Technical Coordinating Committee (TCC)
Meeting Minutes
March 19, 2019

TCC Members Present:	Representing:
Andrew Holmes	Daytona Beach
Andrew Landis	DeBary
Ron Paradise	Deltona
Anna Cava Grosso	DeLand
Darren Lear	Edgewater
Brian Walker	Holly Hill
Rebecca Witte	Lake Helen
Amye King	New Smyrna Beach
Becky Mendez, Vice Chairperson	Orange City
Shawn Finley	Ormond Beach
Jose Papa, Chairperson	Palm Coast
Mark Karet	Pierson
Aref Joulani	Ponce Inlet
Tim Burman	Port Orange
John Dillard	South Daytona
Larry LaHue	V.C. Emergency Management
Melissa Winsett	V.C. Traffic Engineering
John Cotton	Votran
Vickie Wyche (non-voting advisor)	FDOT District 5

TCC Members Absent:	Representing:
Rodney Lucas	Bunnell
Arlene Smith	Daytona Beach Int'l Airport
Stewart Cruz	Daytona Beach Shores
Larry Newsom	Flagler Beach
Faith Alkhatib	F.C. Traffic Engineering
Eric Kozielski	Volusia County School District

Others Present:	Representing:
Debbie Stewart, Recording Secretary	TPO Staff
Lois Bollenback	TPO Staff
Colleen Nicoulin	TPO Staff
Amy Dunham	WSP

I. Call to Order / Roll Call / Determination of Quorum

Chairperson Papa called the meeting of the River to Sea Transportation Planning Organization (TPO) Technical Coordinating Committee (TCC) to order at 3:00 p.m. The roll was called and it was determined that a quorum was present.

II. Press/Citizen Comments

There were no press/citizen comments.

III. Action Items

A. Review and Approval of February 19, 2019 TCC Meeting Minutes

MOTION: ***A motion was made by Mr. Lear to approve the February 19, 2019 TCC meeting minutes. The motion was seconded by Ms. Winsett and carried unanimously.***

B. Review and Recommend Approval of Resolution 2019-## Amending the FY 2018/19 to 2022/23 Transportation Improvement Program (TIP)

Ms. Nicoulin stated this amendment programs current year dollars for the design of the I-95 and Pioneer Trail interchange.

MOTION: ***A motion was made by Mr. Holmes to recommend approval of Resolution 2019-## amending the FY 2018/19 to 2022/23 Transportation Improvement Program (TIP). The motion was seconded by Mr. Lear and carried unanimously.***

IV. Presentation Items

A. Presentation and Discussion of reThink Your Commute Activities

Ms. Courtney Reynolds, reThink Your Commute, introduced herself and Ms. LaNina Dobson, also with reThink Your Commute. Ms. Reynolds gave a PowerPoint presentation on the reThink Your Commute program and stated it is an FDOT program that serves the nine counties within District 5. The program was launched in 2010 and promotes smart transportation solutions for Central Florida's workforce; transit, car pools, van pools, biking and walking along with compressed work weeks and telecommuting. She explained the van pool partnership program with Votran; roadside assistance, insurance and all preventative maintenance is included with the lease. She stated Volusia County sponsors van pools from $300 to $600 per month so they can capture the ridership data. She explained there is an emergency ride home program available for those that van pool, car pool, bike or walk to work when a situation occurs and someone must stay late or leave early. Votran will reimburse for the cost of a taxi or rental car as many as four times a year up to $150.00 each time. She spoke about the benefits of biking to work and explained the Cycling Savvy course which is an in-depth, nine-hour course that instructs novice bicyclists on bicycle laws and provides safety information.

Ms. Dobson stated FDOT just wrapped up the 3rd annual "Not So Noisy" Bike Week in partnership with the TPO, Embry-Riddle Aeronautical University, Daytona State College and Bethune-Cookman University. The TPO fit and distributed approximately 84 bicycle helmets. The event ended with a community bike ride escorted by the Daytona Beach Police Department.

Chairperson Papa asked how someone could get information about participating in a van pool or ride share program.

Ms. Reynolds gave the website address, www.rethinkyourcommute.com and the phone number; 866-610-RIDE (7433).

Chairperson Papa asked if reThink Your Commute did community outreach or attended community events.

Ms. Reynolds replied the "Not So Noisy" Bike Week and community bike ride was unique; their focus typically is on employer outreach and finding the common origin and destination.

