

ODOT/ACEC STEERING COMMITTEE

July 10, 2009 Meeting Minutes

Attendees: Cathy Nelson, Tom Lauer, John Ferguson, Karen Tatman, Marc Butorac, Donnell Fowler, Gayle Harley, Bob Carson, Michelle Remmy

Note taker: Michelle Gauthier

Programmatic Permitting – Bill Ryan

Bill Ryan presented the group with an overview of the Programmatic Permitting and Streamlining efforts being put forth through the Geo-Environmental section. He indicated that some of the challenges Geo-Environmental is faced with are environmental compliance. The expectations and complexity of contracting has increased the required documentation. They are looking at a way to address the higher expectations with the smaller work-force and lessened financial resources. There is a fear of litigation if the permitting processes are not properly followed.

Geo-Environmental Section is trying to align different permits for different programs to reduce duplicity, to create consistency and transparency in the processes. They are also working with the regulatory partners to develop a mutual trust.

Bill noted that will HB2001, Section 19 will create challenges due to performance standards that are expected to be set in the Bill. Although the Bill is not yet signed, it sets the stage for anticipated for environmental permitting streamlining.

Gayle indicated that the local agency has limited time and flexibility and therefore, needs the process to be shortened and simplified.

Geo-environmental section would like input from ACEC and from all the Regions since they will be the ones to actually implement the process. Currently Listening Sessions are being organized in the Regions and Technical Services.

Action: Tom Lauer and Bill Ryan will coordinate schedule for ACEC participation in listening sessions.

**ACEC/ODOT Steering Committee Meeting
July 10, 2009 (Cont'd)**

Disadvantaged Business Enterprise (DBE) Goals for A & E Contracts – Michael Cobb

Michael Cobb spoke to the group about the steps being taken to measure how projects are generating work for small business for Oregonians. A disparity study was performed and as a result there are hard goals implemented for African American and Asian-owned small businesses regarding construction projects being awarded to these groups.

Michael indicated that when considering a DBE company, they are federally certified. If federal funding is involved in the project, DBE companies must be considered and those that are considered must be reported.

Gayle suggested bringing back small businesses that have worked with ODOT to discuss how the contracting process with ODOT worked for them, or the obstacles they faced during the process. Small firms are not members of ACEC, therefore they are more difficult to connect with on a regular basis. It was suggested that they be considered for “affiliate” membership to ACEC to improve this communication. Michael suggested ACEC firms guide smaller firms to places where they can obtain assistance in contracting and networking. Karen suggested a break-out session at the next ACEC Spring Conference for small businesses to connect at sub-contractors to prime contractors.

Action: Karen/Troy to suggest a point of contact with ACEC for small business to obtain this information.

Jobs in Transportation Act (JTA)

Cathy indicated that although there is no signed bill, there is a lot of preparation and planning going on. No implementation will take place until the bill is actually signed. Cathy indicated that \$100 million has been identified for the Connect Oregon III program. The JTA bill will present some challenges to Oregon, but it is an investment in transportation so it is a very positive thing. Cathy indicated that some outsourcing will be required to fulfill the work that the bill will entail.

Editor's Note: JTA signed July 29, 2009

**ACEC/ODOT Steering Committee Meeting
July 10, 2009 (Cont'd)**

NOA's

Gayle indicated that ACEC is requesting more education for Project Managers to explain that consultants are not any more expensive to use than to do the work internally. They are finding this particularly challenging in the Regional offices.

Karen discussed a misinterpretation by ODOT of the cost of consultants because they include the cost of doing business into their estimates, while ODOT only considers the hourly wage of their engineer and doesn't consider the cost of the buildings, office machinery, etc. when doing a comparison.

Cathy emphasized that ODOT wants to understand the balance required to maintain core staff required to sustain Highway Division and that consultants will be used to handle the extra work.

Marc discussed ORS 366.215 – Freight Mobility. He explained that consultants are not always clear on the standards required for this policy. Cathy discussed that ODOT is striving to arrive at logical conclusions and explanations on the bill and is working with MCTD to strengthen communication regarding changes in capacity and mobility on Oregon highways.

Discussion was held on the Matrix. It was agreed that Cathy and Troy would craft a letter to distribute to ACEC for their OK and then send to each committee to explain their assignments.

Action: Cathy/Troy to craft letter, send to ACEC for approval.

Meeting was adjourned.