



Local Agency Process Reevaluation Meetings

May 17, 2010

Greeley

Meeting Notes

Meeting Purpose

The purpose of the meeting is to solicit input from local governments to improve the administration of the Local Agency Program.

Meeting Agenda

- Opening Remarks and Introductions
- Meeting Guidelines, Existing Roles, and Agenda Review, Process overview
- Solicitation of issues, ideas and concerns regarding Local Agency Process
 - **Project Initiation Process**
 - **Project Design/Advertisement**
 - **Award of Project/Construction**
- Next Steps

Opening Remarks and Introductions

Tim Tuttle, CDOT Region 4 local agency coordinator, opened the meeting and welcomed Neil Lacey and his team to the meeting. Neil Lacey, CDOT Headquarters, gave an overview of the expectations of the meeting and described elements that relate to the local agency processes. Neil introduced Tobilynn Erosky, meeting logistics and note taker, with CDOT and Jonathan Bartsch, meeting facilitator, with CDR Associates. Jonathan asked the group to introduce themselves and share one personal objective for the meeting. The group identified the following objectives:

- Simplifying process and requesting more information
- “Kiss” process (keeping it simple)
- Clarifying process and reducing amount of time required
- Simplify contract process
- Laying out processes for contracts/construction
- Revision to the front-end process to get projects going
- Develop better documentation of requirements during the construction phase
- Request for correct/accurate ROW/survey processes
- Need clear guidance between federal requirements and state/CDOT requirements
- Need way to simplify level of effort for projects into several groups i.e., \$3 million vs. \$2 million projects



- Be able to reduce amount of forms – more electronic submittals
- Require more submittal capabilities
- Feeling that “LA projects are being set up like “BIG” CDOT Project – doesn’t work
- Develop ‘mini-stewardship’ agreements between local agencies and CDOT similar to that between FHWA and CDOT; create process improvements
- Need CDOT, local agencies, and FHWA to have open communication
- Clarification of invoicing requirements and documentation
- Streamline process and paperwork depending on size of projects. Use of local agencies forms, processes, plans, etc.

Neil introduced Federal Aid Highway Program Stewardship Agreement and discussed federal, state, and local relationship for Local Agency projects. Purpose of meeting is to discuss how to make positive improvements to the program. The group was then asked to provide input regarding the project initiation process. The discussion notes are below.

Project Initiation Process: Identify key issues and recommendations – Local Agency Manual Flowchart Chapters 1-4

- Is there a certification process that local agencies could attain and have authorization to perform work with their plans, processes, etc. because they already have their process in place?
- Local agencies want flexibility to use process other than low bid process, use this with their funds.
- Local agencies would like Regions LA Coordinator to be able to have authority to clear environment impacts on smaller projects, where it makes sense.
- Request was made to develop abbreviated environmental process for minor/small projects related to type and scope of work.
- Bid items process should be clarified because local agencies have their own bid items and so does CDOT.
- CDOT has “one size fits all” contract for different types of projects that may not be the best fit. Suggest that there needs to be a change on types of contracts for different types of work.
- Can CDOT provide anticipated timeframes for ROW process for local agencies?
- Can there be flexibility for off-system projects-they look different than on-system projects?



Project Initiation Process (continued)

- Local agencies want different processes vs. having to use CDOT's processes. Why didn't local agencies have input along with CDOT on flowchart processes in CDOT Local Agency Manual? In New Mexico, the local agencies were able to use their own processes. Can this happen in Colorado?
- Can CDOT change their ROW plan format process? Why do local agencies ROW plans have to look like CDOT's plans? It costs a lot of money to bring plan sets up to that level of detail.
- Larimer County acquires ROW as easements – CDOT acquires ROW in fee simple as ROW. There are no requirements of easement in state laws. There are too many ROW CDOT requirements and lots of surveying costs to deal with.
- Bike path ARRA project – use of CDOT standards (specs and plans) doubled cost of the project and project had to be cut back. There needs to be changes in CDOT standards.
- ROW Acquisition – local agencies feel like they are being told to follow steps 1-100 when local agencies become owners of required ROW easement. Asked that CDOT should let local agencies do the work their way which includes following Uniform Act. When CDOT becomes owner, local agencies will follow CDOT's rules. Local agencies want to know who will be owner of easement beforehand. Local Agencies sign IGA that requires them to follow Uniform Relocation Assistance Act – Locals want to be trusted that they will do this.
- Local agencies would like a certification program to be developed stating they followed CDOT's laws and regulations rather than review by CDOT.
- Training-CDOT does an outstanding job in training. Region 4 Local Agency Coordinator also does a great job.
- One suggested training could be for local agencies on differences between off-system/on-system and how they make decisions on which projects to 'federalize'.
- There was a suggestion to add "timeframes" to CDOT Form 1243 checklist for turnarounds on reviews, etc.
- Local agencies get a lot of assistance and answers from R4 staff when they have questions/issues to deal with.
- With limited budgets, local agencies are always interested in 'match' dollars. There is frustration in the frontend costs to do projects due to clearances and required processes for surveyors, consultants, etc.



