

**Innovative Contracting Advisory Committee**  
**Meeting Minutes**  
**March 18, 2010**

**ATTENDANCE**

Nabil Haddad, CDOT, Innovative Contracting Program Manager  
Neil Lacey, CDOT, Area Engineer  
Keith Molenaar, Professor, CU Boulder  
Tyler Weldon, CDOT, Region 1 Project Engineer  
Dave Poling, CDOT, Region 2 Program Engineer  
Pete Kozinski-via telephone, CDOT, Region 3 Resident Engineer  
Scott Ellis, CDOT, Region 4 Resident Engineer  
Ed Archuleta-via telephone, CDOT, Region 5 Resident Engineer  
Matthew Pacheco, CDOT, Region 6 Project Manager  
Kathy Young, State of Colorado Attorney General's Office  
Randy Jensen, FHWA Program Delivery Engineer (for Shaun Cutting)  
George Tsiouvaras, ACEC, TSH Consulting Engineers  
Pat Nolan, IHC (for CCA's Tim Maloney)  
Greg Diehl, CDOT, Equal Opportunity Office

Tim Aschenbrenner, CDOT, Project Development Branch Manager, Alternate Member  
Tyler Jones, CU Boulder, Guest

Facilitators: Nabil Haddad and Keith Molenaar

**SUMMARY OF DISCUSSION**

**Introductions and Summary from Last Meeting**

Everyone briefly introduced themselves to all other Committee Members. Nabil briefly summarized the Meeting Minutes from the February 18, 2010 Meeting. The group learned that CCA has created their own Innovative Contracting "Shadow" Committee to support the ICAC.

**Potential Future Discussion Topics**

In an effort to prioritize future discussion items, there were extensive discussions regarding many of the topics below. At the end of the meeting, there was general consensus that the bolded topics below should be first addressed by the ICAC. The top four topics were prioritized in order of discussion. Champions for each idea volunteered to investigate and lead the efforts regarding these topics:

- 1) **Developing an Innovative Contracting project selection process (When/Why)**
  - a. **Definitions of Innovative Contracting Methods/Techniques, Advantages/Disadvantages (Nabil Haddad)**
  - b. **Matrix of what's Legal in Colorado (Kathy Young)**
  - c. **Review of the FHWA requirements and definitions (Nabil Haddad and Randy Jensen)**
- 2a) **Modified Design Build (Dave Poling, Matthew Pacheco, George Tsiouvaras, Scott Ellis)**
- 2b) **Risk Assessments, i.e., educating, increasing usage, developing, including the Industry (Keith Molenaar, Ed Archuleta)**
- 4) **QA/QC on Innovative Contracting projects, specifically for Design-Build projects (Dave Poling, George Tsiouvaras, Matthew Pacheco)**

The following remaining topics will be addressed by the ICAC as the need arises, and after the four priority topics above have been fully discussed, and all required actions addressed:

- Clarity and transparency of project goals
- Celebrating Successes (Awards, Sharing Lessons Learned, etc...)
- Local Agency and other stakeholder involvement (Major Utilities, Railroads, etc...)
- Updating Manuals and Guidelines
- Training and outreach to CDOT, the industry, and the public
- Staffing Requirements for major Innovative Contracting Projects
- Best-Value Procurement Method
- Contractor pre-qualification
- Insurance Requirements
- Lobbying for Colorado legislation that allows the usage of Innovative Contracting techniques
- Innovative Contracting techniques for ARRA or Fast track projects
- The future relationship between the ICAC and the CDOT Bridge Enterprise
- Local Agency Innovative Contracting Projects (Roles and Responsibilities)
- Subjectivity and how to deal with it
- RFP Requirements

### **ACTION ITEMS**

Kathy, Nabil and Randy will research Topic #1 and briefly present their findings to the committee. The ICAC will then decide the next steps and when to start discussions on Topics #2a and #2b

#### **Next Meeting**

Thursday, April 15, 2010 from 8:30 am until 10:00 am  
CDOT HQ EO Conference Room 2<sup>nd</sup> Floor