

# Memorandum

US Department  
Of Transportation

**Federal Highway  
Administration**

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Subject: INFORMATION: AASHTO Subcommittee                      Date: September 27, 2002  
On Construction Meeting, Rehoboth Beach, Delaware -  
**FHWA Minutes**

From: Director, Office of Asset Management                      Reply to Attn of: HIAM-1

To: Directors of Field Services  
Division Administrators  
Federal Lands Highway Program Administrator

Enclosed for your information is a copy of the minutes from the 2002 FHWA meeting of the AASHTO Highway Subcommittee on Construction. Once again, this year's meeting was a tremendous success. Our thanks to Mr. Tom Myers, Division Administrator for the Delaware Division Office and his staff's for their assistance in making this a successful meeting. The meeting was attended by 55 FHWA Subcommittee on Construction attendees from various Division Offices, Federal Lands Highway Divisions, Resource Centers, Headquarters and Turner Fairbanks Highway Research Center.

Please mark August 3 - 8, 2003 on your calendars for the 2003 meeting. Nicholas Graf, Division Administrator for our North Carolina Division Office will be our host and based on experiences from past meetings I am sure everyone will benefit from a visit to Asheville and the mountains of western North Carolina.

I would like to thank each and everyone for your support and participation. I encourage each participant to identify and support his or her local Chief of Construction with at least one work plan task during the upcoming year. State Transportation Agencies are looking to FHWA for technical support and assistance in their pursuit of continuous quality improvement. The objectives of the Subcommittee can only be accomplished through active participation by all of its members. In addition to the FHWA Minutes others are also attached, SOC Presentation Minutes, Task Force Minutes and Work Plan, List of Presentation, Resolutions etc. If you should have any questions or comments, please give me a call at (202) 366-0392. Chris Newman, on my staff, is also available to provide assistance to members. He can be reached at (202) 366-2023, fax (202) 366-9981 or at [Christopher.Newman@fhwa.dot.gov](mailto:Christopher.Newman@fhwa.dot.gov).

Sincerely yours,

Tommy Beatty, Secretary  
AASHTO Highway Subcommittee  
on Construction

Enclosure

**AASHTO HIGHWAY  
SUBCOMMITTEE ON CONSTRUCTION  
2002 MEETING  
REHOBOTH BEACH, DELAWARE  
Friday, August 9, 2002**

## **FHWA Meeting Minutes**

### **FHWA Session**

Welcome – Opening Remarks; Dan Montag, Field Operations Engineer, Delaware Division Office; Dan briefly welcomed everyone to the FHWA meeting, reviewed the agenda and talked about FHWA's Construction website issues. Administrative issues were covered briefly and the floor was given to Frank Gee, Construction / Chief Engineer for the Virginia Department of Transportation and Vice Chairman for the AASHTO Subcommittee on Construction (SOC).

FHWA Assistance to the Subcommittee on Construction, Frank Gee, VA DOT: Appreciation of FHWA's continued help with the activities of the subcommittee were discussed. He challenged attendees to continue to turnout for this meeting, to work hard and enjoy the social events. Volunteers have helped with many of the secretarial duties of the subcommittee and this work is greatly appreciated. As part of our assistance to the stewardship and oversight committee we were able to maintain the flexibility that states continue to look for under their stewardship agreements. FHWA can assist the states in continuing to head towards Performance Related Specifications and with contractor-controlled inspections. Changes are expected during reauthorization but the states are looking for more flexibility. In closing Frank challenged everyone to work during preconstruction and help identify those areas where we can get the most bang for the dollar.

Opening Remarks & General Announcements - Jim Sorenson, Office of Asset Management; This is to be an informal meeting to share background information on importation issues to the field. Frank Gee is here for the States perspectives, and Bill Hakala for the Construction Quality Improvement Team to assist with implementation of the stewardship and oversight policy. Tommy Beatty is here to field questions on policy issues from the Office of Asset Management and Pavement Technology. The Delaware Division Office is hosting the meeting and our thanks go out to them. Dan Montag has been very proactive in assisting with getting this meeting set up and working on the agenda. We want a higher level of construction expertise in the field and in the overall construction program.

