



DIRT ROAD AD HOC COMMITTEE
September 11, 2018 – 5:00 PM
4th Floor Conference Room
2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Norman Jackson, Chair, Bill Malinowski and Dalhi Myers

OTHERS PRESENT: John Thompson, Eden Logan, Nathaniel Miller, and Michelle Onley

1. **CALL TO ORDER** – Mr. N. Jackson called the meeting to order at approximately 5:32 p.m.

APPROVAL OF MINUTES – There were no minutes presented for approval. Mr. Malinowski moved, seconded by Ms. Myers, to accept this as information. The vote in favor was unanimous.

ADOPTION OF THE AGENDA – Ms. Myers moved, seconded by Mr. Malinowski, to adopt the agenda as published. The vote in favor was unanimous.

APPROVAL OF MEAD & HUNT QA/QC MANAGEMENT CONTRACT MODIFICATION – Dr. Thompson stated what is before the committee is a service order agreement in the amount of \$120,000, which equates to \$20,000 per month, for the On-Call Engineering Team Mead & Hunt to provide quality assurance and quality control with relations to the other 4 On-Call Engineering Teams. It is not a duplication of service. Their function is to work closely with the Program Manager, David Beaty, and his team to make sure we have consistency and follow our protocol.

Ms. Myers inquired why it was not duplicative. She stated we have these OETs that have been screened to certain level of quality and performance, and then we are putting Mead & Hunt on top on them to screen for quality and performance. Then we are paying the PDT on top of them to screen.

Mr. Beaty stated, when the previous Dirt Road Program Manager ended in early 2017, County staff performed the services of “Program Management” and “Design Reviews (quality assurance and quality control)” of the plan sets. Staff then recommended to Council, and Council engaged Mead & Hunt to do plan reviews of the other 4 OETs. In years 3 and 4 group, there was 50, so staff came to Council about a year ago and said let’s get 50 more going. The PDT was not involved, so staff said...

Ms. Myers stated she was clear where we are. Her question is a little bit different than history. Her question is why is that not duplicative.

Mr. Beaty stated what Mead & Hunt will be doing is reviewing the design of the plans themselves to make sure they are consistent between all of the 5 firms that are working, and review their submittals, as far as invoicing.

Ms. Myers inquired why Dr. Thompson or the PDT could not do that. She stated it seems to her that we are layering upon layering money here. We have already established that we are not flush with new money.

Dr. Thompson stated the Transportation Ad Hoc Committee recommended to remove the program management function of the Dirt Road Program from staff in house and providing that to the PDT.

Ms. Myers stated in some instance we are talking about less than a 1/10 of a mile. She inquired where we run out of money to just pay road when we have all this money in review.

Dr. Thompson stated we are talking about \$20,000 a month.

Mr. Malinowski stated that is a quarter million dollars a year.

Ms. Myers stated that is real money that could pave real roads. She is not understanding why we need 2 layers of supervision over paving a dirt road. She requested Dr. Thompson to tell her what he thinks. She stated she does not know enough to know. She has lived on a dirt road. She has never paved one. She has watched them be paved, and she has watched major roads be paved. She stated she does not understand where we are getting the money from for this and why it is necessary. She was going to ask if we had not instituted too many layers on getting these roads, and paving them to almost SCDOT standards.

Mr. N. Jackson inquired if the Transportation Department had the capacity.

Dr. Thompson stated they do not currently. They only have one engineer in house.

Mr. Beaty stated Mead & Hunt has been providing design reviews at \$20,000 a month for the previous 6 months. Staff does not have enough people to do all the program management. Council asked if the PDT could help, and they said yes they would be glad to help. Council voted on that in June 2017. What they have been helping with since June is management. To this point, there has been no fee for this additional service.

Ms. Myers inquired what the PDT's annual fee is.

Mr. Beaty stated it includes 4 functions and equates to about \$12 million.

