

MCA - MDT Highway Technical Meeting
October 19, 2022 – via in Person and Video Conference

JOINT MEETING – 2:00 PM

Participants:

MDT:

Joe Green
James Sullivan
Geno Liva
John MacMillan
Megan Handle
Paul Bushnell
Matt Needham
Matt Strizich
Shane Pegram
Chris Riley (FHWA)
Matney Juntunen
Meghan Strachan
Bill Felton
Dean Jones
Oat Metcalf
Luke Francis
Jake Goettle
Darin Reynolds

MCA:

Pat Bomgardner – MT Lines
Kerry Gray – HIS
Buster Bullock – Bullock Contracting
Cody Cunningham – MTN West Holdings
Ryan Young – Poteet Construction
Kevin Helling – L&J Construction
Soloman Redfern – HS&G
Cassie Crosby – Riverside
Jodie Tooley – MT Lines
Cale Fisher – Riverside
Sam Weyers – LHC
Brad Meyer – Highmark Traffic
Russ Robertson – Sletten
Guy Slaybaugh -Century
Rebecca Cedel -CHS
Deb Poteet – Poteet Construction
Russ Gaub -Riverside
David Smith -MCA
Nicole Hanni -MCA

Specifications

The Department has no proposed supplemental revisions for the October meeting.

MCA New Business

1. Time Flexibility for Pavement Preservation

Bomgardner: This request came from Cale Fisher at Riverside but has been discussed by multiple different companies. This is a request for all contracts to be fixed completion dates, if they aren't reconstructs.

Fisher: It would eliminate frustration at a project level. Wyoming DOT, FHWA, and ID DOT is on fixed completion dates.

Goettle: We have started doing this at a project-by-project basis. Not able to just do this for all projects, but if we think it will work, we will do it. At this point, we can't do it on all projects across the board. Determination made one at a time, project by project.

Redfern: Makes a lot of sense to change this across the board.

Buster: Try for 1 year on all projects and can be changed in the future if it doesn't work.

Goettle: We will determine this on a case by case basis and will do it when we can.

2. Lettings and Addendums/Clarifications

Bomgardner: Last minute addition to the agenda. There was a project in Ronan, and there was a timing issue with the letting. At 3:30 on a Wednesday afternoon, an addendum was posted for a letting scheduled the next day. Then, at 4:25, there was some clarification posted to the MDT website. These 2 items drastically changed the bid, and there wasn't a lot of time to adjust bid before due. The other factor is that contractors must remember to refresh website, or they will not know there is new information posted.

Goettle: We are working through the Ronan issue, but there is more to the story. We recognize they don't want to operate this way. This should not happen again, but if it does, then MDT and contractor will work through the issue.

Gaub: We have noticed a trend that addendums are being posted later and later.

Goettle: We will work together through these issues. Would it be better to close Q&A on Fridays instead of Mondays?

Group discussion concluded leaving Q&A on Fridays.

MDT New Business

1. Build America, Buy America (BABA)

Metcalf: Discussed Build America, Buy America federal law that contains Domestic Material Requirements starting November 11th and will go into effect for the December 8, 2022 letting. This will be a special provision into all contracts that defines construction materials, and not manufactured products. MDT has gone through the material manual index and identified what items will need to be certified as built in America by the contractor using form 407. The BABA law will require a **Contractor Certification** or **Manufacturer Supplier Certification**.

Redfern: How does this work for biodegradable materials?

Metcalf: Will look into this and follow up. If there are specific materials that can't be purchased in USA, MDT will have to change specs if possible. MDT will also accept canned letters from the manufacturer (outside of form 407) as long as all the information is provided.

2. Winter 2022-2023 New Employee Partnering Training

Juntunen: Discussed upcoming Partnering Trainings and when they are scheduled. Information was also provided to MCA members in weekly ebrief. The Partnering Summit invitation has been extended to MDT Project Managers, Owners, EPMs, and DCE's. Summit is scheduled December 13-14 at the Delta hotel in Helena. Registration coming out soon.

3. DBE Program

Handle: Disparity Study is almost complete and results available. FHWA is currently reviewing the goal of 6.6% for next year's DBE goal. Last year, the DBE goal was not met, and the state will have to do a shortfall analysis. DBE Directory has a lot of firms listed that aren't actively bidding on jobs, so it is not accurate. Trying to make it easier for some DBE firms to cross into other states, by maybe creating a national directory. The goal of the disparity study is to increase small business participation in MDT jobs. Some discussions on getting DBEs signed up for MCA membership, but nothing finalized.

4. Tack Coat Dilution

Metcalf: The MDT has identified a few situations where Tack Coat Dilution was done multiple times. Sometimes the MDT requires that Tack Coat Dilution to be diluted and stored in bulk tanks. Then, once the product is needed again, it is diluted again. If the product is overdiluted, the emulsions will separate. One test that MDT did on Tack Coat Dilution product in the field tested at 10% and should have been 57%. MDT is currently discussing changing specs to make it so that Tack Coat Dilution will no longer be allowed in the field. The factory will do all dilutions. MDT is just introducing this concept for now to discuss in the future.

5. Asphalt Binder

Metcalf: MDT is evaluating making a change to Asphalt Binder grading system. This will be discussed at the next Plant Mix Industry Meeting.

Old Business

None