

# 45<sup>th</sup> Annual Asphalt Paving Conference

## Question and Answers



# Funding/ Program



- **How much Contract work is expected to be let?**
  - **\$ 12.3M worth of pavement work is expected to be let by 07/15.**
- **How much PO work is available for this spring? What is expected PO workload for Fiscal year 2026?**
  - **The majority of the work is PO (around \$12.1M). Project programming for Non- Federal Aid projects has not yet started. We do not know how much funds will be left over in the Annual Plan budgets for paving at this time but can share with industry when appropriate. We will continue to look at paving on one lane roads, priority projects that the industry isn't able to do on our timeline, as well as slips and other jobs.**



- **What part of the DOH's program will be state force paving? This is important to know up front as industry has a hard time planning when a large influx of projects are inserted into the program late into the season as was the case last year when the DOH stopped their paving program.**
  - **We will continue to look at paving one lane roads, priority projects that the industry isn't able to do on our timeline, slips and other jobs that we perceive the industry doesn't necessarily want to do. Otherwise, it will depend on what level of funding we have left in the annual plans.**



- **What are the DOH's expectations for a General Fund Transfer in 2025?**
  - **At this time, we do not anticipate any future General Revenue Surplus transfers to be made to the Division of Highways.**



- **Why did the STIP dramatically change last March? Why was roughly \$50-100 million removed from the Pavement program each fiscal year?**
  - **The Programming Division is tasked with ensuring the STIP remains in balance. There were several factors which led to the reduction of the pavement program such as; the inclusion of major expansion projects, inflation which resulted in costs above initial estimates and finally obligating a robust bridge program to ensure we were meeting our condition ratings. These factors contributed to having to make reductions to the paving program. The DOH continually monitors our Bridge/ Pavement Management System data. Based on that data, modifications or STIP Amendments can be completed to add paving projects reinstated into the STIP.**



# Operations



- **At some plants, Industry is experiencing a RAP deficit which forces them to produce a 100% virgin stone product. This material change adds significant cost to the DOH. Would the DOH consider relaxing their retainage of RAP from projects?**
  - **No changes in RAP procedures are planned at this time.**





- **Will Industry see the return of the Purchasing Card for PO contracts? If so, when?**
  - **Not at this time.**
  - **Eventually there may be a return of the Pcard for use through WVOASIS for Purchase Order Contracts, but if so we do not know when that time may be.**



- **With pricing fluctuations in materials and labor, would the DOH consider the purchase order paving contracts to be bid on a 6-month time basis? This would reduce risk on contractors by allowing revisions to bid prices more often to adjust price variation, which overall would save the DOH funds by reducing the contractors risk level.**
  - **No, this is not practical in the current manner through WVOASIS, and to have a contract change mid- asphalt season would likely create ordering issues and disputes transitioning from one contract to the next. We want to award the asphalt contracts out of season to help avoid some of these issues.**



- **Would the DOH allow a small percentage of purchase order projects to be awarded during the closeout of a given fiscal year (June)? Not awarding 100% of the future projects is understood as budgets may not be finalized, but this lull in projects results in a gap of work during peak paving times. This then results in a rush at the end of the year to get projects complete.**
  - **This is at the discretion of the Districts. Discuss this with the appropriate District Manager.**
  - **There is no formal restriction. ADO's can be entered up to a year in advance of the work.**



# Construction



- **Are there any major initiatives our new administration is undertaking that industry should know about? Can Industry help in anyway?**
  - **This seems to be a big picture question.**
  - **Continue working with us.**
  - **Communicate!**
  - **Participate and provide input in the Specification Committee meetings.**



- **How much of a change in the scope of work is acceptable before a project should be re-bid? For example, if a project was advertised as strictly night work and no amendment was advertised during the letting, why is that project then allowed to be changed after award to daytime work? In some situations, if a project like this were to have been advertised originally as daytime work more bidders may have been involved.**
  - **Short answer is “It depends”. Time is in a lot of instances “of the essence” which doesn’t lend itself to rebidding. It is preferable to address contract requirements pre-bid. Any contract changes after award should/would result in an accompanying change order and may result in an appropriate cost credit.**



