

**Urban Construction Initiative
Annual Meeting Minutes
City of Chesapeake
May 25th and 26th, 2016**

The Urban Construction Initiative Annual Meeting was hosted by the City of Chesapeake at the Chesapeake Conference Center. We would like to extend a special thank you to the City of Chesapeake for hosting this year's Annual meeting and to all of the presenters for their outstanding contributions. Similar to the UCI Annual meetings the last couple of years, we conducted a two day annual meeting to allow for a full day of training sessions followed by the traditional UCI Annual meeting business items and bus tour.

MAY 25th TRAINING COURSES

Todd Halacy, P.E., VDOT Local Assistance Division welcomed everyone and introduced **Yolanda Newton**, VDOT's Local Assistance Division Local Systems Policy Manager. Ms. Newton welcomed everyone to Day 1 of the UCI Annual Meeting, explained logistics and outlined the day's agenda and what to expect the next two days and introduced **Mr. Earl Sorey** – Assistant Director, Department of Public Works. Mr. Sorey welcomed everyone to the City of Chesapeake and discussed projects throughout the City of Chesapeake and the bus tour planned for Day 2. Ms. Newton thanked the City of Chesapeake for hosting the meeting and kicked off the training session discussions, which included the following:

II. **Training Session #1: New Funding Programs Overview:**

Julie Brown, VDOT's Local Assistance Division Director, **Todd Halacy**, Local Assistance Division Assistant Director, and **Russ Dudley**, Local Assistance Division Assistant Director gave a presentation at a round table setting on **State of Good Repair (SGR) Prioritization**. Their presentation outlined the schedule for the process and explained the CTB would take action at their June 14, 2016 meeting approving the prioritization methodology for the SGR Program. They explained the VDOT's definition of State of Good Repair and the requirements for pavement and bridge projects to receive funds. They also explained the funds are distributed based on a needs based distribution specific to pavement and bridge needs by district and the prioritization process. The full presentation can be found under the separate link labeled 'State of Good Repair Prioritization'.

Kim Pryor, VDOT's Infrastructure Investment Director, presented a **House Bill 2 Overview**. In her presentation, Ms. Pryor gave a background of HB2 and explained how the 2014 bill directed the CTB to develop a statewide prioritization process for funding

projects. She explained that only local governments may submit projects for consideration and joint applications could be submitted for projects that cross jurisdictional boundaries. She explained the difference between High Priority Projects and Construction District Grant Programs; the factor areas used and how project scores were developed as well as a summary of applications received and the Round 1 funding scenario. Ms. Pryor also gave an overview of the annual HB2 cycle, the schedule and next steps and stated Round 2 applications cycle opens in August with a deadline of September 30th for Round 2 applications. Ms. Pryor indicated HB2 would be renamed and since the May UCI meeting the program name has changed to “Smart Scale”. Additional information can be found on the [HB2 \(Smart Scale\) Website](#). Ms. Pryor’s full presentation can be found under the separate link labeled ‘House Bill 2 Overview’.

Russ Dudley, VDOT’s Local Assistance Division Assistant Director, gave an update to the **Revenue Sharing, TAP and HSIP Programs**. Mr. Dudley gave an overview of the Revenue Sharing program application process and a breakdown of requests by district and amount requested by priority. He explained that the FY17 budget is \$172.7 million (including funds de-allocated and anticipated to be released) but total requests received were \$214.6 million. He also gave a timeline for CTB approval and the application process. Mr. Dudley provided an update of the Transportation Alternative Program (TAP) and explained 91 applications were received and 55 projects would be recommended for full funding and 6 for partial funding for FY17. He provided a timeline of next steps for CTB approval, upcoming workshops and the application deadline. In addition, Mr. Dudley gave an update of the Highway Safety Incentive Program (HSIP) regarding locally maintained roads and explained that VDOT resumed funding for new local safety projects in FY17 after several years of no funding. He explained the criteria for projects to include the quantity, delivery and schedule expectations to receive HSIP funding and localities may submit up to 3 proposals for safety projects with value no more than \$5 million with application deadline of August 1, 2016. Additional information regarding these funding programs can be found at these links: [Revenue Sharing](#); [Transportation Alternative Program](#); [HSIP](#). The full presentation can be found under the separate link labeled ‘Revenue Sharing/TAP/HSIP Update’.

