

CONSULTANT QUALITY INITIATIVE (CQI) Meeting

Wednesday, September 20, 2023

1:30 pm – 3:00 pm

MEETING MINUTES

Meeting Location: NHDOT, Room 211 – Kancamagus Room and via Teams

In Attendance:

Tobey Reynolds, NHDOT (Chair)
Loretta Girard Doughty, NHDOT (Teams)
Jennifer Reczek, NHDOT
C.R. Willeke, NHDOT
Jim Marshall, NHDOT
Kevin Nyhan, NHDOT
Chris Mulleavey, HTA

Darren Blood, GM2
Marty Kennedy, VHB
JoAnn Fryer, F&O
Alex Koutroubas, ACEC
Rob Faulkner, CHA (Scribe / Teams)
Mike Long, MJ (Co-Chair)

Unable to attend:

Nickie Hunter, NHDOT

- 1) Assign Scribe (DOT even months, ACEC odd months)

R. Faulkner volunteered to be scribe.

- 2) Accept August CQI Meeting Minutes

A. Koutroubas recommended, and it was agreed that firm's and people's name that are not on the CQI committee be stricken from the minutes. L. Doughty will update the minutes and redistribute. (*Updated minutes emailed on 9/20/23*).

- 3) Topics to Discuss:

Updates on CQI Subcommittees

- Consultant Contract Subcommittee

D. Blood reported that the committee has not met since the last CQI meeting and that there was a meeting planned for October. The committee is trying to meet on a monthly basis.

- Bridge Subcommittee

J. Reczek reported that the committee did recently meet. A topic of discussion was how to better use consultants moving forward due to current NHDOT staffing levels.

- Highway Subcommittee

J. Marshall reported that the committee discussed ROW, CADD and Utility issues. He noted that Chapter 11 of the Highway Design Manual should be on the website soon and that it is currently being reviewed by FHWA.

Fall Partnering Meeting Planning

A. Koutroubas reported that the Partnering Meeting is scheduled for October 6. The agenda is set, and registration is open. It was agreed that attendance can be virtually as well as in-person, however virtual attendees will only be able to listen / view the presentation and will not be able to ask questions. A. Koutroubas will update the online registration noting the above.

Extra Invoicing Dates

As a follow-up to information shared at the last Partnering Meeting, T. Reynolds and L. Dougherty noted that there will not be a need for consultants to submit invoices at the end of the Federal fiscal year (FY) and calendar year. Consultants are required to submit invoices that correspond with the end of the State FY and consultant FY (due to adjusted OH rate and for potential audits). L. Dougherty will update NHDOT PMs on the change at the next monthly meeting. T. Reynolds will also mention this at the upcoming Partnering Meeting.

SWPPP Update

K. Nyhan reported that the training mentioned in previous meetings has not occurred yet but will be scheduled. He is working with the AGC on implementation of the updates related to certification, supplemental special provisions, etc. The internal and external feedback to date noted that training is important, which would likely occur in early winter. K. Nyhan stated that he would prefer this training be virtual and the rough agenda would include the proposed changes, requirements, etc. It was agreed that this would be a good topic for the Winter Technical Exchange (WTE) meeting and would be a hybrid presentation. The tentative date for WTE is 1/12/24, 8:00-12:00.

There was additional discussion related to the crossover roles and responsibilities between certified erosion control designers versus inspectors. This still needs to be worked out as to what the actual credentials of those individuals need to be.

Review of Working Drawings – Shops, etc.

T. Reynolds provided a brief overview on NHDOT's efforts to develop an internal consistent procedure for shop drawing reviews. There are three submissions that contractors typically make:

- No PE stamp submission
- PE stamp submission
- Just for documentation

A question being asked is when NHDOT reviews shop drawings or submissions, who is responsible as the "EOR". The NH Attorney General's office does not think it is appropriate for

NHDOT to “approve” things already stamped by others, the contractor, or a subcontractor and that submission for cofferdams, OHSS, fabrication plans, etc. need to be reviewed but not “approved.”

It was noted that some fabricators wait for NHDOT approval even after the design consultant reviews and stamps the shop drawing.

It was also noted that consultants have / use different shop drawing review stamps (i.e. “Furnish as Corrected”, “Approved as Noted”, etc.) which adds to contractors’ confusion.

M. Long suggested that as the DOT is developing this process, that consultants be involved to a certain degree to help ensure that consultants are on the same page. T. Reynolds responded that he didn’t see the consultant process changing – this is more of an NHDOT internal process clarification.

This topic will be discussed in more detail at the next meeting.

Consultants Doing ROW Acquisition

As a follow-up from the last CQI committee meeting, A. Koutroubas sent out an email to other New England ACEC Executive Directors asking how other DOTs handled ROW acquisitions and had only heard back from CT. The ACEC-CT Liaison Committee reported that CTDOT does acquisitions in-house as well as appraisals. Consultants do mapping only. A. Koutroubas will still try and follow-up with other national ACEC’s / DOTs and may issue a blanket inquiry to all ACEC chapters.