- **There have been numerous situations where district construction folks cannot make/overrule changes to a project unless approved by the projects design engineer, some of these situations have led to longer construction time and/or increased construction costs, with some of these situations likely producing a lower overall quality final product. Why is this engineering fallacy occurring?**
  - **Please provide examples.**
  - **Our project oversight personnel should be making decisions that adhere to the scope and intent of the project. Anything that varies from that would need concurrence from the EOR or at a minimum, consultation with the PM.**



# Materials





- Many projects that require milling often end up with scabbing area. These areas, which may appear adequately adhered to the existing pavement structure, have a tendency to fail when compactive effort is applied to the overlay. This can lead to the potential for potholes, early fatigue distress, lack of uniformity of the pavement structure, and ultimately premature failure.
- Has the DOH considered core drilling projects prior to letting to help establish the actual thickness needed for milling?
- If scabbed areas are encountered on projects, can the DOH permit its inspectors to authorize a change order to mill deeper? Allowing  $\frac{1}{4}$ -  $\frac{1}{2}$ " of additional milling would give the DOH a better performing pavement, especially on thin lifts.
  - The DOH appreciates the concern with scabbing issues. We aim for long lasting pavements and thus would like to reduce scabbing as much as possible. Our drillers have a full schedule, and coring every project that includes milling would be a near insurmountable task. However, we are happy to work with industry to discuss and determine appropriate applicability and what would be an appropriate number of cores to drill, or even other alternatives.
  - Further, be advised that section 415.2.6 states, "If directed by the Engineer, any spalling or dislodged unsound pavement due to milling shall be corrected by the Contractor via section 109.4."



- **Could the WVDOH please outline for everyone how to determine if a product is AASHTO Product Evaluation and Audit Solutions approved? Many products have specifications that require this type of approval, for example Asphalt Release Agents, however how do we determine if a product is approved or not?**
- **Products are not actually approved by APEAS. They are evaluated as a measure to eliminate duplication of testing between State DOT's. For release agents, specifically, the manufacturer of the release agent should provide information to demonstrate their product has been evaluated. Currently, there are 78 unique products that have been evaluated. As a response to industry's concern, MCS&T will begin publishing a list of APEAS evaluated release agents on the Division Approved Product Lists webpage.**
- **[https://transportation.wv.gov/highways/mcst/Pages/APL\\_By\\_Number.aspx](https://transportation.wv.gov/highways/mcst/Pages/APL_By_Number.aspx)**
- **This will not be an Approved Products List, but it will be a resource for producers to help determine whether a product they are using has been evaluated. For mixtures using neat binders, the ARA producer/supplier must still certify the product as harmless to the mix. For mixes using polymer modified binders, the release agent must be recommended by the binder supplier.**



- **Would the DOH consider altering the small tonnage sampling requirements especially during pothole patching season? Producing such small tonnages is not conducive to achieving an equilibrium and stable plant operation.**
- **Quality mix production should always be the intent of the producer; however we acknowledge producing very small quantities can present a challenge.**
- **We are currently revising the language for small quantities in the applicable MP's for Marshall and Superpave.**



- **Have the existing SAMI-seals been performing? Has the DOH seen a significant performance increase in reflective cracking?**
  - **They appear to be performing well overall, although there have been some isolated issues and lessons learned in construction techniques. Most Districts are happy with their performance. Roadway data and SAMI projects are being monitored.**



- **Bond Strength is still an issue facing industry. Industry members have tried basically everything for years to meet the specification but still come up short. Will the DOH consider relaxing the specification? Are we even sure the test is representative of field performance?**
  - **The efforts of industry are not lost on us, and we appreciate the willingness to help us improve our PWL program. We are in the process of making changes to the Bond Strength specification. Please feel free to attend these open Specification Committee meetings and be a part of this process. Quality tack coats and good Interlayer bond strength are both important. Our intentions are to encourage quality tack coats which we believe will lead to good bond strength. Shawn Jack will provide more details during his presentation this afternoon.**