III. **Lunch:** Provided by the City of Chesapeake.

IV. **Training Session #2: ADA – Pedestrian Accessibility Requirements in the Public Right of Way:**

Karen King, FHWA Transportation Safety Engineer, Virginia Division, presented an overview of Section 504/ADA Title II and explained the Rehabilitation Act Section 504 of 1973 and the Americans with Disabilities Act of 1990 and federal agencies responsible for implementation, coordination and enforcement and the Code of Federal Regulations (CFR) outlining accessibility requirements in the public right of way. She explained

what standards apply to right of way regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Public Right of Way Accessibility Guidelines (PROWAG) and that PROWAG is expected to be finalized in 2016 but would need to be adopted by FHWA prior to implementation. She also explained the difference between roadway alterations and maintenance and how this affects ADA requirements for right of way. The full presentation can be found under the separate link labeled ‘ADA Pedestrian Accessibility Requirements in the Public Right of Way’.

V. **Training Session #3: Hiring and Managing Consultants:**

David Jarman, P.E., Transportation Management Supervisor, Department of Public Works, City of Virginia Beach and **Steve Rowan**, VDOT, Urban Program Director for Hampton Roads District, gave an overview of the consultant lifecycle including procurement contract execution, managing the work and review and feedback. Mr. Rowan explained what defines professional services and examples of the 12 areas of professional services and VDOT’s Request for Proposal (RFP) template and suggested that localities use this template or secure pre-approval for a locality template. He gave examples of key points to consider when developing an RFP and suggested localities contact VDOT during the procurement process to review their proposal to ensure requirements are met. He gave an overview of the RFP selection committee and criteria for evaluating and ranking the proposals. He referenced Chapter 11 in the LAP Manual as well as other resources from FHWA including 23 CFR 172. Mr. Jarman gave an overview of contract execution and how to prepare beginning with the pre-award evaluation and pre submittal check including direct labor, overhead rates and non-salary direct costs. He gave an overview of contract negotiations and helpful tips for successful contract execution including the scope, schedule and budget. He gave an overview of managing the work including housekeeping and technical items and gave examples of locality specific issues such as sea level rise in the Hampton Roads area. The full presentation can be found under the separate link labeled ‘Hiring and Managing Consultants’

VI. **Break**

VII. **Training Session #4: Buy America:**

Gilberto DeLeon, P.E., FHWA, Program Delivery Team Leader, Virginia Division, described Buy America – 23 CFR 635.410 and gave an overview of how to apply Buy America provisions, how to identify Buy America Compliance and how to certify compliant materials. He explained that 23 USC 313 is the law and 23 CFR 635.410 is the regulations guiding Buy America. On December 12, 2012 FHWA published clarifications on the Buy America provisions. Mr. Gilberto explained that the 2012 memo has been withdrawn and FHWA has not made a decision on if the memo will be reissued. Any projects awarded after April 30, 2016 using guidance from the 2012 memo including

miscellaneous exempt items will no longer be exempt. Mr. DeLeon explained Step Certification as a process under which each handler of iron and steel products certifies that their step in the process was domestically performed and this process also applies to cases where the material has multiple manufacturing processes.

Harold Caples, P.E., VDOT, Assistant Director of Contracts, gave an overview of VDOT's guidance regarding Buy America which can be found at the link below <http://www.virginiadot.org/business/const/buyamericaact.asp>. He also gave a brief overview of VDOT's Construction Division program areas for the design phase, procurement phase, construction phase and post construction phase.

The presentation can be found under the separate link labeled "Buy America".

VIII. **Training Session #5: Incentive/Disincentive Program – Lessons Learned**

Harold Caples, P.E., VDOT, Assistant Director of Contracts gave an overview and provided handouts of "Early Completion Incentive Only"; "Early Completion Incentive/Disincentive"; "Interim Completion Incentive/Disincentive" "Substantial Completion Incentive/Disincentive" and "Dual Date Contract Projects". A copy of each handout a can be found under the separate links labeled for each document.

Approximately 66 people, representing ten localities, FHWA and VDOT staff from six Districts and Central Office attended the day of training.

MAY 26th ANNUAL MEETING

I. **Welcome – Opening Remarks:**

Julie Brown, VDOT Local Assistance Division Director began the UCI Annual Meeting by thanking the City of Chesapeake for hosting this year's meeting. She introduced **Mayor Dr. Alan P. Krasnoff** who welcomed everyone to the City and discussed the benefits of the UCI program and the positive role the program has been for the City. Ms. Brown started the meeting with the following presentations.

