



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

April 27, 2022

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

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

SUBJECT: DOT-AGC Roadway Subcommittee Meeting from 04/21/22

The AGC Roadway Subcommittee met in the Riverwood Conference Room at NCDOT Century Center on April 27, 2022, at 10:00 am. Microsoft Teams was available for virtual attendance. The following are items were discussed:

**Utility Encasement (AGC)**

The Standard Specifications state that flowable fill or select class materials shall be used to fill in the voids between the carrier pipe and casing pipe of 24" or larger. A lot of owners do not like this fill because it makes it difficult to access for maintenance. If not, the contractor needs to provide a 100-year certification on the encasement pipe which requires soil testing. These two options are not feasible. Corrosion of encasement pipe is the concern. Municipalities will need to coordinate with the designer during the design phase to either have the appropriate fill or a thicker encasement pipe. It is difficult to have one wall thickness of encasement pipe for the whole state as the thicker ones are more expensive. If soils are non-reactive then it should not be a concern, the Specification should specify the counties with reactive soils only.

**CEI Office Trailer (AGC)**

The question was asked why the contractor needs to provide the CEI company with an office trailer. There should be a pay item in the contract to compensate the contractor for providing an office trailer, it should not matter who occupies it. We evaluate the cost for providing a CEI trailer for project specific inspection staff or on call.

### **Equipment Emissions (NCDOT)**

As part of the settlement with Southern Environmental Law Center (SELC), NCDOT was required to develop an equipment emission provision to incorporate into contracts with a value of more than \$50 million and more than 1 million yards of earth work located in Wake, Durham, Orange, and Chatham Counties. There has not been a project that meets this criterion in the past two years. The provision has been updated since 2020. In 2024 the equipment emission provision will be applicable to all statewide projects that meet the dollar value and earth quantity criteria.

NCDOT was going to review applicable contracts between 2020 and 2023 to make necessary changes to provision prior to the 2024 statewide requirement. Currently there are no projects letting in that timeframe to evaluate. NCDOT is discussing with SELC how they should proceed, in the interim, NCDOT wants to get the contractor's input on the 2022 provision.

A minimum of 50 percent of equipment used must meet Tier 4 requirements. Tier 4 requirements are based on equipment, horsepower, and manufacturing date. If the project meets more than 75 percent, there is a \$50,000 incentive.

DBE owned equipment is excluded from the minimum 50 percent requirement. The DBE owned equipment will be included in the total amount of equipment for the incentive.

All cranes must meet the Tier 1 or higher requirements and are still applicable to the Reporting Requirements section in the provision. Cranes are excluded from minimum tier requirement and incentive totals.

If contractors can provide a list of owned equipment to see what percent of equipment fall under or above the Tier 4 category. It will be difficult to provide this information at this time for rental equipment as it varies by project.

### **Material Lead Times/ Contract Times (NCDOT)**

The Department understand that there are lead time on some material that has been impacting the project schedules. There has been thought about having a floating availability or extending project completion. There is not certain amount of time that can be added to all projects because it varies by material and supplier. NCDOT asks the contractor to inform Mr. Ron Davenport or Division of any issues they see in advertised projects so changes can be made accordingly.

### **Rock Plating (NCDOT)**

Rock plating pay items are still being discussed.

### **Fuel Price Adjustments (NCDOT)**

NCDOT is reviewing the current fuel factors as the fuel prices have increased causing a burden on several contractors.

### **Standard Drawings and Standard Specifications Updates (NCDOT)**

Standard Drawings and Standard Specifications are being updated so if you have any comments inform NCDOT.

**Interested Party List (AGC)**

Beginning in June contractors will need to be part of the interested party list for each individual advertisement to submit a bid. Printing of plans will no longer be required.

Next meeting is scheduled for June 16, 2022.

2022 Meeting Dates

August 18

October 20

December 15