

**MCA - MDT Highway Technical Meeting
February 16, 2022 – via in Person and Video Conference**

JOINT MEETING – 2:00 PM

Participants:

MDT:

John Pavsek
Jake Goettle
Oak Mecalfe
Joe Green
Paul Jagoda
Geno Lira
Chris Trautmann
Dan Clary
Jim Davies
Kelly Draper
Dustin Foran
Fred Beal
Megan Handl
Jeff Jackson
Tyler Johnson
Dean Jones
Duane Kailey
Beth Kappes
John MacMillan
Matt Neddham
Josh Rice
Randy Ryan
John Schmidt
Meghan Strachan
Matt Strizich (FHWA)
Kathy Terrio
Jeremy Wilde
Darrell Williams
Darin Reynolds
Paul Bushnell

MCA:

Ryan Young, Glacier Bancorp
Solomon Redfern, Helena Sand and Gravel
Jodie Tooley, MTL
Aaron Grey, Highway Spec
Mitch Callas, United Materials
John O'Brien, Alpine Signs
Pat Bomgardner, MTL
Frank Tabish, LHC
Colton Dean, Century Co.
Kris Woll, Pavement Maintenance Services
Guy Slaybaugh, Century Co.
Russ Gaub, Riverside
Robert Brunjes, Helena Sand and Gravel
David Anderson, United Materials

SPECIFICATION CHANGES

102.07 BIDDING REQUIREMENTS

102.10 DELIVERY AND PUBLIC OPENING OF PROPOSALS

103.09.1 Definition

Slaybaugh: the number pages do not make a lot of sense here. the escrow folks are asking for individually labeled pdfs. Did the dept get any pushback on the timeframe here? – it was 7 days after opening. I think it is going to 5. This is just after apparent low bidder. Regarding cost coding, I interpret that as MDT wanting to know how the costs are going to be tracked. That is not necessarily done within 5 days.

Jagoda: We have not heard any issues on the time frame. For the cost coding, I think that came from the contractors.

Slaybaugh: everyone uses different software for bids. Those have numbers associated. Is that what you are looking for?

Jagoda: the program coding is all we are looking for.

Slaybaugh: it appears that this spec could be clarified a little bit.

103.09.2 Form Submittals – for Apparent Low Bidder

103.09.3 Escrow of Bid Documents

103.09.4 Bid Responsiveness

103.09.5 Release of Bid Documents to the Department

103.10 SUBCONTRACTOR REPORT

103.11 PROPOSED AGGREGATE SOURCE(S)

105.03.3D. PLANT MIX INCENTIVE ADJUSTMENT

105.10 AUTHORITY AND DUTIES OF INSPECTORS

106.02.3 Contractor-Furnished Sources

108.01.1 Subcontracting

108.01.2 Contract Performance

108.03.1 General

108.03.2 Project Schedules

Bomgardner: I don't think most contracts require the complexity of P6. This is an expensive product and lots of time training. Most of us feel this is un-needed. We would like you to reconsider this.

Redfern: on contracts for 20 days or less, this just doesn't make sense.

Green: we really only intended this for the larger and more complex projects.

Bomgardner: that could make sense. We would like it to not be required on every contract. Can the language be altered to apply only to some contracts?

Green: that could work.

109.04.1 Unit Price or Agreed Price

Green: we are looking for consistency across all projects.

Bomgardner: it seems like an "agreed price" should be it. If the price is not agreed to, then you go to force account. Why have an agreed price if this detail is being asked for up front? We also don't think this table is up to date.

Green: MDT is lower than surrounding states. If it was higher, would that make a difference to the MCA?

Bomgardner: it should stay in the force account regardless of the amounts were altered.

Green: this would only be for a subcontract. If the prime has extra work, they could show it and incorporate into the price. We will look and discuss before we finalize.

Tooley: For agreed prices, we usually don't submit justification. If they want justification, force account is more appropriate. These two have usually been different in practice and I do not think they should converge.

Bomgardner: We would like the tables updated and we would like to not have this change.

Goettle: we should be getting justification for agreed price regardless. We have seen some drastically high prices for subcontractors. Our intent is to standardize the markup so that we would have fewer force account situations.

