



MEETING MINUTES

TO: Dana Havlik, SHA
FROM: James Tomlinson, KCI
MEETING DATE: April 28, 2008
SUBJECT: SWM DBOM – Informative Meeting presentation
KCI Job Order No. 01054140.19

Attendees

Lisa Choplin, SHA - Innovative Contracting Division
John Zanetti, SHA - Innovative Contracting Division
Dana Havlik, SHA - Highway Hydraulics Division
Karuna Pujara, SHA - Highway Hydraulics Division
James Tomlinson, KCI
Peter Mattejat, KCI
Attendees

Meeting Purpose

State Highway Administration (SHA) and KCI Technologies, Inc. (KCI) presented the Design, Build, Operation and Maintenance (DBOM) project at the Informative Meeting in SHA's Office of Traffic & Safety in Hanover. This meeting was a follow up to the similar presentation at Maryland Quality Initiative (MdQI) conference on January 31, 2008. The objective of this presentation was to disseminate project information to both engineering consultants and contractors; and to solicit comments on the approach to maintaining stormwater Best Management Practices (BMPs) and contract mechanism.

Presentation Overview

SHA provided an overview of the current Stormwater Facility Management Program. KCI provided an overview of the DBOM approach. A brief description was provided on the Pilot Study to maintain BMPs in Charles County, which replaced the previous approach for maintaining BMPs in Carroll County. SHA referenced that the BMP inspections were completed in April 2008. SHA stated that their goal is to select a qualified team of engineering consultant and construction firm to be responsible for DBOM. The tentative Notice-to-Proceed (NTP) date is early 2009.

Questions & Answer Session

The following issues were discussed at the presentation.

- SHA was asked if MBE participation will be broken out by MBE types (MBE, WBE, etc.). SHA responded that has not been determined yet.
- Contractor asked how long a BMP will remain a major maintenance candidate before becoming a retrofit candidate. Further discussion defined the issue being the possibility that the condition of BMPs may worsen a year after inspections when NTP is issued. The response was that typically BMP conditions don't change dramatically and depends on BMP type and the specific remedial issues. SHA stated that if conditions become "unforeseen" the contract will provide additional compensation.

- Contractor asked if damage to BMP vegetation by water fowl was considered unforeseen. SHA responded that it is a known condition and DBOM contractor is responsible for addressing damage.
- SHA stated that only one 3-year contract will be issued.
- Concern was raised on the need for geotechnical investigation at BMPs requiring significant remediation. SHA stated that geotech work is required for the retrofits and currently there are 10 designated. For major maintenance there are 23 designated, but the geotech work is up to the discretion of the DBOM team. SHA stated that geotechnical investigation may be performed by SHA prior to the contract advertisement.
- Several contractors asked about cost modifications if the SHA condition rating changes by the time the NTP is issued (approximately one year lag). SHA stated that under normal conditions there likely be no significant change so no cost modifications are anticipated. SHA recommended that the DBOM teams visit the sites prior to proposal submission.
- SHA also stated that a DBOM team should decide if a major maintenance is a retrofit and document why in the proposal.
- SHA stated that a stipend will be offered.
- The inspections used to assign the SHA ratings were performed over a five month period.
- A contractor inquired if SHA will provide a “mentor”. SHA stated that it will be separate of the DBOM and the contractor will require an engineering firm.
- There are no high-hazard dams at SHA BMPs in Charles County.
- Consultant inquired if survey will be required for grading or dredging. *SHA stated for major maintenance this will not be required.*
- *Vegetation specifications will be provided for annual maintenance.*
- BMPs are designed to sustain large storms and typically require only minor maintenance after a storm. *SHA considers the 25-year storm beyond normal conditions, and may consider additional funding to address storm-related damages.*
- SHA has not determined the number of DBOM teams that will be short-listed.
- SHA stated that payment will be split over the three years and each year will have defined activities. The percent complete of activities will be determine payment, which can be invoiced monthly.
- Concern was raised on the requirement to submit test results for construction items such as concrete, etc. SHA stated that the engineer will be required to provide construction services; therefore the engineer will determine what test results are required.
- SHA stated that audits of the BMP field conditions will be done by either SHA or its representative within the three-year contract. The DBOM team is responsible for Construction Inspection and Quality Control.
- SHA will identify BMPs requiring construction of permanent maintenance access. DBOM team will develop the design and prepare Right-of-Way documentation if needed. SHA will be responsible for acquiring the ROW.

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- SHA has not determined if incentives for Quality Assurance for Erosion & Sediment Control will be used in DBOM.
- Consultant inquired if the current proposed changes to MDE's 2000 Stormwater Design Manual will be required. SHA responded that the focus of those changes is related to Environmental Site Design, which is primarily non-structural BMPs. DBOM team may consider implementation on a limited-scale (e.g. grass swales).
- Retrofits will consider all facets of MDE's 2000 Stormwater Design Manual (e.g. sizing criterion for water quality; recharge, channel protection, overbank flood protection and extreme flood).
- SHA will assign a MDE reviewer to facilitate the review of BMP retrofit designs.

We believe that the above accurately reflects what transpired at this meeting. However, we will appreciate comments involving a difference in understanding of what occurred. Unless we are notified in writing to the contrary within ten (10) days after receipt, we will assume that all in attendance concur in the accuracy of this transcription.

Cc: SHA Staff
Tom Conklin, KCI

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