**Innovative Contracting Advisory Committee**

**Meeting Minutes**

**June 17, 2010**

**Attendance**

Nabil Haddad, CDOT, Innovative Contracting Program Manager (Facilitator)

Keith Molenaar, Professor, CU Boulder

Dave Poling, CDOT, Region 2 Program Engineer

Scott Ellis, CDOT, Region 4 Resident Engineer

Matthew Pacheco, CDOT, Region 6 Project Manager

Kathy Young, State of Colorado Attorney General’s Office

Randy Jensen, FHWA Program Delivery Engineer

George Tsiouvaras, ACEC, TSH Consulting Engineers

Tim Maloney, CCA, Edward Kraemer & Sons

Dick Osmun, CDOT Bridge, Guest

**Misc. Discussions**

Keith Molenaar volunteered to share the FHWA Manual on Alternative Methods he is currently finalizing with the group.

As part of the ICAC’s outreach efforts, Keith Molenaar suggested that the ICAC sponsor a Risk Workshop, open to all CDOT staff and the industry, to enhance and promote understanding of risk assessment in transportation projects.

**Summary of MDB Discussions**

* The group discussed some ways to improve the MDB process at CDOT.
* One suggestion by Dick Osmun, to pay the designer separately from the contractor, was not collectively supported by the group due to the legality of the process and the ability of the market to take care of the issue.
* It was collectively agreed that depending on the specific project goals, establishing a two-phase MDB selection process (short-listing), in addition to the current single phase selection process, would be beneficial to both the owner and the contractors.
* CDOT and the industry are still trying to understand Design-Build and all the roles involved and the amount of effort it takes to have a successful project.

**Action Items**

Keith Molenaar will e-mail Nabil a list of common risks identified by Washington State DOT. Nabil will modify the list to be applicable for CDOT, and send it to the ICAC members for their input. The list will be discussed in future ICAC meetings.

**Remaining Prioritized Future Topics of Discussions and Reasons**

2a) Modified Design Build (Dave Poling, Matthew Pacheco, George Tsiouvaras, Scott Ellis). (Missteps in process, lack of clear guidelines, lack of clear framework, lack of clearly defined quality requirements)

2b) Risk Assessments, i.e., educating, increasing usage, developing, including the Industry (Keith Molenaar, Ed Archuleta). (Big push from FHWA and industry, increasing trend, clearly defined roles/responsibilities, better management of project funds)

1. QA/QC on Innovative Contracting projects, specifically for Design-Build projects (Dave Poling, George Tsiouvaras, and Matthew Pacheco). (No set standard guidelines, major cultural shift, better project end-results)
2. Best-Value Procurement Method. (Becoming more prevalent, transparency, clear owner requirements, minimizing subjectivity)

**Remaining Un-Prioritized Future Topics of Discussion**

* Clarity and transparency of project goals
* Celebrating Successes (Awards, Sharing Lessons Learned, etc…)
* Local Agency and other stakeholder involvement (Utilities, Railroads, etc…)
* Updating Manuals and Guidelines
* Training and outreach to CDOT, the industry, and the public
* Staffing Requirements for major Innovative Contracting Projects
* Contractor pre-qualification
* Insurance Requirements
* Lobbying for legislation that allows 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
* Green Contracting Provisions

**Next Meeting**

Thursday, August 19, 2010, from 10:30 am until Noon

CDOT HQ Bridge Conference Room 107B, 1st Floor