City-County-State-Federal Cooperative Committee

June 17, 2010

Group Memory

Please Note:

Link to Highway System Engineering Branch Functional Classification Update

http://www.dot.ca.gov/hq/tsip/hseb/products.html

2010 Meeting Schedule

Terminal A – 2nd Floor, Media Room, Sacramento International Airport
All Thursdays:
February 4, 2010
April 15, 2010 (Note the change)
June 17, 2010
August 5, 2010
October 21, 2010
December 9, 2010

Standing Items

1. Upshot review; bin lists review including the one we started on April 11, 2008 for reauthorization issues.
2. CTC developments / update. Need ten or fifteen minutes for that.
3. Caltrans Local Assistance Division Chief needs to get the word out on any regulation or process changes coming up.
4. Annually: Review accomplishments of this CCSFCC.
5. Need for current events – what is going on. Agenda is full, but we need to hear from others on what is going on.
6. From this group, what we need is follow up on how Local Assistance is working in the face of the budget situation. Need to know good, bad and ugly for next year.
7. The budget

<u>Expected outcome for THIS meeting,</u>

June 17, 2010

~~Discuss what we can do through the new transportation act – how do we prioritize and which items will be the most beneficial – through changes in the new act…~~

~~Toll Credit Program~~

Expected outcome for NEXT meeting,

Meeting schedule for 2011

Progress on setting up the risk-based approach to reviews by CT and FHWA. (October meeting)

Agenda for Change discussion.

Invoicing Process

Streamlining Principles – Federal Transportation Act.

Bin List & Great Ideas

1. Need to train district people to be advocates for local programs. (Art; July 15, 1999)
2. Consolidate / Minimize number of federal projects. (Terry A August 21, 2003; modified February 9, 2006)
3. How can we exchange federal money for gas tax on local programs? (Terry A August 21, 2003)
4. Programming rule changes

Bin List for specific changes for next authorization. (Started at April 11, 2008 meeting; purpose is to have a single place to register the issues we want to address…)

1. Streamlining – drop Cognizant Agency Audit requirement indirect costs. **April 11, 2008/Terry A**
2. Make bridge rail replacement eligible in the bridge program. **April 11, 2008/Pat D**
3. Streamlining: Delegate authority for R&R bridge projects statewide to Caltrans. **April 11, 2008/Pat D**
4. Requirement of other federal agencies to use FHWA rules – when we move money to other Federal Agency, Why do we need to get assurance that they (other federal agencies) will follow FHWA rules **April 11, 2008/Terry A**
5. Revalidation of NEPA document after some fixed period of time – need a timeframe or threshold for this requirement. **June 27, 2008 / Terry A**
6. Can the local agency advertise the project prior to obligation? **(June 4, 2009)**

Charter

PURPOSE OF GROUP (FROM JUNE 1998; Revalidated in Dec 2009; to be reviewed in Dec 2010)

- ADDRESS FUNDING, PROCEDURAL AND LEGISLATIVE ISSUES RELATED TO TRANSPORTATION FROM A LOCAL PERSPECTIVE. (MODIFIED JUNE 8, 2000).
- ENHANCE THE WORKING RELATIONSHIP BETWEEN CITIES & COUNTIES, COG's and RTPA's, CT, CTC AND FHWA. THIS EXTENDS TO IMPROVING COMMUNICATION WITH ALL STAKEHOLDERS. COLLABORATION IS A KEY METHOD. (MODIFIED DECEMBER 2008)
- IMPROVE THE APPLICATION OF TECHNOLOGY TO SPREAD INFORMATION AND IMPROVE ACCESS TO ALL STAKEHOLDERS. (MODIFIED DECEMBER 2008)
- PROVIDE INPUT TO THE DEPARTMENT AND FHWA TO ENHANCE THE ABILITY TO MEET ALL STAKEHOLDER NEEDS. (ADDED IN JUNE 2000, MODIFIED DECEMBER 2008)

Ground Rules:

Start on time. End on time or early.

Identify if you have to leave early and have an agenda item.