Ms. Myers stated we are at the point where you said this was a function you could take in under the PDT. Mr. N. Jackson, Mr. Malinowski and herself were pushing to get these roads paved more rapidly. She was not pushing to get them paved more rapidly and pay a jillion dollars for someone to supervise the engineering, design and paving of a dirt road.

Mr. Beaty stated the County is not paying twice because the County is not paying the PDT anything.

Ms. Myers stated if we adopt what you are suggesting we will be paying 3 times because we have a Transportation Team, then we pay Mead & Hunt, and then we pay you to watch Mead & Hunt. Then we pay a team to do the work.

Mr. Beaty stated the County does not pay the PDT to watch Mead & Hunt because they have been doing it at no fee.

Ms. Myers inquired if the PDT will continue to do it at no fee.

Mr. Beaty stated it depends on where you go with any additional work you ask the PDT to do.

Ms. Myers stated she thinks why we are here today is because the PDT wants to bring in Mead & Hunt and get a fee attached to this, and get some recognition you have done this for free.

Mr. Beaty stated Mead & Hunt has already been on for 6 months, and the County did pay them for 6 months. This is requesting to keep them doing the same thing for another 6 months. He stated they are not making that recommendation; he is just explaining where it is at.

Dr. Thompson requested keeping this item in committee and letting staff regroup.

Mr. Malinowski inquired about how many hours a month Mead & Hunt is putting in for these reviews.

Mr. Lewis stated they are managing the years 3 and 4 contracts, which includes the other 4 OETs. Their job is to do the QA/QC management of those plans. A typical plan set could take you up to an hour or two per plan set, and then you are going through 3 different cycles of that plan set over the lifetime from conception to construction. He stated he would assume it is 10 – 15 hours per week.

Mr. Malinowski stated we are looking at 40 – 60 hours per month.

Mr. Lewis stated that is for 2 people, so that number needs to be doubled.

Mr. Malinowski stated Mead & Hunt is also one of the OETs. He inquired as to who is managing their work.

Mr. N. Jackson inquired how not doing this affects the speed to develop these dirt roads because it is an urgency to get it going. If we do not have the staff, someone needs to do it.

Ms. Myers stated OETs are doing it. This is who is supervising the OETs.

Mr. N. Jackson stated, if we say no, it is going to delay it again. He stated he guess we could adjust it as we go, but they did come to us. Council did get approval to do it.

Ms. Myers stated, Mr. Malinowski's question stands, if Mead & Hunt is one of the OETs and you are getting paid to manage yourself as an OET, even assuming they manage the OETs, we would fully expect that you would not be managing Mead & Hunt as an OET. So, there would some differential in the hourly rate, and the overall hourly rate, where Mead & Hunt is self-performing.

Mr. Beaty stated it is 2 different things.

Ms. Myers stated she knows it is 2 different things. Someone is paving the road, as an OET, and someone is reviewing all the bits that go into it before it is paved. Somebody is going out to inspect it once it paved, and someone is certifying to us that they did that once it is paved. She got the process. She is shocked that where we are with your process is 3 layers of people getting paid to inspect, supervise, and make that the plans are consistent with what they are supposed to be.

Mr. Beaty stated that is all Mead & Hunt. What they have been doing is the plan quality control. They have not been managing the process.

Ms. Myers inquired if the PDT has been managing the process.

Mr. Beaty responded in the affirmative.

Ms. Myers inquired if the OETs are not capable of managing their own process. She stated we have hired OETs that (a) do not manage their own QC; (b) who are not up to...Clearly by definition, we are saying that we have these OETs, but somebody has to manage them because they do not meet the standard they need to meet. Therefore, we have to pay someone to go out and manage them.

Mr. Beaty stated the purpose of Mead & Hunt's \$20,000 a month was to ensure uniformity of plan design.

Ms. Myers stated does not standards do that.

Mr. Beaty stated they should, but if 5 different firms design a job it may look a little different.

Ms. Myers stated SCDOT hires all kinds of folks every day and within their shop they send people out to make sure that their regulations and quality standards have been followed. They do not hire 17 different folks and do that, and pay them a different layer up.

