



Portland Area Comprehensive Transportation Committee

**PACTS TIP Process Committee
Meeting Notice**

September 19, 2007
2:00 p.m.

PACTS
68 Marginal Way, Portland

Agenda

1. Call to order and introductions
2. Committee's purpose
3. Staff perspective on what's working well, and what needs attention
4. Next steps, and set meeting date(s)

*Bob Skehan
prefer a.m.*

Attachments

1. Committee membership list
2. Draft Committee purpose statement
3. Summary of the work of the 2004 and 2006 Process Committees
4. 2008 schedule for priority setting for 2010/2011 projects
5. A synopsis of the "rollercoaster" of MaineDOT and PACTS funding cuts etc in 2005, 2006, and 2007
6. Estimate of MPO Allocation funds to program for 2010/2011
7. Staff perspective on what's working well, and what needs attention

Not attached: An up-to-date Policies/Procedures document. We need to incorporate the February 2007 changes into it, and distribute to the committee members.

The Metropolitan Planning Organization for the Portland Urbanized Area

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9/19/07

TIP Process Committee Draft Work Plan

<u>Topic</u>	<u>Today</u>	<u>Oct. date</u>	<u>Nov. date</u>	<u>Dec. date</u>
1 Committee's purpose and goals	X			
2 Former TIP Process Committees' work	X			
3 Technical Committee role on collector policy re treatment definitions and eligibility, and local project admin, and design standards	X			
4 Estimate of 2010/2011 funding	X			
5 2008 schedule for 2010/2011 priority setting	X			
6 Set meeting dates for Oct/Nov/Dec	X			
7 Member Q's on 08/09 Policies Document	X	X		
8 Project cost overrun policy Cap per project and/or municipality? Future use of 25% contingency PIN's		X		
9 Overview of FTA 5307 funds priority setting		X		
10 Set Asides funding levels for 2010/2011		X		
11 Scoring highway projects Adjust factors weights in Roadway Formula? Adjust Dest. Tomorrow factors/weights? Simplify?		X		
12 Overview of draft MPO Administrative Guide Three party agreements Coordination with MaineDOT 6-Year Plan Other items to add to our Policy Document		X		
13 Strict application of proposal requirements When is a study complete enough? Missing/incomplete/wrong data		X		
14 Review draft 10/11 Policies Document (simplify)			X	
15 Endorse 2010/2011 Policies Document				X
16 Brief the Policy Committee every month, and seek endorsement or feedback on TIP Process Committee proposals if needed.	20-Sep	18-Oct	15-Nov	20-Dec

Other

Policy Committee endorses final Policies Document in January

Hold TIP process orientation session for all members in late Nov. or early Dec.

Improve our TIP application forms. Review with Tech and Planning in early November.

2007 TIP Process Committee

1. Sara Behr, Urban Program Manager of the MaineDOT Bureau of Transportation Services
2. John Bubier, Biddeford City Manager (Policy Committee)
3. Bob Burns, Gorham Public Works Director (Technical Committee)
4. Kathi Earley, Portland Engineering Manager (Policy Committee)
5. Donna Larson, Freeport Town Planner (Planning Committee)
6. Dean Lessard (MaineDOT Region 1...invited)
7. Tom Milligan, Biddeford City Engineer (Policy Committee Alternate)
8. Nathan Poore, Falmouth Town Manager (Policy Committee)
9. Dave Redlefsen, METRO General Manager (Transit Committee)
10. Bill Shane, Cumberland Town Manager (Policy Committee) – Chair
11. Bob Skehan (MaineDOT Bureau of Planning)

Others to get notices of meetings:

Paul Niehoff, Julia Dawson, David Willauer, Tom Reinauer and Mike Laberge

We learned on Friday afternoon that MaineDOT's Norm Baker (local project administration) has also offered to participate. This is great.

Draft Committee's Purpose Statement

The following is the purpose statement for the 2005 TIP Process Committee (without the three bullets about cost overruns, development of EPS, and notes from a Policy Committee discussion.)

The TIP Process Committee will work with PACTS and MaineDOT staff to develop a set of recommendations to further improve the planning for and administration of PACTS "MPO Allocation" projects, *and to address any other TIP-related subjects which the members deem relevant.* The Committee will update the Policy Committee on a regular basis, and will submit a final report by December.

Staff also suggests that we aim to simplify our procedures/policies, as well as our procedures/policies document.

Summary and assessments of the work of the 2004 and 2006 Process Committees

The next two-and-a-half pages are excerpts from three 2004 and 2006 PACTS documents.

Preface to March 2004 PACTS TIP Policies Document

This document presents significant revisions to the funding policies and procedures of the Portland Area Comprehensive Transportation Committee (PACTS). These changes were designed to ensure a fair and professional priority setting process for the recently expanded PACTS Metropolitan Planning Area, and to reflect the regional transportation system goals in *Destination Tomorrow*, the regional transportation plan adopted by the Policy Committee in 2003.

