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PACTS

Portland Area Comprehensive Transportation System

Policy Committee Meeting Notice

1:30 p.m.
October 20, 2011

GPCOG, 68 Marginal Way, Portland

Agenda

1. **Call to Order, and welcome FHWA's Todd Jorgensen**
2. **Public Comment**
3. **Minutes of the August 18th Meeting**
4. **Endorse a PACTS Organizational Analysis request for consultant proposals**
5. **Consider a funding request from Old Orchard Beach**
6. **Adopt 2011 Update of PACTS Public Participation Plan**
7. **Act on a proposal to exempt four consultant efforts from our December 31st deadline**
8. **Join with ATRC, BACTS and KACTS in submitting letters to our Congressional Delegation and to MaineDOT Commissioner Bernhardt regarding proposals in Congress that could lead to the elimination of MPO's in Maine**
9. **Executive Director's Report**
10. **Adjourn**

Next meeting on December 15th at 1:30

The Metropolitan Planning Organization for the Portland Urbanized Area

68 Marginal Way • Portland, Maine 04101
Telephone: (207) 774-9891 • Fax: (207) 774-7149 • www.pactsplan.org

Minutes of August 18th Meeting

Members present: Nathan Poore, Chair, Falmouth; Neal Allen, GPCOG; Mike Bobinsky, Portland; Jerre Bryant, Westbrook; David Cole, Gorham; Sara Devlin, MTA; Kathi Earley, Portland; Jim Gailey, South Portland; Tex Haeuser, South Portland; Judy Harris, Portland; Donna Larson, Freeport; Mike McGovern, Cape Elizabeth; Rick Michaud, Saco; Tom Milligan, Biddeford; Brooks More, Planning Committee; Mark Rees, Portland; Bill Shane, Cumberland; Herb Thompson, MaineDOT; Sara Trafton, Public Transportation; Nat Tupper, Yarmouth

Staff and Guests: Peggy Duval, MaineDOT; Joyce Taylor, MaineDOT; Dennis Lovely, MaineDOT; John Duncan, PACTS; Paul Niehoff, PACTS; Carl Eppich, PACTS; Maddy Adams, GPCOG

1. **Call to order.** Nathan Poore called the meeting to order at 1:30 p.m. Dennis Lovely and Herb Thomson from MaineDOT were introduced to the Committee, as was Mark Rees, Portland City Manager.
2. **Public Comment.** None.
3. **Minutes of May 19th meeting.** David C. moved approval of the May 19th minutes, with Bill Shane seconding the motion. Kathi Earley had a clarification on page 2, 4B, that the two-party agreement comes into play in the construction phase (rather than in the engineering phase as written in the minutes). With the above-noted change, the motion passed.
4. **TIP Projects and Policy Topics**
 - 4A. **Adopt PACTS TIP for FY 2012 to FY 2015.** John Duncan provided background. Nathan asked if we really needed to vote on this today because he was concerned that there will need to be some corrections and updates done to it. For instance, the Martin's Point Bridge project wasn't in the document. Some of the transit numbers were capital and some were operating. Bill asked if the document could be forwarded to the Executive Committee for their action. Mike McGovern recommended that the Policy Committee adopt the document and amend it later if necessary. Mike B. agreed. We did identify a few comments on five different projects that need to be amended or clarified with regard to project descriptions. The document needs to be approved by September 30th. *Mike McGovern moved that the Policy Committee adopt the TIP document today knowing that if amendments are necessary, they will be made. Nathan made an amendment to the motion stating that amendments will be necessary. All were in favor of the amendment and the main motion.*
 - 4B. **Report in preparation for projects financing actions in October.** Mike M. said they have a project that would be eligible but it's not listed. He would like to see the list of projects involved in the local match change policy.

The three-party agreements appear to be working. At the meeting in October we'll need to make some tough decisions on projects. Joyce suggested we put our heads together regarding project scopes to see if there are opportunities to find some money before PACTS makes

some cuts. PACTS has worked so hard to get the agreements signed, she'd like MaineDOT to do whatever they can to make this work. These are broad estimates and perhaps we can get more specific on the things that are coming up soon. Individuals can meet with MaineDOT staff to go over their projects. If we can find some savings, we may not have to cut projects. John D. noted that our program estimates are based on 125% of cost estimates, so we could reconsider that policy.

4C. Action on Proposal to eliminate two-party agreements for simple projects. Nathan summarized this. The idea would be to streamline the agreement process and just go with the three-party agreement process. There was some confusion regarding when a two party or three party agreement was needed.

Some of the Efficiency Team members have been brought in to discuss this further. MaineDOT thinks they can put some language in the three-party agreement to make it less complicated so that two different agreements won't be necessary. The TIP Committee will continue to work on this, as will MaineDOT. No action is needed today on this item.

4D. Discussion with MaineDOT regarding the process for signing project agreements in 2013. Joyce said they are trying to come up with a process to keep the agreements moving forward and for everyone to be on the same playing field. Mike B. noted that some of the things they've flagged are housekeeping-type items such as who gets the agreement in the case of the City of Portland. A single point person should be identified. Some improvements with language to make it more consistent would also be helpful. Would like to allow managers to sign off once the local match is approved. Joyce will craft some language. Joyce asked the committee to please be thoughtful about the December deadlines – shoot for December 15th rather than the 31st.

- 5. Add new studies to Unified Planning Work Program.** The top six items on page 12 were recommended for funding by the Executive Committee, plus the three at the bottom of the page.

