MEETING AGENDA

AGC – Naval Facilities Engineering Command Meeting 1:00 PM – 4:00 PM

Welcoming Remarks and Introductions Jeff Harper

Chair, AGC NAVFAC Committee

Navy/NAVFAC Trends RADM Bret Muilenburg

Commander, Naval Facilities Engineering Command & Chief of Civil Engineers

Chief Engineer Update Joseph Gott

Chief Engineer & Director of Capital Improvements

Acquisition Update Cindy Readal

Director of Acquisition

TBD

Safety Program Manager

Herman Pablo

Construction Product Line Leader, Capital Improvements

Vince Martucci

Senior Construction Engineer

AGC Questions for NAVFAC

SAFETY

- Safety as a Source Selection Factor: How does NAVFAC evaluate and measure safety as a source selection factor? Is there any consideration of putting a greater emphasis on safety as a source selection factor?
- Application of EM385–1–1: NAVFAC’s safety training requirements can be inconsistent across FECs for similar projects. For example, in some
cases, FEC training requirements exceed the requirements in EM385–1–1 (2014). Is NAVFAC aware of this? Is the EM385 a floor or a ceiling for FECs, or is it supposed to be uniformly applied NAVFAC–wide?

- **Prequalification of Subcontractors:** NAVFAC had undertaken an initiative to prequalify subcontractors based on certain safety criteria, including their: (1) Experience Modification Rate (EMR); and (2) OSHA Days Away from Work, Restricted Duty, or Job Transfer (DART) Rate. AGC explained its concerns and recommendations concerning this policy during its meetings with NAVFAC over the last several years. What is the status of this initiative? What are the findings of NAVFAC Southeast, which has attempted such an initiative? Is there continued interest to roll out such an initiative nation–wide?

**ACQUISITION**

- **LPTA versus Best Value:** Over the last few years, AGC understands that NAVFAC has increased use of Low–Price Technically Acceptable (LPTA) compared to Best–Value acquisitions. However, some AGC contractors are concerned that a solicitation identified as Best–Value, is—in practice—LPTA. Would NAVFAC share data/metrics showing the rate at which Best–Value contract awards went to proposals with a price higher than others in the particular Best–Value competitions?

- **Requests for Information:** NAVFAC responses to contractor requests for information (RFIs) continue to be a challenge in terms of both the quality and timeliness of the response. “Follow the RFP” continues to be a common and usual response to many questions and many questions simply go unanswered. Is there any effort to improve NAVFAC responses to RFIs? Does NAVFAC HQ ever look into acquisitions where an abnormally high number—i.e., thousands—of contractor RFIs are submitted on one RFP?

**POST–CONTRACT AWARD CONCERNS**
• AGC formed a task force in 2014 to review issues contractors faced after contract award. The task force addressed what AGC members consider top priority, post-contract award concern issues with NAVFAC. AGC met with NAVFAC HQ on this report and these concerns in January 2015, May 2015, and July 2015. AGC seeks further discussion and updates on these concerns, including:
  o Project award delays;
  o Design review delays;
  o Design MOD delays (Need conformed MOD at end of design);
  o Construction MOD’s not issued in a timely manner;
  o Gov’t inability to make timely decisions – conflict resolution ladder;
  o Area wide energy management systems acceptance (2+ years?)
  o Time is of the essence (Gov’t does not appear concerned about schedule);
  o Notice to proceed difficulties;
  o Dictating contractor markups; and
  o Difficulties establishing reasonable home and field office rates.

ELEVATOR & HVAC SYSTEMS COMMISSIONING
• Elevator and HVAC systems commissioning continues to be a difficult and time consuming process. In some cases, the prime contractor is told the HVAC system will not be accepted if there is a single HVAC related item on the punch list, no matter how minor the issue may be. The concept and industry accepted definition of Substantial Completion or Beneficial Occupancy is clearly recognized by the ability to include a reasonable punch list on the Form 1354. Is NAVFAC HQ aware of such commissioning issues? If so, what efforts are being considered/taken to address them?

PARTNERING
• The AGC membership believes that engaging in project-level partnering as committed team members with NAVFAC would improve project
execution, staff efficiency (NAVFAC and contractor), safety, trust, and the project team relationships. During the past 5–7 years AGC members have observed a severe reduction in project-level partnering across the nation. Many have commented that partnering is now the rare exception rather than the rule. Is there any NAVFAC–wide effort to push for a renewed effort to encourage project–level partnering?

General Questions

- Open questions from the floor?

NAVFAC Questions for AGC

Adjourn