Contract Administration Issues, Jerry Yakowenko, Office of Program Administration: The Office of Program Administration had a tight budget this year. Approximately 20 courses were presented in FY 2002, however, the availability of this course in FY 2003 will be restricted by travel funds. Thanks were given to Ron Krofcheck (WV Division) and Jason Dietz (CA Division) and many other Division Office and Resource Center staff

for helping out this year. Hard copies of the Contract Administration Core Curriculum manuals are available upon request. Bill Hakala mentioned that power point presentations are also available and can be modified for various states.

Buy America Update, Jerry Yakowenko, Office of Program Administration: The FHWA is currently in litigation on a Buy America / NAFTA issue at the Springfield Interchange in the DC area. Policy issues may be affected. Waivers for Buy America are granted throughout the year on a case-by-case basis. Please remember that FHWA Headquarters prior concurrence is necessary prior to the Division Administrator's approval of a waiver. The President's steel tariff has affected industry pricing, however, it has not had an immediate affect on waiver requests under our Buy America program.

Contract Administration Technical Advisories - Jerry Yakowenko, Office of Program Administration: The Office of Program Administration is updating 5 Technical Advisories this year. Drafts are currently available and will be sent out to the divisions for review. At the discretion of the Division Office, State DOT's can also be utilized in making your reviews. These are scheduled for completion by end of year. Technical Advisories and some policy memos are out of date and are being updated. Contract Time, Incentive / Disincentives, Electronic contracting to name a few. The Office of Infrastructures' Construction Quality Improvement Team will address others. The Innovative Contracting workshop in will be in Virginia December 8-10, 2002. The goal is to provide an overview of all non-traditional contracting techniques and not just focus on design-build.

Design Build NPRM - Jerry Yakowenko, Office of Program Administration: The Notice of Proposed Rule Making was published in the October 19, 2001 Federal Register. The Final Rule is currently in the clearance process but FHWA anticipates that it will be published in late 2002. After the Design Build requirements have been updated the Office of Program Administration will start the update for 23 CFR Part 635.

General Information Session, Jim Sorenson, Office of Asset Management: Tom Sorel was introduced as the new Major Projects Team Leader in the Office of Program Administration. Future vacancy announcement will include construction positions in the Resource Centers. Chris Newman of the NHI is taking John Perry's old position in the Office of Asset Management. Ken Jacoby is the offices quality management engineer. When division offices come up with things their states want them to do they need to seek out assistance through the resource centers and headquarters offices. Financial assistance may be available by talking to the right individuals. Technology enhancement funds can get your state counterparts to meetings like this. Statewide level of efforts, task orders can be utilized, partnering with other states, use of federal funds, writing a report afterwards, and use of SP&R funds can also be utilized. Language is in ISTEA, states must be suitably staffed and equipped. If you have good ideas let Infrastructure know about it and they will help in finding it a home.

Suspension Debarment Issues - Jerry Yakowenko, Office of Program Administration: For States who don't know who is and who isn't debarred a GSA list can be found on the

Contract Administration website in Headquarters. The listing is updated daily. With the NPRM the USDOT will adopt some changes, not significant. One proposed change is to eliminate certification, Form 1273 would need to be changed. FHWA would retain the debarment list and keep it maintained. Revisions to the 1273 through the DOL may be done by late September 2002. Don West is the contact person on this issue. A .pdf form is available on the website. The red block, can be an issue when you don't have a colored issue.

Consultant Inspection, Local Project Administration and Contract Administration: Full consultant inspection is being done in several states and is being used as a substitute for full time state employees. Project managers typically handle more than one job at a time. In Maine, resident engineers have project oversight for 4 to 5 projects each. An LPA course was developed and the locals must pass the course before doing LPA project management. For States utilizing consultant inspection Federal code states that they must be full time engineers/employees. On job targeting, union subsidizing, lowering bids, and union reimbursing etc. were also discussed. Unions may be forming a joint venture, look at these closely to see what actually is going on. Kevin Kliethermes will do an informal survey of the divisions to see which of them is doing consultant contract administration.

