

NJIB Transportation Engineering Advisory Committee Meeting

December 19, 2019, 2:00 PM

MEETING NOTES

- 1. Formalize Committee Structure** ~ The Committee held introductions and elected its representatives to interface with the I-Bank Executive Director. Bounds of the committee's activities and authority were outlined.

Attendees:

- Chair – Joe Cunha (JCMUA)
- Vice Chair – Frank Rotonda (Bright View Engineering, previously Pennoni Associates)
- Vice Chair (Backup) – Eleni Giannikopoulos (Suburban Consulting Engineers)
- Kevin Becica (Camden County)
- Joe Fiordaliso (NorthStar Strategies) – *by phone*
- Matt Loper (Somerset County)
- Deanna Stockton (Princeton)

Non-Participating Members in attendance:

- George Rolon (I-Bank)
- Melinda Roslon (I-Bank)
- Laine Rankin (NJDOT)

Color format: **BLUE = Done** **RED = In process** GREY = Noted

- 2. Discussion on Current State Financing Program** ~ I-Bank Project Manager George Rolon provided an overview of the program

- The group discussed items within the Handbook which need further clarification:
 - Environmental requirements need to be fleshed out.
 - **Added to I-Bank Task List**
 - Various contracts and contract requirements are unclear.
 - **Program has been restructured internally to replace "Steps 1-4" with a contract-based approval process (Clarifies the application and review processes; Handbook will be updated)**
- The DEP environmental review process is a hindrance to timely project progress (e.g. Overall turn around timing, number of rounds of review by NJDEP review agents, each round reveals new comments not previously mentioned in prior rounds, too many divisions weighing in with their individual comments all allotted their own review periods, transportation/roadway projects are largely low impact environmentally. Need a very streamlined NJDEP review or allow NJDOT to self-regulate environmental impacts via pre-defined NJDEP checklist.).
 - **Committee to develop specific recommendations to streamline Environmental Review and SHPO process**
- There was a consensus that the State Historic Preservation Office (SHPO) is a large hinderance to the process in general. Can the Program get pre-defined triggers from SHPO via checklist for DOT to determine initial workflow? If no impact, then there is no need for SHPO to review.
 - Noted, although ability to address is limited
- Both Financing Programs would benefit from streamlining the work, requirements and communications between DEP and DOT (e.g. a flow-chart "IF this, then that OR the other").

- ✓ I-Bank is working on developing efficiencies (note: joint communications are lower on the priority list than setting up the necessary processes)
 - Application meetings should have all necessary parties in attendance to clearly outline all the requirements (permitting, contracts, etc.). Minimal comments should be allowed thereafter by either agency limited only to specifics that were not discussed or if scope of work changes. Possibly hire court stenographer to record sessions.
 - ✓ I-Bank staff makes the determination of calls will happen and who is needed. Typically the entirety of a project's facts is not known at the time of the call, thereby limiting the number of participants
 - The Transportation Bank should agree to pre-approved qualified Professional Services Consultants for technical assistance to aid applicants in getting their projects through the application and review process up through construction award within the Scheduled Award Date.
 - To be worked out in MOU with DOT senior management
 - Provide financing for contracts using a cooperative pricing agreement (a.k.a. co-op).
 - ✓ I-Bank has confirmed borrowers' ability to use Co-op agreements (Orange City working with I-Bank to utilize the first Co-op contract)
 - I-Bank should create an in-house liaison/champion to facilitate and advocate for projects through the review process. It was suggested that this person would need to be an I-Bank employee to avoid potential conflicts of interest and provide neutrality.
 - ✓ I-Bank Engineering staff already provides such services
 - The Program should include the cost for Police detail for flaggers as eligible expenses. (Laine Rankin, DOT Director of Local Aid & Economic Development confirmed that this regulation/limitation is still firmly in place)
 - **Suggestion:** Utilize State Police, as they bill a flat rate and if NJDOT were to relax this, LGU's would be incentivized – no reimbursement for PD if not flat rates.
 - Need to confirm legal status with AG's Office and check with the State Police to determine feasibility; then hold policy discussion with DOT
- 3. Marketing of Programs** ~ The group briefly discussed topics regarding marketing the BASE and TIFIA transportation programs, including the I-Bank's initiative of outreach to individual towns and counties. A possible angle: The program(s) save the expense of Grant writers.
- ✓ The I-Bank has held off-site meetings with County and Municipal representatives in 11 counties to date and is rescheduling tele-conferences with 7 more
 - Expect to reschedule annual program-wide seminars via Go-To Meeting in North, Central and South Jersey
- 4. Discussion on Proposed TIFIA RPI Financing Program** ~ I-Bank Project Manager George Rolon provided an overview of the proposed TIFIA Rural Project Initiative (RPI) Program, including the proposed loan structure, timing of implementation, and some of the assumed roadblocks
- Need clarification on eligibility of projects that cross geographical boundaries.
 - Received partial answer from FHWA. Awaiting policy developments.
 - Need an on-line application that will determine geographical eligibility by entering coordinates.

