



Oregon Department of Transportation



Oregon Innovative Partnerships Program (OIPP)

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2003 Legislature Created the OIPP to:

- **Develop Partnerships with Private Entities and Units of Government**
- **Expedite Transportation Project Delivery**
- **Maximize Entrepreneurship and Innovation in Project Development**
- **Leverage Public Financing with Private Sources of Capital**



ENABLING STATUTES – ORS 367.800 TO .826

The OIPP law defines:

“Transportation project” as “any proposed or existing undertaking that facilitates any mode of transportation in this state.”

Very broad legal authority could apply to Roads, Bridges, Rail, Ports, Ancillary Facilities, Telecommunications, etc.

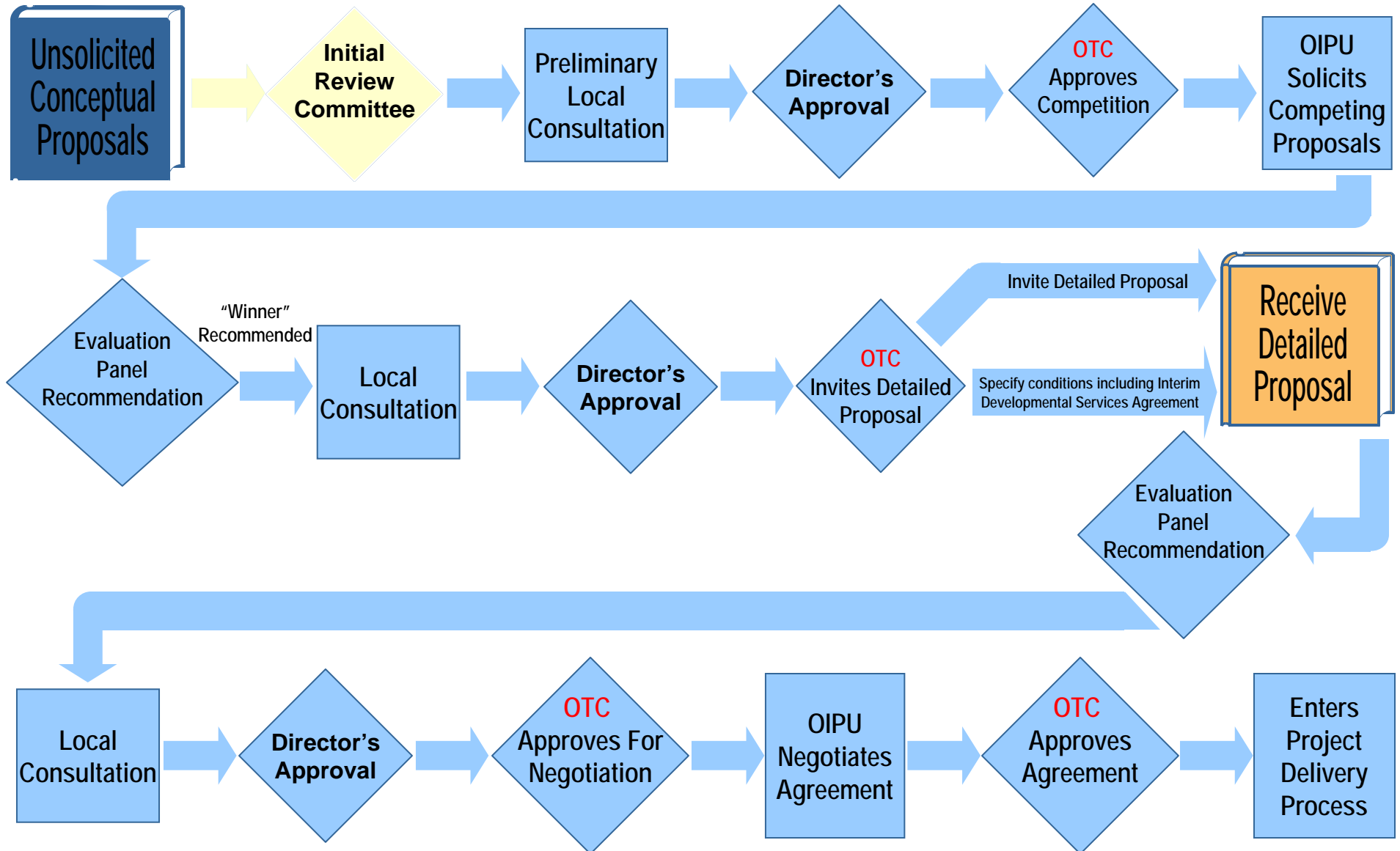


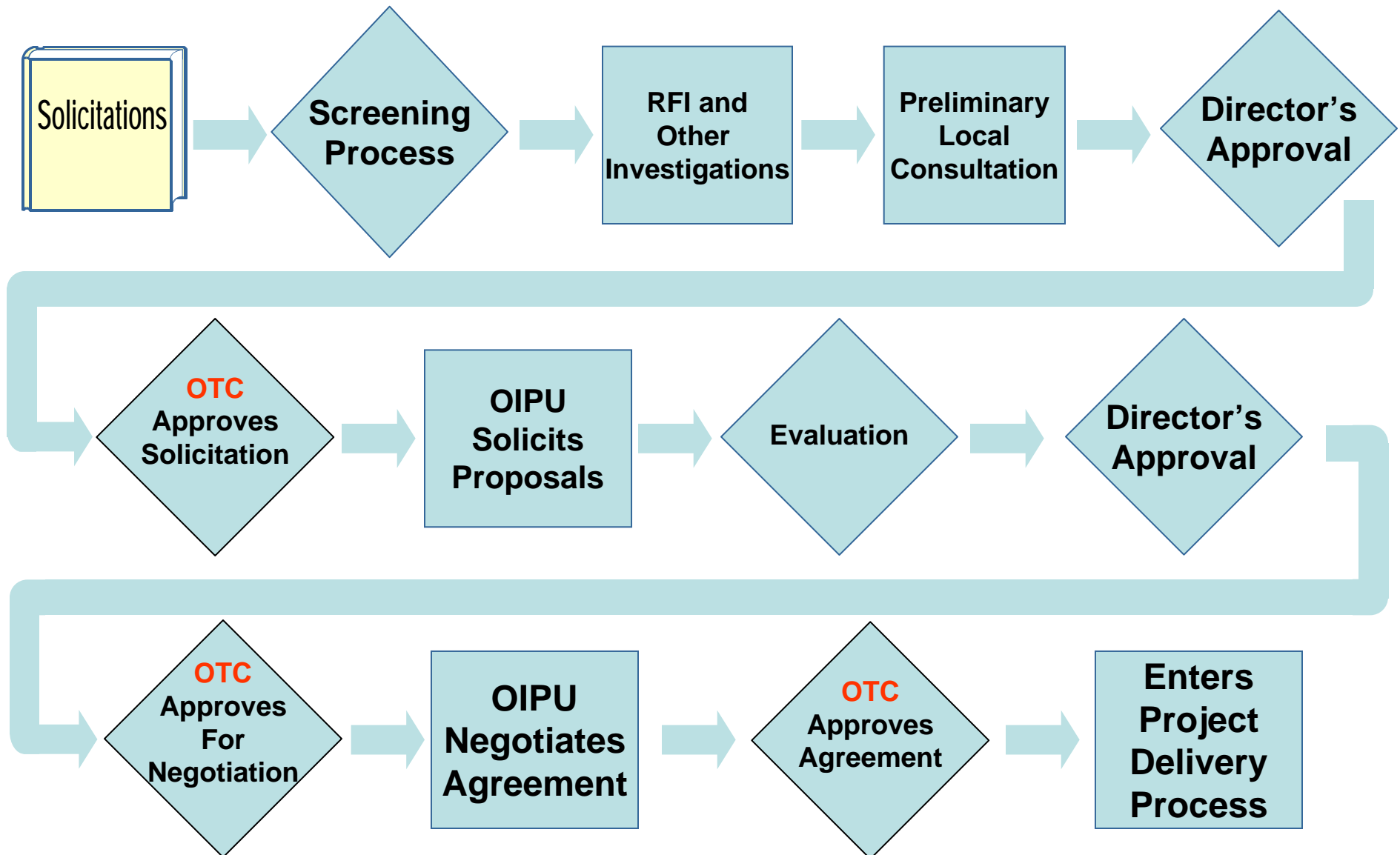
The Program Allows ODOT to Receive Both Solicited and Unsolicited Project Proposals