The Policy Committee delegated the development of these revisions to a TIP Process Committee and staff. The 10-member Committee included representatives of the Maine Department of Transportation (MaineDOT) and the Planning and Technical Committees. The Committee members met fifteen times, briefed the Policy Committee regularly, and considered suggestions from the Technical and Planning Committees. It is possible that the Policy Committee will consider revisions to this new process before the next biennium (2008/2009).

The following list highlights the most substantive changes in the document.

1. Make preservation of the existing system our top TIP priority.
2. Program all of our MPO Allocation funds over during the next six years according to pre-set percentages for these seven categories (not in priority order):
 - Collector preservation paving (resurfacing and reclamation) (40%)
 - Intersections (20%)
 - Widening of sections of existing roads (20%)
 - Public transportation capital improvements (7%)
 - Road reconstruction that does not involve widening (5%)
 - ~~Construction of new roads (5%)~~ ¹⁰
 - Bicycle/pedestrian/other improvements (3%)
3. Offer incentives to proposals seeking to fund preconstruction engineering in one biennium before consideration for construction funding in the next biennium.
4. Rely on MDOT to fund pavement preservation for the region's *arterials*.
5. Use MDOT pavement management data collection and analysis in the priority setting process for *collector* road pavement preservation projects.
6. Direct the Planning and Technical Committees to share in the scoring of three types of roadway proposals: intersections, roadway widening and roadway

reconstruction. The Planning Committee will focus on how well the TIP proposals match up with the Guiding Policies of *Destination Tomorrow*, and the Technical Committee will apply an updated version of the Roadway Formula that we have used for many years. For those three set-aside categories the Planning Committee's score will count for 20 percent of each proposal's score, and the Technical Committee's score will count for 80 percent.

7. Strongly encourage all proponents of Congressional and Legislative earmark funding to seek a finding of consistency with *Destination Tomorrow* from the Policy Committee before seeking those funds

Summary of the Policy Committee December 2004 discussion (per meeting minutes)

What went well with the process with the 2004 TIP priority setting process?

- Tremendous melding of new communities into the process
- Introduction and incorporation of enhanced project scoping
- Introduction of a percentage of the allocation by major category
- Process was good, constructive
- Encouraged good discussion over priorities
- Strong involvement of MaineDOT in the process
- Broad-based subcommittee – nice work, vetted things well
- Connection with Destination Tomorrow Plan was positive
- Put money where our priorities are – not divisive
- Use of the PACTS committees in general
- Excellent staff support
- Completed on time
- Comity of the group

What might we do differently next time?

- Cost overruns – how to deal with them?
- Process that will result in fewer cost overruns
- Volume of projects – valuable projects get lost
- Long-term commitments to projects tie up funding for a long time
- An improvement in the sharing, timing and veracity of the data by the Department and the MPO.
- Scoping of projects was a problem
- Municipalities should partner with MaineDOT at the beginning of the process
- Consistency of data
- Punitive penalty for major cost overruns
- Lack of technical data at the PACTS level
- Process held above all. Political versus engineer versus technical engineer.

- Not enough money
- Careful of the tension: political backing to implement Destination Tomorrow
- Not enough focus on urban areas by MaineDOT
- Improve cost estimating
- Didn't really look at regional priorities; process emphasized local versus regional need
- More and earlier involvement of the MaineDOT region engineer

Excerpt from page 1 of March 2006 PACTS TIP Policies Document

The members were invaluable in their input to Eric Ortman in his work with them and MaineDOT in shaping the new Enhanced Project Scoping (EPS) process, which is one of several major new components in this document. Other substantial changes or new sections to this document include:

- A new policy for programming contingency funds for all PACTS projects.
- A new policy for prioritizing the PACTS MPO Allocation list sent to the MaineDOT.
- Increased monitoring by PACTS staff of the financial and work status of PACTS MPO Allocation projects.

The underlying basis for many of these changes is the shift at the MaineDOT whereby PACTS will now be responsible for the cost increases in projects above the amounts initially programmed through the MaineDOT Biennial Capital Work Plan.

We will review these policies and procedures in 2007 before our 2010/2011 project selection process.

Schedule for priority setting for 2010/2011 projects during 2008

We need to decide on some deadlines this month, and to advise all relevant parties. This is built around getting our draft 2010/2011 list to MaineDOT in September 2008, and a final list to them in November 2008. The following is not a complete schedule – just some highlights of a rough draft schedule.

