

## Construction Contract Administration Workgroup (CCAW)

### Agenda - Meeting Notes

November 20, 2025 – 9:00 AM – 11:00 AM

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 (in-person)	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)

#### 1. Minutes from August 19, 2025, meeting and 2025 Draft CCAW Charter



20250819 CCAW  
Minutes\_FINAL.pdf



CCAW Team Charter  
2025\_FINAL\_04.03.20

#### 2. Pay Withholding CMM 232 Language (Department)

- Brian – This language was discussed at the last meeting. We'd like to finalize today. The intent of the withholding language is to ensure we are meeting the CFR by not paying for items fully until materials testing is complete and accepted. This is not intended to be a penalty.
- Matt – We need to limit it and it seems high. We want to maintain cash flow for contractors. And can we add a justification for the engineer to fill out or a simple tracking form?
- Chad – Project teams go through these items at every weekly meeting.
- JR – Does this include QMP plans? That's a concern; those aren't finalized until the end of the project.
- Brian – No, the intent would be for material testing, not final reports. (Language added by group for clarification)
- Krissy – AWP-Materials can do a lot of this and track it. The program is setup to withhold all payment until the materials are approved.
- Brandon – Indiana has disabled the feature of automatic withholding. We should do the same, especially as we're piloting a new system.
- Brian – That is what will happen for our pilot projects. Let's discuss industry's comment on the 5%, not to exceed \$25,000 threshold.
- Dave – I think it's fair from an FHWA perspective and maybe on the lower end. We need to ensure the testing is complete and submitted prior to full payment to be in compliance with federal regulations.
- JR – Can we cap per project?
- Brian – Per project or contract is challenging as there are so many variables on sizes of projects.
- Jackie – Some items like curb and gutter have several different types and bid items in the contract. That's a concern.
- Brian – We will monitor as it's implemented and the language says may hold up to 5%, not a requirement for that amount. Education to staff will be to be reasonable and stick with the intent of the language.
- **ACTION: Group approved of revised language. Brian to provide to Standards Engineer for implementation in next CMM Update.**



CMM 232 pay  
withholding.docx

### 3. CMM Administrative Item (Department)

- Brian – This language was also discussed at the last meeting. We'd like to finalize today by adding a contractor notification statement in the language, which was a concern from industry. (Group added language to document for contractor notification)
- JR – I don't see an issue with this.
- Krissy – I can help with the wording to match AWP guidance.
- Dave – We have some other similar language to update for FHWA signature approvals.
- Brian – I've received and it will be included in the next update.
- **ACTION: Group approved of revised language. Krissy to review and provide feedback on wording. Brian to provide to Standards Engineer for implementation in next CMM Update.**



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### 4. 104.2.2 Standard Specification Language – Extra Work / Quantity Variance (Department)

- Brian – This language was also discussed at the last meeting. We'd like to finalize today. Again, the intent of this update is to provide clarity between extra work and quantity variation and reduce misinterpretations on projects.
- Dave – FHWA thinks this is fair language and a good clarification update.
- Jackie – How do quantity changes and quantity errors get resolved?
- Brian – This does not change the quantity variance language. That remains in the specification. This just separates extra work from quantity variance to help clarify the difference between the two.
- Chad – Plan errors can be addressed using standard spec language and that can be compensable.
- Bill – Could altered work be looked at and could a definition be included in standard spec 101.3(1)?
- Brian – The goal of this update was to clarify extra work from quantity variation, but that is something we can look at in the future.
- Jake – What about waste material? Expansion factor variance is a challenge that is difficult for industry.
- Brandon – Expansion Factor variance is more of a WEMA/GLS topic that we can have further conversation on in those meetings.
- **ACTION: Group approved of revised language. Brian to provide to Standards Engineer for implementation in next Standard Spec Update.**



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### 5. Claim Submission Timeline Specification Language (Department)

- Brian – This language was also discussed at the last meeting. I did not receive any comments from the CCAW group. This one will be moving forward. (Did not receive any objection from the group).
- **ACTION: Group approved of revised language. Brian to provide to Standards Engineer for implementation in next Standard Spec Update.**



Claim Timeline  
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#### 6. Milling Next to Curb CMM Language (Department/Industry)

- Brian – This language was also discussed at the last meeting. I received some comments from Chad. Chad, can you go through your comments/concerns.
- Chad – Doesn't seem to be an issue in other states and seems to be a one contractor issue.
- Matt – It's more than one contractor. And with the out of sequence work, some minor damage is going to happen. We need to be reasonable.
- Chad – What is considered reasonable or minor? The language is subjective. Contractors also need to care for their work.
- Brandon – We need to decide if we are good with this language. A lot of language is subjective, but minor damage in rehab projects seems reasonable. We can address expectations and education moving forward.
- Matt – I'm good with this.
- Jackie – This language doesn't address payment.
- Brian – Payment would be contractor if there are repairs needed. This language is determining what repairs would be needed.
- Jed – We've made a lot of progress internally. Not as big of an issue anymore.
- **ACTION: Group approved of revised language. Brian to provide to Standards Engineer for implementation in next CMM Update.**