- Proposals Can be Initiated by Private Firms and/or Units of Government
- Allows Entry of Private Partners at the Earliest Conceptual Stages of the Project
- Projects Can be Selected by Best Value instead of Lowest Cost Requirement
- Oregon Transportation Commission approves each stage of the process to ensure “transparency” and consistency with public interests



OREGON INNOVATIVE PARTNERSHIPS PROGRAM (OIPP)







Tools Available under OIPP

- Creates the State Transportation Enterprise Fund
- Exempts Projects from most of the Public Procurement Requirements allowing OIPP to Design the Procurement to Fit the Project!
- Public/Private Partnerships Governed by Negotiated Agreements
- Expands Eminent Domain Authority
- Protects Proprietary and Confidential Information



ODOT has retained nationally recognized talent and expertise to assist in developing Public/Private Partnerships:

- **Carter & Burgess, Inc.** – Program Management
- **Nossaman, Guthner, Knox & Elliott** – Special Legal Counsel
- **Public Financial Management (PFM) Group** – Financial Advisor
- **Wilbur Smith & Associates** – Traffic and Revenue
- **The IBI Group** – Tolling Technologies



ODOT Currently Soliciting Proposals on three major OIPP Highway Projects:

1. The Sunrise Project

→ New limited-access 4-lane facility

2. South I-205 Corridor Improvements

→ Possible HOT lane facility in SE Portland

3. Newberg-Dundee

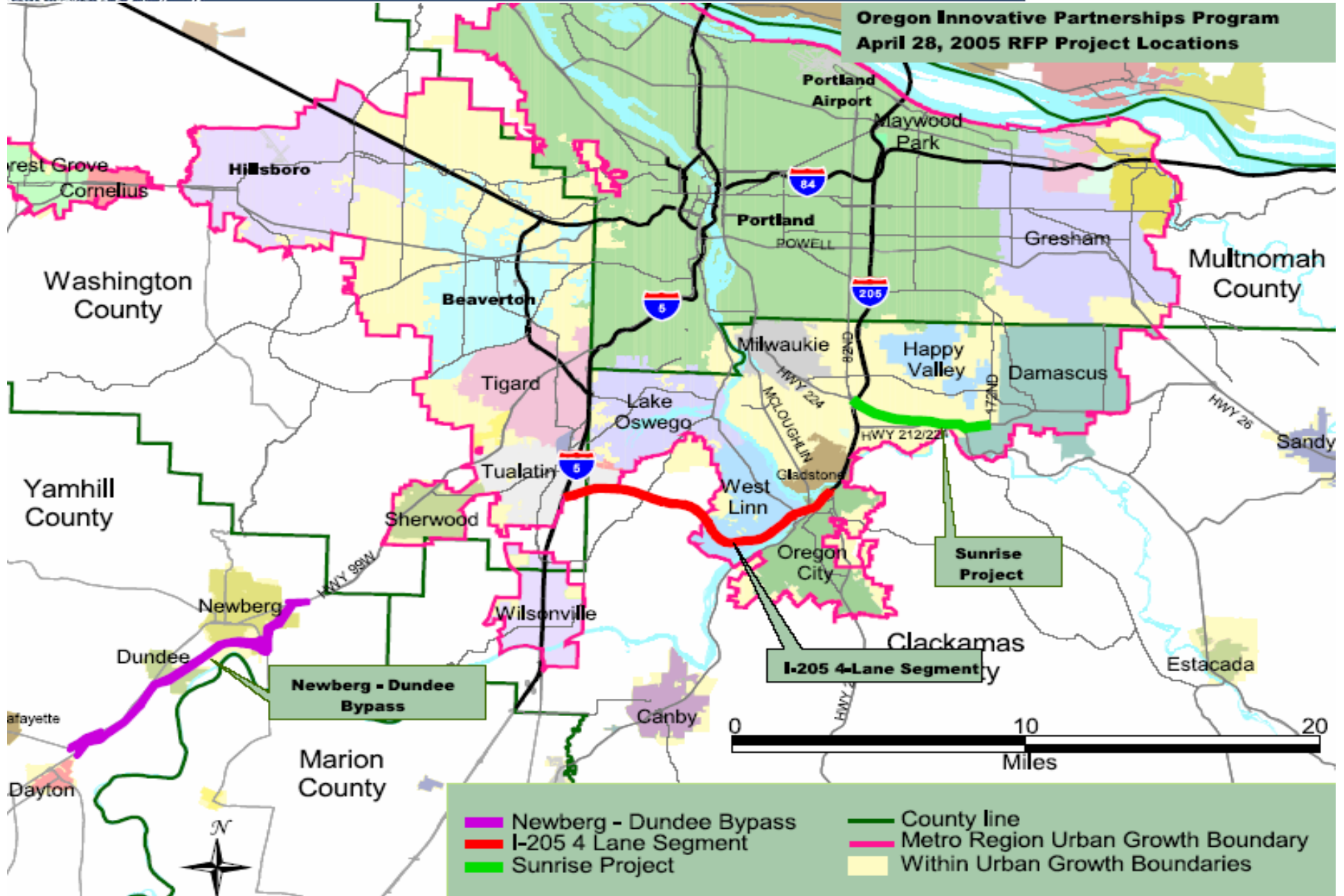
→ Bypass of heavily congested State highway