Mike M. thought the Wayfinding Study in Portland was a lot of money. He is not convinced that that's where the money should be spent. He thought Portland could try to do it on their own rather than through a consultant. Mike B. explained that the objective is to implement some portions of the wayfinding study and this is a replacement of the hoop signs because they are obsolete. Portland has a relationship with the Downtown District and perhaps they might help with the local share. Peggy pointed out that this money is only for studies. It can't be used for signs and implementation.

Nathan explained what the PACTS organizational structure analysis was about, in response to a question from Tex. This comparative analysis will provide some benchmarks, etc.

Mike M. made a motion to accept the recommendation of the Executive Committee. Mike B. seconded the motion to reallocate the \$113,000 in the Reserve Account and the \$30,000 Local Project Administration account in the UPWP as follows:

- 1. \$30,000 to do a PACTS organizational structure analysis (new proposal)***

2. *\$25,000 to do regional bicycle and pedestrian counts and to develop a regional bicycle and pedestrian wayfinding system (new proposals);*
3. *\$50,000 to prepare a Portland Peninsula Vehicular Wayfinding Plan (proposed in February);*
4. *\$12,000 to do a Southern Maine Community College satellite parking/bussing feasibility study (proposed in February);*
5. *\$18,500 to do an alternative funding study for a section of Route 302 in Windham (proposed at \$20,000 in February);*
6. *\$7,500 to do a Broadway intersection capacity analysis (South Portland) (proposed in February).*

Rick suggested the idea of having one sign plan for the region. When a community is working on a wayfinding plan, they should consider how it affects the other municipalities. Donna said that in Freeport they have an old signage system which they spent \$75,000 on. She liked the idea of a regional look for signs. She would like to know what Portland is doing with their study and perhaps tag onto it. Mike B. said they would certainly be willing to build that into their study; it does make sense. Nathan said Falmouth would also be interested. Bike accommodations are also a piece of this. Peggy stated that you need to be clear if you're doing just plans or buying signs -- buying signs would not be eligible. The money can be used for design, graphics, layout, etc. but not capital.

John D. reported that the Planning Committee is beginning a conversation about design exceptions along Route 1. They are looking at uniformity regarding bus shelters. Joyce said she was a little nervous that we're looking at each project individually. If they involved design exceptions perhaps we should have a conversation regarding a regional approach. Carl said he talked to Herb about this. This is about consistency along the corridors. There are a bunch of example templates that are acceptable; it is not so much about design exceptions.

All were in favor of the motion.

6. **Executive Director's Report.** We are renewing our Public Participation Plan. It is time for us to advertise things like TIP amendments via the Internet rather than spending the money advertising in the newspaper. In October, we should have a draft Public Participation Plan. We also have a civil rights plan that we are rewriting and it will come back to the Policy Committee in October. Rick mentioned that Saco doesn't do a lot with social media but they now have formed a committee to deal with social media. Biddeford has an excellent social media plan. He suggested that PACTS may want to take a look at that.

There is a bill in Congress to eliminate MPOs the size of PACTS and 250 MPOs our size. We are drafting a letter to the commissioner about the important work we do. We'll keep you advised. Bill S. felt that all PACTS members should have a say in this letter. Are we looking for the Policy Committee to endorse this? Herb asked where the bill was coming from. John thought it was from the President's reauthorization bill. Nathan asked what the deadline would be if the Executive Committee or Policy Committee were to consider supporting this endorsement. John said the bills that are being drafted in the House and

Senate could be coming out any day. Mike M. said his community is disadvantaged by having an MPO, but MPOs are necessary for regional transportation. He felt that for us to take a position not supporting our MPO would not be beneficial. Bill said he would like to see the plusses and the minuses of an MPO, especially for the smaller towns. John D. suggested that a letter be sent to the Commissioner to bring it to his attention; it is about PACTS' existence. Donna said that Freeport would probably also be with Bill; they would be silent on the issue. It was suggested that this item be put on the September Executive Committee agenda.

7. ***Destination Tomorrow Video.*** The members watched the seven-minute video about the 2010 *Destination Tomorrow* Plan. They thanked staff and the consulting team for an excellent job.
8. **Executive Session to discuss the Executive Director's performance evaluation.**
9. **Adjourn.** The meeting adjourned at 3:30 p.m.

Agenda Item 4: Endorse a PACTS Organizational Analysis request for consultant proposals

Member Resource: Executive Committee

Staff Resource: John Duncan

Recommendation: To endorse the draft RFP for consultant assistance in the performance of a PACTS organizational analysis

Background

Two weeks ago I sent you a draft RFP for consultant assistance in the performance of a comprehensive PACTS organizational structure analysis. The Policy Committee endorsed a \$30,000 budget for this in August.

We have posted a "request for interest" on the websites of the national Association of MPO's, the American Planning Association, the Community Transportation Association of America and the Travel Demand Management Clearinghouse. We also sent an email to several consultants we know. We plan to send the final RFP to the following 20 people (listed in alphabetical order), to others who request the RFP by our deadline today, and to others whom you might suggest:

- Kat Beaudoin, former MaineDOT Planning Director
- Rick Dacri, human resource management consultant in Kennebunkport
- Jim Damicis at Camoin Associates

- Rob DiAdamo at TPRG
- Tom Emery at Stantec in Maine
- Mark Eyerman at Planning Decisions
- Steven Gayle, an MPO expert in Binghamton, New York
- Paul Godfrey at HNTB
- Scott Lane, an MPO expert at Stantec in North Carolina
- John Melrose at Eaton Peabody in Brunswick
- Carol Morris at Morris Communications
- Howard Muise at VHB
- Rob Neal, an organizational development consultant in Yarmouth
- Pam Plumb, a strategic planning consultant in Portland
- Peter Plumeau at Resource Systems Group in Vermont
- Ralph Power and Associates in Los Angeles
- Robin Rather at a consulting firm in Austin, Texas
- Evan Richert, former Director of the State Planning Office
- Steve Schuit, our consultant for our 2008 strategic planning work
- Bill Watterson in Charlottesville, Virginia

Draft Request for Proposals to Policy Committee on October 14th

This is a revision of the draft sent on October 7th. The changes are: completion of the selection process description, and an expansion of the 2008 Process Review description and the remaining challenge of understanding the many parts of the PACTS process.

