

Minutes

ACEC/KDOT Liaison Committee Meeting

KDOT, SW Harrison St. Topeka, KS

February 27, 2024; 11:00am – 2:00pm

Attendees:

KDOT: Deb Tanking, Chris Herrick, Tony Menke, Jeff Sims, Jason Van Nice, Cory Davis, Mike Moriarty, Colby Farlow, Clay Adams, Marcia Turner, and Dawn Hueske

KTA: N/A

FHWA: Richard Jury

ACEC: Christopher Harker, Jacob Borchers, Corey Imhoff, Kyle Guenther, Mark Johnston, Scott Heidner, and Jordan Herbert

- Safety Discussion
- Approval of Agenda
 - Motion to approve agenda by Dawn, seconded by Marcia, and approved by group.
- Approval of last meeting Minutes
 - Motion to approve minutes by Marcia, seconded by Jeff, and approved by group.
- Status of KDOT Funding & Update
 - Chris Herrick, Director of Planning & Development, is retiring effective March 1st.
 - Mike Moriarty will be Interim/Acting Director of Planning & Development, effective March 1st.
 - Mike will take Chris's place on negotiating committee. Replacement for Mike on the shortlisting committee has not been determined.
 - Ike Development Project Pipeline announcement will be March 7th.
- Bureau of Local Projects Update
 - Dawn Hueske provided report noting plan development and project schedules are not being met.
 - KDOT averages 30 projects every month and Local Projects is adding 20 a month for the next several months due to plan development/schedule delays.
 - KDOT has discussed this issue with the Local Project Authorities, indicating delays in project delivery may result in losing federal funds
 - Local Projects would like help from the liaison committee to communicate need to meet schedules to consultant community.
 - Jacob Borchers asked what can consultants do to help? The group noted:

- Need to keep in better contact with Local Projects so schedules can be understood and adjusted if needed.
 - Send out messaging through ACEC newsletter to stress importance of meeting project schedules.
- Colby Farlow added projects sliding beyond planned letting may impact KDOT's ability to meet federal fiscal fund levels. To date, KDOT has done a great job spending all allocated federal funds.
- Further, if projects let sooner or on schedule, may provide KDOT the confidence to seek more federal funds at August redistribution. Anything that lets after July reduces confidence in asking for more federal funds.
- FHWA Update
 - Richard Jury noted key dates for government funding/budget extensions are March 1st and March 8th.
 - This focuses more on discretionary grants as the formula funds have been allocated/approved for several years.
 - Depending on government funding decisions and potential furlough of employees, execution of discretionary grant agreements could be delayed.
 - Richard Jury provided explanation of the Notice for Proposed Rule Making: 23 CFR part 172
 - Public comment period is open through April 1st, 2024.
 - Scott Heidner noted a concern from ACEC on the proposed rule change that would no longer require local entities seeking federal funds to utilize QBS. It is an option but not a requirement.
- Program & Project Management Update
 - Colby Farlow provided update and noted Program & Project Management has seen prices level off since the beginning of 2023.
 - Colby stressed the importance of accurate, updated cost estimates that can help Programming allocate at the proper amount.
 - The group has been successful in adding staff on the Programming side. Assistant Federal Funds manager will be moving to Federal Funds Manager. 9 interviews to replace Assistant Federal Funds Manager.
 - The Assistant Director position is currently advertised and posted on website.
 - Discussion was held on the distinction on what projects the PMC can and cannot pursue.
 - KDOT reiterated having separation between the PMC and potential pursuits is important. This is also top of mind for embedded consultant engineers.
 - If involved in discovery phase, are they precluded from next project phases?
 - Very rare to do the discovery phase by itself and not allow for moving into next phase.
 - Any information developed ahead of the RFP would be provided as part of the procurement process, including who authored the information.
 - On call projects will continue to be sent out to consultants prequalified in the specific work categories per project.
- Contract Update
 - Marcia Turner provided an update on the various initiatives, including:

- Invoice Tool
 - No longer called Tracker.
 - Will provide 24/7 access to consultants via a dashboard that is searchable by CMS number to identify status.
 - First round of testing with KDOT PMs went very well. Likely going to make some changes to increase efficiency and then hold a short test with same group prior to rolling out on a limited basis to identified consulting firms.
 - Will rely on 1-2 PMs at each firm to train other PMs
 - 8-10 weeks before roll out to consultants
- OH rate certificates
 - Audit package required to approve OH rate. OH rate certificate is required in almost all projects when initiating a project. Audit package is due to Jill Burton by end of June.
 - If consultants don't have this complete and KDOT is needing new OH rate certificate, likely would fall back to safe harbor rate (110%) until OH certificate is approved.
- Fixed Fee
 - KDOT is seeking to manage upside of changes while controlling the downside. Needs to be something good for both consultants and KDOT. KDOT would like to keep budget about the same.
 - Been looking at a loaded hourly rate per project vs. a loaded hourly rate for an entire year.
 - If by project, this would be a heavy lift on contracting group.
 - If per year, does this rate need to be audited to satisfy fiscal group.
- Bureau of Road Design Update
 - Deb Tanking provided an update and noted the Road Design PMs have been seeing a lower quality in plans recently. Please stress the importance of following quality practices.
 - AASHTOWare (AWP)
 - Bi-annual estimates are due at end of March 2024. All active projects will use AWP this March.
 - Is there a limit to number who have access?
 - Concern with creating a bottleneck if limited to 1-2 Project Managers.
 - KDOT will coordinate through a primary contact. There is flexibility in number of those with access but would like to see consistency in how costs/estimates are applied.
 - Firms continue to receive access. There is flexibility but KDOT is expecting to have estimates updated in AWP by end of March. Focus/Prioritize projects that are furthest along, especially for those beyond Field Check.
 - KDOT would like open communication to understand any access issues.
 - ACEC is interested in working with KDOT to utilize the ACEC newsletter to include a FAQ section for AWP estimating.
 - Local projects are next, currently focusing on KDOT projects.
- Update from Consultants
 - Jacob Borchers provided an update on behalf of ACEC including the Partner Groups and Subcommittees.