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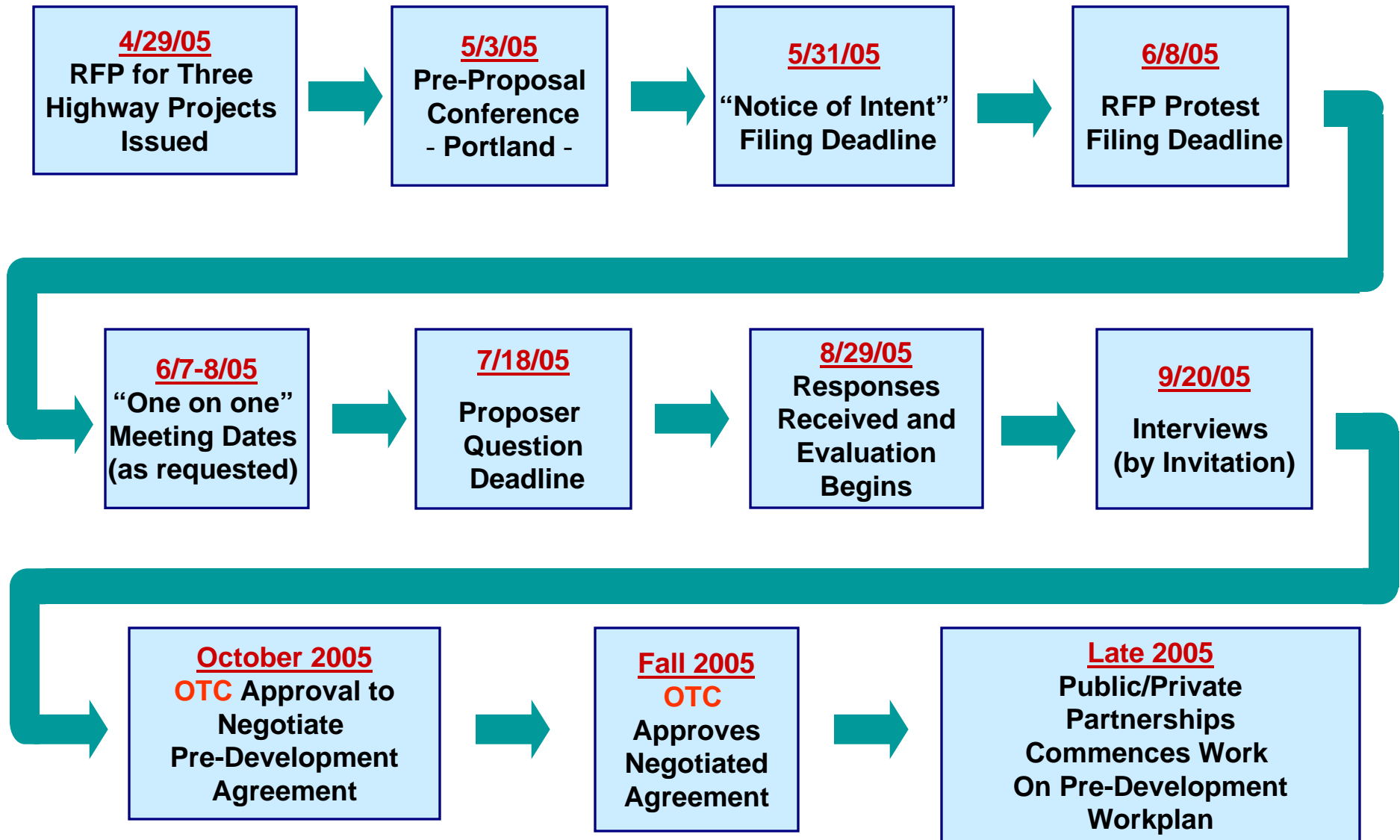


Oregon Innovative Partnerships Program
April 28, 2005 RFP Project Locations





OIPP 2005 Procurement Timeline





Characteristics of Pre-Development Agreements

- Selection based on qualifications, project understanding, financing approach and proposed compensation
- Private partners brought in early in the process to undertake activities to support NEPA process and speed up delivery
- Financial resources contributed from both sides
- Allows concurrent rather than sequential work tasks:
 - Development of funding and financing plans
 - Public and political consensus building
 - Design innovation and project staging
 - Optimizing transportation solutions (modifications)
 - Formation of necessary districts or authorities

If phase one is successful, ODOT and Private Partner enter into negotiation for subsequent implementation agreement(s).



FHWA Special Experimental Program (SEP-15)

ODOT received FHWA approval for SEP-15 exemptions from the following federal regulations under the Oregon Innovative Partnerships Program:

- (1) Ability to accept and review project proposal modifications requested by ODOT.
- (2) Ability to enter into negotiations with the selected firm(s) prior to award.
- (3) Authority to issue the RFP and enter into OIPP Pre-Development Agreements prior to receiving final NEPA approval for the projects.
- (4) Allows the developer to propose taking responsibility for maintenance services.
- (5) Specifies that the process for determining “price reasonableness” prior to project award constitutes a competitive process for FHWA purposes.
- (6) Provides that it is permissible for the developer to provide NEPA support for the project with the understanding that (a) a consultant not affiliated with the developer will compile the NEPA documents, (b) all developer services will be subject to control and direction by ODOT and FHWA, and (c) ODOT and FHWA will be responsible for content, preparation and conclusions of the NEPA documents.
- (7) ODOT may modify the required contract provisions for construction projects to strike out the portion that requires a percentage of work to be self-performed.



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Website for Oregon Innovative Partnerships Program

www.oregon.gov/ODOT/HWY/OIPP/innovative.shtml

