

**ACEC/NHDOT
Consultant Quality Initiative (CQI) Committee**

Meeting Minutes – November 17, 2021

Meeting Location: Zoom Virtual Meeting

Day/Time: Wednesday (1:30 pm – 3:00 pm)

In Attendance:

Bill Oldenburg, NHDOT (Chair)
Mike Long, MJ (Co-Chair)
Jim Marshall (NHDOT)
Ted Kitsis, NHDOT
Alex Koutroubas, ACEC

Darren Blood, GM2
Marty Kennedy, VHB
Loretta Girard Doughty, NHDOT
Rob Faulkner, CHA (Scribe)
Tobey Reynolds, NHDOT
Michelle Marshall, FHWA

Unable to attend:

CR Willeke, NHDOT
Chris Mulleavey, HTA

- 1) There were no minutes from the 10-20-21 CQI meeting
- 2) Topics to Discuss:
 - Rate Cap Status Update

B. Oldenburg noted that the rate cap request was still be worked on and there were additional questions raised by NHDOT which included comparing other respective DOT's rate caps versus consultant OH rates. The CQI consultants provided the requested information. Bill further noted that based on the caps from other DOTs, of the 10 projects submitted, only 4 would have been capped by MassDOT. It was NHDOT's opinion that caps didn't make that much of a difference. Bill continued noting that the Department was looking at what the impact would be for various levels of a cap (\$70, \$80, \$90, etc.). The Department also noted that there was a concern that the lack of a salary cap would lead to excessive salary increases by consultants. He concluded that most in the Department were not opposed to increasing the cap, but the Department wanted to have some checks and balances in place and he hopes that a decision would be made by Monday 11/22/21.

- Committee Charter (Purpose and Need)

There was no update from the last meeting. CQI consultants sent comments to C. Mulleavey but do not believe that they have been incorporated. B. Oldenburg noted that NHDOT requires charters for their internal committees that layout responsibilities, deliverables etc. that need to be approved by the Front Office. He noted that, with the CQI committee being an external group, NHDOT doesn't really require a charter that would need Front Office approval.

- The Winter Technical Meeting is scheduled for January 14, 2022. B. Oldenburg has reserved the room. R. Faulkner noted that MaineDOT just canceled their annual Transportation Conference, scheduled for early December due to COVID, but would still offer several virtual sessions. A. Koutroubas assumed that the Winter Technical Meeting would be a virtual meeting. There was a discussion on what topics were previously covered at past partnering meetings. Any ideas for topics should be forwarded to Alex. If no topics are brought forward, the meeting may be canceled.
- Continue discussion to identify items to improve project delivery
 - i. M. Kennedy started the conversation by asking the questions “What are the items that delay projects the most? What are the items where this Committee can have a positive impact?” He acknowledged that NHDOT is short staffed but noted that there are areas that consultants can help to move projects forward. He further noted that technical reviews could be an area where the design development can move more efficiently.

The question was raised as to whether the Department can review plans at a higher level and put more of the QC burden on the consultant. B. Oldenburg noted that removing the salary cap might be a means to ensuring better QC on consultants’ part by encouraging more senior staff to be involved in the QC process. M. Marshall asked if there are submission review checklists in place. R. Faulkner noted yes, but they didn’t seem to be updated. J. Marshall noted that they have been updated, but not as easily accessible.

T. Reynolds asked how important is it to have NHDOT review submission to a certain level, regardless of what level that is. It was further asked if NHDOT misses a review deadline, is it OK to turn back plans to consultants without review?” Another question asked was “Can more detailed reviews be done at certain levels versus others?” M. Long furthered by asking if the appropriate level of review was being done in the right areas and the correct level of submission. He noted that NHDOT reviewers seem to pick up and comment on minute issues that could easily be corrected during construction instead of focusing on more critical plan elements. M. Kennedy also noted that the reviews are sometimes based on the “druthers” of PM versus consultants.

T. Kitsis voiced concern over shifting more of the QC responsibility to the consultants by asking what happens when something does come up during construction that was not caught in review that delays a project – who is liable and where does the responsibility lie? He further noted that there have been several inconsistencies and errors in bridge plans prepared by consultants. M. Marshall noted that FHWA agrees with Ted’s concern – FHWA has seen lots of change orders during construction that are due to issues that should have been caught during design reviews. M. Kennedy asked if it was possible that consultants were not doing the appropriate level of review that they should because they assume NHDOT will do it? M. Long asked if constructability reviews would serve a better purpose than a detailed technical review. B. Oldenburg further noted that NHDOT’s detailed level of review relieves some of the liability of consultants for errors found in construction.

D. Blood commented that submission reviews should focus on what the basis of the submissions should be; i.e., line and grade at 30%, drainage at Slope and

Drain, etc. M. Long asked if the plans are being too detailed and recalled a committee that was established years ago where plan sets were reviewed and a lot of redundant, unnecessary data that was being shown was eliminated. T. Kitsis responded that his staff has not complained about the level of detail in plans, but the quality of plans. It was agreed that this conversation needs to continue to figure out how to do things more efficiently and differently. T. Reynolds closed by noting that the level of review discussion shouldn't just be limited to Final Design, but also on Preliminary Design.

ii. Create priority list for further discussion.

M. Kennedy stated that the CQI should come up with a recommended action that would need Front Office approval. T. Kitsis suggested implementing revisions in the Department's design review process be done on a pilot project – there was a suggestion about not limiting this to a single pilot project. M. Long thought that it would be beneficial to sit down with the Department's design reviewers and consultant designers to map out what the issues are. T. Kitsis noted that it was important to be able to demonstrate to the Front Office how a revised process can work. B. Oldenburg noted that this has been part of the salary cap discussion and the need to put more QC responsibility on the consultants. He further noted that NHDOT needs to prioritize what they are going to review and when. He added that consultants do 62% of NHDOT design work and that additional funds are going to compound the strain on NHDOT resources. A question was also raised as to whether or not this subject should be the topic of discussion at the January Partnering Meeting.

- Status of Sub-Committees
 - Consultant Contract Subcommittee: no update
 - Bridge Subcommittee; No update
 - Highway Subcommittee: J. Marshall noted that they are meeting monthly and are working on developing checklists for reviews, design reports etc. This should be rolled out to others, possibly in April.

3) The next CQI meeting will be held on 12/15/21 and will hopefully be in-person, COVID dependent.