The Portland Area Comprehensive Transportation System (PACTS) is requesting proposals from qualified firms that will perform a comprehensive organizational structure analysis. PACTS is a “metropolitan planning organization” which has existed in accordance with federal regulations since 1975. In that capacity, we program federal transportation funds available to Greater Portland, we study the region’s transportation needs and proposed solutions (primarily highway, public transportation and bicycle/pedestrian infrastructure), we assist our partners in implementing the region’s transportation plans, and we serve as a regional forum on transportation for the public and for decision makers. Our primary partner is the Maine Department of Transportation.

We are doing this analysis for four reasons:

- The members generally feel that the PACTS process is too complicated.
- We want the PACTS process organized in a way that maximizes our ability to react to change and still maintain our effectiveness.
- The PACTS structure has changed little in 35 years.
- We want the PACTS staff and committees composition to best meet the needs of the organization.

We are seeking consultant assistance that will include but not be limited to:

- PACTS organizational analysis (review of current operations, structure, efficiencies, staffing, workload, methodologies, etc)
- Benchmarking and/or comparative analysis with similar MPO agencies (reviewing cost efficiency, budget, productivity, organizational structure, operational procedures, member satisfaction, etc)
- Member satisfaction survey (value of services received in the region and by community, expectations, customer service, efficiency, performance, relations with other agencies and entities, etc)
- Cost benefit analysis of alternative structures:
 - Staffing and consulting structure
 - Privatization
 - Consolidation with other nearby MPO
 - Alternative means of funding distribution (ie – State distribution directly to communities)
 - Advantages, disadvantages of keeping current structure or modifying structure
 - Recommendations that could improve, if deemed necessary: member satisfaction/value; efficiency and productivity, project management; process; communication; regional impact; improved transportation systems; and administration.

The selected firm/team will start in December. We aim to complete the process in April.

Consultant Selection Process and Proposal Requirements

The successful firm/team will have experience in organizational analysis, in the work of MPO's, and knowledge of Maine public administration processes.

Proposals should include the following narrative:

- A summary of your understanding of the project
- A proposed scope of work
- A description of the roles of the people on your team
- A description of your experience in this kind of work
- The narrative proposal must not state any cost estimates to do the work.

Proposals are due by the 3:00 p.m. on November 11th. Please submit 7 proposal copies, and one separate sealed cost proposal. The cost proposal must identify each person's estimated hours on the project, their hourly rates, the overhead and profit rates, and direct costs.

We require the submission of a separate sealed cost proposal. We will open the cost envelope after we have selected a preferred consultant/team based on the proposals and interviews. We are required to select a firm based on qualifications and proposed scope of work rather than on cost. In the event that our first choice firm/team proposes a budget that exceeds our \$30,000 budget for consultant assistance, then we will attempt to negotiate with the firm to reach a scope and budget that is satisfactory to both parties. In the event that the negotiation does not reach a

satisfactory outcome, then we will open the cost envelope of our second choice firm/team and follow the same procedure as outlined above.

On November 18th the PACTS Executive Committee will select three firms/teams to interview during the afternoon of November 30th at the PACTS/GPCOG offices in Portland. The members will select a firm/team based on the firm/team's experience, understanding of the project, and proposed approach.

You may contact John Duncan, PACTS Director at (jduncan@gpcog.org) or at 207-774-9891 with questions before the November 11th submission date. He will share via email with all prospective firms/teams all significant clarifications that might arise as a result of questions from individuals.

Additional Background

The 2008 PACTS Process Review

During the fall/winter/spring of 2007/2008 the PACTS Policy Committee and staff performed a "process review". The process involved problem definition and consideration of the following:

- four alternative PACTS organizational structures,
- creation of three PACTS sub-regions and a new way of deciding how to use the MPO Allocation capital funds,
- a shift to encourage more participation by elected officials,
- changes in the roles of existing PACTS committees,
- information about federal rules about "transportation management areas",
- comparison of PACTS structure with eight (8) MPO's around the country, and
- some tweaks to the PACTS mission statement.

The process review went as follows:

- In March and April of 2007 the four PACTS committees prioritized a long list of potential activities for PACTS activities for coming two-year planning and administration work plan. One of the higher scoring proposals was to "focus on how we restructure PACTS and how it can be accomplished".
- In May 2007 we budgeted \$10,000 for consultant help in this.
- In August the Policy Committee's Chair and Vice Chair met with staff to organize a process.
- In October and November we held two well attended half-day retreats. The attendees created four alternative organizational structures.
- Between December and March 2008 a 9-member "Transition Team" met four times. They drafted final recommendations and bylaw language for consideration by the Policy Committee.

- In April 2008 the Policy Committee endorsed the Transition Team’s recommendation and incorporated the creation of an Executive Committee in the PACTS bylaws.

The newly created PACTS Executive Committee began its work in July 2008. The new committee has been a resounding success by taking on a lot of tasks that the much larger Policy Committee used to do, by providing an excellent sounding board for staff, and by enabling the Policy Committee to focus on policy topics more effectively.