A Guide for Hot Mix Asphalt Pavement - Tom Harmen, Turner Fairbanks: Tom showcased this new tool with information on specifications & mix designs. The CD was put together at the University of Washington. It has a main menu, welcome, materials, aggregates, asphalt, design parameters, mix types, construction (Module 7) operation, and drum plants. A purchase of 100 of the CD's will be made available to the division offices. This could be an excellent training CD to come out through the TCCC as a web based training tool. The CD was made available in early September. A field quality control CD has also been developed and is available through Joe Mohoney at the University of Washington.

Accelerated Load Test Facility - Tom Harmen, Turner Fairbanks: The Accelerated Load Test Facility, (ALF) is showcased on the TFHRC web site. Sections are costly to load test and Turner Fairbanks is looking to State DOT's for assistance. It is being utilized to predict performance in deformations, superpave, binder specifications, and to run a range of tests for various parameters. Value added information is coming out of the research. Soft binders have been performing better. Materials will be ranked by laboratory testing, results and reporting, this is an NCHRP pooled fund project TFP 5-(019). TFHRC and Eastern Federal Lands Office perform falling Weight Deflectometer Testing. Density testing is performed with nuclear density gauges. Mobile Blending Units and Infa Red cameras are also being utilized. Loading of the test sections should begin in September 2002. The goal is to bring finished products to states.

Demonstration of Infrastructure and Construction Website Issues: Jim Sorenson, Bill Hakala and Jim Lewis showcased the latest effort of the CQIT and discussed the revision to the construction techniques manual and the effort to get division office input.

Divisions were asked to send in process review examples and other training tools that may be of assistance in getting the construction techniques manual up to date.

Environmental Scan – Jeff Lewis, California Division: Jeff discussed the need to look at environmental commitments at the division office level. Has money been assigned and are environmental commitments being implemented? Jeff asked others to send in any items that they may be aware of.

Inspector Certification and Qualifications: Inspection qualifications are being slowed down in Delaware. Approved testing may be a problem. Inspectors, contractors and consultants are not required to carry cards to show that they have been certified. DE division agrees the state has to be certified, in an interim period. Delaware may look into some of these issues with Joe Huerta from the ERC. Vermont is heavy on certification. Improvements in the field have been noticed and are good. Most other states are into implementation as well. Woody Hood of Maryland DOT is an excellent contact on getting certification issues up to speed in the Mid Atlantic States. Work closely with your regional groups and look to the TCCC for assistance in going in the right direction.

Process Review / Product Evaluation Update: Ken Jacoby discussed the current direction FHWA is going with PR/PE's. Stewardship and oversight recommendations included updating PR/PE guidance and training. A team has been pulled together to rework the PR/PE process and to bring it up to date. New PR/PE training will be at the basic level. A second course is targeted for the consultant level and can be utilized to teach states to do PR/PE's. The courses are scheduled for completion and initial delivery to the States in Spring 2003. Kevin McCleary in Illinois does joint reviews with Illinois DOT and is a good resource. Can look at process or products with the joint review process to look at areas of concern or improvement. The positive aspects of the review must be highlighted. The purpose of joint reviews is to improve the end product. Process reviews can be done with other divisions, resource centers and headquarters. All divisions can work across state lines as well.

Performance Related Specifications, (PRS): Ken Jacoby has been working on this with Ted Ferragut of TDC Partners. A PRS Technical Working Group met in the fall of 2001 and suggested task groups for concrete, pave preservation, structures, and asphalt. The Concrete ETG met in July 2002, Pavement Preservation is scheduled to meet soon. The Concrete TWG is just getting started. Divisions are encouraged to send issues to Mark Swanlund, for both pavements and bridge concerns. Texture issues such as transverse tinning and mix designs will be addressed. The full TWG will be meeting again in December of 2002 to discuss the national long range plan for PRS and an implementation schedule. PRS is being done in several states, along with pilots and shadow projects. Guidance will come out of the December TWG meeting. Divisions are encouraged to let headquarters know where PRS is being utilized in their states so that the specification can be shared nationally. If anyone is interested in joining one of the ETG's contact Ken to let him know what you would like to get involved with.

Hand Held Computer Technology: Kevin McCleary of the Illinois Division Office performed a hand held computer demonstration. Federal regulation has been loaded into the hand held unit. Other divisions are encouraged to do similar technology implementation activities. If your looking for calendar and email assistance then getting a palm pilot is more appropriate. This updated hand held computer can be used in the field and can store, MUTCD, 23 CFR, state specification, etc. The hand held units are approximately \$500. Get it with a sleeve if possible. Flash cards for extra memory works well.

