

## Construction Contract Administration Workgroup (CCAW)

### Agenda - Meeting Notes

August 19, 2025 – 1:00 PM – 3:00 PM

HF SOB S140 / Microsoft TEAMS

#### Attendees:

FHWA	WisDOT	Contractor
<a href="#">Nick Perna</a>	Brian Boothby (co-chair) (in-person)	Matt Grove (co-chair) (in-person)
Dave Platz (virtual)	Brandon Lamers (in-person)	Debbie Schwerman (virtual)
<b>GUESTS</b>	Chad Hayes (in-person)	Jackie Spoor (virtual)
Bill Koutnik (in-person)	Kristin VanHout (virtual)	Jake David (virtual)
	Jed Peters (virtual)	JR Ramthun (virtual)

- Minutes from April 3, 2025, meeting and 2025 Draft CCAW Charter



20250403 CCAW  
Minutes\_FINAL.pdf



CCAW Team Charter  
2025\_FINAL\_04.03.20

- Drop Off & Hazard Protection Subcommittee Update (Department)
  - Brian – Subcommittee met on July 22<sup>nd</sup> with the goal of reviewing and potentially updating FDM language to provide guidance to designers regarding beam guard replacements. Working group was created to draft language. Working group member are Travis Buros, Andrew Heidtke, Matt Grove, Joe Schneider and Josh Falk. Next meeting to review draft language is scheduled for September 29<sup>th</sup>.
  - Matt – We’re trying to come up with reasonable language to provide functional working windows.
- Materials Subcommittee Update (Department)
  - Brian – Subcommittee met on August 14<sup>th</sup>. Three items were discussed:
    - Linette Rizos created a tracking tool to track and analyze all material credits. This item has been moved from CCAW to BTS. Linette will report out at other technical team meetings.
    - Material Bulletin – the subcommittee developed the idea and framework of a material bulletin that would be sent monthly or quarterly to material testers, contractors, and project teams. This item has been moved from CCAW to BTS technical teams for implementation.
    - CMM 830 language – Erik Lyndal (BTS) provided draft language for the group for review and comment. Erik has received comments and will be provided updated language to the group for review. No future meeting is anticipated but can be scheduled if more discussion is needed.
  - Matt – Industry is going to meet and discuss the CMM language. Industry appreciates the verbiage and effort and will provide joint comments.
  - Chad – Are we going to increase percentages for repetitive infractions from contractors on past projects? We don’t want business decisions being made in regards to material quality.
  - Matt – We don’t want that either, but it should be addressed in different ways. Contractors should be treated fairly.
  - Brian – There are increases in percentages for multiple infractions on a project but current language does not bring in past projects. All contracts should be standalone.
  - Matt – To clarify, these are non-performance credits, not non-conformance.

- Retainage Subcommittee Update (Department)
  - Brian – Subcommittee met on July 16<sup>th</sup>. Draft language has been created for ASP-4 and CMM Language regarding withholding payment until all material testing is completed and submitted. FHWA will not support updating ASP-4 until WisDOT has a system in place to monitor payments and retainage for subcontractors, third tier subcontractors, and suppliers. BPD is looking into this to see what the new AWP CRL program can do.
  - Matt – For CRL, we are currently doing payrolls, but not payments yet. But it sounds like it has that capability.
  - Krissy – Would be challenging to track department held retainage.
  - Brian – The proposal would not allow department retainage, only prime retainage as agreed upon in each subcontractor agreement.
  - Dave – Talked to FHWA headquarters and as Brian stated, a monitoring system is needed for FHWA to support this change.
  - Brian – As part of this subcommittee, CMM language was also drafted to specify how much the department should withhold on items that require testing after installation. The department cannot pay 100% of items until all materials are complete to be in compliance with federal regulations. (CMM Language shown to the group)
  - JR – How does this work for aggregate?
  - Brian – Any item that requires follow up testing would be affected.
  - Bill – How will this be done?
  - Krissy – Education and AWP guidance.
  - Brandon – This is an effort to address concerns from industry about withholdings above and beyond department risk.
  - Matt – We may send over some options. There isn't much risk for the department.
  - Brandon – An item is not complete until the materials are completed. The department needs to be in compliance with federal regulations.
  - Chad – We do have big credits and some risk.
  - Brandon – We have other mechanisms to recoup costs.
  - Brian – This language is about compliance, not department risk.
  - Jackie – Communication is the biggest thing. It seems to be worsening in the field. Early communication of material issues is important.
  - **ACTION: Brian to continue to look into AWP CRL program. Brian to send CMM language to the group for review/comment.**
- E-Contracting Update (Department)
  - Brian – Proposal management is tentatively planning on E-Contracting in September or October. They have a contractor willing to do test runs.
  - Matt – Have we done any yet?
  - Brandon – Not yet. We've been short staffed but have hired some people recently and should be able to get to testing it out in the next couple of months. The goal is speed up the process.
  - Matt – I'd like to touch base with Rielly for my awareness if that's ok. (No issue from the rest of the group)