Note: Despite this improvement and streamlining, the members of PACTS committees continue to struggle to understand the web of federal, state, regional and local planning and programming processes that PACTS members and staff are involved in. One idea recently suggested is the development of a comprehensive annual work plan that members can use in order to know better what to expect each year in their work with PACTS.

John Duncan will wrap up the loose ends below before shipping this RFP.

Document and links on the PACTS website

1. 1995 PACTS Strategic Plan...get it scanned
2. 1999 PACTS members survey results...get it scanned
3. 2002 PACTS Expansion materials... John will check for relevant materials
4. 2007 list of ranked PACTS activities for the subsequent two years
5. 2008 PACTS Process Review materials
6. Federal Regulations for the MPO process
7. PACTS Bylaws
8. Maine MPO’s Administrative Guide
9. The PACTS document that summarizes how we select capital projects for funding and our policies and procedures after they are funded
10. The current 2-year staff work plan
11. Destination Tomorrow, the region’s long range transportation plan
12. The link to the national report on MPO Capacity etc.
13. A link to the website of the Greater Portland Council of Governments
14. Other

A PACTS History and Overview

1963 Plan – A major regional transportation plan, called the Portland Area Comprehensive Transportation Study, was completed by federal, state and local officials in response to a federal requirement. The plan was the basis for many federally funded projects during the next twenty years. MaineDOT led the development of the PACTS Plan and the subsequent design and construction of the projects.

1975 Program – The Portland Area Comprehensive Transportation Study (PACTS) program and committee structure were created by federal, state, regional and local officials, as

memorialized in a memorandum of understanding. As a “metropolitan planning organization” (MPO) program, PACTS staff have always been funded primarily with federal highway and transit administration planning funds. The Greater Portland Council of Governments (GPCOG) was designated as the region’s federally sanctioned transit planning organization.

MPO Requirements – The basic federal requirements of PACTS are to have a regional transportation plan, to do studies and collaboration that lead to good projects, and to share with MaineDOT the authority to “program” all federal highway and transit funds available to the region.

MPO Allocation – In the late 1970’s, MaineDOT established an “MPO Allocation” of federal and state funds for PACTS to program every two years. This allocation went above and beyond the federal requirements for the programming roles of MPO’s.

Staff – In the late 1970’s, the PACTS Policy Committee hired the first PACTS Director/Coordinator. His office was located at, and PACTS committees met at, GPCOG. At the same time, GPCOG hired its first Transit Planner. PACTS and GPCOG began the administrative and collaborative planning relationships which continue to this day. In 2003, the Southern Maine Regional Planning Commission began to provide transportation planning services to the PACTS region due to our 2002 expansion into York County.

Geography – Based on the federal regulations, the municipalities involved in 1975 were Portland (all), South Portland (all), Westbrook (all), and parts of Falmouth, Gorham, Cape Elizabeth and Scarborough. The area grew slightly based on the 1980 and 1990 U. S. Census populations. In 2002 the 7-municipality region grew to 15 municipalities based primarily on changes in the U. S. Census Bureau’s methodology for defining urbanized areas in 2000.

Committees – PACTS and GPCOG staff supported three committees during the early years: the Policy Committee, the Technical Committee and a Citizens Advisory Committee (disbanded in late 1980’s). The Policy Committee created a Planning Committee in 1995, a Transit Committee in 2004, and an Executive Committee in 2008. In 199x adopted first set of bylaws.....

MaineDOT’s Enlightened Approach to PACTS – In contrast to many states, Maine has had a long standing practice of respecting the regional priorities of the region as articulated by the municipal members in the plans and MPO Allocation projects selected. This has always seemed as an enlightened approach, as viewed from the PACTS perspective and by the federal agencies involved.

Past PACTS Strategic Planning – Describe them briefly:

- 1995 recommendations
- 2002 recommendations from our 2002 geographic expansion
- 2008 recommendations

Insert PACTS Org Chart.

MaineDOT's key roles in Maine's MPO processes....*rough first draft:*

MaineDOT in MPO Administration

1. Collaborate in preparing biennial planning and administration budget.
2. MaineDOT distributes the federal transportation planning funds to the MPO's based on monthly invoices received from GPCOG/PACTS.
3. Collaborated in 2009 with the four Maine MPO's to write the first Maine MPO Administrative guide.

MaineDOT in MPO Planning

1. Serve on committees
2. Participate in development of *Destination Tomorrow* plan
3. Transit planning...
4. Use and invest in PACTS Regional Travel Demand Model
5. STPA?

MaineDOT in MPO Programming

1. Decide size of MPO allocation...currently \$10,000,000 federal and \$1,000,000 state....plus the local match
2. Scoping of projects....
3. Develop "TIP" with us for submission to federal agencies.
4. Manage the Holding PIN so to speak.

MaineDOT in Transit

1. write later...
2. write later...

MaineDOT in Project Construction

1. Design and build most projects programmed with the PACTS MPO Allocation funds.
Work with
2. Manage the Local Project Administration process with the municipalities.

Agenda Item 5: Consider a funding request from Old Orchard Beach

Staff Resource: Paul Niehoff

Old Orchard Beach Request: To approve a request from Old Orchard Beach for an additional \$82,480 to help finance the widening of the intersection of Saco Avenue, Union Avenue and EE Cummings Road

Background

Please review Bill Robertson's letter on the next two pages. The \$82,480 would include a 25% match from the Town.