Bomgardner: there is a very broad spectrum of subs. Some take a lot of time to manage.

Tony Ewalt: I think there is a middle ground somewhere.

Goettle: let's try to speak about this.

Gaub: the EPMs are using this table for pricing. Also, the prices are very out of date.

109.06 PARTIAL PAYMENTS

Tooley: does this say that all payments are withheld until the delinquency is resolved? Why does MDT want to withhold more than the delinquency at issue?

Green: the intent is to remove MDT from payment to the subs. It would go through the surety.

Goettle: the intent is to never withhold more than the delinquent amount. We were trying to clear it up.

Bomgardner: can you put the language back in about not withholding more than the delinquent amount?

Goettle: I think that is something we can do. We were only trying to clarify.

Green: Jodie, I can give you a call this week to get this correct.

109.06.1 Billing Cycle

109.12 TRAINING PROGRAM

202.03.1 Removal of Bridges and Major Drainage Structures

208.03.3 Regulations and Permitting

210.03.8 Non-Glare Lighting (Balloon Type Lighting)

Bomgardner: we were concerned that MDT is requiring balloon type lighting. Or is MDT only asking for indirect lighting and giving balloon lighting as an example?

Wilde: (poor audio) We are looking balloon diffused lighting only.

Bomgardner: we think there are already other good solutions out there beside balloon lights -- other methods that give us good light but do not blind traffic. We already have a lighting system that does not blind traffic. That equipment cost money and it does not appear like a very good justification for all of us to replace that already costly equipment. What we have already accomplishes the goal already.

Goettle: would the alternative lighting you describe meet the rest of the spec?

Bomgardner: I think it would.

Wilde: (poor audio) I feel like the balloon light takes out all of the operator error. Other types can be used incorrectly. The balloon lighting just works. I really think balloon lighting is the safest options.

Aaron Gray: if we are long-lining, I don't think balloon lights would serve any benefit. Another problem is headlights. The spec appears to prohibit headlight use.

Green: the intent re: headlights is to require a long line of waiting trucks to turn off their headlights.

Gray: It appears the language of the spec needs to be edited on headlights. I don't think the intent is to have anyone driving without headlights. The spec appears to require the contractor to measure luminosity with contractor's own meter. Is every night crew required to have their own meter? – It would appear more appropriate that MDT provide the testing. I don't think I have a problem if MDT want to measure luminosity --- but I don't think MDT should require the contractor to provide the meter.

Green: the idea was that it wouldn't be on MDT testing. It would be the contractor.

MDT is going to revisit it to address the concerns. MCA suggested we get time to phase out what we have like we did with the TC Barrell strips

618.03.14 Flagging Operations

212.04 METHOD OF MEASUREMENT

301.03.5 Aggregate Surfacing Construction

Redfern: did the spec used to say “either or” --- either the 72 hours or 2% moisture?

Green: no. the idea was always to have both be required.

Metcalf: to ensure we are getting the correct cure, the time and moisture requirements will ensure the gravel will be as cured as possible before hand.

Redfern: you run into problems in late season paving where you can meet the 72 hours, but not the moisture. It can be very problematic and really throw off schedules.

Metcalf: I actually think the moisture metric is the more critical component.

Strizich: it was not meant to be an “or” --- it is meant to be an “and.” The key point is that everyone at MDT acknowledged that late season paving was going to be an issue. There are just too many issues with paving over green gravel. If we need to change it again, MDT may decide that. It was always acknowledged that late season paving was always going to be an issue.

Slaybaugh: We have run into this problem. Gravel had been in for a month and we were 0.4% off the moisture requirement. There was no room in the spec to allow paving where it likely was reasonable to pave at that time. I am not sure how to get around the issue. There are circumstances where it should be paved, but an EPM is not actually on site and strictly interprets this and paving is being shut down.

Metcalf: something like this came up earlier today, actually. Some of our forms are calculating these out to several decimal points. Have there been instances were a few tenths prevented paving?

Slaybaugh: yes. Strizich hit the nail on the head . . . when this was created, there was an understanding that EPMs would be able to have some flexibility.