Consensus decisions. You must be able to live with it.

Keep side conversations silent.

Send alternate if you are not able to attend.

Upshot

These are the assignments made at the meeting. As new ones are added they will be appended to the list. As assignments are completed they will be lined out with a strike-through, but left on the list for one meeting. This will provide a running record of assignments made at these meetings.

From June 1, 2006 meeting

262	All for Pat D	Pat DeChellis will continue to work on the HBP funding issue, and wants your input on problems related to this. He needs your data on your bridge problems. Please email him with your information. (see discussion notes outline # 9)	On-going

From February 8, 2007

285	All for Denix	Sometimes the interagency coordination is not what it could be. There are times where reviews are duplicative – things are checked by one agency, only to be requested and checked again by the other agency. If you have examples of this please send them to David Saia. ~~Terry A.~~	On going.

From December 12, 2008 meeting

From June 4, 2009 meeting

354	Denix/Ross	(Receipt of Federal Funds bypassing the State….sending the money directly to the cities and counties.) The group needs to watch this issue. Denix will work with Ross McKeown to keep the group in touch with this as it emerges. (see discussion notes outline # 6) This is part of the next authorization.	ONGOING ~~Aug 6, 2009~~ ~~Dec 3, 2009~~
358c	All for Denix	Denix would like suggestions to improve LA effectiveness (see discussion notes outline # 12)	On-going

From September 30, 2009 meeting

~~360~~	~~Mohsen~~	~~Mohsen will revisit this issue and have CT send a letter to cities and counties and other owners of local bridges, stressing the importance of not overloading bridges when routing permit loads. CT will be available to assist with training.~~	~~12/3/2009~~ ~~2/4/10~~

From December 3, 2009 Meeting

364	Denix	Send out a short report to communicate the effectiveness of this forum and its accomplishments.	

From Feb 2010 Meeting

~~369~~	~~Carlos~~	~~Provide an update on Audit Requirements for Local Agencies and A&E Firms the next meeting~~	~~4/15/10~~ ~~June 17~~
~~370~~	~~Denix~~	~~Send out a list of agencies that have submitted a QAP within the last five years, and identify those who have not. This will get to CSAC and the League of Cities for distribution.~~	~~2/19/10~~

From April 15, 2010 Meeting

~~371a~~	~~David S~~	~~Send out the Agenda for Change book to the group along with the list of what can and cannot be done. (see discussion notes outline # 1)~~	~~4/15/10~~

~~371b~~	~~Denix~~	~~Put agenda for change report discussion on the agenda for the next meeting. Consider if the goals of this current group are still relevant. What can we do to help us better deliver our projects in a quicker manner… Consider what we can change or do through the new transportation act – (see discussion notes outline # – 1)~~	~~6/17/10~~
~~371c~~	~~Pat D~~	~~Discuss what we can do through the new transportation act – how do we prioritize and which items will be the most beneficial – through changes in the new act… Work with Ross, report back to the group. Focus on what cities and counties need. (see discussion notes outline # – 1)~~	~~6/17/10~~
~~372~~	~~David S~~	~~work with FHWA (KB) to see that their concerns are covered in the form (see discussion notes outline # – 6)~~	~~4/16/10~~
373a	Barry L	work with FHWA and Ross at MTC to define the problem related to inactive obligations reporting, and problems with project closeout (see discussion notes outline # 9)	~~4/29/10~~ 8/5/10
~~373b~~	~~Karen B~~	~~Find out about how ARRA project inactive obligations will be handled by FHWA and report back to Caltrans for distribution to the group. – (see discussion notes outline # – 9)~~	~~4/23/10~~
~~374a~~	~~All for Bill S~~	~~Comment on the invoicing process – any problems you are having.~~	~~4/29/10~~
~~374b~~	~~Bill~~	~~Report back at next meeting on what comments you received on the invoicing process.~~	~~6/17~~
~~375~~	~~Karen B~~	~~Clarify details on VA studies not conducted on projects which increased in cost over the threshold: Did this occur through construction change orders? Value Engineering too late that point.~~	~~6/17~~
~~376~~	~~Yin Ping~~	~~orchestrate quarterly reports to the RTPA group on HSIP~~	~~Start in May.~~