We have explained to Jack Turcotte and Bill that their request will be for an exception to our Project Cap Policy. The policy, as found on page 8 of our TIP Policies and Procedures Document, is:

“PACTS MPO Allocation projects, excluding Transit Set-Aside projects, have a 25% contingency added to the project's cost estimate at the time of funding by the Policy Committee. This amount – the cost estimate plus 25% contingency – represents the total amount that PACTS will fund for a project. Any amounts above this figure will be entirely the responsibility of the municipality.”

One way for the Policy Committee to program the \$82,480 (including local match) would be to use federal and state funds available in our Holding PIN (approximate \$1,000,000 balance). Note that we have a current liability of \$1,400,000 to finance the increase in federal and state funds needed per the Policy Committee May 2011 decision to reduce the local match for most of our 2014/2015 projects from 25% to 10%. (See 11x17 spreadsheet sent in email for today's meeting.) We expect to take action on this in December after MaineDOT finishes their analysis of that account and the reconciliation of outstanding assets and liabilities for some or all of the 28 PACTS projects that are currently in the close out phase.



TOWN OF

Old Orchard Beach

A FOUR SEASON COMMUNITY

Paul Neihoff, PACTS
10/13/2011

Subject: Intersection/Signal Project
Pin # 17334.00
Saco Ave/Union Ave/EE Cummings Blvd
Old Orchard Beach

To: The Policy Committee

The Town of Old Orchard Beach along with the PACTS and Maine DOT have worked very hard together to advance this important intersection/signalization project forward.

The original programmed amount to design and build the project was \$356,850.00.

In July of 2009, a reallocation was made to reprogram the project to a new amount of \$452,000.00 for design/build.

In the preliminary design report of February 2011, with the programmed amount remaining of \$452,000.00, the proposed construction amount of \$634,480.00 increased the cost to construct, an additional \$182,480.00.

A meeting was held between PACTS, Maine DOT, and the Town of Old Orchard Beach and realignment was discussed, decreasing right-of-way takings from private properties with additional right takings from Town owned properties. PACTS forwarded this information to the consultant, Gorrill-Palmer, to rework the design and construction costs.

A revised preliminary design report was received in July 2011, with a revised construction cost of \$534,480.00, a savings of \$100,000.00.

The additional cost over the programmed amount of \$452,000.00 is \$82,480.00. Maine DOT and PACTS has told the Town that they have no other funding and the additional cost will be the responsibility of the Town.

This project is not only extremely important to the Town of Old Orchard Beach, but to the PACTS region as well. The intersection is bordered on the southwest quadrant by a elementary and middle schools and on the northwest quadrant by the police and fire stations. It is an intersection that is heavily traveled by the high school to the west and for activities at the rejuvenated Old Orchard Beach Ballpark. The right turn lane from Saco Avenue onto Union Avenue is a major turn for the beach traffic during the summer months. Saco Avenue backs up to Temple Avenue, a distance of $\frac{3}{4}$ of a mile, and sometimes as far as I-195, one mile away.

This intersection also has a large volume of heavy truck traffic due to the location of BBI Industries, which includes numerous trash trucks as well as roll-offs and septic vehicles from porta-pottie trucks to tractor trailers/septage haulers.

In conclusion, the Town of Old Orchard Beach is requesting that the PACTS Policy Committee fund the additional \$82,480.00 so that this important regional and local project can move forward and be constructed.

One Portland Avenue • Old Orchard Beach, ME 04064 • Phone (207) 934-5714



TOWN OF

A FOUR SEASON COMMUNITY

Old Orchard Beach

We wish to thank the efforts of Paul Neihoff of PACTS and Jim Mansir & Steve Landry from Maine DOT, in moving this project forward. Also, we wish to thank the Policy Committee in advance for allowing us to come before them with this proposal.

Sincerely,

William Robertson, PE
Director DPW
Old Orchard Beach

One Portland Avenue • Old Orchard Beach, ME 04064 • Phone (207) 934-5714

Agenda Item 6: Adopt 2011 Update of PACTS Public Participation Plan

Staff Resource: John Duncan

Recommendation: Endorse the draft Plan included in today's meeting packet email

Background

This revision of our 2007 policies and practices report reflects changes brought on by the wider use of the internet for public policy development and communication in our region and throughout the country. We also recently updated our Title VI (civil rights) Plan.

On August 22nd we distributed the Draft Plan to all PACTS Committee Members and several other folks at MaineDOT for review and comment.

Implementation of this Plan will save PACTS money. Specifically, pages 11 and 12 outline how we will rarely print legal ads in area newspapers from now on. Instead, we will post more materials to our website, and we will send more materials to people on our Interested Parties email list.

The required 45-day public comment period ended on October 5th. We have sent this to our 200-person Interested Parties email list, we have posted it on our website and we have printed legal ads in the Journal Tribune and the Press Herald. Four people kindly sent us words of praise for our public outreach efforts and our work in general.

In September we also shared this Draft Plan at our quarterly meeting here with MaineDOT and our Maine MPO colleagues. In September, the Planning Committee members offered no comments when asked at their meeting.

We have attached the October 14th Final Draft to the email for today's meeting. It includes the following changes made to the August 22nd draft:

- A short addition to the introduction.
- Addition of public comments, and staff responses.
- Addition of FTA "Program of Projects" paragraph.
- Addition of appendices.

Agenda Item 7 – Proposal to exempt four consultant efforts from our December 31st deadline

Staff: John Duncan

Recommendation: Exempt four studies from the 6-month “start” deadline policy, as presented on the next page

Background

In 2006, in response to the slow and no progress on the performance of some studies funded by PACTS, the Policy Committee adopted a “studies time clock” policy.