II. **Business Items:**

II. **VDOT Items of Interest:**

Julie Brown presented **legislative updates** for the following:

- Three bills have intent to address bicycle lanes.

- [HB1402](#) – Payments to City of Richmond for moving-lanes converted to bicycle lanes. From last year; provided Richmond relief when converting moving lane miles to bicycle only lanes but also required a study on payments for bicycle lanes
- [SB669](#) - had overwhelming support in Senate subcommittee but was killed in House subcommittee. Will see it again next year.
- [HB 692](#) was another Bill addressing bicycle lanes and an attempt to simplify the maintenance payment formula – but the compromise was to re-evaluate maintenance payment process/formula including 11-ft lane widths.
- [HB 546](#) – Provide certain counties street maintenance payments consistent with urban localities if the Counties elect to Devolve from secondary system
 - Bill “Left in Finance Committee”
- [HB 41](#) – Scenic Byway Designation – Wise and Scott Counties
- [HB 30 \(Budget\) Item 456 A](#) – Provide \$1 M each of next two years to DCR, DGIF, and DHR to improve signage across state.
- [HB 30 \(Budget\) Item 436 C](#) – De-allocate old Formula funds that “have not been spent by January 1, 2018 ... unless such funds are allocated to a fully funded and active project”.
 - The entire paragraph for HB30 Item 436 C:
 - “Notwithstanding the original programmatic allocation, funds provided by the previous primary, secondary and urban construction formulas prior to fiscal year 2010 that are not committed and expected to be expended as of January 1, 2018 may be consolidated to fully fund and advance priority transportation projects within the respective district or locality. If after taking said actions and the determination of the respective locality and the Department of Transportation that formula funds will remain, the funds may be used for other transportation purposes provided by § 33.2, Code of Virginia. All unspent primary, secondary and urban formula funds allocated prior to 2010 unspent as of January 1, 2018 shall be de-allocated and transferred to the State of Good Repair Program pursuant to § [33.2-369](#), Code of Virginia, unless such funds are allocated to a fully funded and active project.”
 - VDOT is currently working on guidance for implementing HB30 and will be reaching out to localities in the coming months.
- **Russ Dudley** presented an overview of the FY17 **Revenue Sharing** Program.
 - The FY17 Revenue Sharing budget is \$150 million
 - Funds previously de-allocated by CTB \$4.5 million

- Additional funds anticipated to be released by localities is \$18.2 million
- Total available for FY17 requests was \$172.7 million
 - Funded 224 projects
 - All requests meeting Priority 1 criteria were fully funded
 - All requests meeting Priority 2 criteria funded to first \$1 million per locality and pro-rated at 61.5% for requests over \$1 million
 - No funding available for Priority 3 or other requests
- **HSIP** - there will be another round of applications this year for the 3 years with approximately \$30 million available.
- **FY17 Transportation Alternatives Program** update:
 - 91 applications received
 - 55 requests recommended for full funding
 - 6 requests recommended for partial funding
 - In addition 3 requests to fully funded with Open Container funds
 - 27 requests have not been recommended for funding
- **Todd Halacy, P.E.**, presented an overview of the urban maintenance program; urban maintenance inventory reconciliation; Weldon Cooper Center financial summary and the Primary Extension Paving Program
- **Urban Maintenance Program:**
 - Eligibility Requirements for Maintenance Payments:
 - Urban street acceptance criteria established in Code Section 33.2-319
 - CTB approves mileage additions/ deletions
 - Payment - General
 - Payments based on moving lane miles (available to peak-hour traffic)
 - CTB approves payment amounts to localities
 - Localities annual growth rate is based upon the base rate of growth for VDOT's maintenance program
 - Payments to localities made quarterly
 - Payment Categories/ FY17 Rates – Functional Classifications
 - Principal and Minor Arterial Roads: \$20,772 per lane mile
 - Collector Roads and Local Streets: \$12,197 per lane mile
 - Overall FY17 Urban Maintenance Budget ≈ \$371M
 - The overall budget increase was 2.3%. However due to the large number of mileage adjustments the FY17 per lane mile rate increased by 3.8%
- **Urban Maintenance Inventory System (UMIS) Reconciliation:**