From June 17, 2010 Meeting

377	Ken	Will check into training opportunities to incorporate the findings and information in the COINs. Report on status. (see discussion notes outline # 2)	8/5/10
378	Yin-Ping	Clarify the language for the toll credit program to indicate that toll credit will not be used on already programmed safety projects. Make the document final and remove the "Draft" watermark. (see discussion notes outline # 3)	6/30/10
379	Kiana	Send the broad principles from CEAC discussion on the new transportation act to Denix and the specific streamlining principles when they are ready…	6/17/10
380	Denix	Caltrans will report back to the RTPA's and CSAC, and will report back to this group in the August meeting on ICAPS discussion with FHWA. (see discussion notes outline # 5)	8/5/10
381	Denix	Send out the current versions on the "Agenda for Change" list. (see discussion notes outline # 8)	
382	Denix	The DLAE invoice review checklist will be shared with the members of this group to for their input. Then it will be finalized and implemented. Include a timeline on when this will be completed. (see discussion notes outline # 9)	8/1/10
383	Denix	Verify the process to get "Notice to proceed" dates into the RADS, to ensure that the information is in the system prior to June 30th. (see discussion notes outline # 10)	6/21/10

Critique from June 17, 2010 meeting:

What went well	What Needs Improvement
Efficient Ended early Covered a lot. Use of the screen, system (Mike) Pastries.	Attendance

Critique from April 15, 2010

What went well	What Needs Improvement
FHWA turnout, FHWA speakers on antitrust and fraud. CT staff picked up for Denix's absence, although we missed him… Right amount of food.	Too many items on the agenda. Denix not here. Mike did not get the .wav files for the PowerPoint.

Invitees Kiana Buss, Julia R. Bueren, Pat DeChellis, Tom Flinn, Dave Flynn, Pat Minturn, George Johnson, Peter Rei, Dorothy Johnson, Shawn Cunningham, Wayne Lewis, Robert Newman, Martin Pastucha, Larry Patterson, T.C. Sutaria, Brittany Odermann, Kathy Matthews, Karen Bobo, Martin Tuttle, Mohsen Sultan, Maura Twomey, MaryAnn Campbell-Smith, Mike Halverson, Lori Saysourivong, Ken De Crescenzo, Brenda Schimpf, Henry Wells

1	9:00	Introductions	All	
2	9:05	Facilitator/Recorder Role; Ground Rules; Action Items; Review Agenda	Mike Halverson/All	Understand meeting process and status of action items
3	9:15	CTC Allocation Update	Maura Twomey	Information Sharing / Feedback

1. Agenda item 3: CTC Update

   1.1. Planning to make STIP allocation on federally funded projects consistent with the allocation plan. Will consider opening up the allocation to projects not on the allocation plan to ensure we use federal obligational authority completely.

   1.2. STIP projects not federally funded: Will only allocate PPM. Get requests in early please.

   1.3. We may do 10-11 allocation at next commission meeting if we get information in time from CT.

   1.4. Bond projects: waiting for bond sales by State Treasurer. Exceptions: Projects with money set aside - Prop 16, and Prop 1B highway rail projects. We may have cash on hand due to savings/spending slow-down on projects.

4	9:25	Construction Oversight Findings	Ken Darby	Information Sharing

2. AGENDA ITEM 4: Construction oversight findings report

   2.1. There are 6 Caltrans construction oversight / review engineers – focus is ARRA projects.

2.2. Joint reviews with FHWA and also three types of CT internal reviews. Results are shared with the local agency at the conclusion of the reviews. DLAE and HQ also get copies of results from the reviews.

2.3. First quarterly report was published in April 2010.

2.4. Overall there is a lot of room for improvement. Focus is on ARRA projects. Many of these agencies are not accustomed to dealing with federal funds. Common finding: Daily diaries deficient in 50% of the projects – labor hours, names, etc.