Mr. Malinowski inquired what hourly rate would be considered fair pay for this type of inspection.

Mr. Beaty stated it can vary widely on the person that is doing a particular task. An inspector in the field's rate could go from \$20 - \$40 an hour.

Mr. Malinowski stated Dr. Thompson said we do not have the capacity in house to do it. Just taking the top end figures, using your 120 hours per month and divide that by \$20,000 a month equates to \$166.00 per hour. He inquired if Dr. Thompson could not find 2 people to hire on staff at \$83.00 per hour.

Mr. N. Jackson stated sometimes these things need a PE to get involved.

Dr. Thompson stated they have been posting jobs since February. Out of approximately 100 people that have applied for 2 different positions, only 1 PE showed up and that person wanted \$145,000.

Mr. N. Jackson stated they have all gone to SCDOT.

Ms. Myers stated then find somebody.

Dr. Thompson stated it is not that they are not trying to.

Mr. N. Jackson stated the TERI Program is over and a lot of people retired. Agencies need engineers and all of them are going to SCDOT. That is why you cannot find any engineers.

Mr. Malinowski stated, if we are paying \$20,000 a month, we could hire the person that wanted \$145,000 and still put money in the bank.

Ms. Myers stated the 2012 Penny Sales Tax included a total funding of \$45 million for dirt roads, leaving \$25 million for all the roads that remain. We have paved less than 50 roads, and now we got money to pay people 3 layers up to supervise paving 10 more.

Ms. Myers moved, seconded by Mr. Malinowski, to defer this item to the next committee meeting and ask staff to pick one or pick none, but come back with a recommendation for supervisory work. The vote in favor was unanimous.

Ms. Myers stated, for clarification, that Dr. Thompson's staff is struggling because he cannot recruit the kind of people he needs in house to eliminate the need for some of the stuff that we are balking out.

Dr. Thompson responded in the affirmative.

Ms. Myers inquired if Dr. Thompson has tried any kind of unique recruiting methods that go beyond the regular posting the County does (i.e. headhunter).

Dr. Thompson stated he has not hired an executive search fund to recruit for the position, but they have gone to national associations that we can post on engineering website. Of course, the County does Indeed.com, but we wanted to be very specific to the type of person they are looking for.

Ms. Myers suggested speaking to the ACA, and then Council, about Dr. Thompson's ability to hire a headhunter to cherry pick some engineers.

DISCUSSION: DIRT ROAD PROGRAM SUMMARY AND RECOMMENDATIONS

- Approval to have the OETs Re-Design 42 Dirt Roads – Dr. Thompson stated we had a previous contractor that balked on a number of roads that needed to be paved. Because of that we found out, with the PDT and the staff engineer going out, those plans are faulty plans. We cannot use those plans to pave the roads. With that being said, the PDT wants to provide a recommendation of how we can move forward.

Mr. Beaty stated the referendum included \$45 million for dirt roads. Up to this point, the County has spent and/or committed \$20 million, 45 or 46 dirt roads have been paved. They have another 11 they are going to advertise for construction in approximately 6 weeks. There is about 56 roads that take up that \$20 million.

Ms. Myers stated that is \$500,000 per road.

Mr. Beaty responded in the affirmative.

Mr. N. Jackson inquired if some of them are paved in place.

