

NOTES

Oregon Local Program Committee Meeting
December 11, 2009 - 8 a.m. – 10 a.m.
1201 Court Street NE, Room 306
Salem, OR 97301

In Attendance:

Jon Oshel, Association of Oregon Counties
Cory Crebbin, Medford Public Works
Satvinder Sandhu, FHWA
Frances Sakaguchi, FWHA
Jenifer Willer, City of Eugene
Cindy Schmitt, Marion County
Gary Stockhoff, Washington County
John Dorst, City of Gresham
Chuck Knoll, Linn County
Bill Morgan Lane County
Mike Bezner, Clackamas County
Darel Capps, ODOT
Matt Novak, ODOT
Bob Pappe, ODOT
Marty Andersen, ODOT
Jill Pearson, ODOT
Bert Hartman, ODOT
Dave Galati, ODOT
Pat Fisher, ODOT
Carol Olsen, ODOT
Julie Redden, ODOT

Jon Oshel 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.

ARRA LETTERS TO AGENCIES

Pat Fisher advised OLPC members that ODOT had sent letters to the local agencies that had projects at risk of losing funds or to confirm each agency's contingency plan. Agencies received letters based on groups identified at the November OLPC meeting. A few agencies contacted ODOT after receiving letters and ODOT is updating the project status for those.

The City of Silverton's project had been identified as an at-risk project in November. City staff have since advised ODOT that they are withdrawing their project and will release funds. ODOT staff is checking to see if they will release their funds to a particular agency or if they intend to let ODOT reallocate the funds.

CONTINGENCY PROJECTS

Pat reviewed the list of projects on which unused ARRA funds could be applied. The list, which is attached, included the following:

- a. Backfill – ARRA funds could replace local funds on projects that have already gone to bid.
- b. Potential Recipients – ARRA funds could replace local funds on projects not yet to bid.

CONTINGENCY PROJECTS

Dave Galati indicated that ODOT has received contingency project information from local agencies. The Cities of Beaverton and Eugene and Yamhill, Marion, Washington, and Multnomah Counties have identified contingency projects. Agencies with unobligated funds have until December 31 to submit PS&E packets. That includes any new projects intended to use up leftover funds from an agency's original ARRA project.

PRIORITIZATION OF REDISTRIBUTION

Marty indicated that ODOT is wrapping up the PS&E packages and many projects have gone to bid. Change orders have been coming in and bids are low. Marty requested direction from OLPC for reallocating unobligated ARRA funds. He provided three different redistribution options for OLPC to consider. (see attached sheet).

After discussion, OLPC agreed that if a local agency's remainder of ARRA funds is less than \$50,000, ODOT will automatically reallocate the funds rather than process new projects for that small amount. After further discussion, OLPC members voted on a motion covering the redistribution of the statewide balance of unobligated ARRA funds:

Motion - Reallocation of Unused ARRA Funds:

Mike Bezner moved and John Dorst seconded that ODOT use the list of projects that have gone to bid, have money obligated and have a local contribution that is at least 10 percent of that agency's ARRA allocation. If the amount is below \$20,000, the project will not be considered. As unallocated ARRA funds become available, ODOT will provide between \$20,000 and \$100,000 to projects in bid order. (The list of projects, which has been updated by Pat Fisher since the December 11 meeting, is attached.) The list of projects may grow.

For projects that bid on the same day, a tie breaker will be used as follows: the agency with the largest local agency contribution dollars will receive the funds. The tie breaker distribution will be the amount of local contribution above ten percent of the agency's ARRA allocation.

If all overruns are covered and money remains to be reallocated, OLPC agrees that ODOT will reallocate the remaining funds as appropriate.

The separate allocations to the three large MPOs (Portland/Metro, Salem/Keizer, and Eugene/Central Lane) are not part of this equation.

The OLPC passed the motion unanimously.

Frances Sakaguchi of FHWA agreed that it is okay to use ARRA funds to replace local funds on projects that have already gone to bid.

