

MINUTES

2012 CONTRACTOR/DEVELOPER/ENGINEERS MEETING

MAY 2, 2012

8:00 – 11:00 MEETING

1. Opening Remarks by Rob Phillips, City Engineer

Many public works contracts for 2012 have been bid, but there are still more to come through rest of year. Agencies are currently working on preparing budgets for 2013. Mayor's office will issue budget targets in May and budgets will be due in June.

2. Affirmative Action – Contract Compliance

Norman Davis highlighted the SBE instructions and revised forms in public works bidding documents. The first quarter of 2012 was designated as time for contractors to acclimate to the new requirements and forms. Strict compliance with the new forms is now expected from contractors. This is particularly important to contractors who intend to self-perform work and not subcontract it out. They must be prequalified in that category of work and provide that information with their SBE bid.

Reporting Monthly Employment Utilization: This is mandatory and ties into approval of Affirmative Action Plans. Form is available on the City's website:

<http://www.cityofmadison.com/dcr/documents/CC-257Form.doc>

And instructions: <http://www.cityofmadison.com/dcr/documents/CC-257Instr.pdf>

(Editor's note: web address updated on 8/2/12).

SBE Directory: Many new firms have been added to the directory since the start of the year. Acknowledges many of the additions are not construction related, although some are. Contractors should make sure they are consulting the most current directory.

Raising dollar threshold for SBE Certification: There will be a meeting with the Mayor's Office to discuss raising the dollar limit on qualifying as a SBE. Norman said there are a few options for discussion including adjusting for inflation, which would be a cap of roughly \$1.4M; a limit of \$4M; or a limit of personal networth at \$33M. This is a dollar value used by the Small Business Association.

Contractor asked if Affirmative Action is alerting companies to stricter requirements on SBE bids. Norman said yes, that outreach is taking place and at pre-bid meetings as well.

3. Water Utility

No staff representatives present. No questions from contractors for Water Utility. John Fahrney said he was aware of one upcoming project, which is a water main on the east side of Madison near Lien Rd.

4. Traffic Engineering

No staff representatives present. No questions from contractors for Traffic Engineering. John Fahrney asked if there was any feedback or issues regarding traffic control plans. No response.

5. Parks Division

Kay Rutledge highlighted a few projects still to be bid this year which include replacing a bridge at Tenney Park, Hudson Park Improvements and assorted playground improvements. One large project for next year includes Central Park Phase 1. The contract, which includes a restroom building, is anticipated to bid late this year for 2013 construction.

6. Affidavits for Truckers who are Owner Operators

John Fahrney said a form is available on the public works website: http://www.cityofmadison.com/business/pw/documents/truckbrokeraffidavit_edited03282012.pdf. If truck companies sign an affidavit, that's fine. This form may be used if contractors experience difficulties getting a form filled out.

7. Electronic Bidding

Mike Dailey reported that Info Tech has been selected as the company to supply their Bid Express on-line service. The contract is currently being negotiated with the company and the City's Attorney's Office. The Engineering Division hopes to go-live later in 2012.

Contractors asked if bid results would be immediately available with the new system, similar to how WIDOT uses Bid Express. At this time there is no plan to change the week between receiving and opening when contracts are \$100,000 or greater. Contractors expressed frustration with the week delay and said it puts them at a disadvantage when bidding other projects/anticipating workload.

8. Best Value Contracting

John Fahrney discussed exemptions to having an active apprentice, as required by Madison General Ordinance 33.07(7). Some contractors have received an exemption because not all of their journey workers who were laid off over the winter have been called back to work. This reason for exemption qualifies on a contract by contract basis. Because a contractor was granted this exemption in March doesn't mean they have a blanket exemption for the year for active apprentices.

9. Construction Material Recycling

John Fahrney said the City is examining adding a specification that would set the requirement for 90% of concrete/asphalt from a project to be recycled. One concern is that companies charging for recycling (to accept material) could put smaller companies or companies that don't perform crushing at a disadvantage. He asked for feedback from contractors.

Contractor asked if recycled material had to come back to the same job site. Fahrney clarified that no, the material is not required to come back to the same job site after being recycled.

Fahrney asked if steel in concrete would be an issue with recycling. One contractor responded that his company can recycle the material, it just depends on how much steel is in the concrete. It may not be perfectly clean, but it does result in a relatively clean product.

Fahrney asked if there would be an issue with asphalt overlay having steel in it. And, if the 90% threshold for recycled content would be a hardship for companies that don't have their own crusher. Would this lead to a surcharge on companies bringing in material for recycling?

Contractors said yes, this potentially could result in a surcharge, as the recycling/crushing companies know that the work is required.

Rob Phillips said perhaps language could be included in the standard specs to address situations where a contractor would face a surcharge. One example would be waiving the 90% recycled content if the contractor is charged a surcharge.

10. CONTRACTOR/DEVELOPER/ENGINEER COMMENTS

Mike Dailey highlighted two new standard specifications that will begin appearing in the special provisions of contracts. The first is concealed carry and how it relates to public works contracts and private development contracts. The second is the equal benefits ordinance.

Next meeting is August 1, 2012

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