



# Local Agency Process Reevaluation Meetings

June 17, 2010

CDOT Region 5 Poncha Springs Video Conference Room

## 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

- Rachel Friedman, Town of Buena Vista, is currently working on a corridor plan for HWY 24. She was looking forward to hearing about potential changes to CDOT processes.
- Joe Duran, Federal Highway Administration (FHWA), was interested in hearing from attendees and taking information back to FHWA to see how FHWA can improve working with CDOT and Local Agencies.



### **Issues, Objectives, and Concerns (continued)**

- David Valentinelli, CDOT Region 5 Local Agency Coordinator, was interested in discussing what possible changes could be made to improve the process. Improvements to the process can benefit both CDOT and Local Agencies. David explained the 5 types of projects that Local Agencies can submit applications for funding – Safe Routes to Schools (SRTS), Transportation Enhancement, Off-System Bridge, CMAC, and Hazard Elimination.
- Don Reimer, Chaffee County, would like to try to streamline the Local Agency process. He spends many hours on paperwork, billing and other administrative tasks associated with the Local Agency projects and feels that it creates wastes of time that can be reapplied more productively to projects. Don understands that federal requirements need to be addressed but is interested in seeing if flexibilities exist in order to create efficiencies, especially for smaller projects, such as reducing paperwork.
- Tracy Vandaveer, Crabtree Group/Chaffee County, performs work for Local Agencies as an engineering consultant and attended to discuss issues he has experienced and is interested in listening to what will be discussed by others.
- Greg Smith, Town of Poncha Springs, indicated that there are two major routes of going through Poncha Springs: HWY 50 and HWY 285. It has been a struggle to work with CDOT's Local Agency process. Greg was looking forward to learning more about the process so Poncha Springs can work more efficiently with CDOT.

Neil provided background information about the relationship between federal requirements, state rules, and local agency projects. He explained that 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**

- The group opened by expressing appreciation for the assistance provided by David Valentinelli on scoping process for Local Agency projects.
- The Local Agencies expressed a need for a pre-project application coordination meeting with CDOT to address potential issues and coordinate planning for projects. This would be helpful to identify issues up-front and clarify requirements. Also, where it makes sense, it would be helpful to involve FHWA in a preliminary project planning meeting so that FHWA is aware of the project and can raise Local Agency awareness of any issues it may look at closely.
- Local Agencies suggested that it would be helpful to give the Regions certain decision making authority to determine the appropriate level of action or level of requirements associated with specific projects or necessary project decisions.



### **Project Initiation Process (continued)**

- Can there be some type of on-line resource that points out updates to the Local Agency Manual?
- It was suggested that CDOT work with Local Agencies during pre-application process to discuss things such as ROW costs and project concepts to insure feasibility and the Local Agency to be successful in completing the project. CDOT engineers should focus on context sensitive solutions for unique areas that could determine more appropriate project specifications.
- Chaffee County mentioned that it would be helpful to clarify CDOT trail standards at the time of project application. Chaffee County used AASHTO standards of 5 ft ROW buffer and based their ROW project limits on these criteria. After application during engineering review, the 5 ft ROW buffer was changed to 10 ft. ROW buffer by CDOT Region 5 Engineering which impacted ROW costs and schedule for the project. It was suggested that CDOT work on standards for trails and provide guidance to Local Agencies prior to making application for funding.
- The Local Agencies expressed a strong interest in receiving better guidance from CDOT and eliminating waste of time or resources on projects. For example, Chaffee County had a trail project where materials were required to be bid in tons and later had to change to cubic yards because it was cost prohibitive to use tons; this created difficulties in replacing specifications for weight requirements. It was suggested that CDOT be flexible for use of specifications on a local agency trail project and use the appropriate measurements, specifications or volumes that are proportionate for the scope of the project.
- The Town of Poncha Springs has found it difficult to work with CDOT on the processes for CDOT administered projects not specifically the CDOT Local Agency process. It has been challenging from the Town's perspective for CDOT to take Poncha Springs issues into context when administering projects. Poncha Springs is looking to see if there can be changes in process that will help CDOT deal with small towns. Poncha Springs is under the impression that CDOT is listening to its concerns; however CDOT is only interested in mandating what is in CDOT's best interest without much concern for small towns. On applying for accesses for future projects, it seems there is no thought for towns and CDOT is only interested in their needs and agendas. Poncha Springs is interested in working closely with CDOT to discuss this as well as how local needs can be addressed on state highway improvement projects.
- The Town of Buena Vista has major state highways that go through town such as HWY 50 and it feels the Local Agency program should take this into context when communities are voicing their concerns on related projects. The Town feels that it is hard for the Local Agencies to communicate their concerns to CDOT (i.e. issues that impact communities such as children being able to cross state highways, etc. in Buena Vista) to find solutions. Is there a way to add more facets to the current five (5) Local Agency programs listed above by David Valentinelli to be available for Local Agencies?