In April 2011, in response to continued slow performance of some studies, the Policy Committee tightened the time constraints. Here is the revised policy.

1. After the adoption of each new biennial PACTS planning budget (UPWP), study proponents will start each PACTS-funded study within six (6) months. The 6-month clock starts on July 1st. The definition of “start” is the signing of a contract with a consultant.
2. The Policy Committee will withdraw the funding if 6 months passes without the signing of a consultant contract. After the withdrawal of funds, the study proponent is eligible to submit the study proposal for funding in the next PACTS planning budget.
3. This 6-month clock policy (starting at the time of addition to the UPWP) also applies to consultant studies added to the PACTS planning budget at other times during a biennium.
4. All studies – including those added to the UPWP during the biennium – lose all unspent funds at the end of the biennium.
5. The Policy Committee may make exceptions to this policy for good cause.

In August 2011, the Policy Committee added several studies to the UPWP. Per Item 3 above, they have until the end of February 2012 to have signed contracts with consultants.

PACTS and GPCOG staff are very busy working with the many stakeholders to:

- Finalize scopes of work
- Finalize RFP's
- Select consultants
- Write contracts

October 20, 2011 Report to Policy Committee
Regarding Consultant Selection Progress

Will Meet December 31st Deadline	Lead	Selection Process	Send RFP	Notes
1 Biddeford/Saco Wayfinding	Carl	Send RFP to 3+ firms	This week	
2 Gorham East West Land Use Planning	Carl	Send RFP to 3+ firms	Next week	
3 PACTS Model Consultant	John	Send RFP to 3 firms	Oct.	
4 Portland Brighton/Deering/Falmouth	Carl	Send RFP to 3 firms	Nov.	
5 Outreach component of Regional Bike/ Ped Plan Implementation	Paul	Sole source	NA	Bicycle Coalition Me.
6 Regional Collector and Arterial Studies	Paul	Sole source	NA	Gorrill-Palmer
7 Regional Traffic Signals Management	Carl	Send RFP to 3 firms.	Nov.	
8 South Portland Broadway Intersection	Carl	Sole source	NA	Sebago Technics
9 Regional ITS Architecture *	Steve		Nov.	
10 Transit Unified Branding and Marketing *	Steve		Nov.	
* Per Transit Committee action on Oct. 13.				
Proposal for Dec. 31st Deadline Exemption	Lead	Selection Process	Send RFP	Notes
11 Portland Libbytown Traffic and Streetscape See attached Portland proposal.	Carl	Send RFP to 3+ firms		
12 A \$30,000 PACTS contribution to a regional aerial photography flight next spring	Paul			GPCOG is lead.
13 EPS for intersection and road rebuild *	Paul	Sole source	NA	Sebago Technics
EPS for bike/ped projects *	Paul	Sole source	NA	Gorrill-Palmer
* Hire in May...work done by August 2012.				
14 Regional Transportation Funding Policy Scope is currently undetermined.	John	Sole source?	NA	
Will Meet February 28, 2012 Deadline	Lead	Selection Process	Send RFP	Notes
15 PACTS Organizational Analysis	John	Send RFP to firms.	Oct.	
16 Portland Peninsula Wayfinding	Carl	Send RFP to 3 firms	Dec.	
17 Regional Bike/Ped Plan Implementation's South Portland component, counts and regional wayfinding system	Paul	Send RFP to 3 firms	Oct.	
18 South Portland SMCC Satellite Parking	Carl	Sole source	NA	
19 Windham Impact Fees Development	Carl	Send scope to 3 firms.	Dec.	Select via phone calls.



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Public Services Department
Michael J. Bobinsky

September 21, 2011

Mr. John Duncan
Executive Director
PACTS
68 Marginal Way
Portland, ME 04101

Re: City of Portland request to delay the start time of the Libbytown Traffic Circulation and Streetscape Study

Dear John:

As per recent discussions with you, the City of Portland request that a time extension be granted for the Libbytown Traffic Circulation and Streetscape Study from the current PACTS Policy start date of December 2011 to May 1, 2012. We are not requesting a time extension for completing the Study which I understand to be by the end of June 2013, per current PACTS Policy for the present UPWP slate of projects.

The Libbytown Traffic Circulation and Streetscape Study will assess and make recommendations regarding the transportation network, circulation pattern and supporting streetscape within the eastern portion of the Libbytown Neighborhood. The primary focus area encompasses Congress Street and Park Avenue extending from Sewall Street to St. John Street, the I-295 interchanges with the Fore River Parkway and Congress St/Park Avenue and connecting cross-streets within Libbytown.

The delay is needed to manage current project assignments and staff resources that support our transportation projects. In addition, the revised schedule will enable the Scope of Work for the Libbytown Traffic Circulation and Streetscape Study to include certain elements that may be highlighted from the Thompson Point Development Project. Currently staff is in review of the transportation elements of the development project and traffic movement permits are under review by City and Maine DOT officials at this time. Delaying the start until the spring of 2012 ensures that the Study can include elements that may require further review and analysis, and are best managed within the context of the Libbytown Corridor Study.

Thank you in advance for your consideration of the City of Portland's request. Should you have any questions or need additional information, please let me know.

Very Truly Yours

Michael J. Bobinsky
Director of Public Services

Cc: Mark Rees, City Manager
Katherine Earley, Engineering Services Manager
Alex Jaegerman, Planning Division Manager

55 Portland Street Portland, Maine 04101-2921 Ph (207) 874-8801 Fax (207) 874-8816

Agenda Item 8 – Join with ATRC, BACTS and KACTS in submitting letters to our Congressional Delegation and to MaineDOT Commissioner Bernhardt regarding proposals in Congress that could lead to the elimination of MPO’s in Maine

Member Resource: Executive Committee

Staff Resource: John Duncan

Recommendation: To ask the Policy Committee Chair to sign the letter below.

