



Local Agency Process Reevaluation Meetings

June 9, 2010

CDOT Region 3

City of Grand Junction

Meeting Notes

Meeting Purpose

The purpose of the meeting is to solicit input from local governments to improve the administration of the Local Agency Program.

Meeting Agenda

- Opening Remarks and Introductions
- Meeting Guidelines, Existing Roles, and Agenda Review, Process overview
- Solicitation of issues, ideas and concerns regarding Local Agency Process
 - **Project Initiation Process**
 - **Project Design/Advertisement**
 - **Award of Project/Construction**
- Next Steps

Opening Remarks and Introductions

Neil Lacey, Project Development Branch, CDOT Headquarters, opened the meeting and gave an overview of expectations of the meeting and described elements that relate to the local agency processes. Neil introduced Tobilynn Erosky, meeting logistics and note taker, with CDOT and Andrea Meneghel, meeting facilitator, with CDR Associates. Andrea asked the group to introduce themselves and share one objective for the meeting or identify the most important issue to address during the meeting. The group stated the following:



Issues, Objectives, and Concerns

- Shaun Cutting, Federal Highway Administration (FHWA), stated that the Local Agency program has room to improve in order to work better for Local Agencies, CDOT and FHWA. Shaun felt that these meetings being held by CDOT with the Local Agencies are a starting point. He was interested in hearing the meeting attendees' ideas to improve the process.
- Todd Hallenback, Mesa County, was interested in identifying ways to streamline the process in order to expedite projects.
- It was stated that the Local Agency process is cumbersome and can be improved.
- An issue is that initial costs to Local Agencies to initiate/apply for project funding are high and the requirements associated with accepting federal funds for projects are burdensome to smaller entities.
- The current process for smaller projects creates a lot of “headaches” and frustration with the time it takes for the process and the small amounts of funds that are available.
- Local Agencies feel ROW process slows everything down. The processes are lengthy. An example was provided where it took 2 years to execute the IGA after the project was selected for funding.
- Mark Austin, Town of Parachute/Town of Debeque, stated that the process is stifling for smaller communities. The upfront administrative costs to submit for a project application are a huge issue and a difficult one for smaller communities.
- City of Delta representative was interested in ways in which the process could be streamlined to create efficiencies for managing Local Agency projects. Also interested in learning how to identify future funding opportunities for Local Agency projects.
- The City of Delta stated that it prefers not to pursue federal funds for its projects due to the requirements, lengthy process, and costs associated.
- Region 3 has provided great support for Local Agencies. Those at the meeting felt the Local Agency process challenges are not with Region 3 staff but with the overall process as administered by CDOT.

Neil introduced Federal Aid Highway Program Stewardship Agreement and talked about federal, state, and local relationship for Local Agency projects. The purpose of the meeting is to discuss how to improve the program. The group was then asked to provide input regarding the process. The discussion notes are below.



Project Initiation Process: Identify key issues and recommendations –Local Agency Manual – Chapters 1-4

- A “tiered” or “graded” approach for types of projects is needed. The current “one size fits all” type of approach doesn’t work for smaller projects. The same requirements that govern a major road reconstruction are the same that govern a much smaller project such as enhancing ten feet of sidewalk. Why is there a need for an Environmental Assessment for a sidewalk enhancement? The level of requirements should be scaled to reflect the project. Can there be different approaches to those projects on CDOT ROW and those on town ROW?
- It is challenging for Local Agencies to adjust to changes in requirements after the time of project application. Changes add costs not considered in the project estimate. It would be helpful for requirements that were identified at the time of application to stay the same throughout the project when possible.
- It would be very helpful for CDOT and Local Agencies to have a pre-project initiation meeting to identify project requirements. Identifying requirements and anticipating issues in advance can help a Local Agency understand what steps (hurdles) it will go through on projects where it will pursue federal dollars and whether pursuing federal funding is worth the effort. Local Agencies strongly advocated for a preliminary pre-application meeting between Local Agency and CDOT be held to explain the process and requirements.
- Small projects require a substantial investment of Local Agency time and resources. At times, the level of effort being asked of Local Agencies seems disproportionate in relation to the size of the project. Costs for engineering consultants for those communities without dedicated engineering support staff, Davis-Bacon wages, and other requirements make the projects higher in cost and the time it takes to do the work also adds costs.
- The City of Grand Junction stated that it felt the process changed in 2006 whereas prior to this point they could do design, ROW, and could count these costs as match prior to signing of the IGA (considered soft match). Since 2006, it has not been able to count this prior work as match as it has done in the past and wanted to understand the reason for the change as this has affected how the City does its work. The current process requires that In-kind match receive approval from FHWA upfront. Not being able to do this as in the past has increased the time for project delivery.
- Changes to funding such as overmatch impact the IGA and takes additional time for each change. It was suggested to include only the federal funds and the required matching local funds in the IGA and not include the overmatch which might provide flexibility to the Local Agencies in spending of their own dollars.



