

Local Public Agency Stakeholder Partnering Team Meeting Agenda

Date: September 23, 2020

Time: 1:00 pm – 3:00 pm

Location: Teams Meeting

Attendees:

Teams Video Call

Larry Doyle, MDOT

Kelly Crannell, MDOT

Eric Mullen, MDOT

Theodore Burch, FHWA

Kurt Zachary, MDOT

Kris Sullivan, MDOT

Jack Hofweber, MDOT

Demetrius Parker, MDOT

Brad Wieferich, MDOT

Bruce Kadzban, MDOT

Denise Donohue, County Road Association

Lance Malburg, Dickinson County

Andrew Kilpatrick, City of Lansing

Steve Puuri, County Road Association

Sheryl Siddall, Washtenaw County

Agenda:

1. Welcome and Introductions*
2. Action Items
 - a) LPA Website Postings: May 2020 & July 2020 Meeting Minutes, 2019 Accomplishments
 - b) Report Federal Funding – Cases Study of Other States- Deferred (Lance)
 - o Still waiting
 - c) Local Agency Development Survey
 - o Comments were received and are being incorporated into the survey. Next step is to work with MDOT staff to turn word document into electronic survey and then distribute. Still looking to get that done in the next couple months. Survey will probably be kept open for a month and then MDOT will start to review results and develop results/themes/action items. Survey will also help develop next ‘Challenge Matrix’ for group to address.
3. 2021 Meeting Dates
 - a) Meeting schedule preference?
 - b) Bimonthly is most popular, and Kris will investigate those dates and work on

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scheduling. Kris to send out a survey monkey with possible dates for 2021. Will also work on scheduling in person meetings when the option is available along with Teams link.

4. 2020 Construction Spec Book

- a) The draft version is out and available. Steve shared the link in an engineering update. The Spec Book is out electronically for the time being to get comments before putting out a printed version.

5. LAP Section of MDOT Construction Manual

- a) This has been updated and was published in August. This section gives more structure to the guidance in the construction manual that is related to local agency projects. Definitions have been included to clarify key positions including LPA and MDOT Responsible Charge.

6. Project Close Out Process Improvements

- a) Final Project Review, Escalation of Accountability, Letter to File, and Certified Engineer sections of the MDOT Construction Manual were updated and published during summer 2020 to reflect process changes/improvements developed during a Lean Process Improvement focused on closing construction projects in a timelier manner. The new sections are applicable to all projects, existing and new. Escalation of Accountability will be utilized more discretionarily for the time being, on projects already in the closeout process.

7. Contractor Performance Evaluation Process Improvement

- a) Review of MDOT's CPE process was initiated in Fall 2019, however was put on hold. Upper Management is currently looking at the CPE process and will be providing direction on how they would like the improvements to evolve. Hoping to restart the process improvement in 2021.
- b) While CPE's are supposed to improve contractor performance, consensus from the field indicate current process:
 - o is too subjective, and just done to 'make the file smile'
 - o is too time consuming and expensive to defend a rating below 8, since contractor immediately appeals, so engineer feels they cannot rate contractor accurately (even with interim reviews)

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- doesn't seem to work since there are ever 'consequences' for poor performing contractors

c) .

8. L-PAMS Program Application IT Project

- a) MDOT has approved FY21 IT funding for a new software system called the Local Agency Program Application Management System (L-PAMS). LAP hosted a process improvement session back in April 2019 and had several representatives from local agencies in attendance. The process improvement team concluded that the best way to improve the program application was to move to a software application. The goal of the software is to take our current program application and NEPA 5323 form and put all that information into a software application that can interact with other software systems MDOT has. This will help reduce rework on the program application when there are issues with funding, allow for partial submittals (NEPA, ROW, funding), easy updates, automatic notifications, and more. The project will kick off next year and will likely take a couple years to be completed.

9. State of Michigan Website Update

- a) The state and MDOT are going through a process to update the look and feel of all state websites. We have been asked if the LAP website could be improved to help local agencies navigate the material easier. For example – we're hoping to have an overall Local Agency website that would house information for LAP Design, LAP Construction and Maintenance under a single link. For example, under the LAP Design link you would get to the different design units (bridge, rural, urban, etc.) and then to all the guidance. Are there other core changes local agencies can think of that would help them find information easier?
- b) LAP is reviewing guidance and advisories to determine those that are out of date and removing them from the website.
- c) Sit down with CRA and see what links might be helpful for locals to navigate the MDOT website.

10. SHPO General Update & Delegation Letter (attachment)

- a) MDOT is working has created several teams to focus on different aspects of

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SHPO consultation.

