

June 7, 2016

MEMORANDUM TO: AGC-DOT Joint Cooperative Committee Members

FROM: Rodger Rochelle, PE

SUBJECT: May 19, 2016 Minutes

The Joint Cooperative committee of the AGC – DOT met at 10:00 a.m. on May 19, 2016 in the Chief Engineer's Conference Room at the NCDOT Equipment and Maintenance Facility on Beryl Road in Raleigh.

*AGENDA AND DISCUSSION ITEMS*

**Revenue Update**

**Burt Tasaico**

Mr. Tasaico stated that for fiscal year 2016, the revenues are coming in 5% above projected due to increases in fuel consumption. Car sales have come up around 7% above the forecasted amount, as well as DMV fees.

Mr. Tasaico mentioned that they are looking at the payout curves of the projects over the next 24 months and in particular the cash in hand. So far it looks good for the \$3 Billion projected for project letting.

The Federal Government has put out a rescission in the amount of \$2.2 Billion and North Carolina's share is \$59 million. NCDOT is trying to determine how this will impact the lettings.

**Legislative Update**

**Mike Holder/Rodger Rochelle**

Mr. Holder stated that he, Mr. Walt Gray, and Mr. Rodger Rochelle presented to the House Appropriations Committee regarding a report that was submitted on May 1<sup>st</sup> to meet the requirements of the Legislature. A review of the central work functions was made to determine if they would be better served in the divisions and the result is a different way that NCDOT will develop projects. Approximately 70% of the projects will be developed by the divisions, but it is not known at this time how many of these will be let by the divisions vs let centrally out of Raleigh. The divisions will take on lower risk projects with lower environmental impacts. This equates to roughly 50% of the funding over a 10-year period.



The divisions have also reorganized and created a Project Development Engineer. This position in each division will work with consultant services that will be available to them to assist in their project development.

Mr. Holder stated that NCDOT also gave the Appropriations Committee a plan to reduce filled positions using Reorganization Through Reduction (RTR). This is a volunteer program and is only open to select classifications. The RTR will run through January of 2017 which at that point NCDOT will see if we met our goal. If the goal of reduced filled positions is not met, the Reduction In Force (RIF) policy will go into effect.

Mr. Rochelle stated that DB will continue to be developed and let centrally.

Mr. Rochelle stated that the plan is to create multi-disciplinary teams that are responsible for delivering a set of projects with no more silos. The Division of Highways is transferring eight positions to the divisions while Technical Services is transferring 60.

Mr. Gray stated that they are looking at NCDOT as a new company that is starting today and modeling the changes after private companies.

#### **Purchase Order Limit Increase**

**Mike Holder**

Mr. Holder stated that NCDOT has requested to increase the PO limit to \$5 million after discussions with AGC. This higher amount from \$2.5 million will give the divisions more flexibility. Mr. Holder stated that they originally wanted to raise it to \$10 million but will see how the divisions are doing with consistency at \$5 million before evaluating a higher value.

#### **Letting Projections (*handout*)**

**Randy Garris**

Mr. Garris provided a handout outlining the proposed Letting Projection Chart and the Let Summary Projections for the next 12 and 24 months (July 2016 through June 2018). In the next 12 months, \$1.221 billion in projects are currently scheduled including Design Build, TIP and TIP Bridge Replacement. The 24 month reflected almost \$3 billion.

Mr. Garris reviewed the 13 projects greater than \$20 million in the tentative 12-month let list, including three Design-Build projects, all totaling \$550 million. In the same 12 months, there are currently three bridge projects greater than \$10 million including one Design Build. These four projects have an estimated cost of \$249.3 million.

Mr. Garris mentioned that the lettings are still not as balanced as we would like to see them even though there are some months that have resurfacing projects that are not reflected in the handouts. Mr. Rochelle stated that he was going to have a meeting soon to discuss accelerating projects and that they will look to fill in the lower letting where possible.

**Electronic Bidding for Divisions****Randy Garris**

Mr. Garris stated that there is a pilot starting in June for Divisions 4 and 5 to have the option of bidding electronically. NCDOT is training two divisions at a time on accepting bids electronically and hope to be done by the end of the year. Bidders will have three ways in which they can submit their bid; paper, electronic preparation and manual submittal, or electronic submittal. There have been discussions as to when to allow the divisions to go fully electronic and offer no other options for submitting the bids. At that time, the as-reads will populate as the central process does. To that, Mr. Hancock mentioned that he is sending out a letter to the divisions that they must post bids within 48 hours with the engineer's estimate, have a minimum of a 3-week posting, and everyone will have a 2:00 pm opening. Industry asked the question about having to read the bids out loud or can BidEx just post to expedite the process. Mr. Garris said he would check with the Attorney General's Office.

Mr. Garris mentioned that bidders will need a separate division digital ID to bid on division let projects electronically. There will be one division ID for all the divisions, but it will be a different ID than the central let which will mean that some bidders will have two IDs.

Mr. Garris also mentioned that the plan holder information will not be handled the same way in the divisions as it is centrally. They will manually upload the PO Prime Vendor list.

**MBE/WBE Solicitations on State-Funded Contracts****Berry Jenkins**

Mr. Jenkins stated that the MBE/WBE Special Provisions have been revised to reflect that only certified and prequalified subcontractors need to be solicited on state-funded jobs in the demonstration of Good Faith Effort. On federally-funded jobs where there is a DBE goal, the NCDOT Equal Opportunity and Workforce Services (EOWS) Unit has stated that all certified firms that can perform the work need to be solicited.