- The UCP project included reconciling all Urban Maintenance Inventory System (UMIS) Data for all 84 municipalities
- Reconciliation required:
 - Comparing data between VDOT's Roadway Network System (RNS) and UMIS (Accomplished by consultant contract for phase I and Local Assistance Division for phase II)
 - Reviewing inventory and determining if errors or omissions exists
 - Correcting the data in VDOT's UMIS system and the RNS
- Notified all 84 municipalities of reconciliation efforts
- Provided detailed reconciliation documentation to localities allowing them the opportunity to review and aid in reconciliation efforts
- CTB approves mileage additions/ deletions
 - Mileage adjustments as a result of reconciliation
 - Mileage adjustments as of result of additions
- **Urban maintenance Program Weldon Cooper Center Financial Summary**
 - Financial Accountability:
 - Required annual reporting to Commonwealth Transportation Board (CTB)
 - In 2004, the CTB adopted Weldon Cooper Center Financial Survey as reporting mechanism
 - Report all expenditures for Maintenance and Construction activities
 - Maintenance activities include; pavement, traffic control devices & operations, drainage, structures & bridges, engineering, emergency snow and ice removal, other emergency services, other traffic services (roadside), and general administration and miscellaneous
 - Construction expenditures include; capital outlay activities, right-of-way, engineering (where separable), and construction
 - Included in locality's annual CPA audit
 - Surveys are required to be completed on Weldon Cooper Center website by March 15th each year
 - The Survey information is utilized to meet both state and federal data reporting requirements
 - Survey shows that on average, localities are expending 40% more than their annual state maintenance payment
- **Primary Extension**

- 136 applications were received requesting over \$33 million.
- This year applications will also be considered to be funded with State of Good Repair Paving Funds (SGR).
 - Based on scoring, projects will be funded with SGR funds first then CTB formula funds
 - 59 projects in 29 localities will receive funding
 - The approved list is available at the following link:
http://www.virginiadot.org/business/local_assistance_division_funding_programs.asp

III. **Business Plan Overview / LAP MAP / Starter Pack Overview:**

- **John Simmers** presented an overview of Local Assistance Division's Action Item in regards to **VDOT's Business Plan**. The FY2015 LAD Action Items was to establish a district local projects advisory group to work with the Local Projects Stakeholders Group and establish a joint subcommittee from both groups to identify strategies for improving local project delivery. In FY2016 the District Local Projects Advisory Group will work with the Local Assistance Division to lead the implementation of strategies previously identified to improve local project delivery.

Strategies identified are:

- Strengthen project scheduling and accountability for project timelines
- Implement District Locality Days
- Develop a "LAP starter pack as a quick guide to local projects administration
- Streamline procurement
- Provide local government access to VDOT applications
- Improve consistency among VDOT project coordinators
- Continue local government stakeholders groups

Mr. Simmer's full presentation can be found under the separate link labeled 'LAD Action Items in VDOT's Business Plan'.

- **Bud Siegel and Amir Salahshoor** presented an overview of the **LAP Starter Pack and LAP MAP**. Mr. Siegel and Mr. Salahshoor presented the LAP Starter Pack which is a 'Beginners Guide to Locally Administered Projects'. The starter pack is to be used as a quick reference guide to the LAP Manual and should aid those localities or Project Managers that are new to project delivery. They gave an overview of the project delivery process as represented in the starter pack and presented the LAP MAP. The LAP MAP is a navigational tool that is being developed to help localities through the project development process as outlined in the LAP Manual. They reiterated that VDOT and Localities

each have a responsibility during the project development and construction process. Mr. Siegel showed how the LAP MAP will help to identify items of responsibility from pre-scoping to project closeout and will link to chapters in the LAP manual for each area. He explained project risk factors including size, complexity and funding type in relation to a project being low risk or high risk which would require a higher risk of review and project oversight. A copy of the LAP Starter pack can be found under the separate link labeled 'LAP Starter Pack'.

City of Chesapeake Bus Tour and Lunch

The City of Chesapeake in partnership with MBP provided a bus tour of the Dominion Boulevard and gave highlights of the project as well as several off the bus tours on the actual site. The tour lasted approximately 1 hour with lunch that was provided by the City following the tour.

