



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

June 19, 2025

MEMO TO: AGC/NCDOT Roadway Subcommittee Members

FROM: R.E. Davenport, Jr., PE
State Contract Officer

SUBJECT: AGC/NCDOT Roadway Subcommittee Meeting Minutes – June 19, 2025

The meeting was held in the Riverwood Conference Room at NCDOT Century Center on June 19, 2025, at 10:00 am. Microsoft Teams was available for those that wished to attend virtually. The following are items were discussed:

- Railroad Special Provision (AGC)
 - Paying fees for the Right of Access because of inefficiencies in the railroad process.
 - AGC asks if the NCDOT Rail Division can provide estimates of costs or supply the permits for right of access.
 - It takes 5 months to get a price for the permit to access Rail and it's hard to bid without knowing the costs. They'll usually only talk to you when you have a contract.
 - Negotiating with the Rail owner is inconsistent.
 - DOT – notices these issues are common but it is usually with smaller rail companies, not CSX or NS. DOT Rail handles the Class 1's and permitting, although still a process, but AGC is looking for an estimated cost prior to bidding.
 - AGC asking for combining permits instead of having 3 permits along the same rail line, which causes them to pay 3 separate access fees.
 - DOT meeting with DCEs and Chiefs office to implement pilot contracts that handle resurfacing at rail crossings ahead of the 5 year resurfacing contracts.
 - DOT is working on a revision to the Railroad Protective Services PSP that will reimburse the direct cost for the railroad flagger.
- Discuss the possibility of adding the following to the Fuel Price Adjustment list (AGC):
 - Undercut Excavation
 - Select Granular Material
 - Class IV Aggregate Stabilization
 - Quantity is important, undercut is an unknown.

- can they be considered for a Fuel Price Adjustment?
 - DOT – not opposed but we need to establish some threshold. DOT to discuss internally.
- Payment for Flagging for Borrow and Unclassified Operations (AGC)
 - Not so much for new alignment but widening jobs, but there are inconsistencies when the flagging spec is used, whether for convenience or safety.
 - Can be interpreted differently.
 - Flagging for unclassified excavation should be paid since it's DOT dirt
 - DOT – we can develop some guidance on safety vs convenience on when to pay for flagging. (see section 1150-4 in spec)
 - Is the flagging outside construction limits? Then that's for the convenience of the contractor and we wouldn't pay.
 - You know where to haul material and what the phases are so this should be in their bid. It's incidental for the most part.
 - Not a lot of time in pre-bid to know where all the dirt is coming from. Contractors should know how much they want to denote for flagging no matter the location.
- BABA Updates (AGC)
 - DOT (M&T) – October 1, 2025, final manufacturing process of the product needs to be in the US. October 1, 2026, 55% of the cost of the product needs to be manufactured in the US.
 - M&T reaching out to manufacturers to see which materials will be a challenge to manufacture domestically.
 - What if you can't find a product that is manufactured domestically?
 - DOT is to work with municipalities to let them know they can't use certain materials on a Federally funded project if they don't meet BABA requirements.
 - DOT to establish their contracts with this in mind. Not wanting to design anything that we cannot find domestic material for.
- Proof Rolling
 - No great efficient alternative to proof rolling. DOT to maintain Spec on this issue.
- Workzone Safety
 - Automated law enforcement was pulled from Senate Bill.
 - DOT – Workzone certification: ITRE test-only option available.
- AGC Conference in 2026
 - Dates and locations forthcoming
 - AGC made note that it's hard to have one event and all their people are sent to the conference at the same time.
- DOT Personnel Updates
 - New Chief Engineer – Patrick Norman
 - New Western Deputy Chief Engineer – Brett Canipe
 - ACE Div 11 & 12 – Replacement coming
 - ACE Div 1 & 2 – Daniel Waugh

Attendees

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** attended via Microsoft Teams