City-County-State-Federal Cooperative Committee

April 15, 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 NEXT meeting, June 17, 2010</u>

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

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

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

~~343~~	~~Earl Denix~~	~~Ask chief of Structure Mtce and Investigations to send out a letter to the cities and counties to advise them of the department concerns about local bridges and permit loads. (see discussion notes outline # 6)~~	~~2/1/09~~ ~~April mtg~~ ~~June mtg~~ ~~Next meeting~~ ~~Dec 3, 2009~~

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~~

~~358a~~	~~Denix~~	~~Caltrans will look at the Agenda for Change, and track the action items, report back on the status. Caltrans will report back to the group. (see discussion notes outline # 12)~~	~~Aug 6, 2009~~ ~~12/3/09~~ ~~2/4/10~~
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
~~361~~	~~Denix~~	~~Get Department Director to come in and address the group.~~	~~12/3/2009~~ ~~2/4/10~~
~~362a~~	~~ALL~~	~~Caltrans wants all members to bring the importance of safety program projects to the local agencies. (see discussion notes outline # 5)~~	~~11/2/09~~ ~~2/4/10~~
~~362b~~	~~all~~	~~If you have any examples of projects that have specific obstacles getting in the way to deliver safety projects, contact Peter Rei and provide the data to him. (see discussion notes outline # 5)~~	~~11/1/09~~ ~~2/4/10~~

From December 3, 2009 Meeting

~~363a~~	~~Denix~~	~~Re; LAO report /ARRA discussion (see discussion notes outline # 2 & 3) send out the ARRA Project Status report to the members of the group. Send the data Caltrans has on awards, expenditures, etc, so cities and counties can look at the data project by project, to ensure the data are current.~~	
~~363c~~	~~Kiana~~	~~Send out a memo/email/notice to counties, coordinate same with cities… on the following three things: (1) Local agencies: Program supplement agreements – execute and send back to Caltrans quickly. (2) Local agencies: Submit ARRA project award information as quickly as possible to Caltrans.(3) Local agencies: Invoice the ARRA projects as quickly as possible – reconsider local policies in the light of ARRA reporting requirements~~	

		~~(see discussion notes outline # 2 & 3)~~	
364	Denix	Send out a short report to communicate the effectiveness of this forum and its accomplishments.	

From Feb 2010 Meeting

~~364~~	~~Denix~~	~~Send out a letter to all local agencies to remind them of the established bikeway and bicycle use standards.~~	~~2/19/10~~
~~365~~	~~Barry L~~	~~Caltrans will make sure the MPO's & RTPAs are included in the distributions of guidance, training, data requests, etc. (see discussion notes outline # 4)~~	~~3/1/10~~
~~366~~	~~Mohsen~~	~~The status report for the Agenda for Change will be updated for the next meeting.~~	~~4/15/10~~
~~367~~	~~Yin Ping~~	~~Work with local agencies to review the HSIP delivery requirements. There needs to be some sort of exemption process for the delivery requirements. (see discussion notes outline # 7) Work with Peter Roi, Pat D., Rick T., Ross M.~~	~~4/15/10~~
~~368~~	~~Yin Ping~~	~~Send out the timeline for the Bridge Program POA, and the status update (see discussion notes outline # 9)~~	~~2/11/10~~
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	6/17/10

		outline # 1)	
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
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 the delivery status of local safety program projects	Start with May 2010 RTPA meeting

Critique from February 4, 2010 meeting:

What went well	What Needs Improvement
Refreshments – Good discussion Randy Iwasaki- good discussion – appreciated his attendance and would like him to return. Covered extra items – Agenda flexibility.	CTC rep unable to participate

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	1
2	9:05	Facilitator/Recorder Role; Ground Rules; Action Items; Review Agenda	Mike Halverson/All	2

3	9:15	Agenda for Change Update	David Saia	3

1. Agenda for Change Update
   1.1. Refer to handout
   1.2. Agenda for Change report does not have a lot more information than the handout –
   1.3. We might need to take this up in a little workshop to see what the group wants to address and what they want to drop.
   1.4. Outcome
      1.4.1. David will send out the agenda for change package to the group. (See upshot # 371a)
      1.4.2. We need to get a review of this on the next meeting agenda – look at the goals and see what steps are needed still, and what needs to be added. (See upshot # 371b)

4	9:25	CTC Allocation Update	Maura Twomey	4

2. CTC Allocation Update
   2.1. Bond sale: there has been a bond allocation- see the CTC website for details. Also for STIP allocations…
   2.2. Additional Federal OA has been identified: $310 million will be available for federally eligible STIP funds.
   2.3. Action
      2.3.1. Information item only. No action needed.

5	9:35	▪ Bridge Status Update ▪ HSIP delivery milestone	Yin-Ping Li	5

3. Bridge Status Update
   3.1. $5 million of toll credit for work on off-system bridges. (Bridges not on federal aid system)
   3.2. We are asking for everyone to validate that work for off system bridges are off the federal aid system.
   3.3. FHWA has asked us to do “off-system” survey to identify what delivery impact will be in future years if federal reimbursement is 100 % using toll credit. The survey is being developed and tested at this time, and will be sent out after it is piloted.
   3.4. Scour and unknown foundation Plan of Action: Letters will be sent to the agencies – POA for unknown foundation due by Sept 2, 2010. POAs are still needed for over 1200 bridges with unknown foundation and 42 scour bridges.
   3.5. Seismic Retrofit – if cost has gone up for replacement, do a cost benefit look to see if it is still a valid strategy as compared to retrofit.
   3.6. Outcome:

3.6.1. No new actions – POA timeline has already gone out.

4. HSIP delivery milestone.

4.1. See handout – Similar to original with additional 6 months allowed for PE phase for projects using consultant for PE.