2.5. "COIN" -Construction Oversight Information News – publishes deficiencies and makes suggestions to improve. This information is available on the local assistance WEBSITE.

2.6. ARRA project checklist is being considered for non-ARRA projects.

2.7. There is a database to track and monitor significant deficiencies.

2.8. 40 internal reviews in Feb-Mar; in May there were 51 internal reviews. This is in addition to the 20-25 FHWA joint reviews per month.

2.9. LA RE academy will be revamped and updated for next round in the next year, to incorporate findings.

2.10. Local agencies and personnel who should attend the academy will be identified in the coming months.

2.11. Local agency feedback on the review process has been very positive.

2.12. Discussion:

2.12.1. Information needs to be pushed out in a way to ensure all receive it.

2.12.2. It would be helpful to put out the findings and results to the county transportation authorities.

2.13. Outcome:

2.13.1. Ken will check into training opportunities to incorporate the findings and information in the COINs. (See upshot # 377)

2.13.2. League and CSAC will subscribe to the COINs to ensure appropriate distribution of information.

5	9:40	Toll Credit Program	Yin-Ping Li	Inform agencies on the latest toll credits policy and steps needed to apply toll credits on projects

3. Agenda item 5: Toll Credit Program

3.1. Current safety program is fully allocated.

3.2. Projects need matching funds –

3.3. Discussion

3.3.1. There needs to be language in this to say why there is no match.

3.3.2. Concern: Policy seems to preclude using toll credits for safety projects. Language seems to say that there are exclusions of things we won't do – probably better not to make a statement like this.

3.3.3. Maybe the language should say something about the toll credit program is not to reduce the size of other programs by taking projects out of them.

3.4. Outcome

3.4.1. Yin-Ping will clarify the language for the toll credit program to indicate that toll credit will not be used on already programmed safety projects. Make the document final and remove the "Draft" watermark. (See upshot # 378)

6	10:00	Prioritizing items for the most Beneficial aspects of the New Transportation Act	Denix Anbiah / All	Discussion

4. Agenda item 6: Prioritizing items for the most beneficial aspects of the New Transportation Act.

4.1. The purpose of this discussion is to solicit input from the group.

4.2. There is a set of principles from CEAC. Three priorities are streamlining, bridges and rural road safety. We are aligning ourselves with the national association. Pat D is working on a proposal. As CEAC prepares these proposals, they will be forwarded to the state.

4.3. California has different concerns than the rest of the country, particularly with regard to streamlining.

4.4. These notes include a list at the top of the issues brought forward by the group. Processes outside this group are working on them.

4.5. Outcome:

4.5.1. Kiana will send the broad principles from CEAC discussion on the new transportation act to Denix and the specific streamlining principles when they are ready… .

7	10:30	ICAPS	Denix Anbiah	Information Sharing

5. Agenda item 7 ICAPS – indirect cost allocation plan –

5.1. Your ICAPS has to be approved by CT audits staff. This has been a bottleneck due to backlog, currently about two years. Caltrans Division of Audits has a proposal that has been submitted to FHWA on June 9th for their feedback and approval.

5.2. In general we are working on a risk-based approach.

5.3. Caltrans is awaiting feedback from FHWA on the concept, and then if it is OK, details will be developed. Caltrans has asked for a response from FHWA by June 25.

5.4. Currently the process is burdensome for the possible benefit you can get – it could cost you much more money to do this than the eventual amount of money that is eventually captured.

5.5. Outcome:

5.5.1. Caltrans will report back to the RTPA's and CSAC, and will report back to this group in the August meeting. (See upshot # 380)

~~8~~	~~10:40~~	~~Setting up the Risk-based approach to reviews by CT & FHWA~~	~~Karen Bobo / David Saia~~	~~Progress report~~
9	10:55	Details on VA Studies	Karen Bobo	Clarification & Updates

6. Agenda item 9: Details on VA Studies

   6.1. FHWA will recommend that VA studies be done anyway even if you are in design phase, on projects valued approx. $21 million, because there will probably be cost escalation in these projects by construction phase that will put them over the threshold.