Project Initiation Process (continued)

- Brian Killian, CDOT Region 3 Local Agency Coordinator stated that the current IGA flowchart in the 2006 Local Agency Manual takes longer than what is shown as the additional steps for approvals/turnaround/budgeting are not shown. He suggested that the flowchart be updated to reflect the typical process and timeframes.
- Communities with smaller budgets find it very difficult to afford costs associated with hiring consultants to attend TIP/STIP meetings at MPO/TPR's to advocate for their project needs. This leads to the perception of inequity and that these communities are being marginalized when funding is awarded as it tends to go larger communities.
- Local Agencies feel that the more steps that can be performed in parallel rather than in series would provide for more efficient project delivery.
- It was suggested that the capacities of Local Agencies to administer projects be categorized similar to Tier 1, Tier 2, and Tier 3 as CDOT currently does for the financial A-133 process for financial capabilities. This way, Local Agencies that are approved or certified for certain capacities/capabilities can take on more responsibility to self-administer projects and have less involvement from CDOT. What parts or processes of the Local Agency program can this be done for? If a Local Agency has a great track record what can CDOT do to empower them?
- Shaun Cutting, FHWA, was asked if other states are doing this empowered type of approach. Shaun said yes, this type of approach is called Certification and Acceptance which at one time was done in Colorado. Shaun said that some DOT's administer the program in this manner. It was Suggested that CDOT look into this for projects below say \$1 M and empower the local agencies more.
- Local Agencies feel that there should be more training provided. Look at options for in classroom, on-line (i.e. web based training) with opportunity for allowing Local Agencies to ask questions on-line with CDOT answering their questions and offering help when requested.
- Local Agencies find the CDOT Local Agency Manual helpful. It was stated that there is a need to provide a single resource (perhaps web-based) that identifies or hosts all updates to the manual.
- Local Agencies identified the need for a user-friendly "Local Agency Projects" page as a resource on the CDOT website to provide information relevant to Local Agency projects along with contact information for CDOT staff.
- Web based training could be helpful for explaining steps and documentation required (i.e. webinar for CDOT Form 205's) for the administration of Local Agency projects.



Project Initiation Process (continued)

- Knowing about requirements such as quality assurance materials testing at the onset of a project or project phase would be helpful so that a Local Agency can better prepare its cost budgeting to administer a project.
- What flexibilities can be identified within the program to allow a Local Agency to use its own specifications where applicable rather than CDOT's? The City of Grand Junction stated that in certain instances it could be more effective and efficient to use its specifications. It was explained that CDOT has addressed this in a Design Bulletin that Local Agencies can use their own specifications if they are first reviewed and approved by CDOT.

