

PUBLIC WORKS STANDARDS, INC. – GREENBOOK COMMITTEE

MEETING MINUTES

May 18, 2017

Presiding: Erik Updyke, APWA Co-Chair

1. Called to Order: 9:35 a.m.

2. Self-Introduction of those present (from the sign-in sheet):

Ansorge, Jess	Student
Diaz, David*	Griffith Co./AGCC
Fahey, Keegen	LA County
Macfarlane, Randy*	City of LA, BOCA
Mergen, Kate	AGCC
Ramirez, Onofre*	City of Long Beach
Sternhahl, Chip	AGCC
Tatalovich, Mike*	LACSD
Taylor, Carl	Huitt-Zollars
Thomann, Blaine	OCPW
Updyke, Erik*	LA County
Vivant, Don**	Sully-Miller/AGCC

Via Webconference / Teleconference:

Carter, Kevin	Huitt-Zollars
Gilley, Curt*	Terrain Eng./AGCC
Kim, Jeewoong*	Ventura County PWA
Massabki, Raffi*	City of LA, BOE
Mitchell, David*	Member-at-Large
Mohieze, Omar*	City of Burbank
Nelson, Joshua	City of Industry
Ofanesyan, Sarkis*	City of Glendale
Peterson, Dan*	DJP Co./AGCC
Woolsey, Rory	BNi

(* denotes voting member; ** denotes voting member with proxy)

3. Establish a Quorum:

Self-introductions were made and a quorum was established with 14 voting members present, including 1 utility member and 1 contractor.

4. Approval of Minutes from Last Meeting:

The minutes of the March 16, 2017 meeting were unanimously approved; motion to approve by Omar Mohieze; seconded by Dan Peterson.

The minutes of the April 20, 2017 meeting were unanimously approved; motion to approve by Onofre Ramirez; seconded by Dan Peterson.

5. Correspondence:

- Proxy Don Vivant for Jim St. Martin.
- Proxy Don Vivant for Dan Peterson.
- Email from Erik Updyke to Kevin Thompson (Laguna County Sanitation District) in which errors to PVC pipe bedding/backfill specifications, Section 217-2, were identified. The appropriate corrections will be made in Change 283U.

6. Old Business:

a. Supplement Changes: Action was taken as described below.

- Change No. 267S – Section 203-3 Emulsified Asphalt & 302-4 Slurry Seal Surfacing: Motion to approve by Don Vivant; seconded by Onofre Ramirez; unanimously approved.
- Change No. 279S – Sections 203-4 and 302-3 Microsurfacing: Motion to approve by Don Vivant; seconded by David Diaz; unanimously approved.
- Change No. 281E – Part 4 Existing Improvements, Protection and Restoration: was returned to Editorial Standards Subcommittee for renumbering and correction of errors.

b. Other Old Business: None

7. New Business:

a. Co-Chairman's Report:

Erik Updyke reported:

- 1) The May 5, 2017 ASCE San Diego Greenbook seminar put on by Erik Updyke, Dave Badgley, and Nathan Forrest was well attended with approximately 60 attendees.
- 2) Erik reminded members of the need to provide a proxy when they cannot attend the General Meetings, and requested a direct link to the proxy form be provided in the meeting notice. Mike Tatalovich agreed to update the meeting notice this month.
- 3) Following the meeting, Erik provided two documents that describe the origins of the Greenbook, which have been attached to these minutes.

b. Secretary's Report:

Mike Tatalovich reported:

- 1) Alex Salazar, a member of the Committee, has moved from the City of Fountain Valley to City of Irvine Public Works.

c. Communication Report: No report.

- d. Surface Materials and Methods Subcommittee (SC) Report:
Keegen Fahey reported:
 - 1) Change 282S, Section 403 Cold Milling & Sec 404 Micro Milling, was approved and is moving to Editorial.
 - 2) Concrete Ad Hoc did not meet in May. Changes 246S (Alkaline Sulfur Reaction) and 272S (Stone for RipRap) are still with Concrete Ad Hoc.