Green: can we keep the spec but update at the EPM meeting?

Redfern: I understand the need for the spec – but there has to be some way to move forward. Some EPMs follow this to the T. I think that discussion would help.

Jagoda: if we do a change order, then both sides have risk. That may be the best way forward.

302.04.2 Pavement Pulverization

401.03 Construction Requirements

401.02.5 Binder Replacement

401.03.21 Compaction, Compaction Control Testing, and Density Acceptance Testing

401.03.23 Surface Tolerance for Flexible Pavement

Cale Fisher (written comment) – some treatments improve the ride more than others.

Metcalf: we did not consider some of the recycling programs. We may want to take a closer look – the IRIs for instance.

409.03.6 Pre-Seal Coat Meeting

Fisher (written comment): the timeframe may not work.

Green: I think the idea is to have the meeting on site prior to the work beginning.

Woll: that would work.

410.03.9 Protection of Traffic and Highway

411.03.4 Salvage of Pavement Millings

TABLE 551-2

553.03.1 Fabrication

553.03.15 Workmanship and Tolerances

605.03.13 Linear Delineation Systems

619.03.14 Linear Delineation Systems

619.04.13 Linear Delineation

619.05 BASIS OF PAYMENT

618.03.5 Traffic Control General Requirements

618.03.16 Dust Control

Bomgardner: this is a pretty extreme fine. It also appears the trigger is subjective.

Slaybaugh: can there be a timeframe on this? A warning first and a certain amount of time to comply. There are also no sideboards on this. What triggers the fine – it seems pretty subjective as currently drafted? I see a lot of problems on this.

Green: we can take this and look at it a little harder? Warnings are intended. The intent is to have teeth in this where dust control is not occurring.

Slaybaugh: unfortunately, we have to live by the words on the page. I think we need clarification in the written spec.

Slaybaugh: dust used to be a bid item. That would go a long way to ensure dust is taken care of.

Cody (Mountain West): most traffic control contracts specify that the sub is not responsible for dust control. Taking 10% from that portion of the contract does not really make sense in that situation.

Aaron Gray: This should be tied to the activities that are being impacted. It shouldn't be on the traffic control.

Wilde: we are looking for the deduct or penalty on an item instead of traffic control. We should look to move or adjust that. As far as the penalty amount, we are trying to find a happy balance. I think this does need some more definitions and sideboards. It is in 618 because it is about safety of the public.

Gaub: have you considered adding a contract item here for dust control? It makes sense for it to be an item instead of an incidental.

Green: We did not have much discussion on adding it as a bid item. It seems like it was difficult to separate water for compaction and water for dust control. I think that is why it went incidental.

MDT agreed to revisit this to consider adding some “side boards” to the spec, reduce the penalty, and move the spec to a different section other than TC.

