

Memo to HR, BOS, Local 1

Subject: Proposed Deviation from Retention Points Senior Civil Engineers in Department of Transportation's Construction Division dated February 3, 2011

The Director of the Department of Transportation makes several arguments to justify a deviation from the standard retention policy for two Senior Civil Engineers (SCE) in the Construction Division. These two SCEs are dedicated, hard-working and competent engineers, however please consider the following additional information when making your decision.

1. Currently the two SCEs are involved in large Caltrans projects.

A. The first SCE is Resident Engineer for the US 50 HOV Lane Widening, Phase 1. Construction inspection support, including the Structure Representative, was contracted out to Caltrop. Construction is 90% completed and is anticipated to be finished this summer.

B. The second SCE is Structure Representative for the Missouri Flat Interchange Reconstruction, Phase 1B. Construction management, including the Resident Engineer in charge, is being provided by an outside consulting firm, Valley Cooper. This SCE was formerly the Structure Representative for the Missouri Flat Interchange Reconstruction Project, Phase 1A as an Associate Civil Engineer (less than a year ago; this SCE has not completed the 1-year probationary period as an SCE).

2. There is no time to train other staff.

A. The department has existing staff with prior construction management experience. (Please see attached table.) This existing staff includes the two Supervising Civil Engineers currently in the Construction Division, another Supervising Civil Engineer with 10 years as a Structure Representative for Caltrans, and a SCE who was previously a RE for the County.

3. Construction SCEs have a unique skill set.

A. "Negotiations": SCEs involved in project delivery and development projects negotiate scope and fees with consultants without any benefit of contract unit prices. In construction, if the issue cannot be resolved with a mutual agreement, the RE can order the work to be constructed on a time and materials basis; this is not allowed in project delivery. SCEs in development negotiate project design features with developers and consultants trying to make/save money.

Jennifer
02/15/11
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B. Quick, sophisticated analysis: SCEs in project delivery balance safety, design, cost, property impacts, environmental regulations, schedule commitments, etc. on a daily basis. SCEs working on the CIP and TIM Fee programs are performing global, complex analysis on our multi-million dollar programs.

C. Written and oral arguments: SCEs throughout the department routinely prepare written and oral arguments and have to defend their assertions and/or positions to Caltrans, regulatory agencies, developers, and affected property owners.

4. There are higher consequences associated with mistakes in the Construction Division.

A. SCEs in project delivery make numerous decisions regarding design, safety and cost. SCEs in construction also have oversight/assistance of supervisors and Caltrans, as well as design and construction management consultants. Typically, issues of large monetary or significant safety consequence, including lane closures and structural bracing, are provided for review and approval with time to make the "right" decision.

The department argues that it would be "irresponsible" to assign a construction SCE to a complex design, and vice versa. It is a disservice to these two SCEs to say that they could not perform other SCE duties in the Department. In fact, in 2009, one of these SCEs was assigned to project delivery during a lull in construction. It is also a disservice to all other SCEs to say that they would not be capable of performing construction SCE duties.

In addition to the department not seeking out existing staff with experience, the department is not developing or providing opportunities to train existing staff. As previously stated, the department decided to contract out construction management duties for Missouri Flat Interchange Reconstruction, Phase 1B. Additionally, management decided last fall to consult the construction management of Durock Road/Business Drive Intersection Signalization and is currently in the process of contracting out the construction management of Green Valley at Tennessee Creek Bridge Replacement. If they are not willing to train staff in favor of consulting the work out, then they should be willing to consult the work of the existing SCEs after the reorganization.

These two SCEs are professional, hard-working and proficient in their positions. However, so are other SCEs, Associate Civil Engineers and Assistant Engineers that would be affected by the proposed deviation. The HOV project is nearly complete; the short, two to three month need doesn't

justify the proposed long-term personnel action. The other SCE was previously a Structure Representative as an Associate Engineer and is still a probationary SCE. Except for Silva Valley Interchange in 2012, the upcoming construction projects are not complex, Highway 50 projects. The Department has existing staff with training and experience in Construction Management. The Department also has existing staff with the necessary skill set to be able to be trained to fill these positions for the upcoming projects. Or, the Department could choose, as it is currently doing for other, similar projects, to consult this work out.