B. Presentation and Discussion of the Central Florida Regional Planning Model (CFRM)

(Handout)

Ms. Nicoulin stated the Central Florida Regional Planning Model (CFRPM) is used to help forecast for the 2045 Long Range Transportation Plan (LRTP); it is also used by the development community and local governments to analyze the impacts of development on the road network. The last time this was presented was when the TPO developed the 2015 socioeconomic data which is the base year for the CFRPM. The next step is to develop the 2045 datasets and identify the growth that is expected to occur between 2015 and 2045. The CFRPM covers all nine counties in FDOT District 5. She explained that the Bureau of Economic and Business Research (BEBR) out of the University of Florida provides the projections

for population growth; there are different types of projections based on median growth and high growth. FDOT is developing the update to the CFRPM and has provided the tables using a hybrid of median and high growth projections. In addition to the 2045 datasets, the TPO will be developing datasets in five-year increments; typically, a straight-line interpolation is used but with this model update, the TPO is setting a more realistic dataset for 2020 and 2025. The development community will have a more realistic dataset to analyze the impact of the development on the road network and the TPO will use it to develop the 2045 Long Range Transportation Plan (LRTP). The TPO will continue to work with FDOT and the local governments to determine where the growth will occur 30 years in the future; currently, it is our best guess based on current development as to where this growth will occur for Flagler and Volusia Counties. She stated the TPO will continue to work with FDOT and the local governments within the planning area on how to allocate this growth. The TPO will contact each local planning department to confirm where growth is occurring and how to distribute that growth for 2045.

Ms. King asked if Mr. Stefan Rayer was still with BEBR and providing the data; the last time she worked with him he did not use the data provided to him. BEBR has their own methodology and system; that has little to do with the development of the LRTP but the municipalities comprehensive plans have to be consistent the Long Range Transportation Plan (LRTP). She asked what the TPO's advice would be on how to reconcile the population numbers with the BEBR median.

Ms. Nicoulin stated when FDOT and their consultant presented their information for growth using the BEBR median it drew a red flag; the TPO asked them to go back and review the BEBR high projection. This is why the TPO is using a hybrid projection. She does not know who at BEBR FDOT is working with but as part of this exercise, the TPO needs to have a clear understanding of the population shown in each municipality's comprehensive plans. She asked what the out year of Ms. King's comprehensive plan is.

Ms. King replied their projection year is 2040; however, they could change it to 2045 to be consistent with the TPO.

Mr. Paradise commented that the city of Deltona uses The Shimberg Center for housing numbers which is underpinned by BEBR but the numbers are slightly different. With the 2011 changes to state law, we will see a different approach with regard to demonstrated need; you must be able to accommodate the development. Obviously, it is good planning practice and the plans are driven by a population projection but with the 2020 census coming that will cause a major re-evaluation of the population projections.

Ms. Nicoulin replied when the census occurs, it will feed into the next update of the model. The 2045 Long Range Transportation Plan (LRTP) update will be complete before the 2020 census numbers are published.

Ms. Mendez commented she is glad the TPO is using the high growth rate because it is more accurate.

Mr. Paradise asked if this would be used to justify a monetary allocation to the TPO.

Ms. Nicoulin replied yes; this will be used for the TPO's analysis for our needs.

Mr. Paradise asked if the TPO is confident that the median high growth rate for the TPO's planning area can be justified.

Ms. Nicoulin replied yes, based on approved developments. This is still a draft; the TPO did not feel that the BEBR median represented the growth potential in Volusia County.

Discussion continued.

C. FDOT Report

Ms. Wyche stated the FDOT report was provided in the agenda. She announced a public hearing regarding median improvements at SR 40 at Interchange Boulevard on Tuesday, April 9, 2019 at 5:00 pm at the Coquina Presbyterian Church, 2085 W Granada Boulevard, Ormond Beach.

D. Volusia and Flagler County Construction Reports

The Volusia County and Flagler County Construction reports were provided in the agenda.

Ms. Winsett stated new items are underlined on the Volusia County Construction Report.