619.02 MATERIALS

620.03.5 Temporary Striping

623.02 MATERIALS

623.05 BASIS OF PAYMENT

701.06 RIPRAP

703.11 LUMINAIRES

204.02 MATERIAL

301.03.1 Sampling, Testing, and Acceptance

409.03.1 Sampling, Testing, and Acceptance

701.02.4 Crushed Base Course Type “A”

701.02.5 Crushed Base Course Type “B”

701.02.6 Crushed Top Surfacing Type

701.13 BRIDGE END BACKFILL

558.03.7 Permanent Casing

559.03.8 Painting Steel Pile or Steel Pipe Pile

611.03.4 Painting

612.02 MATERIALS

612.02.1 Paint Coating Systems

612.03 CONSTRUCTION REQUIREMENTS

612.03.1 Submittals

612.03.2 Containment System Requirements by Method of Preparation

03.3 Surface Preparation

612.03.4 Painting

612.03.5 Weather Conditions

612.03.6 Steel Components

612.03.7 Inspection Equipment, Quality Assurance and Lighting

612.03.8 Quality Control (QC) Plan, Inspection Procedures, and Recording Systems

612.03.9 Minimum Contracting Requirements for Field Painting

612.04 METHOD OF MEASUREMENT

612.05 BASIS OF PAYMENT

710.02.1 Paint Coating Systems for New Structures

710.05 Paint Coating Systems for Existing Structures

710.06 Overcoating Systems for Existing Structures

403.01 DESCRIPTION

403.02 MATERIALS

403.03 CONSTRUCTION REQUIREMENTS

403.03.1 General

403.03.2 Routing

403.03.3 Cleaning

403.03.4 Crack Sealing

403.03.5 Crack Filling Mastic

403.03.6 Weather Limitations

403.04 METHOD OF MEASUREMENT

403.05 BASIS OF PAYMENT

MCA New Business

MDT New Business

Sign Sheeting

Tyrel Murfitt: we are moving to type 11 for everything but delineators. We want to exhaust type 4 before this goes into effect. Date is November 2022.

Bridge Analysis

Beth Kappes: if a piece of equipment is on the preapproved list, that can speed things along. If you have commonly used equipment that you need to cross bridges frequently, make sure to look at the preapproved list. That information is on our website. We are planning to add some new equipment to the list as well as a method for you to apply to approve equipment.

Alternative Contracting

John Pavsek: CMGC – back in 2017, the legislature allowed us to move on 4 pilot projects. The idea was to have these done in 2025. We have had 4 projects. Trout creek is completed, salmon is at 90% design and Johnson lane is 60% design. The MT 200 project is just getting started.

On the first go around, most of the MT contractors did not do great. 80% on technical component and 20% on price. After the first project, we have since changed that more value be placed on the presentation. We conducted 2 workshops to empower contractors to know what we are looking for here.

We think this is an education thing regarding the in-state companies. Our conversation with other states is that in-state companies do better as time goes on.

We are continuing to look for ways to make this an even playing field. What would MCA like to see in this program? We would ask the MCA to support this at the legislature.

Automated Flagger Assistance Device

Jake Goettle: We discussed this at the statewide traffic control meeting. The issue was getting qualified flaggers. We understand the difficulty with labor. We really think the signal is the gold standard. We had some problems with the AFADs because people didn't know what they were. We really see the signal as better. For now, we are going to stick with the signals. If you have info or studies saying something different, please send them our way.

Wilde: AFADs are really only for short term and line of sight. That doesn't work with most of our projects. I would like to keep the signals and work on other problems.

Cody (Mountain West): Hollenback wants to use these. I would like to see this not tabled for good. I see a lot of problems with signals as well. The AFAD has a message board that can effectively communicate with traffic. I think they are a valid technology that should be considered.

Ryan: How is the AFAD not as useful as the signal?

Wilde: the signal has more visibility from a further distance away and as you are sitting in a queue. The AFAD is not as visible. That message board is down by the ground and the AFAD cannot be seen by the queue. That is the reasoning.

DBE

Handl: we are trying to be more transparent. We used to do monthly reports – we are adding a section to the website with more current information.

Old Business

1. Monthly Progress Estimates

Green: if anyone has any examples, I can follow up.

2. Contractor option to withdraw bids

Goettle: we were asked how to withdraw a bid with the electronic. We are working on that. It's not ready yet. Right now, we just have the .pdf form.

3. Federal Highway Wage Decision update

Terrio: once the signatures get to us, we will submit to USDOL. We are getting closer.

4. Partnering

Goettle: David Smith came to our partnering award ceremony. It was a good celebration of partnering. We are working on streamlining the award application. We have two positions advertised for partnering. We haven't gotten the applicant we want thus far. Trainings are upcoming.

5. MCA-MDT Environmental Task Force meeting

Goettle: We have another task force meeting. Discuss what we did last year and what we can do in the future.

Slaybaugh: in the last letting there were a couple projects with aquatic resources in the bid. One had very well defined aquatic resources length and location descriptions. The other project was not as specific as to what the area is. It may be better to have a more complete description. It caused confusion to some of the estimators.

Goettle: we can look at that special.

6. Concrete and Plant Mix Meetings

Metcalf: we are trying to put together a meeting where everyone can be together in one room. Concrete on 3/27 and asphalt conference on 3/23 and plant mix industry on 3/24.

We are going to try to get people in the MDT auditorium and a virtual option. Probably allow sub meeting in the district offices. We may get a larger space in Helena.