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#### 7. Eliminated Items (Industry)

- Matt – We'd like to have a quick discussion on eliminated items and when it applies. Projects are talking about reducing mobilization payments. And not paying 7% on undistributed items where we believe costs have incurred.
- Brian – Undistributed is a challenge because work was not eliminated in cases where an item wasn't needed. For example, emergency mobilizations for pavement repair. Those are items added to the contract for emergencies and if they aren't used, it's not work the department eliminated. Should we do contract total percentages if the goal is to properly pay overhead?
- Matt – There are still costs there.
- Brandon – We added undistributed items to ensure we could cover some of this type of work that may come up to partner with industry. Undistributed is a struggle because some of these like emergency mobilizations or cold patch don't have intended plan locations and are known to potentially not be used.
- Krissy – Some undistributed are marked in the field per the contract so they have to be, such as base patching.
- Matt – We may need to talk about this more in the future.
- Dave – We should probably look at undistributed and talk at a future meeting.

8. Night Work & Lane Closures (Industry)

- Matt – Just a quick topic I'd like to bring up because claims may be coming. We need to maximize work windows and simplify language for lane closures and night work. It needs to be clear in the contract.
- JR – Night work can be a safety concern as well. It should be reduced.
- Matt – Southeast has the most night work. We'd like to simplify it and make it clear.
- Brian – I can bring this up at the PDS Chief Meeting for their awareness.

9. Project Disputes / Change Orders (Industry)

- Matt – We need timely responses and quicker decisions in the field. We need to know how to properly elevate within the department.
- Brian – Are you talking about consultant leaders or WisDOT Project Managers?
- Matt – It can be both.
- Brian – There is a line of communication form provided at the preconstruction meeting. It lists the project engineer, project manager, supervisor and chief of the project.
- Brandon – We discussed this in our internal director meeting also. Contractors need to follow the chain of command within the project/region on project issues.

10. Timely Payment (Industry)

- JR – Payments are coming in quickly and every two weeks; however, the department does a bad job of getting all quantities into the estimates. We had one job where the last estimate was \$1 million. That shouldn't happen where we are waiting that long for payment. Some other jobs where we place select crushed or other items and they aren't paid on the next estimate or quantities paid are lower than quantity placed. We need to make sure cash flow is going.
- Jake – This is a complaint I've heard a lot this year.
- Brian – We added AWP email reminders to ensure timely approvals. In regards to timely measurement and posting of quantities in AWP, we will need to have this in our trainings for education and awareness.

11. Design/Build Update (Department)

- Brandon – [Rock and Crawfish](#) RFQ was posted on November 12<sup>th</sup>. The SOQ is due January 9, 2026. This is all posted on the [design/build website](#). Legislation is continuing to move forward. Recently, legislation moved out of committee and to the senate and into the assembly. No updated timelines but it seems to be moving in a good direction.
- JR: Is the Rock and Crawfish the last pilot design/build project.
- Brandon: Yes, that is correct.

12. Sub-group Updates (Department/Industry)

- Brian – The dropoff and hazard committee is on hold at the moment. There are some new CFR requirements that BTO is reviewing and providing revisions for. Those revisions should resolve some of the issues discussed at CCAW but we will evaluate when those revisions are complete. The materials subcommittee has moved to BTS. The last step is for them to revise CMM language for material testing, which is ongoing. The retainage subcommittee is on hold. I have been talking with AWP and Infotech about payment tracking in AWP, which the department is starting to use. Retainage will be revisited when the program is ready.
- Dave – There could be some changes to retainage in the future, but it's too early to tell at this point. Will keep the group updated.

13. Additional Topics (All)

- Matt – Disposal of grinding slurry is a major struggle right now. And it's getting really expensive.
- Jackie – Sites are not getting approved by DNR that contractor's assumed would be approved at time of bid. We've heard of one project that had to ship slurry to Minnesota.
- Brandon – Is this specific to one area or region?
- Matt – It's multiple areas and we're worried it's expanding.
- Debbie – Because it's a DNR issue, we need help and it needs to get escalated quickly.
- Brian – We'll look into it from our end.
- Matt – This may be higher up but appreciate it. It's a big issue.

14. Next Meeting – 2026 Meeting Schedule

- Brian – Proposed dates for 2026 will be sent out in the near future.