V. Staff Comments

(Handout)

Ms. Nicoulin referred to the proposed draft Local Agency Program (LAP) policy by FDOT; it was reviewed at a MPO/TPO meeting with FDOT. The LAP process is the process local governments go through to access federal funds for projects and it is administered by FDOT. There are challenges the municipalities face with the LAP process as well as challenges for FDOT. She reviewed the potential changes to the LAP program and the TPO's concerns regarding the changes. One component of this draft policy will restrict LAP funding to construction phases only; this puts a restriction on how federal dollars can be programmed on projects submitted to the TPO. It also establishes a dollar amount threshold for what can be programmed. Another of the proposed changes is to have the county sponsor all LAP projects versus the local governments. This could benefit the smaller municipalities but it is unknown how it will affect the larger municipalities that manage their own LAP projects. FDOT has indicated that this is reviewable on a case-by-case basis. Ms. Bollenback, TPO Executive Director, prepared a letter with questions in response to the proposed policy. If anyone has questions or comments please provide them; FDOT is conducting an outreach campaign to the local governments for comments as well.

Ms. Nicoulin announced a Request for Proposal (RFP) has been issued for the 2045 Long Range Transportation Plan (LRTP) and the TPO hopes to have a consultant under contract by June. As part of that contract, the TPO will form a LRTP Subcommittee that will meet monthly to review deliverables and provide input to the consultant. The TPO will be asking for volunteers to serve on the subcommittee in the coming months.

Ms. Nicoulin announced the annual Call for Projects will close on March 29, 2019 at 2:00 pm. If any members need anything between now and then, please reach out as soon as possible so the TPO has time to review and provide input.

VI. TCC Member Comments

Ms. Mendez asked if Volusia County has reviewed the proposed LAP policy and if they have agreed to manage the LAP program.

Ms. Nicoulin replied it is her understanding that Volusia County had not provided feedback at the time this policy was drafted.

Ms. Mendez asked if the TPO knew this policy was coming.

Mr. Paradise replied yes; individual meetings have been held with FDOT staff and they foreshadowed this. FDOT is concerned about the capacity, or lack thereof of, LAP projects that are getting approved and into the Work Program. He attended the meeting regarding the proposed draft policy. Comments from the county staff diplomatically stated they are not interested in managing the LAP program. He was told by FDOT staff that having the engineering capacity and the staff to undertake LAP projects is a source of concern and something they want to get a handle on. He has heard FDOT is not interested in doing planning studies or feasibility studies and everyone must walk the straight and narrow.

Mr. Karet commented his understanding is that FDOT is concerned with their performance and ability to get funds in and out and how they compare to other districts. This policy is supposed to make things more efficient.

Ms. Nicoulin replied the concerns FDOT has with the LAP program and with each individual agency's capacity to manage projects have been known. The magnitude, scale and scope of this policy and the restrictions that it places on the LAP program is not something that was anticipated.

Chairperson Papa encouraged members to review the policy; there are significant changes that will affect certain sized communities more than other communities.

Ms. Wyche stated the policy is still a draft and FDOT is asking for comments and input.

Ms. Bollenback stated this policy did come as a bit of a surprise; there was no mention of a policy being drafted until it was released. This was an unfortunate approach because the language did not read as a draft. FDOT has a production schedule that they are held to; it would have been preferable for FDOT to have requested comments or input prior to developing a draft. This is a very restrictive policy; this is a Federal Highway Administration (FHWA) program. However, FHWA is not putting these restrictions on the program; FDOT District 5 is placing the restrictions on the program. Other districts are not doing this; there are informal practices being followed such as minimum thresholds. The bigger issue is this is not just about the TPO's SU funding but it is for any LAP projects; exceptions would create a lack of predictability of what will or will not be accepted. She gave an example of Flagler Beach and South Daytona using the LAP program; small governments can manage the LAP program. It is not intended to be burdensome but in practical application it is. This policy seems to be targeted to limit funding regardless if a local government qualifies. She provided initial comments to FDOT regarding the proposed policy. What happens if Volusia County does not want to do a project? Local governments would be dependent on the county to access funds and manage the projects. FDOT has acknowledged they will try to develop a way to reimburse the county for administrative costs but it will not be a full reimbursement. She is not sure this policy is all that is needed; she has a lot of questions.

Ms. Mendez asked what problem FDOT is trying to fix; she was told the district had a lower percentage of completed projects than other districts.

Ms. Bollenback replied she believes some of it is project schedules and some is changes in project costs; she is not sure of that detail. The email did not include those statistics. There are 125 projects and phases that are currently in a 10-year planning process that would not be able to be funded. She has more questions before she can answer that question. She encouraged members to review the policy and send her any questions they may have as well as provide input.