### **Project Initiation Process continued)**

- There is a desire to have an appropriate level of requirements for smaller projects like a trail projects versus the same level of requirements that are associated with much larger projects. Trail projects are being treated the same as a major highway project and there should be some flexibility in the standards for smaller projects.
- Chaffee County had the impression that CDOT regions aren't engaged with the Local Agencies as they need to be. For those transportation issues outside of the funding categories for application for Local Agency administered projects, David Valentinelli encouraged all of the Local Agencies to attend future TPR meetings to voice their needs.
- A better method is desired to deal with increases in project costs when the Local Agency receives funding 2 years after submitting applications. How can Local Agencies address contingencies for unknowns based on potential increases for materials costs or ROW? Examples are requested of timelines on grant cycles or on scoping. This would be helpful to be provided in the Local Agency Manual or as a link to this resource from a Local Agency web-page.
- Citing a trail project as an example, Don Reimer of Chaffee County experienced an abundance of procedural requirements that seemed to be overkill for a simple trail project. It would be helpful to have a tiered system of requirements established where the amount of paperwork is on par with the type and size of the project.
- The current IGA process takes too long. The IGA is sent to too many places for review. It should be a simple contract. Local Agencies are aware that if changes are made to the template IGA that it takes extra time to discuss these changes and execute the IGA and that where federal funds are involved there is a lot of paperwork. The IGA commits the Local Agencies to stiff terms in favor of CDOT than for the Local Agencies. It was suggested that the task force look for ways to shorten the IGA process and make the contract simple.

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

- Design requirements should be applicable and proportionate to the scale of project. For example, a bicycle trail was required to address highway standards and not those for a trail. The design was required to provide a 100 ft. radius curve and 10ft buffer ROW separation which is more like a highway project. Can the design standards for smaller projects be more in line with context sensitive solutions and different than those from larger projects?



## Project Design/Advertisement (continued)

- There are a lot of project processes which may not be efficient and cost effective. It was suggested that CDOT/FHWA provide a better explanation on why these processes are required and define where the processes are required like in design and the options for flexibility. Local Agencies seem to lose ownership of their local projects on enhancements dealing with all of the processes required and not being able to adapt to unique situations to preserve the context sensitivity within the community.
- Federal processes add costs to the projects more than what it would cost the local agencies to construct the projects on their own. Suggest that CDOT look at ways to be more efficient and work closely with Local Agencies on addressing studies that are necessary or not. Poncha Springs was required to conduct a bald eagle nesting study where the project was not within the vicinity of a nest.
- Crabtree Group stated that prefer to use General Notes for materials requirements than a 3 page specification. Felt that when specifications are longer, contractors increase their costs and bids seem to be elevated to about 25% higher. Can CDOT provide guidance on how information is best to be communicated to contractors in the project documents?
- CDOT should look at off-system vs. on-system tiered approach for flexibility for Local Agencies with considerations for traffic volumes.
- It was suggested by the Local Agencies that the Local Agency Manual include a reference as to where to find information on CDOT website for specification updates, Design and Construction Bulletins.
- Guidelines need to be clearer for allowances of work to be performed by Local Agencies via Finding-In-the Public-Interest (FIPI) or supplying materials to projects. Local Agencies have employee staffs and materials that could offset costs of projects bid by contractors. How can these resources be utilized more effectively on Local Agency projects?
- Can a Local Agency act as the General Contractor (GC) on a project funded with federal funds? Can this be done with the federal requirements addressed (i.e. competitive bidding, Davis Bacon wages applied, DBE, and OJT)? This could create efficiencies and save costs. The Local Agency can then better manage construction. It could then set up a sub-contract with the construction contractor.
- It could help to pool resources from CDOT either in the Regions or at Headquarters to come onsite on Local Agency projects and do clearances which would save Local Agencies money if they don't have to hire consultants. For instance, it may help to use resources within a Region where it makes sense. It seems inefficient for environmental clearance analysis in Region 5 to have to hire a contractor/consultant out of Region 3 or Denver to conduct work in Salida when there could be local resources to accomplish the work.