Mr. Beaty stated some of them are paved in place. With the \$20 million committed, that leaves you \$25 million. If you just do the pro rate, you will probably get approximately 70 more roads. There are 42 roads that the previous contractor did not complete in years 1 and 2. You have 42 sets of plans out there that are not complete. About a year ago, the County hired the 5 OETs to design 50 out of years 3 and 4, and those are being worked on. The 50 are all that is really being worked on. The short, of the memo, is the PDT recommends allowing those 50 to be completed, and go back to the 42 that are incomplete because they are in years 1 and 2; therefore; they are a higher priority. He stated if you hire an OET to design those 42, you will have a total of 92 roads. You will probably lose some during the right-of-way process. The PDT's recommendation is to get the 5 OETs to finish the 50 they have already been working on and engage the other 42, and that will pretty much expend the \$45 million in the Dirt Road Program. He stated they have some other ideas if staff and Council is okay with the PDT expediting some of the 42, such that Richland County does not have to pay to redesign them. He stated Howard Coogler Road is a dirt road in Mr. Malinowski's district, and it is a long, straight shot. The road is approximately 4,000 feet long. At about 2,800 feet you get into wetlands. What they think they can do is take the set of plans and stop the paving at 2,800 feet. If they do that, Richland County permitting can permit the project because there is minimal impact, there is no wetlands and streams. They could modify those plans, and advertise it and go to construction in the near future. Or, they could try to get a Corp permit, which would take a year, to build the rest of it. Their recommendation is to keep the 50 under design, address the 42 that were a higher priority, and let Mr. Lewis come up with some creative ways to get them to construction quicker.

Ms. Myers inquired if it is Dr. Thompson's analysis that there are no dirt roads in Richland County that can be paved for less \$500,000 each.

Ms. Toney stated there are various factors that contribute to that. They have some that are paved in place because of their width. It depends on the length of the road, and the hydrology.

Ms. Myers inquired, to date, what is the least expensive dirt road the County has paved.

Dr. Thompson stated he will provide the cost for all of the dirt roads.

Ms. Myers inquired about how many dirt roads are on the list.

Mr. Beaty stated it is in the memo.

Ms. Myers stated she is asking because she knows and she wants it on the record. She stated there are nearly 900 dirt roads, and we are talking about ending the program at less than a 100 roads. Do you know how absolutely crazy people will think we are? She stated surely the plan cannot be to spend \$500,000 on 40 more roads and call it a day when we have spent millions of dollars in all of the metropolitan areas. The people who live in far flung areas like the constituents in Mr. Malinowski's district, Ms. Dickerson' district, and her district are paying into the Penny Tax too. What are we are going to tell them? Too bad, so sad. We ran out of money. What we are suggesting is not a logical plan she is going to try to sell to anybody. Having talked to a lot of small contractors that would be desperate to pave some of these roads, she cannot believe \$500,000 is the going rate. She goes back to what she said 4 or 5 months ago, why are we not buying asphalt in bulk? Why are we not buying concrete in bulk? Why are we not realizing any savings in this program? You told me that was not practical, so she talked to SCDOT. They have told her it is entirely practical. No company, no government entity, nobody doing this much work would go on an ad hoc basis to buy all of this stuff because you are never going to get a good price. What we are doing is blowing money down a hole. She stated we can dance around and play games with this all day. She stated you know she is telling the truth. You know sitting there that she is right. She stated you know who has not gotten the benefit out of the penny, the taxpayer. She stated the PDT is making plenty of money, and so are all these companies, but we are not getting to the heart of this program. The way that we have put forward fixing this problem, there is no logic in it. If we have limited money, pave the most roads you can with the limited money. We do not need the Taj Mahal of dirt road paving, and go buy some stuff in bulk.

Mr. Malinowski stated, for clarification, the roads in the packet are the dirt roads for years, 1, 2, 3, and 4. They total 241 roads for all 4 years. His district has around 125 - 130 roads, which is more than 1/2 of this. That is just one district out of the 11 districts. He stated his question is, when you said the 42 roads with the initial company, that did faulty work, and you have to start over and continue with the other 50, is there any reason that years 1 and 2, which were the priority, why we cannot borrow manpower or groups from the other 50 roads. He inquired why we are waiting 6 weeks to advertise. He inquired if you cannot call the newspaper, or wherever you advertise, within the next couple days and say we are going to advertise for this. It keeps getting pushed back because of political red tape.

Mr. Beaty stated the 42 sets of plans are incomplete, and you cannot advertise incomplete work. The 50 that are currently...

Mr. Malinowski stated he thought when Mr. Beaty said advertise that he meant they had to start over from step 1 since they have to start over. If you have to start over, then start over and begin advertising tomorrow to get going.

