

Consistency Determination Worksheet with ODOT Comments for FHWA Reference

In February 2019, FHWA released final guidance on how a consistency determination will be made for State Transportation Asset Management Plans. This guidance, entitled “Transportation Asset Management Plan Annual Consistency Determination Final Guidance” can be accessed at the following web link:

<https://www.fhwa.dot.gov/asset/guidance/consistency.pdf>

This document provides a worksheet for FHWA Divisions to document whether the State DOT’s most recent TAMP is consistent with the requirements of 23 U.S.C 119 and 23 CFR part 515, as discussed in this guidance. This worksheet includes the following tables:

- Table 1. Plan Development and Content
- Table 2. TAMP Implementation
- Table 3. Division Consistency Review Findings

To assist FHWA Division Office in its review of TAMP content, its implementation, and consistency review, ODOT staff is providing the following comments to the tables provided in the TAMP Consistency Determination Final Guidance document. These comments are not meant provide an exhaustive list of relevant sections of Oregon’s TAMP as they relate to Required Elements. Rather, they provide direction to the relevant sections of the TAMP and supplementary documents FHWA will be using in its review.

Table 1. Plan Development and Content

Required Elements	Indicators the TAMP Meets Element Requirements in 23 U.S.C. 119(e) and 23 CFR part 515	ODOT Comments	Review Finding (check if the element met)	FHWA Review Comments (Provide explanation if requirement(s) not met.)
TAMP approved by head of State DOT (23 CFR 515.9(k))	Does the TAMP bear the signature of the head of the State DOT?	Backside of Plan cover: Letter signed by ODOT Director Matthew Garrett, June 10, 2019		
State DOT has developed its TAMP using certified processes (23 CFR 515.13(b))	Do the process descriptions align with the FHWA-certified processes for the State DOT? [If the process descriptions do not align with the FHWA-certified processes, the State DOT must request recertification of the new processes as amendments unless the changes are minor technical corrections or revisions with no foreseeable material impact on the accuracy and validity of the processes, analyses, or investment strategies. State DOTs must request recertification of TAMP development processes at least 30 days prior to the deadline for the next FHWA	Process of TAMP development is documented throughout document. Section 1 describes the history of the Oregon TAMP development (pg. 2-4) and the formulation of a TAMP Steering Team and review committees, as well as executive oversight and stakeholder engagement in developing the TAMP. Individual TAMP sections pertaining to performance management, gap analysis, risk		

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	TAMP consistency determination as provided in 23 CFR 515.13(c).]	management, lifecycle planning, and investment strategy describe the processes and procedures undertaken to develop a compliant TAMP		
	Do the TAMP analyses appear to have been prepared using the certified processes?	<i>(see previous comment)</i>		
TAMP includes the required content as described 23 CFR 515.9(a)-(g) (23 CFR 515.13(b))	Does the TAMP include a summary listing of NHS pavement and bridge assets, regardless of ownership?	Executive Summary: ii Section 2: 5-7 <ul style="list-style-type: none"> • Overview: 6 • Ownership breakdown: 7, 12-13 		
	Does the TAMP include a discussion of State DOT asset management objectives that meets requirements?	Executive Summary: i-vii <ul style="list-style-type: none"> • Plan assets: i • Performance Measures and Targets: ii • Performance Gaps: ii-iii • Lifecycle planning: iv • Risk Management: iv-v • Financial Plan: vi • Investment Strategies vii • National Goals: 10-11 More detailed discussions of particular requirements are presented in Plan Sections		
	Does the TAMP include a discussion of State DOT measures and targets for asset condition, including those established pursuant to 23 U.S.C. 150, for NHS pavements and bridges, that meets requirements?	Executive Summary: ii, iii Section 3: 8-22 <ul style="list-style-type: none"> • Pavement & Bridges: 13 • Pavements: 14-15; 18-19 • Bridges: 16-17; 20-21 • State Key Performance measures: 22, Pdf link • MPO measures and targets: 22 		
	Does the TAMP include a summary description of the condition of NHS pavements and bridges, regardless of ownership, that meets requirements?	Executive Summary: ii-iii NHS System: 6-7 NHS Pavements: 18-19 NHS Bridges: 20-21 MPO Pavements & Bridges: Appendix A		
	Does the TAMP identify and discuss performance gaps?	Executive Summary: ii-iii Section 4: 23-31 <ul style="list-style-type: none"> • Policies and Priorities: 23-24 • Past Efforts: 25-27 		