Rebuild, Widen and Intersection Proposals

November 16, 2007: Staff distributes application forms (after 11/15 approval by Policy Committee)

January __, 2008: Applications due at PACTS

March __, 2008: Select projects for Enhanced Project Scoping (EPS)

July, 2008: Complete EPS

September, 2008: Technical Committee submits final list to Policy Committee

Collector Paving

December, 2007: We complete the new Collector Set Aside parameters, and then advise MaineDOT so that they can organize to give us what we need

April, 2008: MaineDOT submits to us their data, analysis, and a list of candidates

September, 2008: Technical Committee submits final list to the Policy Committee

Bike/Ped Proposals

November 16, 2007: Staff distributes application forms.

_____, 2008 Applications due at PACTS

Do Enhanced Project Scoping?

September, 2008: Planning Committee submits final list to Policy Committee

Transit Set Aside Proposals

_____ 2007: Staff distributes application forms.....talk to Steve Linnell

_____, 2008 Applications due at PACTS

September, 2008: Transit Committee submits final list to Policy Committee

MaineDOT completion of 08/09 Project PDR Cost Estimates

We need by July 1, 2008? This is an issue ~~only~~ for the Halfway Rotary in Old Orchard Beach, and the intersection of Franklin Arterial at Marginal Way in Portland.

+ Bid Rt. 1 widening ←

A synopsis of the “rollercoaster” of MaineDOT and PACTS funding cuts etc in 2005, 2006, and 2007

Generally, during 2005 and 2006 we have been reacting to: (1) unprecedented cost increases, (2) unfortunately high MaineDOT expectations in 2004 for SAFETEA funding, and (3) disappointing responses from Congress and the Legislature.

Fall 2004 – We submitted a \$12.2 million list of projects to MaineDOT. Congress was expected to adopt SAFETEA that fall, but it took a year longer.

January 2005 – MaineDOT asked us to increase our \$12.2 million list to \$18.2 million. We did over the course of the next few months.

September 2005 – MaineDOT asked us to cut it back to \$11 million (due to SAFETEA surprises).

November 2005 – We produced a \$13 million list based on increased our local match policy. This list included major funding for pre-06/07 projects that needed more money.

May 2006 – We shifted more of the \$13 million to address pre-06/07 project needs and increasing budgets for new projects.

July 2006 – We programmed \$1.3 million in new State funds from the Legislature. We required 20% local matches.

February 2007 – We made more changes due to cost increases. See 08/09 below.

MaineDOT’s New Cash Flow Reality

March 2007 – MaineDOT advised of new cash flow situation, and asked us to pick \$3 million in projects from a \$20 million list of “active” projects – the only projects that would be built in calendar 2007 (see below).

April 2007 – We picked the \$3 million in projects.

July 2007 – MaineDOT advised that the cash flow situation had improved dramatically based on the passage of the bond referendum in June. Our “\$3 million list” has been replaced with a more robust list of projects.

The 2008/2009 PACTS MPO Allocation

November 2006 – We produced a \$14 million list (after much work).

February 2007 – We made revisions based on continuing inflationary cost increases.

March 2007 – MaineDOT advised of need to cut our \$14 million list to \$10 million.

May 2007 – We made the cuts.

JRD explain

Marty Rooney suggests
~~not use funds~~
we know these auto

**Estimate of PACTS MPO Allocation Funds
To Program for 2010/2011 Biennium
September 14, 2007**

Estimate of Federal Funds: \$7,751,574 *
Estimate of Federal+State+Local Funds: \$10,976,268

Set Aside	Federal Funds	Match Ratio	Total Available	Adjustments **	Already Committed	Available Balance***
Transit 7%	\$542,610	80-0-20	\$678,263	\$538,153	\$0	\$1,216,416
Bike/ped 3%	\$232,547	70-5-25	\$332,194	\$329,112	\$0	\$661,306
Collector 40%	\$3,100,630	70-5-25	\$4,429,249	-\$538,153	\$0	\$3,891,096
Intersection 20%	\$1,550,315	70-5-25	\$2,214,625	\$0	\$860,480	\$1,354,145
Widen 20%	\$1,550,315	70-5-25	\$2,214,625	\$0	\$2,086,000	\$128,625
Rebuild 10%	<u>\$775,157</u>	70-5-25	<u>\$1,107,312</u>	<u>\$0</u>	<u>\$1,300,000</u>	<u>-\$192,688</u>
total	\$7,751,574		\$10,976,268	\$329,112	\$4,246,480	\$7,058,900

* Estimate based on an average of 06/07 and 08/09 allocations. This is a conservative estimate.

** Staff will explain at our 9/19 meeting.

*** Reminder: Need to program PCE funds for next cycle (2012/2013 biennium)

Note: The Available Balance \$7,058,900 overstates the amount available by the \$329,112 Bike/Ped adjustment. We can fix this later.

Staff perspective on what's working well, and what needs attention

This is still a work-in-progress.

Working Well... there are tweaks to make.