Ms. Mendez asked if this would be on the agenda as a discussion item next month; she assumes more information will be coming.

Ms. Bollenback replied FDOT has requested to give a presentation but because they are meeting with all the MPOs in the district there will be a lot of feedback. She does not want to present the draft policy to the TPO Board until there is a second update.

Mr. Finlay asked if the comments should be directed to FDOT or to the TPO.

Ms. Bollenback replied FDOT has asked for comments directly but the TPO would like to be copied on those. The TPO will make sure FDOT's email asking for comments is forwarded to the TCC members.

VII. Information Items

→ CAC & TCC Attendance Records
→ February 27, 2019 River to Sea TPO Board Meeting Summary
→ February 2019 TPO Outreach and Events

VIII. Adjournment

There being no further business, the TCC meeting adjourned at 4:01 p.m.

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

Jose Papa

MR. JOSE PAPA, CHAIRPERSON
TECHNICAL COORDINATING COMMITTEE (TCC)

CERTIFICATE:

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certified that the foregoing is a true and correct copy of the minutes of the March 19, 2019 regular meeting of the Technical Coordinating Committee (TCC), approved and duly signed this 16th day of April 2019.

Debbie Stewart

DEBBIE STEWART, RECORDING SECRETARY
RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

Central Florida Regional Planning Model
2045 Socio-Economic Data Development

Flagler County 2045 Population and Employment Projections

Volusia County	A: BEBR Population Projection		B: Woods & Poole Employment Projection	C: Population Projection in CFRPM V7	D: Employment Projection in CFRPM V7
2015	101,353		36,289	101,289	25,805
2045	BEBR Medium Projection	165,800 (Growth Rate: 2.13%)	70,427 (Growth Rate: 3.13%)	182,532 (Growth Rate: 2.67%)[1]	50,077 (Growth Rate: 3.13%)[2]
	BEBR High Projection	210,500 (Growth Rate: 3.6%)			

1. Annual population growth rate was based on BEBR 2045 medium to high population projections. Flagler County has observed large amounts of approved large developments growth. It was suggested to use BEBR medium to high projections. Please note the annual growth rate in the CFRPM v7 model was close to (but not exactly at) the middle of annual growth rate between BEBR medium and BEBR high population because of allocation process.
2. Annual employment annual growth rate was based on 2045 Woods & Poole projection.

Volusia County 2045 Population and Employment Projections

Volusia County	A: BEBR Population Projection		B: Woods & Poole Employment Projection	C: Population Projection in CFRPM V7	D: Employment Projection in CFRPM V7
2015	510,494		232,518	503,615	204,694
2045	BEBR Medium Projection	642,400 (Growth Rate: 0.87%)	353,036 (Growth Rate: 1.73%)	700,346 (Growth Rate: 1.3%)[1]	310,775 (Growth Rate: 1.73%)[2]
	BEBR High Projection	759,400 (Growth Rate: 1.63%)			

1. Annual population growth rate was based on BEBR 2045 medium to high population projections. The BEBR 2045 medium population projection has the annual growth rate less than 1%. It was suggested by the River to Sea TPO to reference BEBR 2045 medium to high projections. Please note the annual growth rate in the CFRPM v7 model was close to (but not exactly at) the middle of annual growth rate between BEBR medium and BEBR high population because of allocation process.
2. Annual employment growth rate was based on 2045 Woods & Poole projection.

Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 S. Woodland Boulevard
DeLand, Florida 32720-6834

KEVIN J. THIBAULT, P.E.
SECRETARY

POLICY

Effective: February XX, 2019
Review Date: N/A
Office: District Five Program Management

LOCAL AGENCY PROGRAM

It is the policy of the Florida Department of Transportation (FDOT)/Department to contract with Local Agencies to construct transportation facilities. The Department provides project management and oversight through various Offices, including but not limited to, Planning, Environmental Management, Design, Procurement, Program Management, Right of Way, and Construction.

This Policy provides District Five (hereafter referenced as "District") specific guidance applicable to Local Agency Programs (LAP). The Department's programs, procedures and policies promote collaboration with Local Agencies to efficiently and expeditiously implement and manage the programs, and execute projects applicable under LAP.