   6.2. CT will validate that all projects that met the threshold actually have done a VA study. They will validate that cost savings have been rolled over into the projects.

   6.3. To do this evaluation, CT will do a statistical study on the VA study recommendations, through random sampling. Be prepared for this review. The review will be done by Sept. 15. (That is the goal.)

   6.4. Documentation is required to be in the project files for three years after close-out of the project.

10	11:15	Audit Requirements for Local Agencies and A&E Firms	Linda Laubinger	Update

7. Agenda item 10 Audit requirements for local agencies and A&E firms

   7.1. Discussion

      7.1.1. Seems like an inefficient project – we have to fill out a form for every single project – why not just fill out one for each consultant firm? CT HQ A&I Perspective is that every A&E contract be audited or surveyed.

   7.2.

11	11:30	Agenda for Change	Denix Anbiah / David Saia	Update

8. Agenda Itme 11 - Agenda for Change

   8.1. This is a list of items from the '90's – CT has reviewed it and identified what can and cannot be done. On the list there are only eight items that could be done; the other items are not doable or they are already done.

   8.2. Caltrans will send out the final list with the eight items that can be done.

   8.3. The items that cannot be done may require federal legislation or regulation changes.

   8.4. Discussion

      8.4.1. Shouldn't we always be looking at the list and adding to it?

      8.4.2. Caltrans will handle the eight items, and then look for what is next.

   8.5. Outcome:

      8.5.1. Denix will send out the "Agenda for Change" list. (See upshot # 381)

      8.5.2.

12	11:45	Invoicing Process Comments	Bill Sandoval	Update on comments received

9. Agenda item 12: Invoicing Process Comments.

9.1. After streamlining the local assistance process in 1995, the Bureau of State Audits has said that we cannot send invoices directly from local agencies to accounting. Before they can pay, someone has to certify that the local agency has done the work.

9.2. Districts need to review the invoices before they are sent to accounting. What has happened is that the districts in some cases started to do their own virtual audit. That was not the original intent – Rather, the review was to look at reasonableness and scope of project, etc; not a financial audit.

9.3. Caltrans LA HQ is developing a checklist for the DLAE's to use, which will clarify the scope of their responsibilities.

9.4. Discussion:

9.4.1. Members would like to have input on the checklist.

9.4.2. Cash flow in local agencies is critical and we need to get this going this month.

9.4.3. Intent is to clarify the process, not make it more complex.

9.4.4. If the checklist makes the process more complex we need to revisit this topic.

9.5. Outcome:

9.5.1. The DLAE invoice review checklist will be shared with the members of this group to for their input. Then it will be finalized and implemented. (See upshot # 382)

13	12:00	Open		

10. Agenda item 13: Open discussion

10.1. Caltrans has concerns about the year's delivery. There is still $700 million to be delivered. This needs to come through the district offices by July 1. If you have any projects for next year which you can advance, please do so.

10.2. Recovery Act projects– please de-obligate and reallocate your bid savings money to other eligible projects before the end of the federal fiscal year. Barry Leaming will in charge of this.

10.3. FHWA comment: ARRA Federal Review team will be out here this August, looking at Districts 4 and 7.

10.4. FHWA comment: Additive Bid process to account for bid savings: Local agencies are trying to use cost savings from other projects to pay for additive 1 and additive 2 through CCOs' – this will not be permitted – you must have the money for the full project; additive can only be covered through bid savings. You cannot add a project to another project as an additive bid as a CCO.

10.5. FHWA initiative called “Every day counts” has three parts: Project delivery, technology and “Go Green.” You will hear more from FHWA between now and January 2011.

10.6. Outcome:

10.6.1. Denix will verify the process to get “Notice to proceed” dates into the RADS, to ensure that the information is in the system prior to June 30th. (See upshot # 383)

14	12:15	Meeting Wrap-up • Review Assignments, Bin List • Desired Outcomes for Next Meeting • Critique Meeting	Mike Halverson/All	Preparation for upcoming meeting
15	12:30	Adjourn		

11.