

# Meeting Notes

## Oregon Local Program Committee Meeting

May 22, 2009 9 a.m. – 11 a.m.

1201 Court Street NE, Room 306

### In Attendance:

Corey Crebbin, City of Medford  
Jay McCoy, City of Gresham  
Chuck Knoll, Linn County  
Mark Schoening, City of Eugene  
Kerry Werner, Lane County  
Brian Vincent, Multnomah County  
Gary Stockhoff, Washington County  
Satvinder Sandhu, FHWA  
Kyle Chisek, City of Portland  
Bill Worcester, Marion County  
Steve Leep, ODOT  
Marty Andersen, ODOT  
Matt Novak, ODOT  
Brenda Marcus, ODOT  
Bert Hartman, ODOT  
Dave Galati, ODOT  
Ronda Hollis, ODOT  
Pat Fisher, ODOT  
Julie Redden, ODOT

Corey Crebbin welcomed everyone and asked for comments on the notes from the last meeting and for agenda revisions. No changes were made to the notes from the last meeting and no changes were made to the agenda.

### Economic Stimulus Small City Program

The Oregon Department of Transportation (ODOT) agreed to dedicate \$5 million of ARRA funding allocated to the State of Oregon for small cities below 5,000 in population. This funding will be provided on a competitive basis for transportation-related projects, and the maximum allocation for any city submitting a selected project is \$100,000. This funding will not require a local match and, at local discretion, may be converted from federal to state resources through fund exchange at 94 cents on the dollar. Project consideration associated with fund exchange will require public ownership of the street system within the project site, but will not require roadway classification within the Federal Aid Highway system. Any cities or counties that received other ARRA funds are not eligible to receive any of the small city program

funds.

ODOT received 123 project applications from eligible cities, a few tribes and a couple of road districts. Approximately 50 projects will be selected. Three ODOT and three local agencies representatives will review the applications and participate in the selection process. Craig Honeyman will aid the process by identifying three members for the LOC.

Dave Galati and Pat Fisher provided an overview of the projects selected and the preliminary scoring methodology utilized. Dave said that local agencies will be notified by June 1 if their project was selected or not.

OLPC members discussed possible changes to the scoring system. Chuck suggested the long term economic gain be considered and how safety plays a factor. A suggestion was also made to give local agencies points for the amount of money they are contributing towards their own project.

Steve encouraged the OLPC members to keep the scoring system as simple as possible as a complicated scoring system can appear arbitrary and ODOT must be able to explain the scores. Cory suggested making project readiness 50 points.

After discussion members agreed to the following:

- a) Consider Regional equity. Each Region will have three projects.
- b) The ODOT scoring sheet will be modified to allow reviewers to allocate 15 additional points. (Reviewers will be provided with evaluative criteria for applying the extra points.)
- c) Based on the list, projects ranked 60 or above are in. Projects ranked 44 and below will not be considered. Projects ranked 59-46 will be evaluated to determine which projects will be included. These projects will be allowed to have the 15 additional points applied to their projects by the reviewers.

Dave Galati advised members that several projects were ranked below 44 because they didn't fill out all the paperwork. One of the projects was for Sumpter, which would pave gravel roads. The project would bring people out of the mud. OLPC members agreed that Dave should call the communities to obtain the missing information and see where that places them in the initial scoring system and go from there.

Dave suggests that committee members meet Wednesday, May 27, and again on June 1 for final selections.

Process for Distribution of ARRA Funds

- a) After 120-Day FHWA Reallocation

Pat Fisher said that on June 18 funds will be redistributed if any agencies were not able to meet the June 18 bid date on the 120-day projects. Local agencies receiving other ARRA funds in addition to the 120-day projects must have those project funds obligated by June 29 or they will lose the 120-day funding. Agencies that failed to obligate their other projects by June 29 will lose their 120-day funds. Agencies will have to pay back any 120-day funds they have received on these projects.