JRD
JRD

- ① Our Road Formula ... *factor & weights do not reflect DT... See JRD and per GT analysis... pri \$.*
- ② Our Destination Tomorrow Formula for STP proposals ... *20% → 30%*
- 3. Our "Planning Committee" scoring of Bike/Ped proposals
- 4. Our EPS process
- ⑤ Our Set Aside Policy ... *collector paving.*
- 6. Our 2-biennia process for complex projects – fund PCE, then Construction
- 7. Our new High Priority Projects role

JRD

Needs Attention

- 1. Collector Paving...had a very good Technical Committee meeting on this subject last week...staff drafted a recommendation for Policy Committee action tomorrow. See "Item 3A" memo on the next page.

We are working with the Technical Committee and MaineDOT to establish clear definitions of paving treatments. We are aiming to complete this at the October meeting.

Julia and Paul sent (9/12) another request to our members for collector road last treatment data, and other data.

- 2. Local Project Administration...had a great discussion with MaineDOT's Steve Harris last week at the Technical Committee meeting.
- 3. Design Standards...will create a subcommittee of Technical Committee?

low priority

JRD

- ④ Our cost overrun policy...simplify...such as create a cap on PACTS contributions to projects? We discussed this two years ago. At the time, it appeared that it would run afoul of FHWA rules that require the FHWA percentage share of a project (not the dollar amount) to not change. There may be more wiggle room in this now?

- 5. Our contingency PIN policy that never got used by MaineDOT...

- 6. Clarity/understanding of roles of PACTS staff in project administration...??

- 7. Our multiple council endorsements requirement – is it working? *JRD - part of public process.*

- 8. Adequacy of member TIP proposal submissions ... *JRD ... change it or drop it.*

- 9. When is a study complete for our TIP proposal eligibility purposes?

App Form

10. Incorporate material, as appropriate, from the MPO Administrative Guide. MaineDOT and the MPO's have been working on it for more than a year. It is the first such document that puts in writing how we intend to work together – roles of MPO's, MaineDOT, et al. This is a great step forward because quite a few of our longstanding MaineDOT/MPO operating procedures have been unwritten (or lost). We are aiming to adopt a draft in October for review by Policy Committees.
11. Roles of staff in administering the funds after programming... such as transferring funds between projects like a few months ago.
12. Our TIP projects application form... Julia has drafted some changes to it. We are working on it internally for now. (Ask Tom Errico for input on improvements he would suggest regarding V/C analysis.)

Item 3A on tomorrow's Policy Committee agenda

Draft Motion: To request that the Technical Committee (possibly in collaboration with the TIP Process Committee) use the following guidelines as they develop collector road funding policy recommendations this fall in preparation for setting priorities during 2008 for the programming of 2010/2011 capital funds:

- Our municipalities pay for simple overlays (to be defined this fall) on their collector roads with 100% local funds, and
- PACTS fund the more significant capital improvements on collectors.

Background

It has become apparent over the last year that the PACTS Collector Paving set-aside has become a source of funding (for communities who need) to rebuild collector roads that do not score well in the Rebuild set-aside. This has created an inequity between projects that are now being funded through the set-aside. Additionally there are inconsistencies in the terminology – primarily the definition of maintenance - used by municipalities, the MaineDOT and PACTS. This misunderstanding has led to collector paving projects costing significantly more than originally estimated – cost increases that PACTS has agreed to cover. There has also been a misunderstanding of the state and federal requirements/standards that are applied when state and federal funds are used. At today's meeting staff will provide some project examples.

As we prepare to work on this during the fall, staff has drafted three options that will eliminate much, if not all, of the confusion and inequity that we currently experience. At today's meeting staff will also provide some estimates of the funding implications of these ideas.

Options:

1. Better define a Pavement Preservation Program (Built/Standard roads only) – For example, overlays and Level II resurfacing only. This could be 100% locally funded (as suggested above), or a PACTS program. Issues to consider are:
 - Would require agreed upon terminology.
 - Would prevent backlog roads being brought up to standard.
 - Would provide even equity.
 - Could potentially control cost; therefore, generate more projects.
 - Is this a wise use of federal funds?

2. Develop a Collector Highway Improvement Program (No preservation work) – For example, reconstruction, rehabilitation and reclamation. Issues to consider are:
 - Would require the municipalities to take on all preservation work.
 - Would free up fed funds to complete larger more costly projects.
 - Would allow the region to bring its collector roads up to standard.
 - Might negate the need for the Rebuild Set-aside.
 - Fewer projects would be delivered due to higher cost.

3. Develop a Hybrid Program (Built and unbuilt roads) – Preservation, and highway improvements. Issues to consider are:
 - Would provide some of the benefits from options one and two, but would also mean overall fewer projects would be complete than option one.
 - Again raises the question, should federal money be used to fund straight overlays.
 - A clear treatment eligibility list would need to be defined for each option.
 - Costly state and federal requirements would have to be met.