Background

The Policy Committee briefly discussed in August the idea that PACTS would join the state’s three other MPO’s in sending a letter to MaineDOT asking MaineDOT to write a letter of support for preserving Maine’s MPO’s. There was support and opposition. At that time the letter was still be drafted by the collective of MPO’s, so there was no letter for the members to review.

In September we learned of discussions in Congress that appear to temper the authorization proposals described below. However, with so little concrete information coming from Washington, it would be risky to assume that both the House and Senate will abandon the issue.

The Executive Committee recently reviewed a September 1st draft letter. The draft below is different only with the two *italicized* phrases.

October 13th Draft

Dear Commissioner Bernhardt,

As the Chairmen of Maine’s four Metropolitan Planning Organizations (MPOs), we are writing this letter to express our concern regarding some proposals *that have recently been discussed* in Washington as part of the transportation authorization bill. These proposals would eliminate MPOs in regions of less than 200,000 people. Nationwide, this would eliminate 220 of the 385 MPOs. For Maine, this would mean the loss of all four of our MPOs – Kittery, Portland, Lewiston-Auburn, and Bangor, which have been in place for almost thirty years, and have provided valuable service to both the municipalities and the Maine Department of Transportation. Our MPOs include 34 towns and cities, plus the Penobscot Indian Nation, which have completed hard work to develop transportation systems which provide great benefits to the regions and the State.

While more recent information suggests that existing MPOs may be allowed to remain in place, we feel it is critical to ensure that smaller states and urban areas do not get jeopardized in the reauthorization process, and that our transportation infrastructure and resources are protected and

enhanced in future years. We are greatly concerned about the potential loss of transportation dollars that could result if there were no longer any Maine MPOs:

- No more capital “MPO Allocations” to our municipalities,
- Uncertain effects on urban transit funding, and
- No more MPO study dollars.

The MPO planning process and the infrastructure investment decisions reached through strong local, state and federal agency participation play a critical role throughout Maine for our economy and the needs of our growing population. To eliminate this process would stifle regional collaboration and the benefits of coordinating and leveraging local, state and federal resources. Given the importance of this infrastructure to economic growth, security, and sustainability, MPOs are an inextricable part of Maine’s economy.

The four MPOs in Maine result in collaborative decision-making and systems planning and implementation occurring on a multi-community basis. The resultant body of knowledge of the MPOs is an asset to the MaineDOT and the communities that would be lost with the elimination of the smaller MPOs. Also, the MPOs have significant investments in the areas of Traffic Signal System Management and travel demand modeling. These would be significant sunk investments within the metropolitan areas.

Maine’s four MPO have a long standing tradition of effective, efficient coordination – internally within each of our MPOs, and collectively with each other. Our member communities have come to rely heavily on the MPOs and our ability to provide technical assistance and expertise to the communities, keeping discussions and decision-making at a local/regional level.

We believe it is imperative that this local voice remain in all phases of transportation planning, programming, and implementation – as has been the case in Maine and other parts of the United States. It is important that if Congress decides not to establish any new MPOs, that the bill include a grandfather provision that would keep current MPOs in place that have a population between 50,000-200,000.

The MPOs have been working with both the National Association of Development Organizations (NADO) and the Association of Metropolitan Planning Organizations (AMPO) on this issue over the past few months. However, any assistance your office could provide on this matter would be greatly appreciated. It would be of great benefit if MaineDOT could write a letter of support for this effort, and also contact our Congressional offices.

Please feel free to contact any of us or the MPO Directors if you have any questions or need more detailed information. Thank you.

Robert Thompson, Chairperson
ATRC Policy Committee
(Jennifer Williams, PE, ATRC Director)

_____, Chairperson
BACTS Policy Committee
(Rob Kenerson, PE, BACTS Director)

Daniel Blanchette, Chairperson
KACTS Policy Committee
(Tom Reinauer, KACTS Director)

Nathan Poore, Chairperson
PACTS Policy Committee
(John Duncan, PACTS Director)

Agenda Item 9: Executive Director's Report

1. Jim Gailey proposes that the Policy Committee meet in the future at 1:00 rather than 1:30 in order for several members to get more easily to the ecomaine meetings that are regularly held later in the afternoon after Policy Committee meetings.
2. PACTS staff has just received the MaineDOT guide to their Municipal Partnership Initiative. It is a \$7,000,000 statewide program for this biennium. Freeport, Yarmouth and Scarborough have received funding so far. See Paul Niehoff for details.
3. Biddeford is going to apply for \$18,000,000 in TIGER III funding for a river walk, parking garage and traffic signal coordination project. Biddeford proposes to provide match from a local TIF. MaineDOT is also applying for \$10,000,000 in TIGER III funding for freight rail investment on the Mountain Division rail line. I sent a letter of support for MaineDOT's application.
4. I submitted the required PACTS Title VI Plan to MaineDOT recently. The Executive Committee discussed the final draft.
5. I led a tour this morning for FHWA's Todd Jorgensen and Carlos Pena, and MaineDOT's Herb Thomson and Peggy Duval.
6. 15 people signed up immediately for the November 15th 8:30 a.m. capital projects workshop for PACTS members. Let me know if you intend to come and have not responded.
7. The Planning and Technical Committees both met in August, September and October. See Carl Eppich and Paul Niehoff for details.
8. For your information, I have attached an 11x17 spreadsheet to this meeting packet email which shows all of the projects affected by our May 2011 10% local match incentive policy.
9. Peggy Duval and Joyce Taylor met recently with MaineDOT Commissioner Bernhardt to discuss the recommendations in the July MPO Project Efficiency Team Report.
10. The announcement and registration form for the December 1st annual Maine Transportation Conference in Augusta came out this week. Contact Conrad Welzel or me with questions.
11. More MaineDOT staff changes:
 - Paul Pottle will retire at the end of October.
 - Norm Baker will retire at end of December.
 - Jerry Douglass, the current MPO Coordinator at MaineDOT, will be returning to the Local Roads Center. His position will not be filled per se – the MPO Coordinator

function will be done in the future by another person(s) currently working in the Bureau of Transportation Systems Planning.