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

- CDOT's vendor/contractor billing process is cumbersome. Having to wait for the return of the cancelled check and providing that along with the invoice takes too much time. Are there other methods that CDOT can explore to verify that payment has been made to the contractor from the Local Agency for proof of reimbursement or does this have to apply to all local agencies based on the audit tier system established?

### **Award of Project/Construction (continued)**

- Chaffee County felt that using the existing form 250 for a trail project seemed to be overkill and not applicable to that type of project, yet it was required. Having a general requirement not applicable to a project adds cost. In this case, it added a cost of having to hire an independent materials tester, when that requirement could have been addressed and done in-house to save costs and be done more expediently. This is an area where the Regional Coordinator can provide better guidance. Can a process be created that serves the same purpose for documenting the testing frequencies that is not so time intensive? Can consultant acting as Project Engineer fill out the form 250 or does the Local Agency have to hire an independent testing firm to do this?
- Can Asphalt Cement adjustment/fuel cost adjustments be waived because it is extra burden on Local Agency's time to track costs?
- Local Agencies should be able to handle change orders on projects without having to wait on CDOT approvals, when applicable. Can the guidance be revised so that Local Agencies can do adjustments in the field on projects without doing a change order if no increase in project budget? Documentation and writing change order justification take time. Can authority be put into the Region's hands? The ability to make an adjustment in the field with the Local Agency Coordinator's approval would be helpful; especially if the change doesn't affect overall project cost (perhaps a saving from another line item could be borrowed to make up for any overage).
- Chaffee County asked about quality assurance testing for off-system projects like trail vs. road projects? Local Agencies don't have to staff to perform materials testing which requires certification and documentation. What suggestions for flexibility can be offered so that consulting materials testing services are utilized more efficiently so that Local Agencies are not paying for firms to drive up and pick up samples and drive back and the primary costs are for windshield time and not technical services? Can inspection and testing services be coupled together on smaller projects?
- There are many forms to fill out. Local Agencies find it easier to write a letter and are asking if letters can be substituted for CDOT forms.



## **Other issues: Identify key issues and recommendations**

- The Local Agencies expressed a strong sentiment that the Task Force should evaluate how CDOT can get smarter about doing the right amount of work for the relative size or demands of a project. Reducing the amount of forms required would be a good start.

## **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 encouraged everyone to either go to the website and add additional questions/concerns or to fill out a comment card in the meeting. Andrea mentioned that the meeting notes will be posted on the website.

## **PARKING LOT**

- Grant cycle varies between TPR's – can CDOT provide this information centrally to Local Agencies via their webpage and referenced in the Local Agency Manual so that everyone is aware of the variations.
- Chaffee County asked if enhancement grant funds can be used towards ROW acquisition.
- Chaffee County asked about process where county could act as GC on certain projects?
- Can CDOT explain requirements on reimbursement process where CDOT requires copy of cancelled check before reimbursement payment to Local Agencies can be made.
- Both Buena Vista and Poncha Springs have upcoming Transportation Enhancement projects that are in the process of receiving future funds. Neil Lacey explained that this meeting for the Local Agency program would not be prepared to discuss those topics and to make sure that they had David Valentinelli's contact information so that the appropriate persons within CDOT Region 5 could get involved in working with both of these entities on their transportation concerns. Neil suggested that Buena Vista and Poncha Springs network with Chaffee County to explore ways to address their concerns with CDOT Region 5 at the Regional level through the TPR process.



**ATTENDEES:**

Joe Duran	FHWA
David Valentinelli	CDOT R5
Don Reimer	Chaffee County
Rachel Friedman	Town of Buena Vista
Greg Smith	Town of Poncha Springs
Tracy Vandaveer	Crabtree Group
Neil Lacey	CDOT HQ, Project Development Branch
Tobilynn Erosky	CDOT HQ, Project Development Branch
Andrea Meneghel	CDR Associates