- CMM Administrative Items (Department)
  - Brian – We will be updating CMM language to properly reflect the AWP guidance for project teams, specifically Table 242-1. (Draft language shared with group)
  - Matt – We understand but don't like the language that contractor approval isn't required on administrative items.
  - Brandon – We can look at the wording and reflect being able to process without contractor signature.
  - Krissy – The reason for the change is because it wasn't put in correctly the first time and didn't match the AWP process.
  - Brian – This is the process that has been used, but wasn't in the CMM. This would properly update the CMM.
  - Jackie – Is this for primes or subs?
  - Brian – Just primes as they are the only ones in AWP.
  - **ACTION: Brian to send CMM language to the group for review/comment.**
- 104.2.2 Standard Specification Language (Department)
  - Brian – BPD construction oversight group has developed draft 104.2.2 language for the group to review. (104.2.2 draft shared with group). The reason this was being looked at is because there were different interpretations across the state regarding changed quantities and extra work. Some interpret the language as a bid item can be used up to the 125% threshold and not be considered extra work. This language more clearly states that extra work could lead to a new price if there is justification for extra costs regardless of quantity variance.
  - Brandon – This change will not go into effect now with the specification reorg pilots going on for next week, but would be an update sometime in 2026.
  - Matt – Appreciate BPD looking into this as it has been an issue. We'll review it.
  - **ACTION: Brian to send draft spec language to the group for review/comment.**
- Claim Submission Timeline (Department)
  - Brian – BPD construction oversight group has developed draft spec language for the group to review. (spec draft shared with group). The proposal is to add a timeline of 120 days to submit a claim after the Notice of Claim has been sent.
  - Brandon – Everybody is busy, but this would establish a timeframe for continued dialogue and resolution. Three months seems reasonable.
  - Bill – Where did the 120 days come from?
  - Brandon – It seemed like a reasonable amount of time. And it can be extended if both parties agree.
  - Matt – No major concerns.
  - **ACTION: Brian to send draft spec language to the group for review/comment.**
- Milling Next to Curb Expectations (Industry)
  - Matt – Any feedback on this issue? It's been relatively quiet.
  - Brian – I have not heard anything recently.
  - Debbie – Where is the draft language?
  - Matt – Some CMM language was sent to us by the department but it wasn't well received from some individuals.
  - Brandon – We should send the draft CMM language to this group for review. We did have conversations internally on level of expectations and knowing conditions beforehand, but the contractor also needs to be mindful of the expectations and conditions.
  - **ACTION: Brian to send draft CMM language to the group for review/comment.**

- Additional Topics (All)
  - Matt – Any update on the request to change letting process for earlier results?
  - Brandon – Internal discussions are ongoing. We don't have a timeline yet, but are looking into it and will be having discussions within BPD and OBOEC.
- Next Meeting - Thursday, November 20<sup>th</sup>