The objective of said Policy is for the District to effectively plan, implement, and program projects while balancing transportation needs, funding requirements and development of the Five-Year Work Program. In support of the Policy, the District will establish processes and procedures to support the objective. This document outlines the expectations, responsibilities and accountabilities of the District and Local Agency(ies) seeking to solicit and contract consultant/vendor for construction and construction engineering inspection services using Federal funds. Exceptions to provisions set forth within this Policy, shall be submitted to the District for review and consideration; exception requests do not guarantee approval.

_____

Michael Shannon
District Five Secretary

This Policy provides District specific guidance applicable to Local Agency Programs. Topics set forth herein correspond to the Local Agency Program Manual (Department Topic No. 525-010-300).

A. Part 1 – Local Agency Program Process
Chapter 2 – Local Agency Program Certification and Performance Management:

a. Chapter 2, 2.2 Certification Options

Full certification will be reserved for County(ies) within the District that have demonstrated appropriate staff qualifications and capability having met performance expectations required for LAP for the three (3)-year Certification cycle.

Project-specific certification will be granted to County(ies) and City(ies) that have "limited experience" defined as successful administration of three (3) or less federal aid projects within three (3)-year period or, will not produce a consistent number of LAP projects (three (3) or more projects within three (3)-year period).

For full or project-specific certification, an Agency must demonstrate that they meet staff qualifications and have met the performance expectations required for LAP project administration as identified within this policy.

b. Chapter 2, 2.2.1 Certification of Life Cycle

To ensure agencies maintain proper Certification, the District will focus on continuous training and provide educational materials to the Agencies ensuring quality assurance of Project Management is taking place.

c. Chapter 2, 2.2.3 Reimbursement of Services (New)

Counties may submit for District consideration, a reimbursement request for direct costs (defined by 2 Code of Federal Regulations (CFR) 200) incurred in the administration of LAP project(s) delivered on behalf of city(ies). County(ies) shall provide staff-hours estimates representing project oversight efforts for these services prior to programming.

d. Chapter 2, 2.3 Certification Requirements

- LAP certification shall be obtained by all Counties within the District in order to administer projects.

- Initial Agency certification will be limited to Project-Specific and may be expanded to Full Certification once Agency has demonstrated qualifications, capacity and performance expectations for successful LAP project completion.
- Agency(ies) may utilize District's Continuing Services Contracts (Design and Construction Engineering Inspection (CEI)) to facilitate LAP certification and project administration; consideration for these options shall be discussed with District's Local Agency Program Administrator.

e. *Chapter 2, 2.4.2 Compliance (New)*

The Agency shall:

- Maintain the staff commitments identified at the onset of each project.
- Inform the District of any staff changes immediately when change(s) has occurred.
- Provide a point of contact and redundancy of project management/coverage, as well as succession planning, in order to ensure continuity of LAP administration.

A Task Team shall be established with participation from the District, County and/or participating Agency, as identified for each project. Regular (quarterly) meetings will be held between District and Agency staff with the intent of maintaining continuity with projects (management and technical) and promoting partnership between Agency and District staff.

Agency attendance/commitment/representation shall be required and maintained throughout project phase(s) in order to fulfill successful LAP performance expectations.

B. Part II – Standards and Practices for Local Agency Projects Chapter 19 – Preliminary Engineering and Design:

a. *Chapter 19, 19.9 Planning and Programming (New) – Preliminary Engineering, Project Development and Environment (PD&E) and Design*

Planning and Programming:

New alignment, interchanges and capacity projects shall be identified in the MPO/TPO Cost Feasible Plan of the Long Range Transportation

Plan (LRTP). Operation, enhancement and safety projects must be consistent with MPO/TPO LRTP policies and priorities.

a. Preliminary Engineering, Study(ies) and/or PD&E (if applicable) (Phase 18 and/or 28)
b. Design (Phase 38)
c. Right of Way (ROW) (if applicable) (Phase 48)
d. Construction (Phase 58)
e. Construction Engineering Inspection (CEI) (Phase 68) – may be combined with Construction as appropriate

Prior to programming project(s), the following items, at a minimum, must be completed and accepted by the District:

- Complete and thorough Project Application
- Documented Agency commitment for each phase
- Construction (PH 58) and CEI (PH 68) cost estimates
- Identification of project on MPO/TPO Priority List and updated status

The Agency shall have a plan that outlines the commitment to complete **all** phases of project.