IV. **FHWA Updates:**

- **Wayne Fedora** and **Jacqueline Gillispie** presented on the **New Transportation Funding Bill – FAST ACT and Omnibus**. The FAST ACT (Fixing America's Surface Transportation Act) was signed by President Obama on December 4, 2015 and is the first long term authorization act in a decade. It authorizes over \$226 billion over the next 5 years for highways and maximizes delegation of oversight to states. It allows multiple similar bridges to be bundled into a single project. The main theme of FAST ACT is accelerating project delivery. The **Omnibus Appropriations Act** allows earmarked funds to be repurposed within the state and within 50 miles of original description. Their presentation included discussion on the National Highway Freight Program, FASTLANE Grants; Every Day Counts Initiatives; Highway Design and Accelerating Project Delivery. The full presentation can be found under the separate link labeled 'FAST ACT and Omnibus'.
- **Iris Rodriguez** presented an overview of the **Compliance Assessment Program (CAP)**. This is the 3rd year of CAP reviews with 38 locally administered projects being selected for review. Contract administration includes: proper documentation of DBE changes; documentation with a clear explanation of what was done during contractor delays or time extensions; timely submission of invoices so federal funding won't be removed. Best practices include having good internal processes in place beginning at the pre-construction conference. A policy should be established that required contractor provide all subcontracts for review and approval before they begin work. If you would like to see the

compliance review report email Ms. Rodriguez at Iris.Rodriguez@dot.gov. Ms. Rodriguez's full presentation can be found under the separate link labeled 'Compliance Assessment Program'.

- **Mohamed Dumbuya** presented **Civil Rights Issues (DBE / Title VI)**. State Transportation Agencies are responsible for construction of all federal aid projects but may delegate project administration to Local Public Agencies. This delegation does not relieve the responsibility of VDOT or localities to ensure all federal requirements are met including DBE and Title VI requirements. Mr. Dumbuya explained the difference between the Title VI Law and Title VI Program as the program expanding the law (Race, Color, National Origin (LEP) to include Handicap/Disability, Sex, Age, Low Income & Minorities. Additional information can be found at the links below.

Civil Rights

[Title VI - Civil Rights | Federal Highway Administration](#)

DBE Information

[Disadvantaged Business Enterprise Program \(DBE\) - Civil Rights | Federal Highway Administration](#)

Mr. Dumbuya's full presentation can be found under the separate link labeled 'Civil Right Issues DBE/Title VI'.

- **Lorenzo Casanova** presented **Transportation Performance Management (TPM)**. TPM is a strategic approach that uses system information to make investment and policy decisions to achieve national performance goals. TPM helps to:
 - Make better decisions
 - Make efficient allocation of resources
 - Increase accountability and transparency
 - Improve communication with decision-makers and the publicFHWA, VDOT and MPOs are working together to transition TPM to MAP-21 legislation. Additional information and training resources can be found at the links below.

FHWA TPM Site:

[Transportation Performance Management - Federal Highway Administration](#)

Training (Free)

[Training - Resources - Transportation Performance Management - Federal Highway Administration](#)

Mr. Casanova's full presentation can be found under the separate link labeled 'Transportation Performance Management'.

V. UCI Workgroup Update:

Bryan Stilley presented an update of recent workgroup accomplishments, activities underway and satisfaction survey results.

- Recent workgroup accomplishments include:
 - Incorporating UCI Project Development Processes into the Urban Manual
 - Project Development – LAP Scheduling Tool
 - Streamlined Proprietary Equipment Approvals
- Workgroup Strategic Tasks Underway:
 - Incorporate UCI Project Development Process into LAP Manual
 - District Local Project Teams
 - Training and Development
- Workgroup Programmatic Tasks Underway
 - Completeness Review Checklist
 - Continue Development of the UCI Certification Program
 - Modified Programmatic Agreement

Mr. Stilley discussed the UCI Accomplishments Document and the opportunity to add local successes in project development. Submissions should be made to Yolanda.Newton@VDOT.Virginia.gov. The Satisfaction Survey results indicated VDOT and Localities want more effective communication. Details of the Satisfaction Survey can be found in Mr. Stilley's presentation under the separate link labeled 'UCI Workgroup Update'.

VI. General Discussion/Next Meeting Topic:

Yolanda Newton discussed the proposed timeframe for the next UCI meeting. The next meeting date and location are to be determined. The UCI Workgroup will work to develop the agenda and will recommend a date.

VII. Wrap Up/Close:

Yolanda Newton and **Todd Halacy** thanked the City of Chesapeake for hosting the meeting and provided the opportunity for questions on topics presented. With no follow up questions, the meeting adjourned at approximately 3:00.