

# LOCAL AGENCY REEVALUATION TASK FORCE

## Meeting Minutes

Thursday, November 18, 2010

8:30am CDOT Videoconference Facilities/Teleconference

### The following Videoconference Rooms were used:

ConfRoom-Video HQ-Room 159, ConfRoom-Video R2-Colorado Springs, ConfRoom-Video R3-GWS Maintenance, ConfRoom-Video R4-Platte, ConfRoom-Video R5-NCR

**Attendees:** Carol Anderson, Scott Brace, Shaun Cutting, Joanne Fagan, Tim Frazier, Pete Graham, Art Griffith, Matt Jagow, Randy Jensen, Brian Killian, Neil Lacey, Dave Loseman, Rusty McDaniel, Heather McLaughlin, Don Scanga, Nick Senn, Justin Stone, Karen Sullivan, Tim Tuttle, David Valentinelli, Jeff Wassenaar

### WELCOME AND INTRODUCTIONS – Neil Lacey, CDOT Project Development

1. Comments/Revisions to October 21st Meeting Notes - None

**Action Item:** Karen to follow up with posting to LA Re-evaluation website.

2. Updates and Discussions

- Task Force Ongoing Activities – Neil Lacey

Group didn't have any comments on the spreadsheet at this time. Neil's intent is to update the spreadsheet regularly and eventually use in the final report. This will become a standing agenda item for these task force meetings. **Action Item:** Group to get comments to Neil as soon as possible.

- Policy Memo Chart & PM #23 – Neil Lacey

Group discussed the applicability of PM #27, Construction Activity Stormwater Discharge Permit, and agreed that the "Required for LA Projects w/Fed Funds" column needs to be expanded for the "yes" answer to include "if on CDOT ROW". LA may be pulling their own permits or have their own MS4 requirements and be directly responsible to CDPHE. Each region environmental unit is handling a bit differently. Requiring an ECS is a best practice that group agreed should be mandatory. **Action Item:** Neil is working on clarification, will also address if refreshers are needed and the frequency.

PM #25 (CDOT)/25a(LA), Construction Inspector Certification Program

If the Project Manager is a licensed PE, then they are exempt from the certification. All others need to be certified. Training is available on Materials Website. **Action Item:** Neil to follow up and see if proctoring can be done in region for outlying regions, versus a trip to Denver. **Action Item:** Neil will send out link to the list of those who have taken the training.

PM #22, Mandatory Traffic Control Supervisor Training

This applies for the LA project manager/project engineer and the contractor when the project impacts traffic.

PM #28, Mandatory Advanced Work Zone Design Training

This applies for the traffic control plan designer, not the contractor/TCS or project manager/engineer. **Action Item:** Neil to follow up with Staff Traffic to clarify intent of PM in writing.

PM #23, Consultant Utilization for Design and Construction Engineering

A meeting was held 11/5 to discuss. This is a good business practice which protects the owner and CDOT adopted at the recommendation of Craig Siracusa, former Chief Engineer. Waivers are appropriate for some LA projects because of costs and efficiencies but LA's should have to address how they are handling the inherent risks. Jeff suggested a waiver form. **Action Item:** Neil will send out example form from Caltrans for input from the group.

- Local Agency Webpage – Neil Lacey

Discussed content and format of materials at the following link:

<http://www.coloradodot.info/business/designsupport>, double click to CDOT & Local Agencies on left

Group agreed that it was a good start. Suggestions included a Basic/FAQ section, What's New, regional contact info, and the ability to sort by topic alphabetically. Neil noted that funding categories would probably be addressed in a new chapter on LA projects in the Elected Officials Guide from CDOT Policy Office.

**Action Item:** Group needs to get comments on content and format of Webpage to Neil ASAP.

- **Pre-application Document/Checklist – David Valentinelli**

To date, Dave has only received a few comments. **Action Item:** Group needs to get additions/comments to Dave V. by 12/2.

- **Swapping Federal Funds with State Funds (Other States) – Scott Brace**

Region 2 is looking for a project to try this with. Brian said his Business Office is reluctant to even look at this concept. Neil reminded the region to discuss what type of documentation would be needed for a project like this. More to come.

- **Treya Contracting Effort – Neil Lacey**

Jeff said that the steering committee, of which he is a member, just met and there was a lot of discussion about LA contracts. A major effort will be to have a statewide tracking system for contract status to improve visibility. Neil has been assigned to this task force. More to come.