Required Elements	Indicators the TAMP Meets Element Requirements in 23 U.S.C. 119(e) and 23 CFR part 515	ODOT Comments	Review Finding (check if the element met)	FHWA Review Comments (Provide explanation if requirement(s) not met.)
		<ul style="list-style-type: none"> • OTC Investment Strategies: 26-27 • Pavements: 28-29 <ul style="list-style-type: none"> • State of Good Repair (SOGR): 28 • Bridges: 30-31 <ul style="list-style-type: none"> • SOGR: 30 • Gap Analysis Report: 34 		
	Does the TAMP include a discussion of the life-cycle planning that meets requirements, including results?	Executive Summary: iv Pavement & Bridge Management Practices: 35-42 <ul style="list-style-type: none"> • Bridge Deterioration Models: 35,48 • Pavement Deterioration Models: 38,46-47 • Idealized NHS Pavement Preservation Program: 42 Section 6: 43-50 <ul style="list-style-type: none"> • Key Principles: 44 • Work types & costs: 44-45 • Strategies: 46 • Pavements: 46-48 • Bridges: 48-50 • Improvement Efforts: 50 		
	Does the TAMP include a discussion of the risk management analysis that meets requirements?	Executive Summary: iv-v Section 7: 51-66 <ul style="list-style-type: none"> • Management Assessment: 51 • Policies and Procedures: 52-54 • Improvement Efforts: 55-56 • Documentation of Risk Activities: 57 • Priority Risks: 56-57 • Risk Register: 58-61 • Risk Matrix Scores: 62 • Mitigation Plans Priority Risks: 63-64 • Repeated Repaired Facilities due to ER Events: 65-66 		
	Does the TAMP include the results of the evaluations of NHS pavements and bridges pursuant to 23 CFR part 667?	Section 7: 65-66 <ul style="list-style-type: none"> • ER Funding to Date: 65 • Repeatedly Damaged NHS Facilities: 66 • Evaluation process: 66 		
	Does the TAMP include a discussion of a 10- year Financial Plan to fund improvements to	Executive Summary: vi Section 8: 67-84		

Required Elements	Indicators the TAMP Meets Element Requirements in 23 U.S.C. 119(e) and 23 CFR part 515	ODOT Comments	Review Finding (check if the element met)	FHWA Review Comments (Provide explanation if requirement(s) not met.)
	NHS pavements and bridges?	<ul style="list-style-type: none"> • Revenue Sources: 68-69 • Revenue Risks, Trends: 69-73 • Revenue Projections: 73-74 • Revenue Uses: 75-76 • Revenue Available for NHS Pavements and Bridges: 77-79 • Crosswalk between ODOT Work Types and TAMP Work Types: 77 • Revenue available by TAMP Work Types for NHS Pavements and Bridges: 78-79 • Revenue to implement strategies for NHS Pavements and Bridges by TAMP Work Types: 78-80 • NHS Asset Values & Annual Revenue to maintain values: 81-84 • Assessing Financial Gaps: 84 		
	Does the TAMP identify and discuss investment strategies the State intends to use for their NHS pavements and bridges?	<p>Executive Summary: vii Section 4: 24-31 Section 9: 85-95</p> <ul style="list-style-type: none"> • Priorities and Policy Guidance: 85-87 • Investment Strategies: 86-89 • NHS Bridges: 88, 89, 91, 93-94 • NHS Pavements: 88, 89, 91, 93-94 • Other Investment Strategy Improvements: 91-92 • Strategies for Reducing NHS Pavement & Bridges Funding Gaps: 93-94, Appendix H 		
	Does the TAMP include a discussion as to how the investment strategies make or support progress toward achieving and sustaining a desired state of good repair over the life cycle of the assets?	<p>Executive Summary: i Pages: 23-31, 41, 46, 77-79, 91, 93-94,</p>		
	Does the TAMP include a discussion as to how the investment strategies make or support progress toward improving or preserving the condition of the assets and the performance of the NHS related to physical assets?	<p>Executive Summary: iii Pages: 23-30, 86-91 NHS Pavements: 19, 26-27, 77-79, 93-94 NHS Bridges: 21, 26-27, 77-79, 93-94</p>		
	Does the TAMP include a discussion as to how the investment strategies make or support progress toward achieving the State's targets for asset condition and	<p>Executive Summary: vii Pages: 23-31, 77-79, 93-94</p>		