Accelerated Construction Issues - Jim Sorenson, Office of Asset Management: This is a program area where FHWA is working with AASHTO especially on corridor projects. FHWA is taking the lead to do project development reviews in design and construction development with the states. In several Pennsylvania reviews, construction time was cut in half. Bench stepping, moving lanes, early utility coordination, etc. a draft report can be out in as early as 3 months. A TIG and NCHRP program is driving this and it is being transferred to FHWA. Divisions should spend a couple of months planning for field reviews prior to going on location. Need to pick a good candidate project or series of projects, one you intend to fund, is on the STIP, and not far along in design process. This process goes beyond Value Engineering, 12 core process are looked at in detail. Pennsylvania DOT had over 60 people involved and Indiana had 45. Do it early in design process even prior to the environmental process. FHWA needs to be proactive in pushing this program area and in helping the states. Later in the design process you can do constructibility reviews through an independent review.

Traffic Control Issues: How are other states doing traffic control, lump sum vs individual devices? Pay for performance based on traffic control plan. Measure it, meets specs, based on queue length or congestion? Trauner Consulting is working on a draft guide spec. Several states are piloting this effort, difference in how it is administered. Results should be published during summer 2003. Spec needs to be flexible to handle both urban and rural locations. Rural speeds and lack of attention contribute to higher fatality rates. Contractors are doing what they want to do. Traffic Control Plans and contractors need to be tied together. Traffic control is used as a balancing item for some of the contractors. Engineers need time to review the TCP's prior to putting up the work zone traffic control devices. Can measure queue length, time delays, backups, and safety issues. Illinois doing cross overs, where and when do you use one, positive separation, do you leave in the crossovers? Delaware leaves the crossovers in but take out 10 feet on either side. In Illinois contractors are more efficient, don't have joints on bridge, traffic flows better through the bridge projects. People don't like to run on two lanes of traffic for 15 miles, 2 – 3 miles is good. Recommended guidance for length of detours could be given. Maine does not use barrier because of narrow lanes and semi's. Put holes in your barrier to increase access for emergency equipment.

Maintenance Quality Action Team: Due to the concerns that Divisions don't know what is available or what they are responsible for in the maintenance area a Maintenance Quality Action Team has been formed. Interstate maintenance certification was removed but the rest of interstate maintenance still needs to be properly maintained. The MQAT

will rewrite outdated policy and memos beginning in 2003. Surveys on what divisions are doing in the maintenance arena will be forth coming. States are using more federal dollars on preventive maintenance. Risk management can be done to assist in this area. Some states try to implement maintenance from the 23 CFR not knowing that the certification is no longer required. Feedback is needed to be able to give to congress.

Utility Delays in Construction Video: Utility issues also need to be addressed at the division office level. A new utility video has been distributed, 5000 copies were made and a number of them are still available. The video should be viewed with states and utility contractors to assist in talking shop. Utility problems are the single biggest slow down in the construction program.

Construction Quality Improvement Team, (CQIT): Bill Hakala mentioned that the CQIT is looking into and trying to figure out what to do with the FAPG. No recommendations have been made to date. When King Gee asks other program areas to clean up their regulations some of the groundwork will be done in updating the FAPG, along with non-regulatory issues. Kevin McCleary was on task force to see if states wanted to keep the FAPG's. The consensus was to keep the FAPG's but they need to be updated. This was presented to the management council and Mike Vicetti and his team is looking into this. Automating the CQIT website would help with this as well. It comes down to staff time and having the experts available to update the regulations. It was suggested to take the non-regulatory guidance out of the FAPG and get them updated. The rest of the FAPG is a copy of 23 CFR. Technical advisories still need to be updated. Recommendations and implementation is the key! The CQIT website will be kept current.

Split Spoon Sampling: The question was asked who is doing split spoon samples for quality assurance? FHWA's Federal Lands is doing split spoon samples for independent assurance is being done by everyone. Witness testing is also being looked at. Other states are doing selective witness testing.