- **Results of State Surveys on Cert & Acceptance and Tiered System – Neil Lacey**

The group briefly discussed the survey. Matt noted that those who had tried certification acceptance appeared to back away from it after a while. Scott asked if Project Development had any thoughts where CDOT should be going. Neil said the project-by-project approach during preconstruction and a risk-based approach for construction seemed like the best fit based on available resources.

Group was impressed by Tim T's R4 staffing analysis but agreed that a "typical" project was difficult to define because it can take longer at any step in the process. Group discussed the need for buy-in from the top making the LA program on par with the other programs at CDOT and that the regions needed to provide management with the numbers to justify additional staffing where warranted.

- **Tiered System – Brian Killian and Neil Lacey**

After some research and discussion with Ohio, Brian said that he wasn't really seeing a tiered system as a good option at this point but is leaning toward a certification and acceptance program or possibly a risk assessment process like VDOT's. Scott disagreed and believes the on-systems/off-systems approach is viable. Scott provided the example of leaving the testing frequency to the LA for off-systems projects. Neil said this would fit well with the risk assessment approach: requirements are reduced on off-systems project based on level of risk.

- **Change Orders – Karen Sullivan**

Based on the confusion with the change order process that was exhibited by the comments from the 18 statewide meetings, Karen revised sections 8.11 through 8.15 in the LA Manual (attached). **Action Item:** Group will review and provide comments to Karen by 12/2.



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- **Risk Assessment – Neil Lacey**

Neil will draft an inspection form for the CDOT reviewer for what to look for during site visits as well as determine the frequency of the visits. The form would be returned to the regional local agency coordinator so they could spot systemic trends or problems and address in future trainings, etc. CDOT would determine the level of oversight on a project-by-project basis depending on the LA, project complexity, staff, etc. **Action Item:** Group needs to provide input to Neil on the priority of items to be checked at the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, etc. inspection. Neil will work on the form.

### 3. New Items:

- **FIPI's, Overmatch, In-Kind Match - Shaun Cutting**

A few years ago FHWA became aware that the full dollar amounts of projects were not being shown on the FHWA/CDOT agreements. FHWA wanted this corrected to show the full amount of the contract which includes overmatch. The bottleneck appears to be the CDOT process which requires that each change in the overmatch dollars to the contract may need TIP/STIP amendments, Transportation Commission action, and then modifications to the IGA. These are time consuming processes. Unclear if this process can be simplified within CDOT - this is one of the areas the Treya contracting effort will be looking at.

Use of FIPI's and in-kind match were discussed briefly but based on the questions coming from the group, it was decided that a separate meeting with the experts was needed.

**Action Items:** Shaun and Neil to schedule a meeting with Darrel Johnson (CDOT-OFMB), Kathy Kelly and Andre Compton (FHWA) to discuss these issues with group. Neil will check on example FIPI's that can be made available. Shaun will forward FHWA links for guidance/examples on these topics.

- **Available Training**

Randy stated that the Research Center (Bernie Kuta) is developing an FHWA LA cradle-to-grave training class which should be available as of 4/15/11. Neil offered Colorado as a pilot site for the training and the group as a resource. Randy also noted that FHWA can do another FHWA Construction Inspection Training if they get a request from CDOT. Neil pointed out that a lot of NHI web-based training is also available.

- **Materials Documentation**

Scott suggested leaving the testing frequency to the LA for off-systems projects. **Action Item:** Neil will talk to Staff Materials about this issue.

- **When Do the Task Force Recommendations Go To Chief Engineer?**

Brian pointed out that the last task force meeting is scheduled for the end of January. When do the task force recommendations go to the Chief Engineer? Brian was concerned that nothing be implemented without the buy in of the LA's. Neil said he will be meeting with his supervisor, Jeff, and then seeking LA input/buy-in on the task force recommendations before bringing those to upper management and the Chief Engineer. Neil also wants to respond in writing to each comment from the statewide meetings. Neil hopes to have a preliminary draft of the recommendations by mid -January. The group thought this sounded reasonable. **Action Items:** Neil will draft a "roadmap" of next steps for task force by the next meeting.

### 4. Next Meeting – Thursday, December 9, 2010

**ADJOURN: 3:00 p.m.**