Industry asked about banking on division let projects and if any further headway has been made. Mr. Hancock mentioned that they are still having discussions with the EOWS Director and part of the discussion is to use the actual amount the MBEs and WBEs were used on the project versus what was submitted at bid time. Under this scenario, industry would have to wait until the end of the project to determine the amount the MBE or WBE was used.

Mr. Burns stated that he would like to see the same process used for division projects as what is currently being used centrally, especially now that larger projects will be coming out of the divisions. A question was asked if we still want the bank value to expire after 2 years and is that a good number of years. Industry also mentioned that it would be good to have a system that is accessible to the contractors so they do not have to call EOWS to see what their balances are.

**Railroad Update (handout)****Brian Speight**

Mr. Worley stated that two out of three of the Congestion Mitigation projects are complete, and the Piedmont Improvement Program is almost at a spending value of \$400 million. The Charlotte Maintenance Facility is the last project and all NCDOT contracts should be completed this year. From that point on, the projects will fall under the rail contracts to build the infrastructure. The deadline for all the money to be spent is September 30, 2017. NCDOT is shooting for a completion of June 2017.

**Factors Influencing Design / Build Pursuit Costs****Berry Jenkins**

Industry mentioned that some of the items in design build (DB) contracts are running the prices up. For example, one project had liquidated damages of \$5,000 per 15 minutes which is \$450,000 per day. Per the industry, a contractor will look at this and have to put contingency money into the contract as a 2-year project will not be delayed minutes, but days.

Industry also mentioned that pursuit costs are much higher than the stipend that NCDOT is paying and NCDOT may need to coordinate with ACEC again. NCDOT should also look at setting parameters to avoid extra costs (i.e. 30% plans and limiting the number of pages allowed in the submittals).

There are still issues with utility owners and getting them familiar with the needs of the project. This is especially true on DB projects. Industry mentioned that it is hard to get utility owners to a meeting on a project that is over a year out, and it seems to be better when the utilities are in the contractor's control.

Industry stated that they are willing to sit down with NCDOT as a team to discuss items that are impacting the schedule, cost, etc of projects. Mr. Rochelle said that he is willing to sit down and to also discuss the pursuit costs. Mr. Jenkins suggested to get a few firms to talk to the DB staff as an educational discussion.

**Work Zone Safety Program****Mark Johnnie / Berry Jenkins**

Mr. Johnnie mentioned how employees (contractor and state) are getting hurt and killed on the projects and we need to see if we are doing all we can to help the employees in an environment of drunk and distracted drivers. NCDOT and AGC need to think creatively to make work zones safer.

**Other**

Mr. Garriss has been talking to the AG's office to look into being able to fully execute contracts electronically including electronic non-collusion. Currently, the North Carolina Administrative Codes says that the bidder shall furnish a non-collusion affidavit with the bid.

Mr. Garriss mentioned that there is a kick off meeting for the 2018 Standard Specifications book this week. NCDOT plans to wrap up the 2018 book by spring of 2017 and have it effective with the January 2018 let.

Mr. Garris also mentioned that NCDOT has a draft Bid Protest Process (*handout*) that is being looked at. This is not a policy but a uniform documented process. The protest and response will be logged by the Contract Standards and Development Unit. For Division projects, the process will stay in the Division and use Mr. Garris for any input where requested. Mr. Rochelle asked Industry for any thoughts on the process.

Mr. Johnnie mentioned affiliated firms bidding on the same project and asked if we should look closer at this. Industry suggested that NCDOT look at our specifications to further define “affiliated” firms and to look at South Carolina’s language as a guide.

**Next Meeting Date**

The next meeting is scheduled for July 21, 2016 at 10:00 a.m. in the Chief Engineer’s Conference Room at the NCDOT Equipment and Maintenance Facility on Beryl Road in Raleigh.