Mr. Beaty stated his recommendation would be to allow staff to engage and OET to begin reviewing and redesigning the 42 roads. He would also request that the PDT be allowed to review those same 42 and see if there are any they can be creative with to go immediately to construction. That way Richland County does not have to pay additional for that design.

Mr. Malinowski inquired as to how soon they can review the 42 roads and see if they can come up with any creative ways to get the roads paved immediately. He inquired if they thought they could bring something back by the September 18th Council meeting.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to place the 42 roads at the front of the list, the PDT do what they need to do immediately, because they have been previously approved by Council, to get those roads moving forward toward paving and to allow the PDT the latitude to

come up with whatever creative design they need to begin immediate paving on certain roads and not have to go through a long detailed process.

Ms. Myers inquired if the PDT was going to be recommending paving half the road on some of the 42 roads.

Mr. Beaty stated they may. They will look at how...

Mr. Malinowski stated they are not just going to do it. They will bring it back to Council.

Dr. Thompson stated, the example Mr. Beaty gave of the 2,814 feet for that particular road, if you look at the dirt road list you only see 2,814, you do not see 4,000 feet in there.

Mr. Malinowski stated that is because there is nothing beyond that 2,800 feet.

Dr. Thompson stated Public Works maintains the entire length of it, but what we decided when the list came out was 2,814.

The vote in favor was unanimous.

Ms. Myers moved, seconded by Mr. Malinowski, to direct the PDT and the Transportation Department bring back for next meeting bulk pricing of asphalt and concrete, and the average amount of raw materials needed to pave an average dirt road. The vote in favor was unanimous.

- Rights-of-Way: Fee Simple or Easement – Mr. Beaty stated as he understands it, Richland County does not pay property owners to obtain an easement to pave a dirt road. And, if a certain percentage of those homeowners are not willing then the road comes off the list, and another dirt road is paved. That has historically been the policy and practice of Richland County, and is also the policy and practice of most other counties in the State. There has been some discussion amongst County staff of changing from getting easements to fee simple. The PDT's recommendation is that you stay with easement because getting fee simple will take you much longer and you will start paying for fee simple. They are requesting the committee's direction to continue.

Mr. Malinowski moved, seconded by Ms. Myers, to recommend the County utilize easements. The vote in favor was unanimous.

- Process for Deferral of Roads/Prioritizations – Mr. Beaty stated all of the projects for years 1 – 4 have been prioritized. No system is perfect, some dirt roads have no residences, no buildings, and Public Works has not been maintaining them. When they encounter one of those types of roads, in these 42 or 50, they would like to come back to you and say, "Although it was ranked this way 4 years ago, we do not think that it needs done." When they find that they would like to come and show you a picture, and get your input on whether or not that road can be deferred.

Mr. Malinowski stated there was a formula that was used to create a priority listing. He inquired if that is what we are talking about doing, going to some of them, using the same formula and possibly recalculate? Or, just pluck one out and say you are no longer here and you are in its place.

Dr. Thompson stated he would not say anything about a recalculation. It is presenting to you a physical survey of that particular road, and bringing those pictures to Council for you to make that determination. For example, if there are no houses on this road, should we go ahead and

pave it anyway? If Public Works has not maintained that road for the last 5 years, should we pave it?

Ms. Myers moved, seconded Mr. Malinowski, to inventory the roads and analyze the rankings with recommendations from the Transportation Department, in consultation with the PDT. The vote in favor was unanimous.

APPROVAL OF THE UTILITY AGREEMENTS

- Sara Matthews Road – SCE&G
- Bluff Oaks Road – SCE&G
- Labrew Drive – Fairfield Electric
- Net Dean Road – Fairfield Electric
- S. Hask Jacobs – SCE&G

Dr. Thompson stated there are 5 utility agreements before the committee for approval.

Mr. Malinowski inquired if these roads are being widened.

Mr. Lewis stated some of these could definitely could be widened.

Mr. Malinowski stated, for clarification, are they being widened not could they be widened. Based on the plans that are there, or are they being paved, as they sit.