STAFFING PLAN

Marty Andersen said he had presented a draft staffing plan to Doug Tindall. Doug agreed that the local agency liaisons, who are handling an average of 50 projects each, need help. A number of options are being discussed including using consultants to scope projects, bundling projects, batching environmental documents, moving existing ODOT staff positions, and using local agency staff for a limited period. Once ODOT executive management has reviewed and approved the plan, ODOT will bring the plan to OLPC for review. The plan is expected to be approved in May 2010. ODOT will not be asking the Legislature for any additional positions.

Next meeting:

The next OLPC meeting is January 22. The special January 8 meeting is cancelled.

Agenda Build:

Report on ARRA projects

Staffing Plan - Marty

Urban Trails program - Pat Fisher

Safety Audits - Nick Forte, FHWA

ARRA REDISTRUBUTION OPTIONS

Purpose:

As the ARRA program winds down a prioritization process is need to make quick decisions regarding funding that may come available from agencies unable to utilize all of their assigned funding.

Current Status:

The current status of the program shows that less than \$3,000 is currently available for redistribution. Most all of the funds that were left over from projects that came in under bid or did not make the date have been reassigned to other projects or change orders were processed to add funds to the projects. The ODOT local Government Section will continue to monitor these projects to insure the work is getting done to insure obligation of funds.

Options to Consider:

#1. A remainder total less than \$50,000 no action required and ODOT will use the funds. Larger amounts to be redistributed in the following order.

#2 If the total is more than \$50,000 and less than \$150,000 propose a lottery for those agencies who over matched their project. This would make the transaction very easy. Also there are about 30 agencies that have over matched and a distribution by formula would only be about \$5,000 dollars on average. This would not be much of a benefit to any one agency and would require a large number of amendments to the STIP and the project agreements (IGAs).

#3. For remainders over \$150,000

First option. Projects that receive bids in excess of 10% of the engineers estimate and are found to be acceptable bids the proposal is to use available funds to cover the cost over the 110% amount. The agency would cover the cost up to the 110%.

Second option. Fully fund any project that has not completed PS&E and has been cut back to fit the available funds.

Third option. Distribute additional funds to agencies showing an over match on those projects yet to go to bid. This would be on a first come first serve until the funds were gone. This would keep with the intention of creating jobs.

Fourth option. Distribute additional funds to all agencies who have an over match.

Key #	IGA#	Applicant Name	Project Name (STIP format)	Bid Date	ARRA Allocation	Total Obligated	Available Balance	Local Contrib.	Local \$\$ >10% of ARRA	Potential Redistribution	Comments
16535	25,533	Lincoln County	North Bank Rd & Schooner Creek Rd Paving	7/16/2009	680,735	680,735	0	656,731	588,658	100,000	Due to receive \$196,000 from Klamath County. Local share still > \$100K
16596	25,575	Newport	Newport City Streets: Pavement Resurfacing	7/16/2009	226,483	226,483	0	82,257	59,609	59,609	
16591	25,588	Dallas	Dallas City Streets: Paving	7/16/2009	328,807	328,807	0	56,665	23,784	23,784	
16474	25,458	Deschutes County	Huntington Rd/Riverview Dr: S Century - Burgess Rd	7/30/2009	1,044,479	1,048,321	-3,842	149,869	45,421	45,421	Due to receive \$50K from Jefferson County.
16484	25,468	Linn County	Stayton-Scio Rd & Oakville Rd Paving (Linn County)	8/27/2009	1,100,430	1,100,430	0	581,561	471,518	100,000	Due to receive \$196,000 from Klamath County. Local share still > \$100K
16494	25,478	Polk County	Falls City Rd: MP 0 - MP 3.8 Paving	8/27/2009	453,929	453,929	0	117,891	72,498	72,498	
14282	22,505	Baker City	Leo Adler Mem Parkway: Madison - Court Street	10/8/2009	217,064	217,064	0	132,563	110,857	100,000	Would have to revise IGA to redefine ARRA scope.
16470	25,454	Clatsop County	Lewis & Clark Rd: Tucker Crk Rd - Lyngstad Hts	11/5/2009	541,530	541,530	0	115,017	60,864	60,864	
16481	25,465	Josephine County	Old Hwy 99: MP 0.00-0.67 Overlay (Wolf Creek)	7/30/2009	1,120,856	1,120,856	0	142,591	30,505	8,591	Due to receive \$134K from three RV-MPO cities. Remainder to fully fund project is less than \$20K