4.2. Agencies will be notified in next quarterly report on new delivery requirements.

4.3. RTPA group would like to have status update made to them on a regular basis

4.4. Website is being updated for State-legislated Safe Routes to Schools (SR2S) program – for Cycle 9 call for projects – applications due July 15th

4.5. Outcome

4.5.1. Yin-Ping will orchestrate quarterly reports to the RTPA group on delivery status of local safety program projects

6	9:55	Economic Stimulus #2	Ken De Crescenzo	6

5. Economic Stimulus #2

5.1. There will be ne new allocations for earmarks for SAFTEA LU (?).

5.2. See handout.

5.3. Outcome:

5.3.1. On action needed – information item only.

7	10:05	A&E Consult Contracts Survey	David Saia	7

6. A&E Consult Contracts Survey

6.1. The survey is mandatory and will be sent out soon – you will have 30 days to complete it, and one form is needed for each contract.

6.2. FHWA wants to have consultants in a management role for local agencies acting as city engineer and signing off on change orders, for example, that need to be captured as well.

6.3. Purpose is to streamline the process and identify high risk targets for audits. This will help both local agencies and Caltrans.

6.4. Every agency receiving federal funds will be required to submit responses. Caltrans needs to be able to track who has and has not responded so the regional agencies will be able to focus on those who have not responded.

6.5. Action item

6.5.1. David Saia will work with FHWA (KB) to see that their concerns are covered in the form. (See upshot # 372)

8	10:20	Fraud Alert Presentation	Don Davis / Hank Smedley / Al Sambat	8

7. Fraud Alert Presentation

7.1. Information item; PowerPoint presentations from OIG and DOJ on fraud and anti-trust.

9	11:05	Preliminary OIG Local Public Agency findings for CA	Karen Bobo	9

8. Preliminary OIG Local Public Agency findings for CA

8.1. Some highlights of findings:

8.1.1. Documentation sometimes not adequate

8.1.2. VA Studies sometimes not conducted when projects start out below threshold and then increase in value to exceed threshold. Q: Did this occur through change orders during construction phase?

8.1.3. Documentation for unbalanced bid analysis not there.

8.1.4. No validation for work in daily diaries

8.1.5. QA/IA – no split samples being done.

8.1.6. Caltrans not involved in mid point reviews or review of CCO's in construction phase

8.2. Top priorities per FHWA:

8.2.1. CCO review

8.2.2. DBE requirements being met – validation of firm status

8.2.3. Consultant use and procurement

8.2.4. Documentation – diaries, documents to support invoices and billing.

8.2.5. Caltrans involvement – having local assistance more involved, especially in construction phase.

8.3. Final report is not in yet.

8.4. FHWA is reviewing E76 modifications for projects awarded, where difference between original obligation and award is greater than $250,000. Do de-obligations here if you can so the money can be used somewhere else in California. Otherwise Bid savings will be sent back to Washington.

8.5. FHWA concern on Force Account – this is a nationwide issue, and there will be a nationwide survey. OIG looked all states receiving ARRA money – City of Los Angeles was fifth on the list.

8.6. ARRA project inactive obligations – there are several project s that will hit between now and July – the first one comes up on April 23.

8.7. Outcome:

8.7.1. Karen B will clarify details on VA studies not conducted on projects which increased in cost over the threshold: Did this occur through construction change orders? VA too late that point.

8.7.2.

10	11:25	Timing and Accuracy of Inactive Obligation Reports	Barry Leaming	10

9. Timing and Accuracy of Inactive Obligation Reports

9.1. Inactive process has three tiers: This is on the CT local assistance website.

9.2. Invoice your projects to prevent them to be flagged as inactive projects. No invoicing, and no financial transactions in FEMIS - the federal financial data system are flags.

9.3. If you have funds you will not use, de-obligate those forms.

9.4. Justifications need to be solid and logical.

9.5. CT is pushing the word that a number of ARRA projects will be hitting the inactive list. It is important to get the invoices in to avoid this.

9.6. DUNS numbers and agency addresses are bouncing back.

9.7. Outcome

9.7.1. Barry will work with FHWA and Ross at MTC to define the problem related to inactive obligations reporting, and problems with project closeout. (See upshot # 373a.)

9.7.2. Karen will find out about how ARRA project inactive obligations will be handled by FHWA and report back to Barry L - Caltrans - for distribution to the group. (See upshot # 373b)

11	11:40	Invoicing of Local Projects	Bill Sandoval	11

10. Invoicing of Local Projects

10.1. CT went to a new process in the mid 90's. Invoices are submitted directly to accounting, relying on local agencies to certify eligibility for reimbursement.

10.2. CT Audits and FHWA have identified the need for more oversight and need for more eligibility review by Caltrans districts. This became effective in September 2009. Districts are also to verify that invoice costs are appropriate for the work performed.

10.3. CT has not seen an increase in days taken to review. There is an increase in the number of invoices exceeding 21 days from 11% to 19%.

10.4. CT is reviewing the items on the certification checklist to ensure there is nothing on it that has already been addressed earlier in the project. HQ is looking at providing guidance and training to the districts to address this area.

10.5. FHWA has told Caltrans that they need to be moving more to a risk-based approach for this review. This may relieve the eligibility certification process. Here are instances where Caltrans staff refuses to sign off on invoices, or go back and forth on items, which takes time.

10.6. Outcome

10.6.1. Please comment to Bill S on the invoicing process. Bill will report back at the next meeting. (See upshot #

~~12~~	~~12:00~~	~~Open~~		~~12~~

13	12:15	Meeting Wrap-up • Review Assignments, Bin List • Desired Outcomes for Next Meeting • Critique Meeting	Mike Halverson/All	13
14	12:30	Adjourn		14