Project Design/Advertisement: Identify key issues and recommendations – Local Agency Manual Chapters 5-7

- Can application process be changed so locals see all requirements needed up front?
- The ROW process is cumbersome. Projects are likely not able to know ROW impacts until the vertical and horizontal alignments are firmed up. Changes to the design can impact the environmental and ROW clearance process.
- CDOT does not allow ROW acquisition to proceed without having environmental clearance and conducting Right of Way Plan Review (ROPR) meeting. Local Agencies want to be able to pursue design, ROW, and IGA in parallel as they had done prior to 2006.
- Local design consultant stated that the need for the Local Agency requirements is based on those "offenders" in the past that abused the system. This has created an "unmanageable bureaucracy" based on those offenders which impacts others like small communities who now have to address these requirements which create higher costs and need for higher matching funds from local agencies. Suggested that the offenders be taken to task and not change the rules and regulations for everyone.
- The Town of Delta pursues DOLA (Department of Local Assistance) grant funding. They like the DOLA funds as this is a multiple grant process with not many strings attached unlike the federal Local Agency funds.
- The Town of Delta estimated that on smaller projects that Davis Bacon wages could increase costs by 20%-25% due to the need for Contractors to supply certified payrolls, have someone on project check payrolls, increased wages paid to workers, and conducting Labor Compliance interviews to verify wages paid to workers.



Award of Project/Construction: Identify key issues and recommendations – Local Agency Manual Chapters 8-11

- Grand Junction wanted to know to whom at CDOT the bid tabs and request for concurrence information should be sent. Local Agency Manual states which forms but not the name of the person.
- Change Orders – more training is needed to be provided by CDOT to Local Agencies on process and how to prepare cost justifications. The cost justifications and documentation take time. Town of Fruita had Mary Moscon come down and work with them which was greatly appreciated
- On project construction, Local Agency spent 4-5 hrs/day checking on projects, paperwork, and working with contractor QA – would like CDOT there to keep processes going (equipment used, paperwork, etc.)
- Local Agencies say they work both with contractors who work on CDOT projects and other contractors that do not. The quality and performance is the same for both types of projects. Local contractors don't have to complete all of the required paperwork, steps needed to do the work that CDOT prequalified contractors are required to have. Local Agencies want to know why do they have to work with CDOT prequalified contractors?
- Close-out process – Local Agency says the inspection process is going well on one of his projects

Other issues: Identify key issues and recommendations

- Bike pedestrian agreement between Town of Fruita and CDOT – the form they had didn't apply to their current job (Bike Trail license agreement) – Suggest that this form be modified to apply to different jobs.
- Identify funding – what is CDOT seeing for future funding? Five pools of funding available to Local Agencies in Region 3 – Safe Routes to Schools (SRTS)(small \$\$\$), Transportation Enhancement, Transportation safety, Off-system bridge program, CMAC only available to Aspen and Steamboat Springs due to air quality issues. Contact Region LA Coordinator for more information on funding details.

Best Practices Identified

- Region 3 tries to help out by performing the environmental studies portion of the environmental clearance for Local Agencies. If a permit is required for other work, CDOT R3 has the Local Agency complete those aspects of the work.
- Region 3 shifts CDOT oversight role from Region LA Coordinator to Resident Engineer after the project is awarded and construction is ready to proceed.



Best Practices Identified (continued)

- Region 3 reviews the Transportation Enhancement grant applications prior to submittal to insure that “red flag” issues [those that have been know to cause problems] such as ROW, specific environmental clearances required, etc. are addressed early on to reflect the true costs and timelines for submitted projects.

Next Steps

The audience expressed appreciation to CDOT for holding this meeting. They noted that this is a positive approach to working on these issues. They expressed thanks to having these meetings in order to be able to share their concerns with CDOT.

Andrea highlighted the existing means for Local Agencies to continue to communicate with CDOT, such as on-going coordination with the Regional Local Agency Coordinator, or submitting their comments and concerns through the email address that has been established (ProjectDevelopment@dot.state.co.us). Andrea mentioned that the meeting notes will be posted on the website.

ATTENDEES:

Todd Hallenbeck	Mesa County RTPO
Dave McCollough	City of Fruita
Mark Austin	Town Parachute and DeBeque
Tammie Smith	R3 CDOT
Jim Hutheway	City of Delta
Lee Cooper	City of Grand Junction
Trent Prall	City of Grand Junction
Shawn Cutting	FHWA
Brian Killian	R3 CDOT
Jason Smith	R3 CDOT – Grand Junction
Neil Lacey	CDOT HQ, Project Development Branch
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Andrea Meneghel	CDR Associates