- e. Underground Materials and Methods Subcommittee (SC) Report:
Curtiss Gilley reported:
 - 1) Meeting focused on four Changes, as follows:
 - a. 275U (cast-in-place RCB) – Voted and sent to Editorial. This change will add a new section to the Greenbook;
 - b. 283U (Section 217 Bedding and Backfill) – Voted and sent to Editorial.
 - c. 284U (Part 5) – Needs one more meeting before holding a vote. The change focuses on restructuring and editing of Part 5, any technical corrections will be performed later.
 - d. 290U (Jacking and Tunneling) – Voted and sent to Editorial. This change revises the existing section.
 - 2) No new business was discussed. Next meeting is scheduled for June 13.

- f. Standard Plans Subcommittee Report: No report.

- g. General Provisions Subcommittee (SC) Report:
Dan Phelps reported:
 - 1) Dan's audio was difficult to hear, so Erik Updyke continued the report.
 - 2) David and Dan attended the last meeting, where Change 277S, Part 1 update, was discussed/commented.

- h. Special Provisions Guide Subcommittee Report: No report.

- i. Editorial Standards Subcommittee Report:
Erik Updyke reported:
 - 1) Change 277S, which is focused on restructuring to get content in line with Caltrans and AASHTO should be done next month.
 - 2) Several changes will be in review by Editorial next month, including Changes 283U, 275U, 290U, 280S, 282S, and 286S.

- j. Other New Business:
 - 1) Mark Ups
Kate Mergen and Chip Sterndahl with AGC requested assistance from the Greenbook Committee to resolve issues with mark ups. The issue is that the Greenbook does not specify mark ups, and without guidance by a standard specification, like the Greenbook, AGC feels that the various agencies specifications provide inadequate or unfair direction on how to handle mark ups. Current practices by agencies include:

- i. Referencing the GB for mark ups, which states to use reasonable mark ups, and reasonable is a subjective term; or
 - ii. Specifying low rates for mark ups; or
 - iii. Specifying low rates for mark ups with time related overhead, which does not adequately address subcontractor mark ups.
- 2) In response, Erik stated:
- i. AGC has broached this issue with Greenbook Committee on several occasions.
 - ii. The Committee's response is steadfast that under the current ruling by the State of California that it cannot have specific requirements for mark ups.
 - iii. The Committee believes this is a legal issue and due to past action and legal ruling by the State of California, if the Greenbook became involved in this issue it could result in severe penalty or harm to the Committee.
 - iv. It was recommended that AGC work with Mr. Kamine and Dan Phelps to determine the best course of action to resolve the issue.
- 3) AGC responded:
- i. Caltrans has specific criteria in their specifications for mark ups, so why can't the Greenbook?
 - ii. AGC believes the original legal ruling by the State of California confused the issues and that specific criteria placed within the Greenbook does not constitute price fixing because mark ups may or may not arise during a project, and mark ups are handles outside of the bid items.
- 4) Erik responded that to the best of his understanding, Caltrans' specifications are for only one agency, whereas the Greenbook is used by many agencies. This difference allows the argument for price fixing to be applied to the Greenbook and not to Caltrans.
- 5) David Diaz suggested that AGC propose language for the Greenbook that would guide agencies to specify fair mark up language in their bid documents.

8. General Discussion: None

9. Date of Next Meeting: June 15, 2017

10. Adjourn: 10:20 a.m.

Submitted by: Michael E. Tatalovich, Secretary
Los Angeles County Sanitation Districts
1955 Workman Mill Road, Whittier, CA 90601
(562) 908-4288 ext. 1602; mtatalovich@lacsod.org

2017 Meeting Dates

Jan 19	Feb 16	March 16	April 20	May 18	June 15
July 20	Aug 17	Sept 21	Oct 19	Nov 16	Dec 21