Mr. Lewis stated none of these are being paved in place or to the exact width they are today.

Mr. Beaty inquired what the minimum width of each.

Mr. Lewis stated typically a 10 ft. lane.

Mr. Malinowski inquired as to what that will do. Is it going to go from 16 to 20?

Mr. Lewis stated some of these are probably 8 ft. lanes today, so a 16 ft. section, and they would go to a 10 ft. lane, so it would be a 20 ft. section in the future.

Mr. Malinowski stated the reason he asked that question is that if some of the roads were not widening, then why do we need to move utility poles. He thinks we need to look at that rather than just say, "Well let's move them because 50 years from now we may need to widen the road." If it is a dirt road, and there are 4 homes on it, the odds are we are not going to have to widen that road any time in the future. He thinks we need to go out there and see if we need to spend the money. Something else he noticed was about the scrap, and the County gets to go and look, when they move the lines, to see if there is something they can use or want out of it. If the scrap is sold, who gets that scrap price? The County, SCE&G or Fairfield Electric. We are paying them to do a job, so if scrap is above and beyond that, either that should be part of their payment or we should get the reimbursement for the scrap.

Mr. N. Jackson stated we are talking about changing the process in that part of the contract, which is totally different.

Mr. Malinowski stated, in these contracts, there are no distances shown on any of these roads, just prices they want to charge. Also, it says in here what we are paying them for is to move utility poles. There is no number of how many utility poles that are being moved. They could move 5 on this road and 10 on that road and be charged the same price. It seems to him, in a contract, you want more specifics so we know exactly what we are paying for.

Mr. N. Jackson inquired if what they are requesting is necessary for the job to move forward.

Mr. Beaty responded in the affirmative. These utility agreements are for 2 sets of dirt road packages that Council has already approved the construction contract. They have already had the kickoff meeting with the contractor, and they are scheduled to begin October 1st. These utility agreements need to be executed with the utility companies, so they can go get their lines out of the way. If you delay executing these utility agreements, they must delay these 2 groups from going to construction.

Mr. N. Jackson stated what the PDT presented is necessary to move those projects forward.

Mr. Malinowski stated what they are presenting to us, he sees as something that if we wait to the last minute we will have to approve because we do not want to delay it. He inquired as to why this was not presented to us when the road packages were initially done.

Mr. Beaty stated, historically, these utility agreements, prior to Dr. Thompson and his staff, were executed by the Transportation staff under their authority. These have not been coming to you in this format. When you approve the construction contract, which you already have, there is a contingency in the contract, which is typically 10% for construction. They thought it would be a good idea for Council to be aware of these additionally. They have been approved, in the past, by staff without bringing them to your attention.

Mr. Malinowski stated what they are really saying is they are presenting this to us for information only, and they do not really want our input or action.

Mr. Beaty stated they do want your input and action.

Mr. Malinowski stated, if enough members agree that we need to get answers to his questions, get the contracts like they should be, which he believes is a little more in detail and not just a general scope of work, then it delays the process. And, you are telling me they have already told everybody they are moving forward with it. He thinks the process should have been done a lot better.

Mr. N. Jackson inquired if what is presented before the committee is necessary to move the project forward.

Mr. Lewis stated these are necessary for the projects to move forward, as these roads are designed, permitted and approved.

Ms. Myers moved, seconded by Mr. Malinowski, to move forward with the project, as planned, but for staff to come back with answers to the questions Mr. Malinowski has placed on the floor next week. The vote in favor was unanimous.

Ms. Myers stated Mead & Hunt handled Horry County's Dirt Road Paving Project. She referred Dr. Thompson to Horry County's website. She stated they paved a bus load of roads, and she dare say it did not cost a \$500,000 a road. She requested them to check with Mead & Hunt and find out information on the costs per road of paving, and how they got so many roads paved in Horry County, as compared to what Richland County is doing.

ADJOURNMENT – The meeting adjourned at approximately 5:48 p.m.