## **NCDOT/CAGC Joint Cooperative Committee Agenda**

### **Chief Engineer's Conference Room, Beryl Road**

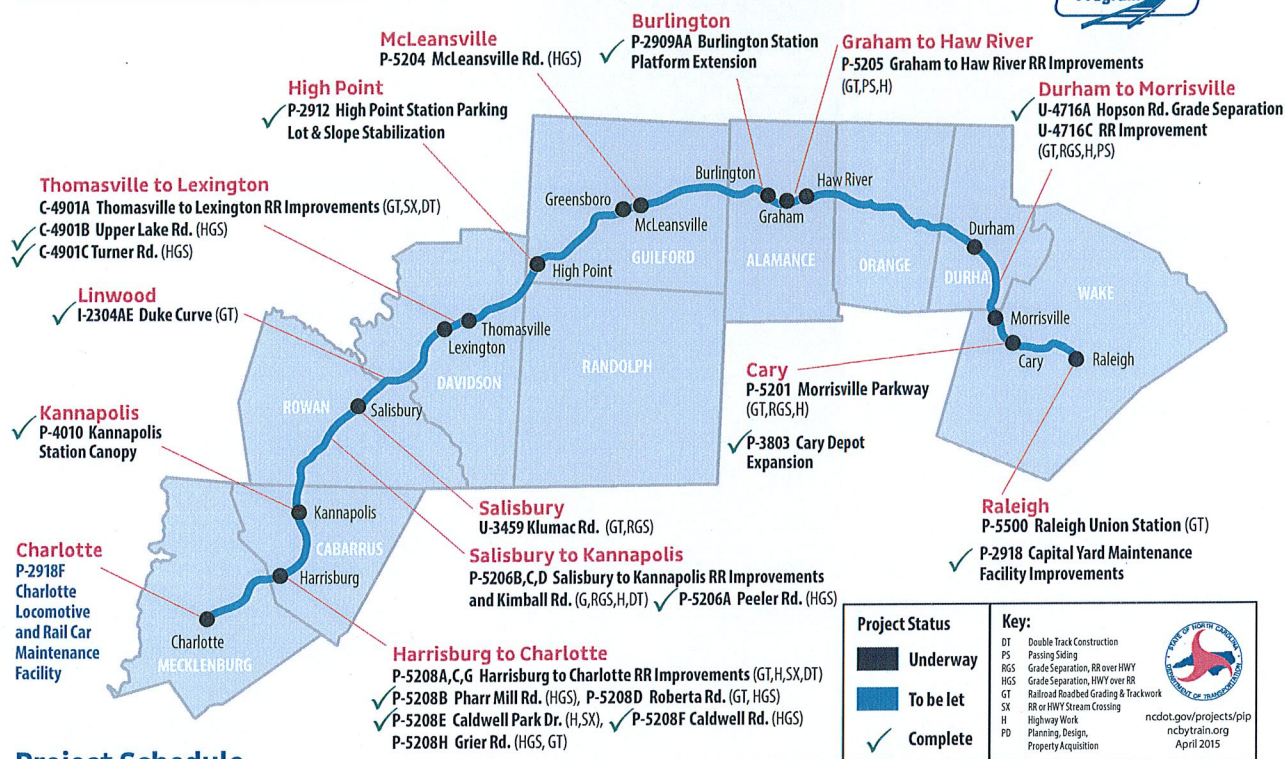
May 19, 2016  
10:00 am to noon

#### Agenda Items:

- |  |                               |
|--|-------------------------------|
| 1) Revenue Update                                    | David Tyeryar / Burt Tasaico  |
| 2) Legislative Update on NCDOT Reorganization        | Mike Holder / Rodger Rochelle |
| 3) Purchase Order Limit Increase                     | Mike Holder                   |
| 4) Letting Projections                               | Randy Garriss                 |
| 5) Electronic Bidding for Divisions                  | Randy Garriss                 |
| 6) MBE / WBE Solicitations on State-Funded Contracts | Berry Jenkins                 |
| 7) Railroad Update                                   | Paul Worley                   |
| 8) Factors Influencing Design / Build Pursuit Costs  | Berry Jenkins                 |
| 9) Work Zone Safety Program                          | Mark Johnnie / Berry Jenkins  |



## Piedmont Improvement Program – April 2016 Status Report



### Project Schedule



### Spent to Date of \$520M (eff. 4/30/2016)

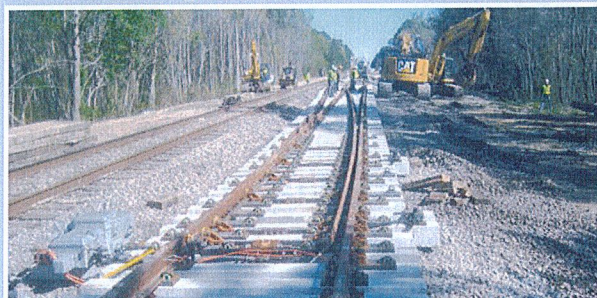
Component	Expenditure
PD&A/ROW	\$50,877,008
Equipment Procurement & Rebuild	\$28,219,594
Stations & Facilities	\$45,062,172
Track & Structures	\$267,834,378
CRISP	\$2,180,376
<b>Program Totals</b>	<b>\$394,173,528</b>

Three new contracts totaling \$37,638 were awarded in April.

### Commitments to Date of \$520M (eff. 4/30/2016)

<b>Current Commitments</b>	<b>\$471M</b>
<b>Pending Commitments</b>	<b>Anticipated Date</b>
Charlotte Maintenance Facility Construction	5/16
PIDS Construction (pending FRA approval)	5/16
PD&A	Through '16
<b>Balance</b>	<b>\$6.3M</b>

### PIP and Congestion Mitigation Milestones



**South Weldon:** All turnouts at CP South Weldon, the last of three A-line double crossover projects, were placed in track on April 3. The crossover is scheduled to be placed fully in service in June. These turnouts will enable more efficient use of the capacity on the railroad for both freight and passenger trains.

**Morrisville:** The 1.5 mile main line realignment over the new Morrisville Parkway railroad bridge was cut in to service on May 2. Placement of the main track on the new bridge allows for removal of the existing track and the completion of the roadway under the bridge by late Summer.