Required Elements	Indicators the TAMP Meets Element Requirements in 23 U.S.C. 119(e) and 23 CFR part 515	ODOT Comments	Review Finding (check if the element met)	FHWA Review Comments (Provide explanation if requirement(s) not met.)
	performance of the NHS in accordance with 23 USC 150(d)?			
	Does the TAMP include a discussion as to how the investment strategies make or support progress toward achieving the national goals identified in 23 USC 150(b)?	Pages: 8-11, 28-31, 94-95		
	Does the TAMP include a discussion as to how the TAMP's life-cycle planning, performance gap analysis, and risk analysis support the State DOT's TAMP investment strategies?	<p>Executive Summary: ii-v, vii Page: 76-79, 85, 87-89, 91, 93 More detailed discussions in performance gap, asset management practices, lifecycle planning and risk analysis sections.</p> <ul style="list-style-type: none"> • Performance Gap Analysis Section 4: 23-31 • ODOT Asset Management Practices Section 5: 35-42 • Lifecycle Planning Considerations Section 6: 43-50 • Risk Management Section 7: 51-66 		
Inclusion of Other Assets in the TAMP in 23 CFR 515.9 (l):	If applicable, does the TAMP include a summary listing of other assets, including a description of asset condition?	<i>Not applicable at this time</i>		
	If applicable, does the TAMP identify measures and State DOT targets for the condition of other assets?	<i>Not applicable at this time</i>		
	If applicable, does the TAMP include a performance gap analysis for other assets?	<i>Not applicable at this time</i>		
	If applicable, does the TAMP include a discussion of life cycle planning for other assets?	<i>Not applicable at this time</i>		
	If applicable, does the TAMP include a discussion of a risk analysis for other assets that meets requirements in 23 CFR 515.9(l)(5)?	<i>Not applicable at this time</i>		
	If applicable, does the TAMP include a financial plan to fund improvements of other assets?	<i>Not applicable at this time</i>		
	If applicable, does the TAMP include investment strategies for other assets?	<i>Not applicable at this time</i>		

Table 2. TAMP Implementation

Required Elements	Indicators the TAMP Meets Element Requirements in 23 U.S.C. 119(e) and 23 CFR part 515	ODOT Comments	Review Finding (check if the element met)	FHWA Review Comments (Provide explanation if requirement(s) not met.)
Integration of TAMP into transportation planning processes that lead to the Statewide Transportation Improvement Program (STIP) (23 CFR 515.9(h))	Do State DOT planning documents or records of planning activities show that the TAMP was integrated into its transportation planning processes that lead to the STIP?	<p>Oregon Transportation Plan updated in May, 2018 to incorporate TAMP and Federal Performance Measure planning requirements: https://www.oregon.gov/ODOT/Planning/Documents/OTP-Appendix-D-Amendment.pdf</p> <p>Reference incorporated in MPO planning agreement (Appendix A)</p> <p>Discussion of the role of asset management in making STIP investment decisions and a link to TAMP to be included in <i>2021-24 STIP documentation narrative</i>. (currently in draft form)</p>		
TAMP available to the public (23 CFR 515.9(i))	Has the State DOT made its TAMP available to the public by posting on its website, or distributing in public meetings, or by some other means?	TAMP will post on Department and Division Websites before June 30 th and provided as a link with other documents such as STIP, TAMP will be made available for distribution at public meetings. Copies and website link will be provided to FHWA, MPOs, Association of Oregon Counties and League of Oregon Cites, etc.		
State DOT demonstrates through current and verifiable documentation that it has implemented a TAMP meeting requirements of 23 U.S.C. 119 and 23 CFR part 515 and that the State DOT is following the investment strategies in the TAMP (23 CFR 515.13(b)(2)).	Has the State DOT documented evidence that the State DOT is using the TAMP investment strategies? (23 CFR 515.13(b)(2)). The best evidence is that, for the 12 months preceding the consistency determination, there was alignment between the actual and planned levels of investment (in the TAMP) for various work types as defined in 23 CFR 515.5 (i.e., initial construction, maintenance, preservation rehabilitation and reconstruction) (23 CFR 515.13(b)(2)(i))?	<i>Supplementary documentation to be provided to FHWA</i>		
	If the State DOT deviated from the TAMP investment strategies, did they document reasons the deviation(s) were necessary due to extenuating circumstances beyond the State DOT's reasonable control (23 CFR 515.13(b)(2)(ii)).	<i>Supplementary documentation to be provided to FHWA. Any deviations from investment strategy are minimal</i>		

Table 3. Division Consistency Review Findings

Required Elements	Indicators the TAMP Meets Element Requirements in 23 U.S.C. 119(e) and 23 CFR part 515	ODOT Comments	Review Finding (check if the element met)	FHWA Review Comments (Provide explanation if requirement(s) not met.)
Division Assessment	The TAMP was developed using certified processes, includes the content required by 23 CFR 515.9, and is consistent with other applicable requirements in 23 CFR part 515.(23 CFR 515.13(b)(1)).	<i>See comments in Table 1</i>		If not met provide list of deficiencies that need to be addressed.
	The State DOT implemented the TAMP. (23 CFR 515.13(b)(2)).	<i>See comments in Table 2</i>		If not met provide list of deficiencies that need to be addressed.