Pat has asked the Director's Office how they want to proceed with projects that will not be able to meet June 18 bid date. The agreement indicates the decision to terminate a project will be made in coordination with OLPC. Pat asked OLPC if they thought ODOT should be lenient with agencies that are not able to meet the June 18 bid date. OLPC members said ODOT should stick to the terms of the agreement. Some OLPC members said that their agencies had either not applied at all because they knew they couldn't meet the terms up front or they notified ODOT that they were not going to be able to obligate their other projects by June or couldn't meet the June 18 bid date for the 120-day project and had to withdraw. Steve Leep said that if these agencies didn't meet the deadline, the money will be flagged by the Governor for "green" projects. Marty identified two projects that were late because of ODOT. OLPC members agreed to allow these two projects to continue to the next bid date. Any other projects that are late because of the agencies should be terminated.

Projects that don't have FHWA approval by May 26 are at risk of not making June 18 bid date.

#### b) December 2009 ODOT Reallocation

ODOT will be looking at all projects to ensure that they will have funds obligated by March 1, 2010. Any projects that have not advanced to PS&E by December will be in jeopardy of losing their funds and ODOT will begin cancelling projects that don't look like they will make it. ODOT will begin looking at projects from August through October to see if projects are on track. Funds will be reallocated to other local agency projects that are ready. Marty requested OLPC Subcommittee to form and identify ways to determine which projects are at risk and develop a process for reallocating funds.

#### c) After March – 2<sup>nd</sup> FHWA Reallocation

The second reallocation is March 2, 2010. The \$5,000,000 that was set aside for the small cities came from the counties and cities. The first \$5 million of redistributed funds from the federal government belongs to counties and cities. Marty asked the subcommittee to come up with a proposal for redistributing these funds. Reallocated funds must be spent by September 30, 2010.

ODOT must have one hundred percent of the funds obligated by March 1, 2010. Steve Leep said he thinks most states will have obligated all their funds by that time and doubts there will be very much money to reallocate.

Steve said if a project has multiple funding sources, we would need to spend the ARRA dollars first, then any earmark funds, and finally Transportation Enhancement funds as they are most flexible.

Subcommittee:

Bill Worcester, Chuck Knoll, John Dorst, Craig Honeyman, Jon Oshel and Brian Vincent will develop a process for reallocating funds and present the process at the next OLPC meeting.

### **ARRA Implementation Issues**

a) What has worked well?

Bill Worcester said he thought that Marty and the Local Government Section did a great job. Marty said 74 1R projects were sent to FHWA under a Batched Categorical Exclusion. FHWA approved and signed the document yesterday. Next waive of 1R projects will go to FHWA in a couple of weeks.

b) What can we carry on in the continuing federal program?

- Submitting prospectus Parts 1 and 2 and obtaining Part 3 as part of the design worked okay. It saves time and you get a better product.
- Benton County projects are going to be done by City of Corvallis under their certification.
- Batching the agreements worked well. Every agreement is out the door.
- Sending igas .pdf worked well.
- It helped the locals to be able to perform a small part of a project that was on a local street that was also on the National Highway System. ODOT/FHWA obtained exception to allow the locals to perform the work on the NHS.
- Region 1 said additional staff has helped. They are using four ex-ODOT employees to perform RAS.

Satvinder said that Oregon will be audited. He reminded everyone to document well.

### **AOC/LOC Federal-Aid Project Guidelines**

The AOC/LOC Federal-Aid Project Guidelines and Working Agreement will expire September 30, 2009. The agreement will be amended for a couple of years to allow time for the new Act to become law. OLPC will work on the guidelines when the new act comes out.

### **Local Government Section Update**

Marty said the technical center reviews for the 1R projects is being performed by the Local Government Section. Sam Johnston is a retired temporary employee who will be conducting the reviews.

Jill Pearson is the new Certification Program Manager. She is on an 18 month job rotation.

Local Government Section has a limited duration position for a MPO liaison on the street that closes today.

Susan Vickers will start work as the Local Government Section NEPA specialist. She will work as a liaison to get process and procedures between ODOT/FHWA and Regions in place.

### **Agenda Build**

The Transportation Bill will be on the next agenda.

Adjourn