**Charlotte:** The railroad bridge for future Mallard Creek Church Road extension was completed in April.



## Piedmont Improvement Program – Project Photos – April 2016



P-5201 Morrisville Parkway, track construction



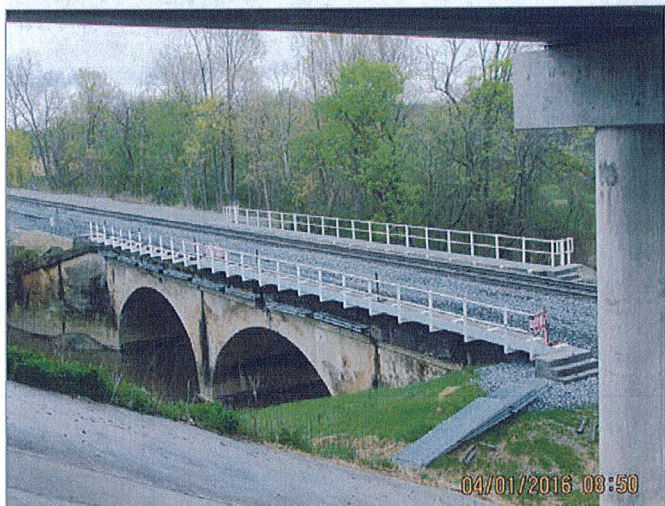
U-4716 Nelson to Clegg Passing Siding, signal work



P-5205 Graham to Haw River Passing Siding, erosion control



P-5204 McLeansville Road, bridge construction



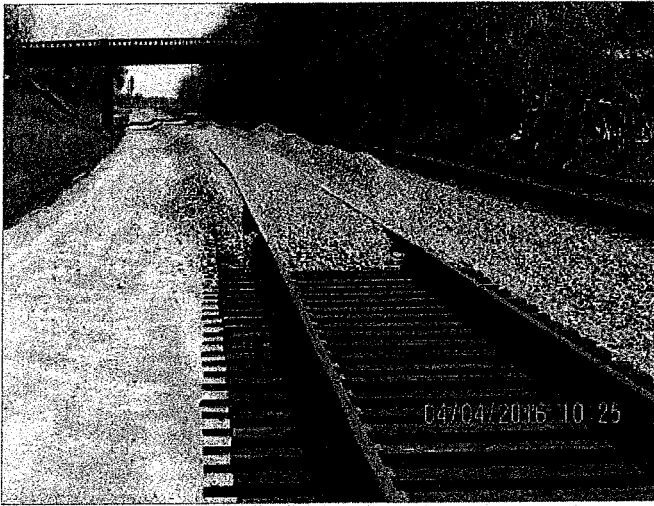
C-4901 Bowers to Lake, Rich Fork Creek Bridge Construction



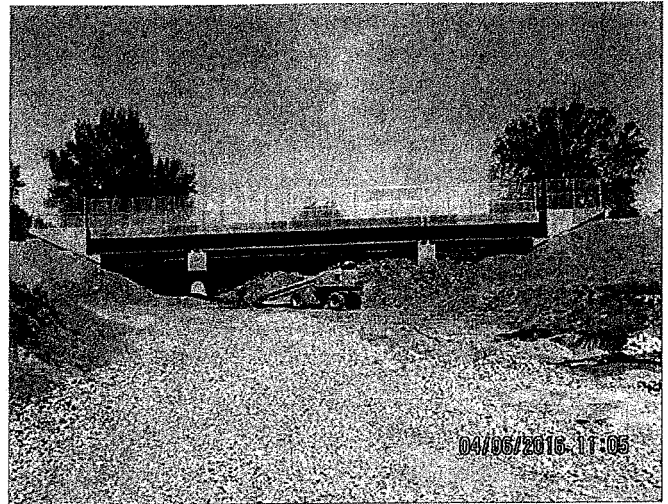
C-4901 Bowers to Lake, track construction over Abbotts Creek



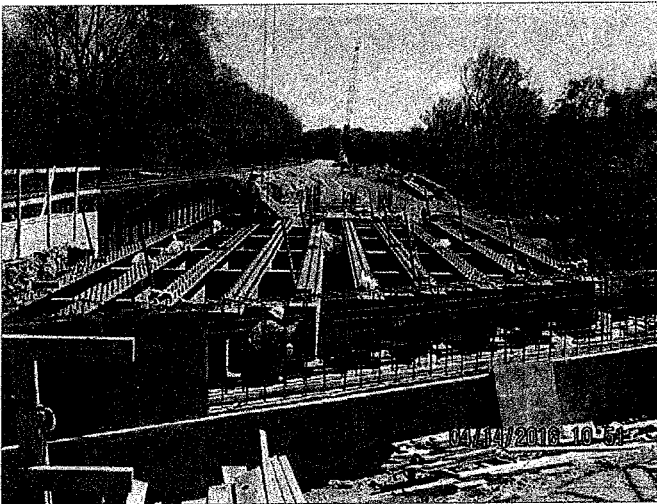
## Piedmont Improvement Program – Congestion Mitigation – April 2016



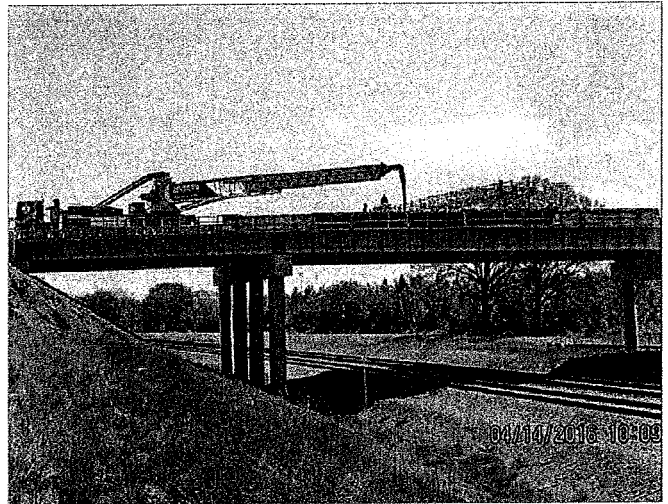
P-5206 Reid to North Kannapolis, track construction, China Grove



