

# CONSULTANT QUALITY INITIATIVE (CQI) Meeting

NHDOT

7 Hazen Drive, Concord, NH

In person Room 112/113 – Franklin Pierce Room

Wednesday, November 16, 2022

2:30 pm – 4:00 pm

## MEETING NOTES

- 1) Scribe: JoAnn
- 2) October CQI Meeting Minutes: Mike made a few minor changes; Tobey will update and agreed these are good with these updates.
- 3) Topics to Discuss:
  - Engineer of Record and Questions During Construction (How to address in contracts and in practice)
    - i. DOT has discussed internally: CA will contact the lead DOT person and that person will be responsible (as it is today) to get the consultant on board.
    - ii. Criteria for determination of when EOR should be contacted?
      1. Life safety issues, such as GR location, drainage, etc.
    - iii. The biggest concern internally is timeliness
      1. Top priority for internal staff to respond; DOT needs the same commitment from consultants
      2. Contract mechanism for payment could be the holdup.
    - iv. What happens if DOT doesn't agree with the answer from consultant?
      1. Ultimately DOT would stamp the revision if they don't agree with the design.
    - v. Field changes
      1. Are documented (if differ from design) which would relieve the designer of record of the liability.
      2. Field change requiring a redesign: concern for how this get paid for and getting it done as quickly as possible.
    - vi. Discussed contracting options
      1. Have had some success adding terms to a few contracts (two completion dates; two methods of payment using loaded rates for construction).
      2. Task order – structure like construction inspection – may not be feasible; need payment vehicle in place already so that the consultant can be responsive.
      3. Separate consultant contract for construction at the same time as the construction contract is another option.
      4. G&C approval is needed if the overall authorization is over the contingency amount (which is typically 110% of the construction estimate including CE).
      5. Add Item 1008.10 Engineering CO's- leave up to the contractor to hire the engineer or the EOR to do the

change/stamp the change. Concern for potential Conflict of Interest if contractor is facilitating payment.

6. Possible to have Set three separate contract amounts (mini, medium, maxi)
7. DOT will continue to talk internally about revised contracts and report back to the group

▪ Project Delivery Process Conflict Resolution

- i. Suggestion of having a representative from consultant EOR attend the job meetings which may help to alleviate construction concerns.
- ii. Consultants should discuss with DOT PM if there is an issue with reviewers/other DOT staff not following the new process.
- iii. Consultants should discuss with Tobey, Bill or Loretta (depending on project type/PM) if the DOT PM is not following the new process.
- iv. Contracts should specifically address this new method; scope/fee should include additional expectations for meetings; schedule identified the agreed upon review periods, etc.
- v. Has the memo from committee been posted on the website?
  1. Not yet. Possible location for posting could be within the consultant manual, may need more detail for the implementation as you are moving forward.
  2. Several internal bureaus have not been informed or discussed it yet so that will need to occur first.

▪ Communication Plan for Project Delivery

- i. Other Bureaus – Traffic, Turnpikes, Utilities, ROW, Environmental, Geotech, etc. The key component is the timeframe and commitment to submission deadlines. Currently, DOT PM is coordinating with the bureaus. Can consultants leverage specific parts of this coordination effort? This is dependent on the project/scope/utilities involved.
- ii. Submission Review Times – based upon project size and submission (DOT to review and provide recommendations)
- iii. Progress Measurement –
  1. How well is the project staying on schedule – comparison of initial schedule vs. actual schedule.
  2. Performance measure could be for the advertisement date (could be all projects). Current goal is 85% on time (within 30 days)
  3. Anecdotally – Discuss at CQI to see how it is going and get feedback from DOT PMs and consultant PMs
  4. Change orders in construction
- iv. Driveway permit process – Districts are working on a revised process that will have limited timeframes for processing approvals and will require more dependance on EOR. Timeline for release is unknown currently.

4) Status of Sub-Committees

- Consultant Contract Subcommittee: Jennifer & Darren will be reconvening & will make this a more streamlined group.
- No other reports.

5) Next Meeting – Wednesday – December 21st, 2022