List of Emergency Firms

A. Koutroubas reported that the ACEC-NH Board began discussing developing a list of firms for emergency responses but did not reach any conclusions. He noted that there will likely end up being a solicitation to consultants to be on the list for emergency response. It was further noted that if a firm is put on this list that they will need to commit to be available for emergencies.

T. Reynolds noted that currently, municipalities contact Homeland Security who conveys the request for materials or services to NHDOT.

Presentations to Consultant Committee

M. Long provided a brief recap of the ACEC consultants’ breakfast meeting purpose and feedback. At the meeting, some consultants asked about how to go about doing presentations to the Consultant Selection Committee (CSC). T. Reynolds stated that consultants can request to meet with the CSC and they try to limit presentations to 1 per month. He noted that the pandemic created a big back-log but that things are getting back to normal. 4-5 firms are in the queue through Dec. It was further noted that consultants cannot present to the CSC if the CSC is voting on a selection of a project for which the consultant has submitted on (30-day window). T. Reynolds stated that he will do a brief presentation at the upcoming Partnering Meeting.

LOI Review Process

Another topic raised at the ACEC consultants' breakfast meeting was NHDOT's Letter of Interest (LOI) review process. T. Reynolds summarized that the LOIs are submitted to him who distributes them to the CSC and special members if appropriate (or a substitute for a CSC who had a potential conflict of interest) for review. Special members do not typically have a vote and can include PM's or technical leads on certain types of projects / solicitations. The CSC has 5-14 days for review. Depending on the type of solicitation, certain members may have more "weight" on the shortlist. The CSC reviews the LOIs, consultants' workload, etc. The CSC looks at how much work that a firm may have, and they do like to spread the work around as appropriate. T. Reynolds noted that as part of this review he distributes a report of the consultants' current workload to CSC when they are reviewing the LOIs.

It was noted that NHDOT does not like to meet with firms at the LOI stage but will make exceptions if there are specific, pointed questions or clarifications needed. NHDOT does encourage consultants, once shortlisted, to meet with the Department during the technical proposal. Firms are also invited to get feedback on their proposal after selection.

Short List Postings

It was noted that the Department's website has been updated and does reflect the current short list of recent solicitations.

At the ACEC consultants' breakfast meeting, some consultants asked if there was a recent selection list available which they thought would be beneficial for teaming and help new firms get their "foot in the door". It was agreed that with the shortlist updated on the website, consultants should be able to develop and maintain their own "list".

It was noted that the "look ahead" / 6 month list was still lagging

Delays in Scoping Process/Scoping Task Orders

The project scoping timeline and level of effort required to develop scopes of work was discussed and revisited. The group was reminded of a previous suggestion to develop a "scoping task" which would be billable to develop scopes for projects.

It was noted that the scoping process should be streamlined as standardized scopes of work have been developed and finalized. Delays in scoping are sometimes due to consultants as well as NHDOT. T. Reynolds noted that NHDOT is tracking target dates versus actual dates. It was agreed that this topic would be discussed at future CQI meetings.

GCA's for more consultants - MassDOT as example

The MassDOT Master Services Agreement (MSA) model was referenced as a means of potentially streamlining NHDOT's design contract procurement process and timeline:

- MassDOT currently has 62 consultants under MSAs;
- There is no upset limit or maximum \$\$ for each assignment;
- MassDOT uses mostly state \$\$ for design / engineering;
- MassDOT can direct select from MSA consultants.

MaineDOT has a similar "on-call" contracting model which are General Consultant Agreements (GCA).

J. Marshall noted that Highway Design has 9 current on-call agreements with 3 more coming out which is similar to the MassDOT MSA and MaineDOT GCAs. It was noted that NHDOT's ability to have more on-calls available is limited due to justification to G&C on needs / workload.

4) LPA Topics

C. Willeke reported that the Department has asked for feedback from consultants on issues such as bridge rail liability and minimum bridge width when they vary from established standards and guidelines. He noted that some municipalities and consultants struggle with meeting established standards and guidelines while trying to match the context of the site or project area. It was agreed that this may be a good topic for the upcoming WTE.

It was also noted that the Public Right of Way Accessibility Guidelines (PROWAG) are now in effect and there are questions whether or not it takes precedence over ADA.

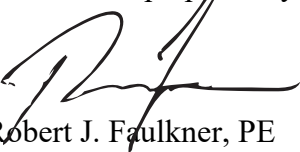
C. Willeke will be attending the NH Public Works Association's Technical Exchange conference on 10/26 where the topics will include PROWAG vs. ADA.

5) Upcoming Meetings

Next CQI Meeting – Wednesday – October 18th, 2023

Partnering Meeting on 10/6

Drafted and prepared by:



Robert J. Faulkner, PE