIP, he noted that funding for new construction starts would be declining in the future. The 3R paving program, too, has been lost for approximately 42 months, according to Mattox, due to the need to fund a Kanawha County 3R bridge project. He pointed out, however, that some 3R paving projects would be done with state funds from a larger contract paving program. The small bridge program has been increased from \$30 to \$40 million, said Mattox, noting that 29 bridge projects will be let in February.

3. NEW SPEC BOOK

The DOH reported that the publication of a new book has been delayed by other priorities but that publication is expected in three to four months.

4. CONSTRUCTION FORECAST

Secretary Mattox referred members to the STIP for specific program details but predicted 2008 would be similar to 2006 and 2007.

Mattox noted that there will be some "bundled" paving and bridge projects. He also stated that the Division's goal is to have a consistent program but pointed out that they are still operating without a highway bill and that trust fund problems loom on the horizon.

5. DEP ISSUES

The DOH reported they had met with DEP to discuss inspection issues and other items identified as concerns by the CAWV in their recent letter to the DOH. The DOH said they expect a response from DEP, which they will share with the CAWV.

6. MONONGALIA COUNTY REFERENDUM

The committee discussed the importance of the February 2 Monongalia County Infrastructure Referendum.

7. STATE INFRASTRUCTURE BANK

Staff reported that legislation has been drafted that calls for up to \$50 million in funds that could provide additional financing tools for projects.

Greg Bailey noted his appreciation of industry's input and cooperation this past year.

There being no further business, the meeting was adjourned.

Submitted by: Pat Parsons