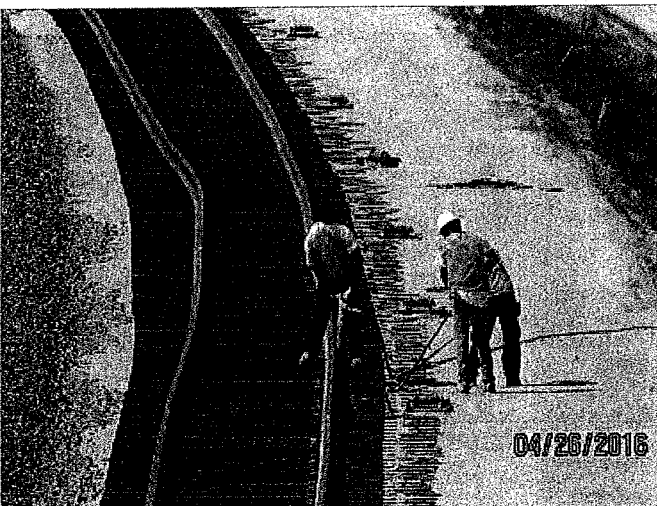
P-5206 Reid to North Kannapolis, Kimball Road, bridge construction



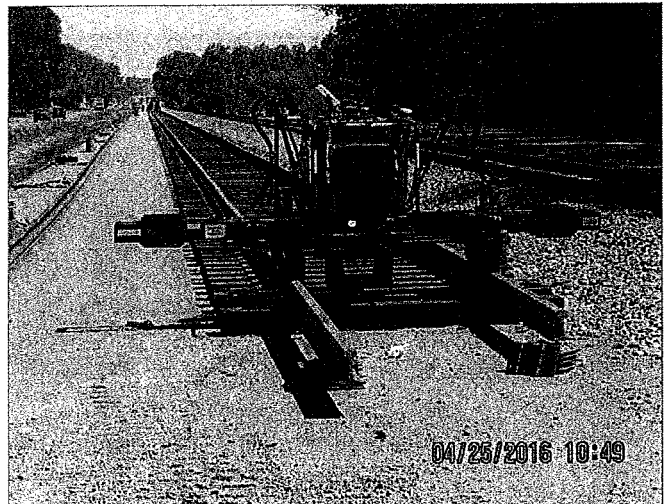
P-5208 Haydock to Junker, Coddle Creek, bridge construction



P-5208 Haydock to Junker, Roberta Road bridge construction



P-5208 Haydock to Junker, spiking



P-5208 Haydock to Junker, track construction





MAJOR PROJECTS > \$20 MILLION SCHEDULED FOR JULY 2016 TO JUNE 2017									
LET DATE	Contract ID	TIP#	WBS#	FA#	County	DIV	Description	Latest Estimate	DB Flag
8/16/2016	C203862	U-2827B	34872.3.4	NHP-0421(087)	FORSYTH	9	Replace Bridges 178, 278, 286, 288, 291, 293, 305, 312, 313, 3336. US 158 / US 421 / NC 150 / I-40 Business, west of Fourth Street to east of Church Street. (COMB W/C-5620A)	\$102,700,000	DB
9/20/2016	#	R-2247EC	34409.3.24	#	FORSYTH	9	RECONSTRUCT INTERCHANGE US 52/FUTURE I-74 INTERCHANGE WITH NC 65 ON WINSTON-SALEM NORTHERN BELTWAY: (comb W/R-2247CD)	\$24,700,000	DB
9/20/2016	C203792	U-2524D	34820.3.GVS	NHF-0708(53)	GUILFORD	7	GREENSBORO WESTERN LOOP FROM US 220 (BATTLEGROUND AVE) TO SR 2303 (LAWNDALE DR)	\$60,100,000	
10/18/2016	C203803	U-3440	39010.3.2	#	CABARRUS	10	KANNAPOLIS - NC 3 FROM PROPOSED WEST SIDE BYPASS (U-2009) TO SR 1691 (LOOP RD)	\$24,200,000	
11/15/2016	C203801	R-2915C	34518.3.FR3	STP-0221(41)	ASHE	11	US 221 FROM NORTH OF SOUTH FORK NEW RIVER TO SOUTH OF NC 194	\$62,600,000	
11/15/2016	C203800	R-3100A	34522.3.FR3	STP-0016(52)	CATAWBA	12	NC 16 FROM NORTH OF SR 1814 (CALDWELL ROAD) TO SR 1895 (TOWER ROAD)	\$26,300,000	
12/20/2016	#	R-4753	39999.3.FR1	STP-0107(10)	JACKSON	14	NC 107 FROM NORTH OF SR 1002 TO NC 281	\$22,500,000	
1/17/2017	C203829	R-3100B	34522.3.FR4	STP-0016(53)	CATAWBA	12	NC 16 FROM NORTH OF SR 1801 (CLAREMONT ROAD) To NORTH OF SR1814 (CALDWELL ROAD)	\$20,200,000	
5/16/2017	#	U-5526A	50081.3.1	NHPP-0074(153)	MECKLENBURG	10	US 74 (INDEPENDENCE BOULEVARD) FROM I-277 TO WALLACE LANE CONVERT BUS LANES TO REVERSIBLE MANAGED LANES	\$20,900,000	
5/16/2017		U-3109A	34900.3.GV2	STP-0119(9)	ALAMANCE	7	MEBANE - NC 119 RELOCATION FROM I-40/I-85 TO NORTH OF SR 1921 (MEBANE ROGERS ROAD/STAGE COACH ROAD)	\$44,200,000	
5/16/2017		R-2707C	34497.3.6	#	CLEVELAND	12	US 74 BYPASS FROM WEST OF NC 226 TO WEST OF NC 150	\$58,000,000	
5/16/2017		U-3330	36596.3.FR1	STP-0301(28)	NASH	4	ROCKY MOUNT - US 301 BYPASS FROM NC 43-48 (BENVENUE RD) TO SR 1836 (MAY DR)	\$26,700,000	
6/20/2017		R-5703	46375.3.1	#	LENOIR	2	NC 148 (HARVEY PARKWAY), FROM NC 58 TO NC 11. CONSTRUCT MULTI-LANE FACILITY ON NEW LOCATION.	\$56,888,000	DB
July 2016 To June 2017 TOTAL COST ESTIMATE FOR PROJECTS > \$20 MIL								\$549,988,000	