Project phase estimates must be provided and approved by the District prior to programming. In addition to the estimate(s), explanation/back up information/level of estimating used to develop cost estimate shall be provided (ie. similar-type project, % of construction cost, detailed units and costs break down, etc.).

1. Preliminary Engineering and PD&E (Phase 18 and/or 28):
Agency(ies) shall perform preliminary engineering activities, PD&E and miscellaneous studies at their own expense. District will provide technical assistance as needed, requested and agreed to.

Exceptions may be warranted; upcoming studies/PD&Es requested to be completed by the District shall be requested with justification for request provided. Submittal of request does not guarantee approval.

Approvals will be provided by District Secretary and/or Director of Transportation Development prior to programming during development of Five Year Work Program.

2. ***Design (Phase 38)***: Agency(ies) shall perform design services at their own expense. District will provide technical assistance as needed, requested and agreed to.

Exceptions may be warranted; design services to be completed by District shall be requested with justification for request provided. Submittal of request does not guarantee approval.

Approvals will be provided by District Secretary and/or Director of Transportation Development prior to programming during development of Five Year Work Program. Consideration for exception may require projects to be bundled to the extent possible; ie. geographical proximity, type of improvement.

C. Part II – Standards and Practices for Local Agency Projects Chapter 21 - Construction Advertising and Award Procedures

a. Chapter 21, 21.3.1 Bundling Multiple Projects

- Construction (Phase 58) and CEI (Phase 68) shall be bundled to the extent possible; i.e. geographical proximity, type of improvement.
- Exceptions will be considered by the District with appropriate justification.

b. Chapter 21, 21.8 Planning and Programming (New)

The following will apply for programming of Construction (Phase 58) on LAP projects:

- Minimum threshold for Construction (Phase 58) programming is $250,000.
    - To meet programming threshold, similar projects shall be bundled to accumulate to $ 250,000 or above.

- Initial CEI (Phase 68) programming will be based on the current CEI estimate, if available, or on a percentage of the estimated construction cost if a CEI estimate is not available:

Construction Estimate (thousands)	Percent for CEI	Construction Estimate (thousands)	Percent for CEI
1 to 99	21.90%	2,500 to 4,999	10.32%

100 to 249	17.73%	5,000 to 9,999	9.63%
250 to 499	15.48%	10,000 to 14,999	9.15%
500 to 999	13.10%	15,000 to 24,999	8.80%
1,000 to 2,499	11.35%	25,000 and up	8.11%

- Initial programming for construction will be assigned in the later years of Department's Five-Year Plan (Years 2-5). In general, the following year targets will apply depending on when Design (Phase 38) begins and design development progresses:

Design Status (appxt. %)	Programming Year
0 - minimal	4 or 5
30%	3 or after
60%	2 or after
90%	1 or after

- Once programmed, to remain on production path, design status must progress to the completion level shown above (i.e. 30% Design (Phase 38) completed at the end of Year 3, 60% Design (Phase 38) by the end of year 2 and 90% Design (Phase 38) by the end of year 1) including Plans Update(s) (when needed), or, successful progression of plans development as dictated by the project schedule.

- During Department's annual Work Program Development, if project design has not reached the appropriate Design (Phase 38) status as noted above, Construction (Phase 58) will be deferred to the last year of the Five-Year Plan (Year 5)

- Current year programming or First Year construction advancement will not be considered unless approved by the District and until all of the following have been completed and accepted by the District;
    - Contract Plans
    - Approved Plans Specifications & Estimate (PS&E) package
    - Certifications
    - Bid package documents

From: Lois Bollenback
Sent: Friday, February 15, 2019 4:12 PM
To: Buscher, Lisa; Michael Daniels; Michael Woods; georganna.gillette@brevardcounty.us; GHuttmann@metroplanorlando.org
Cc: Shannon, Mike; Bobo, Loreen; Stettner, Alison; Smith, Kellie; Alexander, Katherine
Subject: RE: District 5 Local Agency Program (LAP) Policy

Good Afternoon Lisa,

The establishment of a policy, set of practices, and/or guidance will benefit the program overall by clarifying the expectations for the effective administration of LAP activities and for the responsible allocation and use of public funds. I appreciate the efforts of FDOT staff in advancing this policy. I also appreciate the opportunity to review an early draft and look forward to sharing a revised version with our local governments for their input as well.