- **Projects are still being advertised for bridges deck replacements and other similar project types, where 410(PWL) is specified for the asphalt pavement. On these projects the quantities required are not in accordance with the restrictions in the Design Directives to use of PWL. Can the Designers be reminded of these size requirements.**
  - **It is not the intent of the DOH for small projects to utilize the PWL specifications. The DOH does its best at preventing this, however if this issue arises, please ask a question on BidX. This will be discussed at the next Fall Designer's Conference.**



# AASHTOWare



- **With all the different modules being implemented with AWP, would the DOH consider making a general web-based landing page for AASHTOWare, which has general information about requirements, outlines the process to gain access to the respective modules, etc.?**

- **It's not a bad idea. This is something we can look into.**





- **When requesting access, can the process be streamlined, i.e. can the contractor submit a single list of employees and their access levels to sample entry, CRL, change orders, etc.**
  - **This can already be accomplished aside from materials access which is given by MCS&T instead of Contract Administration. The Districts still need to request any access for a contractor. The contractor's employees can only be given access by Contract Specific Authority so they can only see the projects they are working on.**



- **Will the DOH be implementing an automated approval process for AWP sample data entry? What are the potential plans? This would help to not delay payments to the prime contractor.**
  - **Yes, we will have pilot version this Spring. We are in the process of working with our vendor to make this technically possible. We are also collecting approval data from the Districts and updating the MPs to provide a path for a contractor to gain access to this.**



- **With AWP in place, will the contractor be able to see quantities on their project in real time that will be paid out on upcoming cutoff dates?**
  - **The materials role can already run the “Detailed Sampling Checklist” which shows the Authorized (Posted) Quantity.**
  - **With the Contractor – View Only role, numerous reports are available for generation, i.e. DWR reports, Estimate Reports, Item posting Report, etc..**



- **What measures are being taken to make AWP more efficient and reduce lag between when work is performed in the field and when it is approved by the lab. There have been significant delays and miscommunication between DOH field and lab personnel.**
  - **We have distributed a memo to the Districts asking them to complete this within 7 calendar days. We also have a metric that we are tracking and sending out. Also, once we have implemented to auto-finalization, this will be paid whether or not the District reviews them.**



# Civil Right Compliance



- **Does WVDOT see any changes coming to the DBE program based on the current direction of the Federal Government?**
  - **IT IS DIFFICULT TO PROGNOSTICATE. THE CODE OF FEDERAL REGULATIONS GOVERNS THE DBE PROGRAM AND WE ARE UNAWARE OF ANY LEGISLATIVE EFFORTS TO REPEAL OR OTHERWISE RESCIND IT.**



- **With the DBE goals being removed from so many projects recently due to the ongoing litigation, will DBE goals on future projects be inflated to ensure overall utilization goal is met?**
  - **WE WILL EVALUATE THE SITUATION ON A CASE BY CASE BASIS. BEING REALISTIC, IF, FOR EXAMPLE, AN AFFECTED PROJECT HAS A 7% GOAL, IT WOULD NOT BE EASY TO TRANSPOSE THAT 7% FROM PROJECT A TO PROJECT B WITHOUT IMPACTING THE CALCULATIONS MADE FOR PROJECT B. FHWA IS AWARE THAT THE LITIGATION MIGHT AFFECT OUR OVERALL DBE UTILIZATION.**



- **Can industry be briefed on the ongoing issues with the lack of Federal Wage Rates for certain job classifications? How should the prime deal with the situation during bidding? Upon reward? Are there standard rates bidders should utilize until official wage rates are updated?**

- **DISCUSSED DURING PRECON SESSION**





- **What is the status of the On the Job training program, in relation to the direction of the federal government?**
  - **AT THIS TIME, OUR OJT PROGRAM REMAINS UNCHANGED. THE CODE OF FEDERAL REGULATIONS GOVERNS THE OJT PROGRAM AND WE ARE UNAWARE OF ANY LEGISLATIVE EFFORTS TO REPEAL OR OTHERWISE RESCIND IT.**



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Thank you and enjoy the  
conference