July 2016 To June 2017 TOTAL COST ESTIMATE FOR PROJECTS > \$20 MILL



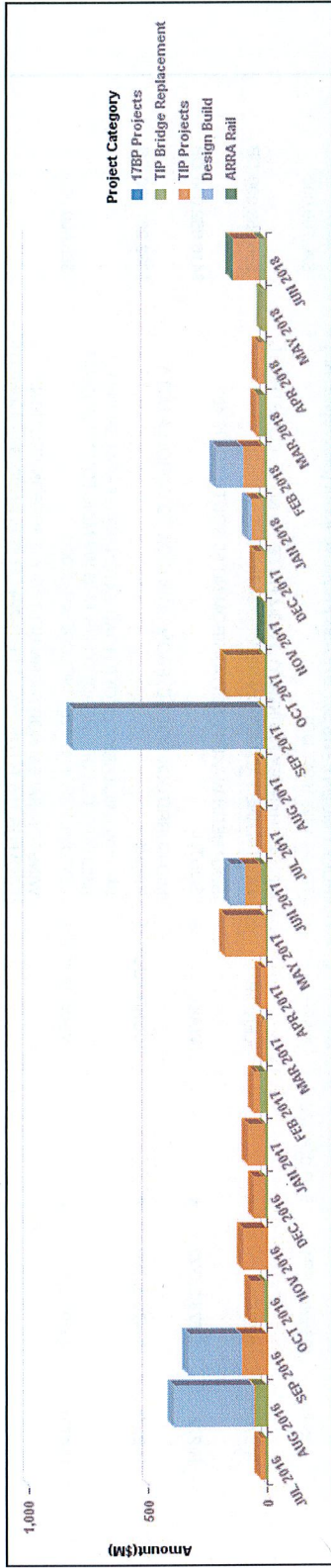
BRIDGE PROJECTS > \$10 MILLION SCHEDULED FOR July 2016 To June 2017									
LET DATE	Contract ID	TIP#	WBS#	FA#	County	DIV	Description	Latest Estimate	DB Flag
8/16/2016	C203789	B-4929	40233.3.1	#	PENDER	3	REPLACE BRIDGE 16 OVER INTRACOASTAL WATERWAY ON NC 50-210	\$46,000,000	
9/20/2016	C203474	B-2500B	32635.3.FR7	BRNHF-0012(56)	DARE	1	RODANTHE ON NC 12 LONG-TERM IMPROVEMENTS (PHASE II)	\$174,400,000	DB
2/21/2017	#	B-5937	46479.3.1	#	CURRITUCK	1	BRIDGE 16 OVER CURRITUCK SOUND ON US 158 BRIDGE REHABILITATION	\$28,920,000	
July 2016 To June 2017 TOTAL COST ESTIMATE FOR BRIDGES > \$10 MIL								\$249,320,000	

