

2008 ASHE

- 1. In Design Build, what if any is the liability on the design review consultant? Do they sign off on plans, design, etc.?** *District 8-0 will incorporate a "Peer Review Team" in its D/B contracts. The Peer Review team is a consultant firm(s) hired by the D/B team to review all designs & submissions of the design consultant firms(s). Both consultant firms will be expected to sign off on all submissions. Liability issues arising during or after the project will likely be addressed by both the design firm(s) and the Peer Review firm(s)*
- 2. New NPDES Antidegradation Policy - What stormwater BMP's is PennDOT "supporting" for use along roadways?** *Low cost BMPs are preferred. The District has had excellent results with vegetated swales and check dams.*
- 3. New NPDES Antidegradation Policy - What type of infiltration testing is PennDOT requiring for stormwater management facilities?** *The best answer is do not infiltrate unless it is absolutely necessary. In general, DEP will only require infiltrate testing if you are proposing rates that are outside the norm.*
- 4. Word on the street is that the work order limit for Districts is to be raised from \$500k to \$1,000k. Why does CAD (Chris Drda's shop) have to touch/approve work orders under the cap?** *The \$500,000 cap on work orders for conventional open end agreements is set by the Office of the Comptroller, not the Consultant Agreement Division. There is no consideration being made to change the current \$500,000 cap. On Project Specific Open End Agreements, the District now has the authority to execute individual work orders not exceeding \$1,000,000 in value.*
- 5. I have heard that District 8-0 is not going to support the use of underground structural BMP's. Is this a District or statewide decision?** *Statewide, but District cannot speak for other Districts*
- 6. On local lead projects, what is the local consultant responsibility when there is a question that comes up during the construction phase?** *The District expects that the consultant who designed the project is available for construction consultation/shop drawing reviews. It is the responsibility of the design phase sponsor to ensure that the design firm is available for consultation. If all DOT/FHWA procedures were followed and if Federal/state funds are being spent in construction, then the construction consultation/shop drawing review is a reimbursable activity. If not, then the sponsor is expected to fund any consultation/review at their expense.*

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7. **Question regarding increase in relationship with regulatory agencies (PaDEP, ACOE) - Will District 8-0 also increase awareness of what will be demanded from regulatory agencies including F&B, NFW and how they can affect budgets and time frames?** *District 8-0 is working on increasing awareness at the regulatory agencies of their effect on budget and schedule. PennDOT distributes a list of bridge projects at Agency Coordination Meetings, at which project delivery is discussed.*

Expectations of the Consultant for PNDI

Response letters from resource agencies for PNDI issues need to be kept current throughout the design process. The response letter from the USFWS is good for two years. All other response letters from resource agencies are good for one year. These letters must be current at the time of the submission of the permit to DEP. This becomes an issue with a JPA, which typically takes six months to be issued. PNDI response letters must be current in order for DEP to issue the permit.

8. **Wouldn't a 50% reduction in special provisions lead to more uncertainty and drive prices higher or is the intent not just to reduce special provisions, but to eliminate special items and encourage use for standard pay items?** *Standard pay items are our intent. Most Districts have their own special provisions that may be similar to other specials but have minor discrepancies such as incidental vs. particular pay items.*
9. **I think PennDOT in-house design and consultant design teams should strive to made CADD design files, including existing and design digital terrain models (DTM's) deliverables to contractors in construction.** *All contracts currently have this provision as a requirement if requested by the contractor.*
10. **What steps or process is recommended for new consultants to get familiar with PennDOT District 8-0 programs and initiatives?** *The yearly ASHE meeting is used by the District to share information with the consultant community. In addition to the yearly ASHE meetings, Consultants may make an appointment with the ADE for Design's Administrative Assistant for a marketing meeting. Marketing meetings provide an opportunity for firms new to the District to make themselves known.*
11. **Who should be contacted for right-of-way plan review status? What time frame is expected?** *ROW Plans are reviewed by several people, including Chief of Surveys, ROW Unit, and BOD Field Liaison Reviewer. The initial point of contact should be the PM. The time frame expected for reviewing ROW Plans varies on workload, plan complexity and individual schedules. However, the entire review process should not take longer than 30 days.*

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12. DEP Regs - If DEP wants sealed drawings, how do we pursue permits in preliminary engineering? There was a procedure in place for using signed TS&L Drawings with a special note. Is this still the case? *The note used on TS&L Drawings was developed in conjunction with Ray Zomok, Orly Dizo and John Blacksmith. District 8-0 has not pursued this avenue with the current staff at the Southcentral Regional Office of DEP. Typically, the preliminary engineering phase is kept open after the final design phase is started. This allows final sealed plans to be developed which can be submitted with the permit application.*

13 What is Central and District 8-0 doing to educate or ensure that the PennDOT Project Managers are setting up ECMS price proposals correctly? This is still a problem (e.g. wrong overhead rates, wrong profit, etc.) *PennDOT project Managers prepared Department Estimates. The District is working on our side to ensure that PMs enter OH rates and profit factors correctly, but we still look to Consultant PMs when they are setting up their Price Proposals to note any errors and bring this to the Department's attention.*

14. What is Central and District 8-0 doing to ensure that PennDOT Project Managers approve invoices within five business days? (In many instances this is still a problem.) *The District recognizes that the prompt payment of invoices, particularly invoices for non ECMS "paper" agreements have been problematic. As with ECMS invoices, we are requiring project managers to process all invoices (with the exception of final invoices) within seven calendar days. Consultants submitting paper invoices to project managers should send an email to the project manager, to Michael Keiser, P.E., Highway Design Engineer (mikeiser@state.pa.us) and to John Kennedy, P.E, Portfolio Manager (johnkenned@state.pa.us) when the invoice is mailed. This will help ensure that the invoices are processed more promptly.*

15. Please clarify what Federal/State money can and cannot be used to pay Municipal Engineers. *Federal money refers to any money administered by the FHWA through the Department. State money refers to typical PennDOT funding sources with the exception of the state funds distributed to municipalities through the "Liquid Fuels" distribution formula. If a highway/bridge project is being design and/or built using "Liquid Fuels" money then the Department's consultant selection procedures would not apply.*