12. Executive Committee Topics for November and December meetings

1. Report on MaineDOT's work-in-progress to update the balances in our Holding PIN account and in the list of completed PACTS capital projects that are still in close-out phase.
2. Pending result of item above: finalize recommendation to the Policy Committee for financing the \$1,400,000 needed per our May 2011 policy to reduce the local match for most of our projects from 25% to 10%.
3. Prepare for our annual December legislators information session
4. Workshop on the PACTS website
5. Finalize agenda for December Policy Committee meeting
6. Complete the members' work with staff and six other members (including MaineDOT) as this year's **TIP Process Committee**.

13. December 15th Policy Committee Draft Agenda

1. Reallocate funds within our \$15,000,000 projects list per the implications of 3-party and LAP agreements made by September 1st per our 10% local match policy.
2. Adopt recommendations from the six-meetings-work of the TIP Process Committee, as summarized in their final report: *PACTS TIP Policies and Procedures for the 2014/2015 Biennium*.

14. The Transit Committee is a very busy group. For instance, here are the topics that they (attendance 20 people) discussed last week:

1. Review Committee's Timeline/Work Plan
2. Regional Map and Timetable
3. Regional Route Study
4. Regional Pass System
5. Status Reports on Gorham Bus Study analysis, Gorham East West corridor study, Congress Street bus priority study, and Forest Avenue corridor study
6. Operations Committee Update
7. Regional AVL Project
8. Regional Sign & Shelter Project
9. Prioritize timing of staff and consultant studies
10. Information Sharing/Round Table Discussion/Check-In
11. Public comment: proposal to increase transit systems marketing
12. Transportation Management Association concept
13. PACTS Title VI Plan implementation...did not get to due to time constraints

15. Changes made to the PACTS 2012-2015 TIP projects list since Policy Committee endorsement on August 20th – as reported recently to the Executive Committee

On August 20th the Policy Committee adopted a 28-page program of federally funded transportation projects for our region. The list includes FTA 5307 allocations, our MPO Allocation projects and all other active FHWA and FTA projects in our region that have not yet been obligated. We do this every two years.

The Policy Committee adopted the program in August because we needed to meet a September 30th federal deadline and the Policy Committee does not meet in September. The submission of this document and MaineDOT statewide version to the federal agencies enables MaineDOT access to the federal funds for the projects after September 30th.

MaineDOT completed preparation of the program three weeks after the August 20th action by the Policy Committee. On September 22nd I submitted a final program within an official PACTS Transportation Improvement Program for FFY 2012 to FFY 2015 document to MaineDOT. It is on our website.

MaineDOT prepares the project lists. PACTS and GPCOG staff review drafts and offer edits. In preparation for the September 22nd submission I worked with MaineDOT on getting our edits incorporated into the document – and in preparing the narrative for the document. Last week I compared the final list with the one adopted in August. I found more changes – a function of MaineDOT’s continuing to complete the projects list after our August meeting. We are researching some of these changes:

MPO Allocation Projects

- Added 16 *still-active projects funded in the past*: 9 resurfacing projects, the Biddeford sidewalk project, two Gorham projects on Brackett and Libby, Forest Avenue bike lane striping, RTP vehicles, and Eisenhower Drive (Westbrook) sidewalk project.
- *Removed*: WIN 17856 Riverside St. traffic signal coordination.
- Increased funding for 4 *still-active projects funded in the past*: Falmouth Route 88 sidewalk, Old Orchard Beach intersection, Forest Avenue reconstruction and Saco Street (Wsbk) resurfacing

Other Projects

- Corrected the FTA 5307 operating assistance amounts.
- Increased operating assistance amount for Downeaster to \$17,000,000
- Added Forest Avenue signals coordination (the earmark that PACTS applied for)
- Reduced amounts for a Gorham intersection project, a 295 bridge decking, and a Route 1 (South Portland) bridge decking.

16. Special report by David Cole, former MaineDOT Commissioner

<http://www.nado.org/connecting-the-dots/> The NADO Research Foundation is pleased to announce the release of a new special report by David Cole, former commissioner of the Maine Department of Transportation and the former CEO of the Eastern Maine Development Corporation (EMDC). *[CONNECTING THE D•O•T•S, A Guide for Connecting with Your Department of Transportation](#)* (PDF, September 2011) is an entertaining yet highly informative guidebook for creative problem solving, building stronger state and local partnerships, and understanding the unique opportunities that transportation and economic development projects bring to regions and communities. Cole uses his personal experiences from the state DOT and regional economic development worlds to tell a story and to share several important life lessons and takeaways. As Cole quotes from a Maine DOT engineer, “all it takes is ‘one angry man with a laptop’ to significantly impede forward progress.” We hope this new special report will help policy makers, practitioners and other stakeholders think differently about the challenges and opportunities ahead for the nation and our local communities.