Erosion Control Plans: Mike Praul, questioned the use of erosion control plans. FHWA and the regulations adopted the use of project specific plans in the bid documents. Best management practices are also being looked at. New Jersey puts them into their construction plans. Vermont uses a general erosion control plan, which must be in compliance with federal and state guidance. Contractor developed plans reviewed by states should be ok. A 1994 Memo from the Office of Engineering can be found in the Appendix and addresses this issue. Discussion of storm water issues and phase two also took place.

**END OF FHWA MINUTES  
ATTACHMENTS FOLLOW**

# Memorandum

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US Department  
Of Transportation

**Federal Highway  
Administration**

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Subject: INFORMATION: Erosion and Sediment Control Final Rule      Date: September 2, 1994

From: Director, Office of Engineering      Reply to Attn of: HNG-23

To: Regional Federal Highway Administrators  
Division Administrators  
Federal Lands Highway Program Administrator

On July 26, 1994, in Federal Register Volume 59, No. 142, 37935-37939, the Federal Highway Administration (FHWA) published a final rule revising 23 CFR 650, Subpart B, Erosion and Sediment Control on Highway Construction Projects. This revision formally adopts Volume III of the American Association of State Highway and Transportation Officials (AASHTO) Highway Drainage Guidelines 1992, as guidelines to be followed on all projects funded under Title 23, United States Code. The adoption of these guidelines fulfills the requirement of Section 1057 of the Intermodal Transportation Efficiency Act of 1991.

As part of this revision, a statement was included recommending that each State highway agency, (SHA) apply either these guidelines, or their own more stringent guidelines, to develop specific standards and practices for the control of erosion. These specific standards and practices may reference available resources, such as the procedures presented in the AASHTO Model Drainage Manual, 1991.

One copy of the AASHTO Highway Drainage Guidelines is being provided to each region, division and Federal Lands office. However, due to cost considerations, the AASHTO Model Drainage Manual is being transmitted to the region offices only. The final rule as it was published in the Federal Register is attached for your information.

The FHWA is committed to ensuring that all highway construction projects are located, designed, constructed and maintained according to standards that will minimize erosion and control associated sedimentation. Volume III of the AASHTO Highway Drainage Guidelines provides excellent guidance concerning these factors. The following is a summary of some of the important issues.

- This regulation and the accompanying guidelines apply to all projects funded under 23 U.S.C. This includes projects on or off the National Highway System.

- Erosion and sediment control plans shall be included in the PS&E for all applicable projects, not just larger or more complex projects. It is no longer satisfactory to specify that the contractor is responsible for all damages resulting from the construction operation or to leave the development of erosion and sediment control plans to the contractor or project personnel after the project has been awarded.
- Erosion and sediment control plans shall be developed by qualified personnel. This would normally be a hydraulic engineer.
- As a minimum, erosion and sediment control plans should identify erosion and sediment sensitive areas and provide a mechanism for minimizing any adverse effects. It is not acceptable to provide a bid item for various erosion and sediment control items without including a corresponding plan indicating how and where these items shall be placed.
- During Construction, erosion and sediment control plans should be periodically evaluated to assess the effectiveness of the implemented management practices. Erosion and sediment control plans should be revised and updated as needed to ensure that the intended purpose is achieved.
- For those States participating in the coastal zone management program, the SHA should be utilizing the Environmental Protection Agency document “Guidance Specifying Management Measures for Sources of Nonpoint Source Pollution in Coastal Waters’ to control erosion and sedimentation on highway construction projects located in coastal zone management areas. While it would be advantageous to be aware of your State’s involvement in the coastal zone management program, no effort beyond FHWA’s normal activities will be required to implement or monitor the requirements of this program.

The FHWA Eastern Federal Lands Highway Division is developing a manual entitled, “Best Management Practices For Erosion and Sediment Control.” This document will provide design and implementation guidance on specific erosion and sediment control management practices and procedures. It is expected that this document will be available by the end of the year. In addition, if sufficient SHA interest is indicated, an erosion and sediment control training course may be developed. If you have any questions or require further information contact Mr. Robin L. Schroeder, Construction and Maintenance Division, Materials Branch (HNG-23) at 202-366-1577.

William A. Weseman

Attachment