

MINUTES
ACEC/KDOT PARTNERING COMMITTEE
MAY 15, 2013
WICHITA, KANSAS

Present were Dave Hubbard, Earl Harrison, Jim Kowach, Terry Fleck, David Nagy, Mike DeBacker, Clarence Munsch, Dennis Slimmer, Ron Seitz, Mike Bowen, Greg Allison, and Scott Heidner.

It was moved and seconded to approve the agenda. Motion carried.

It was moved and seconded to approve the minutes of the February 19 meeting while correcting the word “udpates” to “updates” in the first paragraph of the minutes. Motion carried.

Seitz gave an update on Bureau of Local Projects (BLP). They have been reviewing with consultants the possibility of having an on call system that shares the work with the multiple firms that have been pre qualified. A conference call was held with consultants and Seitz says BLP has a proposal he hopes will be viewed as a good compromise. It would include a three year maximum length and also a maximum dollar amount of 15% of estimated construction costs for that specific district. Locals will make the selection of the engineering firm and can pull from anybody on the KDOT's prequalification list.

Bowen gave an FHWA update. He recently returned from a three month stint filling in for FHWA in Illinois. FHWA is going to a more risk-based oversight plan nationwide under Map-21. The Compliance Assurance Program (CAP) took every program authorized in Kansas for a 12 month period and ran them through their system and produced a list of 48 projects they will need to spot check, mostly for the compliance aspects of the program. The next round of Tiger applications are due in early June. The state of Kansas and local units of government are all eligible applicants and are all eligible to apply for up to three projects.

Nagy gave an update on contracts. They have been reviewing various issues including insurance and intellectual property. KDOT has a new attorney reviewing these issues. They will meet again with the new attorney in the next couple weeks to revisit these issues. In July they hope to meet and present some of that language to the subcommittee.

Nagy led a discussion of the proposed new guidelines for net fees. The subcommittee discussed several different proposals, and Nagy handed out a table that has been tentatively agreed to. The new range goes from 10% to 14%, and will take into account the complexity of the project.

Nagy led a discussion of indirect expense audit periods after fiscal close. The FARs require paperwork to be in within six months of the close of the project. Nagy said some firms are taking up to 18 months to do so currently. Consultants mentioned that they often wait more than six months to get audit approval from KDOT.

Nagy led a discussion of pre-qualification forms and definitions. He would like to see a uniform effort among neighboring states to allow greater efficiency. Consultants agreed that a uniform process and set of forms would be helpful.

Kowach led a discussion on the Bureau of Design. The Bureau of Design is in the process of being reorganized. It will be broken into two separate bureaus. These changes will be effective June 9 and will yield the Bureau of Road Design headed by Rod Lacy and the Bureau of Structures and Geotechnical Services headed by Loren Risch. Environmental and survey folks are moving to the Bureau of Right of Way. The Bureau of Construction and Maintenance is being reorganized and will become the Bureau of Construction and Materials, and they are creating a separate Bureau of Maintenance. Mike Stringer is the new District 1 Engineer. Wayne Gudmonson is the new District 4 Engineer. KDOT Secretary King has now taken over leadership of the Kansas Turnpike Authority.

Under the consultants update, ACEC asked to be a part of the process of evaluating KDOT standards and processes that KDOT is going to undertake to maximize efficiencies and cost savings.

Heidner gave a legislative update. Funding is still very much at risk as the legislature works to finalize their tax and budget packages. SB 54, the overhaul of the licensure statutes under the Kansas Board of Technical Professions, has ground to a halt because of the threat of hostile amendments. 2014 might see the pursuit of a bill that will consider new guidelines for how local units of government procure professional design services.

There being no further business, the meeting was adjourned.

**Heidner agreed to take the BLP proposal for on-call contracts to ACEC leadership and get back in touch with Ron

**Nagy will write an article for the ACEC newsletter about the new fee schedule