### 31 - BRIDGES AFFECTED BY 35 TIP BRIDGE PROJECTS

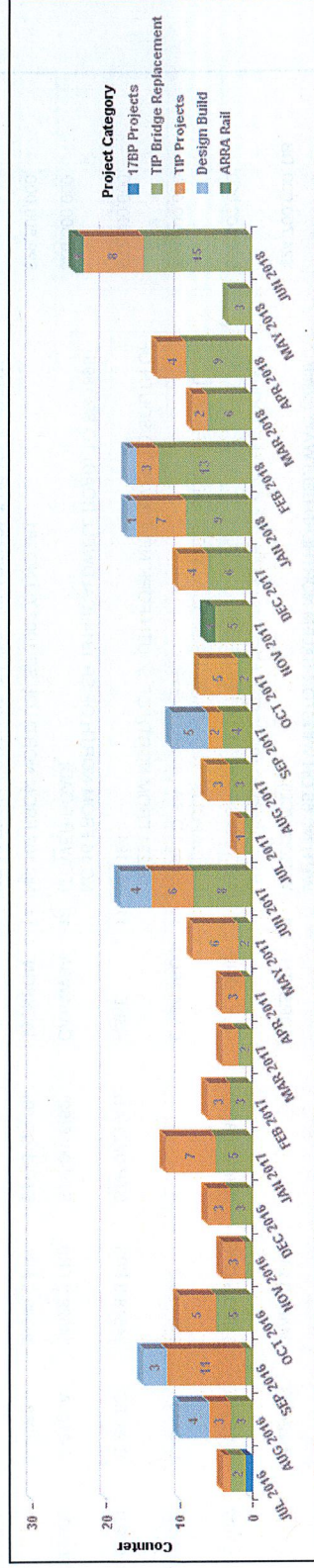
### 1 - BRIDGES AFFECTED BY 1 (17 BP, BK, BP) BRIDGE PRESERVATION PROJECTS

12 Month Totals For July 2016 To June 2017 \$1,220,523.608





	JUL 2016	AUG 2016	SEP 2016	OCT 2016	NOV 2016	DEC 2016	JAN 2017	FEB 2017	MAR 2017	APR 2017	MAY 2017	JUN 2017	JUL 2017	AUG 2017	SEP 2017	OCT 2017	NOV 2017	DEC 2017	JAN 2018	FEB 2018	MAR 2018	APR 2018	MAY 2018	JUN 2018	Sum
17BP Projects	\$ 0.0																								\$ 0.0
TIP Bridge Replacement	\$ 11	\$ 49	\$ 1	\$ 14	\$ 1	\$ 11	\$ 12	\$ 31	\$ 4	\$ 1	\$ 3	\$ 25	\$ 0	\$ 4	\$ 8	\$ 8	\$ 8	\$ 9	\$ 15	\$ 11	\$ 30	\$ 9	\$ 12	\$ 29	\$ 307
TIP Projects	\$ 12	\$ 7	\$ 107	\$ 54	\$ 95	\$ 42	\$ 64	\$ 19	\$ 12	\$ 20	\$ 168	\$ 65	\$ 12	\$ 18	\$ 7	\$ 159	\$ 34	\$ 49	\$ 89	\$ 89	\$ 4	\$ 20	\$ 109		\$ 1,167
Design Build		\$ 333	\$ 217									\$ 62			\$ 797				\$ 8	\$ 105					\$ 1,521
ARRA Rail																	\$ 0.0						\$ 0.0		\$ 0.0
Sum	\$ 23	\$ 389	\$ 325	\$ 69	\$ 97	\$ 53	\$ 76	\$ 50	\$ 16	\$ 21	\$ 171	\$ 152	\$ 12	\$ 22	\$ 812	\$ 167	\$ 8	\$ 43	\$ 71	\$ 205	\$ 34	\$ 29	\$ 12	\$ 138	\$ 2,995



	JUL 2016	AUG 2016	SEP 2016	OCT 2016	NOV 2016	DEC 2016	JAN 2017	FEB 2017	MAR 2017	APR 2017	MAY 2017	JUN 2017	JUL 2017	AUG 2017	SEP 2017	OCT 2017	NOV 2017	DEC 2017	JAN 2018	FEB 2018	MAR 2018	APR 2018	MAY 2018	JUN 2018	Sum
17BP Projects	1																								1
TIP Bridge Replacement	2	3	1	5	1	3	5	3	2	1	2	8	1	3	4	2	5	6	9	13	6	9	3	15	112
TIP Projects	1	3	11	5	3	3	7	3	2	3	6	6	1	3	2	5	4	7	3	2	4				8
Design Build		4	3									4			5				1	1					18
ARRA Rail																	1							1	2
Sum:	4	10	15	10	4	6	12	6	4	4	8	18	2	6	11	7	6	10	17	17	8	13	3	24	225

MAJOR PROJECTS > \$20 MILLION SCHEDULED FOR July 2016 To June 2018

LET DATE	Contract ID	TIP#	WBS#	FA#	County	DIV Description	Latest Estimate	DB Flag
8/16/2016	#	I-5507	43609.3.2	#	MECKLENBURG	I-485 FROM I-77 TO US 74 (INDEPENDENCE BOULEVARD) Replace Bridges 178, 278, 286, 288, 291, 293, 305, 312, 313, 3336. US 158 / US 421 / NC 150 / I-40 Business, west of Fourth Street to east of Church Street. (COMB W/C-5620A)	\$212,000,000	DB
8/16/2016	C203862	U-2827B	34872.3.4	NHP-0421(087)	FORSYTH	9	\$102,700,000	DB
9/20/2016	#	R-2247EC	34409.3.24	#	FORSYTH	9	\$24,700,000	DB
9/20/2016	C203792	U-2524D	34820.3.GVS	NHF-0708(53)	GUILFORD	7	\$60,100,000	
10/18/2016	C203803	U-3440	39010.3.2	#	CABARRUS	10	\$24,200,000	
11/15/2016	C203801	R-2915C	34518.3.FR3	STP-0221(41)	ASHE	11	\$62,600,000	
11/15/2016	C203800	R-3100A	34522.3.FR3	STP-0016(52)	CATAWBA	12	\$26,300,000	
12/20/2016	#	R-4753	39999.3.FR1	STP-0107(10)	JACKSON	14	\$22,500,000	
1/17/2017	C203829	R-3100B	34522.3.FR4	STP-0016(53)	CATAWBA	12	\$20,200,000	
5/16/2017	#	U-5526A	50081.3.1	NHPP-0074(153)	MECKLENBURG	10	\$20,900,000	
5/16/2017		U-3109A	34900.3.GV2	STP-0119(9)	ALAMANCE	7	\$44,200,000	
5/16/2017		R-2707C	34497.3.6	#	CLEVELAND	12	\$58,000,000	
5/16/2017		U-3330	36596.3.FR1	STP-0301(28)	NASH	4	\$26,700,000	
6/20/2017		R-5703	46375.3.1	#	LENOIR	2	\$56,888,000	DB
9/19/2017		R-2721	37673.3.GV2	#	WAKE	5	\$410,052,000	DB
9/19/2017		R-2576	34470.3.GV3	#	CURRITUCK	1	\$383,281,000	DB
10/17/2017		U-4751	40191.3.2	#	NEW HANOVER	3	\$85,000,000	
10/17/2017		U-2579C	34839.3.GV6	#	FORSYTH	9	\$60,100,000	