- Digital Delivery Panel
 - 4-5 priorities coming together by the team.
 - Notes have been past to Scott King, which Scott shared with Deb.
 - Construction (4 groups)
 - Working to communicate updates back to ACEC board.
- Bid Express Tool - feedback from consultants
 - Seems to be working well and appreciate the effort expended by KDOT to implement this tool.
- AASHTOWare - feedback from consultants
 - See notes above.
- Online consultant evaluation
 - KDOT PMs receive requests after milestones. This is internal to KDOT only.
 - Can consultants request feedback?
 - Jeff/Deb recommend scheduling a meeting to discuss with PM rather than requesting the evaluation as there is not much detail in the official report.
 - Is the like PMC providing the evaluation for PMC managed projects or is KDOT providing the evaluation?
 - The PMC does not have access to the evaluation forms. KDOT PMC Engineer would perform those reviews.
 - Deb will investigate what has been created to date for various projects and what can be shared with the consultant.
- Bureau of Structures & Geotechnical Services Update
 - No report
- KTA Update
 - No report
- Bureau of Planning Update
 - Mike Moriarty provided an update and noted LiDAR data has been collected for the entire state road system.
 - Download of asset information should be available in a week.
 - James Stewart is the contact if consultants need this information.
 - This information will be available when working on KDOT projects.
 - Dave Schwartz has moved to Bureau of Transportation Safety.
 - Traffic is down 7% as compared to this time in 2023 – the decrease is being attributed to extremely cold weather and more snow as compared to last year.
 - Fatalities are down 50% as compared to 2023 through February. This marks three years of declining fatality numbers.
- Division of Multimodal Transportation & Innovation
 - Cory Davis provided an update and noted fiber in KDOT's ROW is a primary focus of the division.
 - KDOT is currently focusing on freight corridors.
 - Installing 7-way duct. KDOT only needs 2, looking to monetize the other 5.
 - Working on policy and procedure to do this.
 - Likely going to include additional fiber projects in corridors.

- Likely a Dig Once policy...working with fiber companies to dig once.
 - Legislative allocation increase in aviation investment from \$5M to \$15M.
 - Focus will be on pavement condition and improving runways across the state.
- KDOT Field Update
 - Clay Adams provided an update and had Bruce Haverkamp discuss KDOT's Continuous Operating Reference Stations (CORS).
 - Ike PMC staff is working on plan development.
 - Looking to get 40-50 across the state. This will help connect to base monuments/stations. Can also be used for agriculture, etc. MoDOT has 80-100 and has 1100 documented users.
 - Is it exclusively to KDOT projects? First, yes but more conversations to be had on providing access to others.
 - More to come on CORs as there will likely be presentations to the industry in the future.
 - Clay noted there is still a need for more engineers and inspectors. KDOT has had some success hiring techs and EAs. There is a new Area Engineer in Pittsburgh.
 - In recent discussions with District Engineers, they are expecting about the same level of consultant services for this year as compared to last year.
- Bureau of Construction and Materials Update
 - Jason Van Nice and Tony Menke provided an updated and discussed the timeline of selecting/procuring consultant inspectors.
 - Used to be 6-8 weeks from selection to NTP.
 - Started to provide more advanced notice of advertising.
 - Still putting inspection projects on the spreadsheets before going to Kansas Register but it does happen where it makes this list just a couple days prior to going to the Register.
 - KDOT is trying not to use on call list more than necessary. If have time constraints, typically use on call.
 - Steve Rose is primary contact coordinating RFP and selections.
 - Threshold when go to negotiating committee has changed. Previously if over \$500k went to negotiating committee. Now the threshold is \$1.5M (in PE fees) before going to negotiating committee.
 - This will mean a lot fewer interviews for consultants.
 - More decisions made by short listing committee.
 - Tony added that KDOT is looking to other ways to utilize consultants.
 - Junction City - embedded inspector, acting as mentor to help with training of staff.
 - Wichita will also have an embed opportunity, with focus on mentoring staff in the field.
 - Look for ways to free-up experienced staff to help mentor younger staff and use consultants with normal activities.
 - AASHTOWare Estimation
 - All official training sessions are completed.
 - Ben Tush is evaluating how to "follow up" once we get through the March estimates.

- If consultants experience challenges, don't hesitate to reach out. KDOT wants to know any issues that are being experienced.
- 2024 Partnering Conference Status
 - Mike Moriarty provided an update on the 2024 Partnering Conference including Town Site Plaza has been confirmed for the conference on Oct. 24th.
 - In process of forming conference planning committee which will start to meet in the next couple of months.
 - Save the date will start going out soon.
- Other Items
 - Bill for Kansas coordinate system has been placed on the consent agenda which indicates it will be passed.
- Next meeting: KDOT Offices - Lawrence - May 7, 2024
- Adjournment