Project Design/Advertisement Process: Identify key issues and recommendations –Local Agency Project Flowchart Chapters 5-7

- Policy memo #23 talks about requiring a waiver for design consultants to be hired to perform construction services. Requested that this Policy Memo not apply to local agencies when using their own resources. Why go through RFP process twice. Consultants that do design will need waiver in order to be approved and retained for construction management. If you do RFP and identify a consultant for a large project, why can't local agencies use them for small projects?
- On-system/off-system – there are costs to change to CDOT/federal requirements for “grant funded” projects. Suggested strategy to hire experienced consultants familiar with CDOT work.
- Writing a FIPI seems unnecessary to justify using Local Agency forces to do work like signing, striping, etc.
- Use of DBE and OJT requirements adds costs to smaller projects.
- Need improvement between regions and HQ on goal setting. Use of DBE design consultant adds extra costs to design.
- Local Agencies want input on how DBE goals for projects are set.
- Storm water permits and SWMP plan - if project doesn't require it, why does CDOT require the plan? SWMP plans can cost more than BMP's. If a permit is required and property is less than 1 acre and not requiring the plan, then don't use the plan.
- Request to use more electronic documents and less paper copies.
- Plans/specifications – CDOT requires a lot of plans other than description of work. Can plan sheets be streamlined? Feeling that CDOT is requiring more than what is needed.

Award of Project/Construction Process: Identify key issues and recommendations – Local Agency Project Flowchart Chapters 8-11

- Materials testing forms 250 and 379 are CDOT Staff Materials forms and local agencies have a difficult time figuring out number of hours for consultant contracts. Would it be possible to let regions fill out form 250 going forward?
- Local agencies need clarification from CDOT on change order process and who approves it. What is difference between field orders/change orders? For projects that impact federal funds, do local agencies get approval?



Award of Project/Construction Process (continued)

- Local agencies want CDOT to critique Local Agency documentation along the way so that all changes are completed before projects finish.
- Local agencies want their money when projects are complete vs. waiting for CDOT's final approval.
- There should be different types of contracts for different funding types.
- Does there need to be a bid item for warranty work?
- Can there be a grant process established for projects less than \$100,000?
- Environment clearances/processes - on ROW, when local agencies sign IGA, they are guaranteed all work in accordance with NEPA. CDOT micromanages the work instead of trusting local agencies saying work was done. When local agencies are working on their land, they want to use their process for off-system and CDOT process for on-system.
- There needs to be delineation between state and local agencies as to who decides who is doing what.
- Local agencies want warranties on projects and need more clarification when to use warranties.
- Using form 205 takes a long time to be approved by CDOT. Local agencies would like to see changes on approval time by granting approval at the regional coordinator level.
- If there are processes that don't have to be followed, why is CDOT requiring them?
- Local agencies feel frustrated because they have qualified people who can do the required work on projects. Local agencies want CDOT to let local agencies have more responsibility.
- CDOT should conform to: More "should" and less "shalls" when revising the local agency manual
- Local agencies want more MPO participation and more training for applicants on traffic study, air quality, etc.
- When CDOT finds problems, they need to share these problems with local agencies, engineers, etc.



- There should be clarification on when to pursue federal funds based on the amount of effort required by state and federal regulations.
- Following federal-aid process adds costs – what is the cost/benefit?

Other issues: Identify key issues and recommendations

- Local agencies want to see CDOT giving them more trust, especially when CDOT is not accepting the liability. Why are there so many requirements?
- Need for different limits for smaller projects- do not need a sledgehammer for every project.
- Need more MPO/TPR participation at these meetings. Smaller agencies don't understand costs.
- There should be engineering input at project concept level.
- Training: Can training be offered for local agency project applicants to know all requirements involved up front?
- There needs to be a way to solve issues between parties so that projects flow better.
- It costs more to delay projects. Will CDOT contribute funds if the projects are delayed?

Next Steps

The audience was encouraged to stay connected with the process and for those interested to contact Tim Tuttle if interested in serving on the Reevaluation Task Force. Jonathan encouraged everyone to fill out a comment card with further questions/concerns and noted that the meeting notes will be posted on the website.

PARKING LOT

- Is it possible for CDOT to “let the local agencies go” after reviewing the local agency processes/standards and specifications?
- Why didn't the local agencies have input on the local agency flowchart process?
- Why can't a waiver to Policy Memo #23 be delegated to the regions?
- Is Policy Memo #23 a CDOT requirement only or a federal requirement?
- What is the goal setting process for OJT?
- Is OJT federal or state requirement?



- Is the DBE goal setting worksheet “confidential” from HQ?
- If a project does not require a permit, then why do plans have to include CDOT version of SWMP plans?
- What is the process of change orders and who approves them?
- What is the CMO process to follow when using local funds to write change orders?
- Does the warranty have to be a specific bid item? How is this covered by a warranty bond?
- If 205’s are signed by local agency, do they need to be approved by CDOT before the contractor starts work?
- Once the local agency standard specifications are reviewed, do project specials need to be sent down to SSU for review/approval?

ATTENDEES:

Bob Patrick	Weld County
Michael Bedell	Weld County
Jim Allen	City of Sterling
Cameron Parrott	City of Evans
Bradley Curtis	City of Fort Morgan
Claude Auch	City of Greeley
Daniel Thomas	CDOT R4 Traffic
Tim Tuttle	CDOT R4 Traffic
Elizabeth Relford	Weld County
Pete Graham	CDOT R4 Traffic
Rich Sarchet	CDOT R4 Traffic
Stuart Miller	CDOT R4 Traffic
Steve Bagley	City of Greeley
Joe Marcisofsky	City of Greeley
Kyle Arand	Larimer County
Dale Green	Larimer County
Ron	Larimer County
Rusty McDaniel	Larimer County
Randy Jensen	FHWA
Neil Lacey	CDOT HQ, Project Development Branch
Tobilynn Erosky	CDOT HQ, Project Development Branch
Jonathan Bartsch	CDR Associates