2/20/2018	U-2719	35869.3.1	#	WAKE	5	RALEIGH - I-440 / US 1. SOUTH OF SR 1313 (WALNUT STREET) TONORTH OF SR 1728 (WADE AVENUE) IN RALEIGH. WIDEN FROM FOURTO SIX LANES AND IMPROVE STORAGE AT LAKE BOONE TRAIL INTERCHANGE.	\$105,200,000 DB
2/20/2018	I-0911A	34147.3.4	#	DAVIE	9	I-40 FROM .3 MILE WEST OF NC 801 IN DAVIE COUNTY TO 0.3 MILE WEST OF SR 1101 (HARPER ROAD/TANGLEWOOD PARK BUSINESS ROAD) IN FORSYTH COUNTY	\$58,000,000
6/19/2018	R-5021	41582.3.1	STP-0211(021)	BRUNSWICK	3	NC 211 FROM SR 1500 (MIDWAY ROAD) TO NC 87	\$58,200,000
July 2016 To June 2018 TOTAL COST ESTIMATE FOR PROJECTS > \$20 MIL							\$1,921,821,000

BRIDGE PROJECTS > \$10 MILLION SCHEDULED FOR July 2016 To June 2018							
LET DATE	Contract ID	TIP#	WBS#	FA#	County	DIV Description	Latest Estimate DB Flag
8/16/2016	C203789	B-4929	40233.3.1	#	PENDER	3 210 REPLACE BRIDGE 16 OVER INTRACOASTAL WATERWAY ON NC 50-	\$46,000,000
9/20/2016	C203474	B-2500B	32635.3.FR7	BRNHF-0012(56)	DARE	1 RODANTHE ON NC 12 LONG-TERM IMPROVEMENTS (PHASE II)	\$174,400,000 DB
2/21/2017	#	B-5937	46479.3.1	#	CURRITUCK	1 BRIDGE 16 OVER CURRITUCK SOUND ON US 158 BRIDGE REHABILITATION	\$28,920,000
3/20/2018	#	B-4491	38389.3.FR1	BRSTP-0059(005)	CUMBERLAND	6 REPLACE BRIDGE 22 OVER I-95B/US 301 ON NC 59	\$15,800,000
July 2016 To June 2018 TOTAL COST ESTIMATE FOR BRIDGES > \$10 MIL							\$265,120,000

**116 - BRIDGES AFFECTED BY 112 TIP BRIDGE PROJECTS**

**1 - BRIDGES AFFECTED BY 1 (17 BP, BK, BP) BRIDGE PRESERVATION PROJECTS**

24 Month Totals For July 2016 To June 2018 \$2,994,994,608

# CONSTRUCTION BID PROTEST PROCESS

## Background

North Carolina Department of Transportation follows General Statute §136-28.1 “Letting of contracts to bidders after advertisement; exceptions.” for construction, maintenance, operations, or repair of the North Carolina transportation infrastructure. All such contracts are awarded to the lowest responsible bidder, but “the right to reject any and all bids shall be reserved to the Board of Transportation.”

## The Bid Protest Process

The following is a general description of the bid protest process:

### A. Nature of a Bid Protest

A complaint or allegation that the bid laws, regulations, or project specifications have been violated is a “bid protest”. Bid protests generally arise from an allegation that the awarding authority has violated the state bidding laws, regulations, or project specifications during the prequalification or bid solicitation stage; or that a bidder has violated the bidding laws, regulations, or project specifications in its bid; or that an awarding authority has violated the bidding laws, regulations, or project specifications in the award of the contract.

### B. Filing a Protest

To file a bid protest, a Protestor should send a letter to the Contract Standards and Development Unit that identifies:

- the project for which bids are solicited;
- the particular law, regulation, or project specification violated;
- a detailed description of the alleged violation; and
- any other information the Protestor deems relevant to the bid protest.

Bid protests should be sent to:

Contract Standards and Development,  
Attn: State Contract Officer  
1020 Birch Ridge Drive, Raleigh, North Carolina 27610 (Delivery)  
1591 Mail Service Center, Raleigh, North Carolina 27699-1591 (Mail)

Bid protests may also be submitted by facsimile or in PDF format via electronic mail.

- Facsimile 919-250-4119
- Emails should be sent to [rgarris@ncdot.gov](mailto:rgarris@ncdot.gov)

### C. After a Protest is Filed

The State Contract Officer reviews the protest and contacts Executive Management for evaluation which may consider:

- Did NCDOT violate the bid laws, regulations, or project specifications by failing to adhere to certain statutory, administrative code or specification requirements?
- Did NCDOT violate the bid laws, regulations, or project specifications by awarding a contract to a contractor who had violated the statutory or administrative code provisions?
- Did NCDOT violate the bid laws, regulations, or project specifications by making arbitrary decisions regarding bidder eligibility or qualifications?
- Did NCDOT violate the bid laws, regulations, or project specifications by improperly or unfairly restricting competition for the project?

Once the initial evaluation has been completed, the Protester may be asked to attend a meeting with Executive Management for further discussion and clarification.

- D. Once a determination has been made by Executive Management, the Protestor will be notified of the final decision by NCDOT. This decision will not be subject to further review by NCDOT.