- A Core Team that includes representation from CRA/MDOT/FHWA/SHPO that is focused on development of a new programmatic agreement.
 - A Tribal Team focused on working through tribal issues as the new programmatic agreement is developed.
 - A RFP Team tasked with developing the RFP MDOT will utilize to solicit consultants to clear local agency projects once the new programmatic agreement is in place.
 - A Review Team to look over the products of the other 3 teams. The “QA team”.
- b) If local agencies are receiving notice (see the Section 106 attachment to the meeting) that they need a delegation letter from FHWA for SHPO to review their project this was sent in error. Local agency projects are not subject to that requirement until January and LAP/MDOT Environmental/FHWA are working on a process to address this. The purpose of the requirement is so SHPO knows the project being reviewed is funded and a “real project”.
- c) Communications to CRA members to ask to help with the delays that locals are experiencing. CRA has interviewed pre qual consultants and explained our time constraints with SHPO. Suggesting to the agencies how to pick consultants and questions to ask.

11. Small Business Program Designation

- a) MDOT is reviewing how to better convey to local agencies when their project has been designated Small Business. The purpose is if local agencies have comments on this, we’d like to hear those in advance of letting which, in some cases, has been when a local agency found out their project was designated small business. More information forthcoming.

12. FHWA CAP Review Results

- a) Fiscal Year (FY) 2020 cap reviews complete, and a report was submitted to MDOT. The purpose of the CAP Program is to provide assurance that FHWA is in compliance with key federal regulations. MI FHWA found that federal aid has been an integral part of projects. For the FY 2020, headquarters sampled 63 out

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of 813 projects. Compliance was assessed on a question by question basis. Trunkline and Local Agency projects were found to be compliant. Issues primarily revolved around S&E approval timing with project authorization in the project management system, utility coordination, and Railroad status applications. These issues were programmatic in nature. FHWA is looking into addressing utility compliance issues annually. Findings of 10 CAP Review core questions will be sent to headquarters and combined with results from throughout the country. This will identify trends on a national level.

Partner Updates

13. MDOT - Kelly

- a) Local Programs Peer Exchange (LPPE) – AASHTO pilot group started in 2017. . Group has proven to be very valuable to state DOT local program professionals, and is working with AASHTO to expand past the pilot stage. LPPE organizes quarterly webinars on various topics of interest to Local Programs. Future plans include developing a state resource document, seeking an opportunity for an in person peer exchange, and continuing to provide webinar trainings. Kelly serves as the steering committee co-lead.
- b) Bridge Bundling is going well. Bureau of Bridges and Structures (BOBs) is leading this with Sue Datta and Matt Chynowyth. Kelly is assisting BOBs in creating a local roles and responsibilities guidance document for project delivery.
- c) MDOT Trainings – MDOT Office of Organizational Development is determining how we will do trainings in this new environment moving forward. An article was published in the recent CRA Engineering Update to submit training requests to MDOT-TechTraining.gov

14. MDOT – Larry for Tracie

- a) Year End – MDOT received about \$98 Million in August Redistribution which provided approximately \$20 Million to the non-RTF pot and approximately \$4 Million to the RTF pot. All projects that can be obligated have been. There will likely be carry over in both programs. Officially the non-RTF pot doesn't have a carryover provision like the RTF pot but Finance has done this in the past.

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- b) USFWS Liaison – Matt Ihnken is no longer with USFWS. His replacement is Shaughn Galloway who starts October 4.
- c) Telecommuting – MDOT continues to telecommute and will do so for the foreseeable future. Due to that, Local Bridge Program Fall Meetings (RBC and LBAB) will be held virtually. Contact Keith Cooper for a link to attend.

15. FHWA

- a) Year End – FMIS shut down
- b) Authorized LTAP funding for 2021.
- c) Sept 30th is the deadline for the Fast Act. Continuing resolution is passed through December 11th with a 1-year extension. So, the Fed Aid program will be able to continue into the next fiscal year.
- d) Every Day Count (EDC) 6 is rolling out initiatives. All summits will be virtual and will be in November, dates to come. Looking to showcase 10 Local Agency innovations.

16. CRA

- a) Meetings have been virtual but planning March 2021 Road Show/Conference to be held in person. Planning a manager's conference and hoping to do this in January. New Commissioners Conference, 99 seats up for appointment, and hoping to hold in person.
- b) State maintenance contract is coming along; a little over a year on the negotiations on this.
- c) MI Wetland Board did a dedication of the site on Monday. 18 Road agencies have used pre-mitigation credits at these sites.
- d) In the process of doing a chloride use study. EGLE is coming out with some best practices. There is a concern with EGLE requirements and not being able to obtain MS4 permit.
- e) Crisis response is a new area that CRA will be focusing on. We usually have 1 disaster response per year. Counties struggle with process for obtaining FEMA and FHWA disaster funds. We have learned other states utilize HUD funds. Would like to bring people together to compile information for what to do in the event of an emergency. Hoping to involve FEMA, CRA, MDOT, FHWA, etc.

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- f) Over 50% of Local Agency counties are using Oxcart for transport and construction permits. Looking to have all counties to have same fee structure. Utilizing tool with ability to have notifications for weight restriction by county.

Action Items for next meeting:

1. Kris to send out a survey monkey for possible dates for the 2021 bimonthly meetings.
2. Sit down with CRA and see what links might be helpful for locals to navigate the MDOT website update. Set up a meeting.

Next Meeting:

November 5, 2020

10:00 a.m. – 12:00 p.m. Teams Meeting