STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

CONNECTICUT DEPARTMENT OF TRANSPORTATION

memorandum

subject: **ACEC/CTDOT Task Force Committee Contract Administration Group Recommendations**

date: November 9, 2018

to: Mark D. Rolfe, P.E.
Chief Engineer
Bureau of Engineering and Construction

from: Gregory M. Dorosh, P.E.
Manager of Highway Design
CTDOT Task Force Lead
Bureau of Engineering and Construction

Michael J. McCarthy
Vice President
ACEC Task Force Lead
AECOM

The ACEC/CTDOT Task Force Committee, Contract Administration Group (Group) is composed of representatives from the American Council of Engineering Companies (ACEC) and staff from the Connecticut Department of Transportation (Department) representing various units within the Department, including those in Engineering and Finance & Administration. The Group has been meeting since June 2017 with a focus on improving processes relating to scoping, negotiation, and administration of agreements for consultant-designed projects. Although the Group's goals include improvements to both the timeliness and quality of the scoping and negotiation process, quality has always remained paramount. The intent is not to sacrifice quality in the pursuit of improving timelines.

The purpose of this memorandum is to obtain your approval for implementing the following proposals within the Bureau of Engineering and Construction, as recommended by the Contract Administration Group.

1. **Assign delegation of task responsibilities between the Department and CE prior to solicitation.** The lead unit will coordinate with support units within the Department to determine the breakdown of assignment of work. Internal support units will commit to performing the work, or designate the work for the consultant. This information will be provided to prospective firms at the time of solicitation and will assist with the firms' efforts to form teams that will best suit the needs of the project. Prospective firms can also more accurately identify sub-consultants which will count toward the DBE/SBE goals for the assignment. The task responsibilities have historically been assigned at the Assignment Meeting after the CE has been selected.

2. **Provide supporting information in CE solicitations such as MS Project Schedule, PDU Report, Delegation of Responsibilities, and other pertinent information.** Providing the supporting information to prospective firms will allow them to use the most up-to-date information when developing their letters-of-interest and presentations. The firm that is ultimately selected may also be able to more quickly and accurately develop their scope of services for the assignment after they are notified of their selection. The Consultant Selection Office has confirmed that they have the ability to post pdf files to the CE solicitation website.

3. **Maximize the use of Multi-Phase Agreements.** Unlike traditional agreements, Multi-Phase Agreements can be executed by the Department and CE very quickly after a consultant is selected, even before a fee is negotiated. A revised letter template (*H-11_Notification of Agreement Administration & Assignment Meeting*) was developed by the Group and will be sent by the lead unit to the CE as soon as the selection is announced by the Consultant Selection Office. The agreement type and dollar amount will be identified in the bcc list so that the Agreements and Negotiations unit can begin drafting the agreement as soon as possible.

4. **Negotiate PD and FD phases separately.** Utilizing Multi-Phase Agreements will allow the Department to negotiate PD and FD separately. Scoping and negotiations for the FD phase would begin when the design has progressed to the point where the remaining FD tasks are more easily identified. Negotiating FD separately may reduce the number of extra work assignments that are required during the course of a project because the work will be better defined at the time of scoping and negotiation.

5. **Appoint additional Negotiations Chairs.** This recommendation has already been implemented, as a Vice Chair was appointed to the Negotiations Committee in July 2018. The Group found that, with only one Chair on the Negotiations Committee, delays were sometimes caused with scheduling negotiations or administrative actions, such as signing of fee letters, when the Chair was unavailable. The Vice Chair will act in the capacity of Chair, should the Chair be absent, to allow Negotiations Committee actions to proceed in a timely manner.

6. **Use both lump sum and cost-plus tasks within the same phase of an agreement**. External Audits has verified that it is permissible to combine both lump sum and cost-plus tasks within the same phase of an agreement. Tasks that are more easily defined, such as generation of cross sections or a hydrologic report, can be negotiated as lump sum items. More open-ended tasks that cannot be easily quantified at an early stage of the project, such as meetings and coordination, can be negotiated as cost-plus fixed fee tasks.

7. **Implement a two-part Assignment Meeting agenda.** The standard template for the Assignment Meeting agenda has been revised and split into two back-to-back meetings. The first portion of the meeting will cover the administrative details of the project with respect to the Agreement such as agreement type, DBE/SBE requirements, invoicing, etc. The first portion of the meeting will be attended by the lead unit, CE, Agreements, and Contract Compliance. The second portion of the meeting, to be called the Consultant Services Coordination Meeting, will cover the details of the scope of work, project schedule, assignment of responsibilities, and information on the requirements of the man-hour proposal. The Consultant Services Coordination Meeting will be attended by the pertinent support units, including staff from Construction, Maintenance, and PDU. These meetings will be held in smart rooms so that Google Earth can be used to review the project site remotely; however, field trips may be held for more complex projects. Implementing the two-part Assignment Meeting will improve all parties' knowledge of the project site and understanding of the project purpose and need.

8. **Implement a Quick Start Phase.** A Quick Start Phase would include early tasks, such as survey and wetland delineation, traffic counts, and environmental/permitting needs. The Quick Start Phase would allow for an accelerated negotiation for those tasks should they be on the critical path or dependent on seasonal conditions.

9. **Develop Scope Templates.** Scope templates are being developed for all disciplines, such as Bridge, Traffic, Highway Design, etc. The intent of the scope templates is to standardize the elements of the design that are applicable to the majority of projects; however, it is recognized that some level of customization may be required for some projects that have unusual features. Standardization of the scope templates will improve the quality of consultant scopes and will cut down on the cycle of Department reviews and CE revisions, thereby expediting the negotiation timeline. The scope templates are currently being developed jointly by ACEC and Department staff.

10. **Standardize fee matrices and progress reports for cost-plus and lump sum assignments.** Standard templates are being developed for cost-plus and lump sum projects in order to cut down on invoice review and processing time. The tasks in each project's progress report would be based on, and submitted at the same time as, the initial manhour matrix.

Concurred By: ______________________ Date: 11-7-18

Scott A. Hill, P.E.
Engineering Administrator
Connecticut Department of Transportation

Approved By: ______________________ Date: 12-11-18

Mark D. Rolfe, P.E.
Chief Engineer
Connecticut Department of Transportation

Greg,

I commend you and the team for developing this set of proposals. This is excellent work!

Please prepare an implementation plan around this document, including a rough timeline.

Gregory M. Dorosh/Michael J. McCarthy/Jonathan M. Dean/jmd

cc: Scott A. Hill
Gregory M. Dorosh
Michael J. McCarthy, AECOM

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cc: MDR
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