River to Sea TPO staff have reviewed the document provided and have the following comments to offer:

General Comments/Questions:

1. Do the other FDOT Districts have a formal LAP policy? If so, will you please make a few of them available for review?
2. In discussing cost estimates and programming funding, the policy does not address project cost increases/inflation over time. This is an ongoing issue and we should have shared understanding of how this can be effectively managed. The R2CTPO inflates costs for projects on the LOPP, and I believe FDOT is intended to use escalation rates established in the Work Program Manual. We recommend adding information to clarify this matter (either within this policy or elsewhere).
3. In reading through the proposed policy, it's not clear what is established already in the Local Agency Program Manual and what is being added or established at the District level. Please consider a way to differentiate.
4. A variety of issues come up that impact project delivery such as archeological assessments, ROW issues, changes in design requirements, drainage, inter-agency delays (i.e. railroad crossing work). These unknowns don't seem to be recognized in this policy and they often impact successful completion or timely of a project. We try to identify all potential issues in advance of programming a project, but there are times that issues are not identified in advance.
5. I continue to believe that a reinstatement of "intake" meetings for some projects would lead to more successful outcomes. I would encourage the department to reconsider this as part of the development of a LAP policy.

Specific Comments:

Page 2: two statements in this section refer to counties only and do not seem to recognize full certification and LAP certification for qualified cities (for example Daytona Beach).

- a. Chapter 2, 2.2 Certification Options - refers only to "Counties" and
- d. Chapter 2, 2.3 Certification Requirements states "LAP certification shall be obtained by all Counties within the District...

Page 3: Please clarify who is intended to serve on the "Task Team." Also, please clarify if these are intended to be a single meeting with all agencies represented or individual meetings.

Page 3 (bottom) and 4 (top): This appears to be establishing requirements of the LRTP rather than a policy that helps administer the LAP. Consider re-writing this (and making it consistent with CFR 450.324)

- The LAP policy reads: "New alignment, interchanges and capacity projects shall be identified in the MPO/TPO Cost Feasible Plan of the Long Range Transportation Plan (LRTP). Operation, enhancement and safety projects must be consistent with MPO/TPO LRTP policies and priorities." However, CFR 450.324 says the plan shall, at a minimum include: "transportation facilities (including major roadways, public transportation facilities, intercity bus facilities, multimodal and intermodal facilities, nonmotorized transportation facilities (e.g., pedestrian walkways and bicycle facilities), and intermodal connectors that should function as an integrated metropolitan transportation system..." A reference to "capacity" no longer exists.

Page 4 (top): What is the reference for requiring a project to be in the cost feasible portion of the LRTP to begin a PD&E? This has been considered a project planning phase that explores a no build option as well as future build options. It is also recognized that PD&E funds can be included as a programmatic (or boxed) expense rather than identified for specific projects (see FHWA Expectations letter for LRTP's). Is this requirement intended for LAP managed projects only or for ALL PD&E's?

Page 4 (near top): policy reads "Prior to programming..." this section does not reference the development of LOPP's which is the legally established framework for M/TPO's to communicate priorities to FDOT.

Page 4 (bottom) and Page 5 (top) – Items #1 & 2 both state agencies shall perform these activities "at their own expense." I'm not sure I understand the intent of this? Agencies use LAP to access federal funds in support of a project. They are expected to outline a financial plan that supports completion of the work. Are you intending to clarify that the financial obligations for the work are the responsibility of the agency and that no financial commitment is made by FDOT unless through a partnership established in writing? Please consider making this section more clear.

Page 5: b. Chapter 21, 21.8 Planning and Programming – bullet reads "Minimum threshold for Construction (Phase 58) programming is $250,000." This is not supported by the River to Sea TPO. We have presented minimum thresholds for consideration by the TPO Board previously and they have made clear their opposition to placing restrictions on the allowable use of federal funds. We can present this for consideration again unless you have a reference that gives authority for FDOT to restrict the use if TMA funds in this way.

Page 5: CEI table – The table lists estimates for projects below the minimum threshold proposed by FDOT (see the previous comment).

Page 6: bullet reads: "if project design has not reached the appropriate Design (Phase 38) status as noted above, Construction (Phase 58) will be deferred to the last year of the Five-Year Plan (Year 5)." You may want to be more flexible and say: "the Construction phase will be re-evaluated and deferred as necessary pending the availability of funding."

Page 6: It seems like you should acknowledge ROW as well in this section.

I hope these comments are helpful. Regards,

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