



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

December 16, 2021

MEMO TO: Adam Tipton, B.J. Lanier, Brandon Hill, Brian Webb, Bruce Hazle, Christopher Conerly, Dave Tolley, Brian Evans, Glenn Pratt, Greg Tucker, Chas Hummel, Ian Scott, Jeff Allen, Jeff Saunders, Josh Campbell, Justin Hill, Kerry Kennedy, Kevin Thomas, Mark Nye, Michael Alford, Randy Garris, Aaron Evans, Shannon Douglas, Kerry Kennedy, Ron Davenport, Boyd Tharrington, Wiley Jones, Brian Skeens, Michelle Gaddy, John Pilipchuk, David Harris, Todd Whittington, Chris Martin, Steve Primm, Victor Barbour, Jeremy Goodwin, John Jamison.

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

SUBJECT: DOT-AGC Roadway Subcommittee Meeting Minutes December 16, 2021

The AGC Roadway Subcommittee met virtually on December 16, 2021, at 10:00 am. The following are items were discussed:

Litter Provision (NCDOT)

Mr. Tharrington explained that a litter provision was discussed a few months back more specifically for primary routes, interstate routes, and highly visible type of projects. Feedback was received, but the provision was never finalized. Now there is new legislation related to mowing and litter pickup. Although the new legislation is pertaining to mowing, the new provision would be litter pickup for all highly visible projects. Contracts that include mowing as a contract line item will now include that litter pickup is required prior to any mowing operation on primary routes. The second litter pickup provision would be a new line item that would be paid either by man hour or shoulder mile. If a sweeper is utilized it would most likely be shoulder mile, but if using employees that would be compensated through man hours.

How would the disposal of trash be compensated? It would be hard to quantify it for bidding purposes solely under a litter pickup pay item. It can vary on the length of the project and location. If the trash is taken to the landfill, the contractor could get a weight ticket for payment. Mr. Goodwin explained that maintenance contracts include the disposal into the man hours. A certain percentage is added to each man hour to account for the disposal. The costs vary by region and that is what is anticipated at bid time. Majority agree to split into two different line items.

For scheduling, litter pickup would need to be completed between one to five days before the mowing operations.

Traffic control would be compensated with contract line items. For manual litter pickup there would not be a lot of traffic control other than signs. For sweeper you would use the moving operation standard. Bidders would include the anticipated costs for the slow-moving operation into other line items: cones, crash trucks, lump sum traffic control, etc. If it is open to interpretation when traffic control is needed or included at bid time, there will be dispute between the contractor and Resident Engineer. Referring to the standard drawing for certain scenarios within the provision may avoid a lot of confusion on both sides.

Resurfacing Projects Erosion Control Pay Items (AGC)

The erosion control items tend to underrun on these types of contracts. Has the department evaluated the estimated quantities versus actual and will there be any adjustments in future contracts? Mr. Goodwin stated that they utilize a spreadsheet to calculate EC quantities, but it has not been adjusted in a while. The spreadsheet is based on a wider amount of disturbance. This is something Roadside Environmental can review. It is difficult to get subcontractors to bid on small quantities.

Hydro-mulch (AGC)

There are 3 Divisions that do not allow hydro mulch on any of their projects, and it seems to be preference. If the contractor is proposing to utilize the hydro mulch as the asphalt tack that would not be an issue. The only concern is if they are trying to eliminate the straw too. Mr. Tharrington will have the conversation with the 3 DCEs about allowing hydro-mulch in place of asphalt tack. DCEs and Resident Engineers should have the discussion as well because most decisions are made in the field. Roadside Environmental Unit does not have any issues with using hydro-mulch in place of asphalt tack.

404 Permit Modification Review and Approval Process (AGC)

Contractors are seeing a delay on the review and approval process for the environmental permits. Does NCDOT foresee any improvement. Mr. Jamison informed the group that there was a lawsuit that invalidated the 401-water quality certification ruling of late 2020. The Core of Engineers and EPA did not have a water quality certification to work under for the past two months; therefore, all modifications and new permits were halted. The Core and EPA has received feedback and a work around to start processing some of those permits. Mr. Jamison stated that the agency has picked up on reviewing and approving permits. The only issue is that a lot of the regulations have reverted to the original 1971 documents, and they are working on trying to modify these old rules. EPA is working behind the scenes to try to merge/adapt with the current standards. There are currently not a lot of details, but they are working as quickly as possible to resolve this issue. They may be utilizing the upcoming holidays to resolve it.

Rock Plating UOM (AGC)

Rock plating is currently paid by the square yard, and many would prefer a tonnage unit of measure. Each location can vary of type of stone required and it can be dangerous for inspection staff to measure some of these slopes. CCU will review this proposal and previous discussions to see if this is a better method of payment.

Mr. Tharrington explained that bridge maintenance has requested mixing Class B stone with the Class II stone adjacent to the caps for safety purposes during bridge inspections. The agencies may not like Class B due to it migrating downstream. That is separate issue, but do contractors have any objection? This is related also to method of payment since there are two different types of stones.

AGC NCDOT Workshop Dates

Atlantic Beach- February 16-17

Asheville- March 8-9

Raleigh- March 16- 17

The next meeting is scheduled for February 24th, 2022.