With no ill will toward these two SCEs, please consider this additional information to deny the requested deviation to the retention policy.

Q. J. E. L. U.

Paul H. ...

Candice Wade

R. C. ...

Thomas A. ...

Current Senior Civil Engineer Inspection Experience

Senior Civil Engineer	Experience	Employer/Title	Years of experience
Jennifer Maxwell	<p>Assistant Resident Engineer for the Qualcomm Stadium Expansion; inspect construction work daily, review submittals; prepare change orders, coordinate with contractor, project manager, Stadium personnel and tenants; generate and final punch lists; 1997 ASCE Project of the Year award</p> <p>District Engineer - supervise section of 9 Resident Engineers; 6 Civil REs providing construction management and inspection for roadway & park CIP projects and construction inspection of developer permits and utility encroachments and 3 Electrical RE providing construction inspection & management of traffic signal and lighting CIP projects and developer permits; review weekly inspection reports, approve payments, negotiate and review change orders; conduct preconstruction meetings</p>	<p>City of San Diego, Engineering and Capital Projects, Field Division - Asst Engineer-Civil</p> <p>City of San Diego, Engineering and Capital Projects, Field Division - Associate Engineer - Civil</p>	<p>10 months</p> <p>9 months</p>
Dave Spiegelberg	<p>Assistant Resident Engineer on a variety of capital improvement projects including bridges, traffic signals, highways and parks. Identified need, investigate and make recommendations for contract change orders. Review PS&E's for constructability and contract continuity. Prepare monthly pay estimates pursuant to contract special provisions</p>	<p>El Dorado County Department of Transportation - Assistant in Civil Engineering</p>	<p>1/1990 to 10/1992 (2 yrs)</p>
Greg Hicks	<p>Assistant Civil Engineer/Resident Engineer on several capital improvement projects including a new city park, refurbishing a golf course, roadway overlays and erosion control improvement project; processing change orders and preparation of monthly pay estimates</p>	<p>City of South Lake Tahoe</p>	<p>1990 to 1993 (3 yrs)</p>
	<p>Special Inspection including inspecting the placement of rebar and concrete in concrete footings and walls for multistory buildings. Verifying that the correct steel was used in the construction of steel structures, traveling to the fabrication plant to review the mill reports and the observation of the placement of steel piles for projects that required pile foundations.</p>	<p>Chimney Rock Engineering, Colorado</p>	<p>1993 to 2000 (7yrs)</p>
Eileen Crawford (currently Supervising Civil)	<p>Resident Engineer and/or Structure Representative multiple projects including the Gianelli Bridge (\$3.5M) and Dumnigan Roadside Rest Area (\$2.8M). Specification Engineer for Toll Roads and Local Assistance Projects including retrofit of Golden Gate and Richmond San Rafael bridges.</p>	<p>Caltrans, Office of Structure Construction, Sacramento; Bridge Engineer</p>	<p>1982 to 1998 (16 yrs)</p>
Darryl Brown	<p>Roadway Inspection</p>	<p>Inyo County</p>	<p>1 yr</p>
Adam Bane (currently Supervising Civil)	<p>Worked as Construction Engineer, Project Engineer, Estimator and Project Manager for Kiewit Pacific Company. Projects included Caltrans Highway construction projects (Roadway and Bridge). Activities included resource planning, supervising construction crews, scheduling, billing, claims and change order negotiation, submittal processing, sub-contractor management, estimating and bid submittal.</p>	<p>Kiewit Pacific Company / Project Engineer</p>	<p>1/1996 to 3/1998 (2 yrs)</p>
	<p>Worked as Construction Manager for Private Engineering Company, advertising, awarding, and managing private subdivision infrastructure improvements, including improvements to State Highways 12 and Highway 1. Duties included managing construction contract, negotiating claims & change orders, representing developer with public agencies and private parties. Oversaw surveying and inspection activities.</p>	<p>Carlisle Macy / Associate Engineer</p>	<p>4/1998 to 5/2001 (3 yrs)</p>