ACEC-L
Transportation Committee Monthly Report
July 24, 2020

Last Transportation Committee meeting was conducted on 9 July 2020 (tele conference). The agenda and minutes are attached.

Old Business:

The Compensation Working Group of the Transportation Committee has completed its work and their report has been submitted to the Board for review and approval at today’s BOG meeting. The complete report is attached.

New Business:

The DOTD revised consultant selection procedures were officially announced on 16 Jul 20 but became effective on 1 Jul 20.

DOTD published the announcement on the CCS website and a copy is attached.

All subsequent advertisements are now governed by the new procedures. The DOTD CCS staff emphasizes due diligence in compliance with the new procedures.

Consultant Outreach Group (COG):

COG met on 26 Jun 20. Minutes from that meeting are attached.

Next meeting is scheduled for 7 Aug 20 at 9:30 a.m. Agenda is being developed. However, the compensation position paper will be a recommended agenda item if approved by the Board.
Transportation Committee Meeting
July 9, 2020

Roll Call – See attendee zoom list

Old Business

Consistent with the meeting agenda, there was a robust discussion of the draft of the compensation position paper. Durk Krone, chair of the Compensation Working Group walked the committee through the position paper and entertained comments and input. Several suggestions were captured for inclusion into the final draft.

There was nothing new to report concerning traffic discussions with the DCTD.

New Business

Consistent with the meeting agenda there was a robust discussion of the notes from the 26 Jun 20 COG meeting.

There was no multimodal report.

Next Meeting:

Conference call is scheduled for 10 Sep 20.
ACEL-L Transportation Committee
July 9, 2020
AGENDA

- Roll Call
- Old Business
  - BOG Meeting: 16 Jun 20
    - See website/president’s report for full copy of the transportation committee report
  - Position Paper: Compensation
    - Draft position paper is complete (attached); Durk will give overview and committee can ask questions
- New Business
  - Last Consultant Outreach (COG) meeting = 26 Jun 20
    - Minutes attached
  - Next COG meeting = 7 Aug 20
- Discussion of multimodal issues/concerns
  - Ports and Marine
  - Airports/Aviation
  - Transit/Passenger Rail
  - Freight Rail
- Open Discussion
Minutes of the 26 June 2020 Consultant Outreach Group (COG) Meeting

DOTD Consultant Selection Changes

DOTD has added increased ethics requirements on the new PET members and consultants. Expect an informational memo relative to the new requirements, along with the individuals that will serve on the three PET committees, to be posted on MyDOTD in the next couple of days. ACECL was able to provide feedback before implementation and it is reflected in the final policy which is more reasonable and easier to follow. See link to a draft of the language to be included in consultant contracts here.

Additional notes:

- While prohibitions on social interaction are removed from the policy, be aware that in social situations, you should avoid discussing advertised projects AND projects on the projected list with PET members. Keep it social only.
- Questions regarding projects on the projected list should first go through CCS. CCS will facilitate questions with the project PM for response. For projects where the PM is not on the PET, this policy does not prohibit communication directly with PM. If a PM on a project on the projected list is on a PET, then there should be another PM that should be able to answer or meet with a consultant to help the consultant better understand the project.
- It is the intent of DOTD to share as much as they know as soon as they know with all consultants about the scope of projects on the projected list to minimize the need for all consultants to each meet with a PM.
- Relative to the PET teams:
  - Team 1 will serve 1 year. They would have to sit out 1 year before serving again.
  - Team 2 will serve 2 years. They would have to sit out 1 year before serving again.
  - Team 3 (back up to Teams 1 and 2) will serve for three years and will be used when there is a conflict of any member of Team 1 or Team 2 on a project. They will be back up for Year 1 then become active in Year 2 and 3.
  - A PET member with a conflict on a project will not be substituted out. The entire PET will be substituted with another Team.
  - Terms start July 1-June 30.
- Ads coming out starting July 1 will look differently. Please read the advertisements carefully. Ads will be out for 30 days, not 28.
Indirect Cost Rate
- DOTD will start requesting information on low risk firms. For those who submit cognizant rates, those can be submitted now. DOTD is aware there may be a lag time due to COVID19.
- DOTD is aware of delays in getting approved overhead rates. It is not their intention to use provisional rates as much as it is being used. ACECL is working with DOTD on a possible virtual meeting with Audit Section and consultants

Consultant Claims
- Consultants are encouraged to work with PMs to get contract amendments in place for time and value extensions rather than relying on claims process to get additional work paid.
- If you see that work requested by DOTD may extend beyond contract value or term, ask PM to submit a contract amendment.
- This is an issue that is audited by Legislative Auditor and FHWA.
- Claims process was only developed to get consultants paid when something unexpected occurs on a project. Not as a routine matter as DOTD is starting to see. This is not always the fault of the consultant but consultants should be aware that part of the project evaluation will be "did the consultant stay in budget and on schedule."

Invoices
- Please submit your invoices monthly.
- The Legislative Auditor is seeing cases where contracts requiring monthly invoicing and payments but invoices are not received for 3 months.
- This includes getting sub-contractor charges included in the monthly invoicing.

Traffic
- DOTD continuing to monitor patterns and what other states are doing. Since this is not a time that traffic counts would occur, they will see what schools are planning to do for fall and make determination if there is not a return to normal or if new normal is much different than past patterns.
- They do not want to hold up projects.