- Potential for replicating longitude / latitude mapping from H2LOans to facilitate geographical eligibility. Assign PBI tasks to IT Product Owner
- Application meetings should have all necessary parties in attendance to clearly outline all the requirements (permitting, contracts, etc.)
 - ✓ Same answer as BASE Financing Program - I-Bank staff makes the determination of calls will happen and who is needed. Typically the entirety of a project's facts is not known at the time of the call, thereby limiting the number of participants
- RPI w/ federal program funds may be best for long-term, controversial projects that require public input or projects that would benefit from the long lead time (e.g. big money projects). Projects to avoid for Federal financing: Tidelands, bridges (these are complicated projects that require an in-depth environmental analysis which delays construction).
 - The I-Bank will develop processes whereby Fed'l requirements are largely managed by either the I-Bank directly or by consultants hired by the I-Bank on the sponsor's behalf. Must be incorporated in DOT-MOU
- Contract approval currently can take 6 months going through the MPOs. Need to work out a process in advance that expedites a project's listing with and approval by MPOs, as no funds are granted through these organizations.
 - ✓ I-Bank funded projects do not use Federal grant funds and as a result, will receive expedited MPO approval
- Individual Committee members had differing opinions on whether the mandatory separation of Design and CM contractors under Federal rules is beneficial
 - Consulting engineers prefer to have the same company do design and CM;
 - Government representatives generally prefer to have two different consultants.
 - ✓ Federal rules require two separate consultants
- There is a catch-22 when it comes to the rural program. Federal requirements are onerous and increase costs. Require large projects to justify the additional expenses, yet rural areas don't have the big money projects that render a Federal program attractive or realistic.
 - The program needs to identify AND minimize all stumbling blocks
- Some members of the group felt it would be a better idea to allow the applicant to decide which program to use, rather than being placed into State or Federal program by the I-Bank.
 - ✓ Optimizing Transportation Bank financing funds is the sole purview of I-Bank policy. The I-Bank needs to balance the desire of sponsors with the ability to finance the largest number of projects at the lowest cost.
- There should be a champion/advocate from each the I-Bank, DOT, DEP, (and possibly Fed) to promote and aid in facilitation of each federal project.
 - The I-Bank cannot speak for the DOT, DEP or the Feds, however just as with the current base program, the I-Bank Engineering staff will provide such services.

5. Agenda Items for Upcoming Discussion

- Current Base Financing Program:
 - General experience with the Local Aid Environmental Review process (EO215), specifically, Time-delay pain points.
 - Project closeout issues, relative to DOT Local Aid
 - Funding Appropriation Delay. Discussion of tradeoff between program savings and wait time for allocation for construction ready projects

- Cost increases when SBE compliance is required
- Develop specific recommendations to streamline Environmental Review and SHPO process
- Proposed TIFIA RPI Financing Program:
 - General experience with the NEPA process, specifically the time-delay pain points
 - Cost savings threshold to justify the effort to participate in the program, assuming the I-Bank manages to minimize (not eliminate) most of the lift required for Federal funds.
 - Average cost increase expected when DBE compliance is required
 - Federal compliance requirement(s) that is(are) NOT a large lift
 - Incentives for greater participation in the TIFIA RPI program (time, effort, cost, hassle)
 - Set and document Processes:
 - MOU between I-Bank and DOT
 - Oversight/Stewardship Agreement w/ FHWA (Trenton)
- Set Date, Time, Place

To Do

Item:	Responsible Party:
Update Handbook (Remove “Steps”, flesh out environmental process, and remove references to DBE)	George R., Melinda R.
Streamline Environmental Review and SHPO process: Develop specific recommendations	Committee
Discuss Professional Consultants recommendation with NJDOT senior management for possible inclusion in MOU	Rob F., David Z.
Research using State Police for Flagger protection – w/ A.G.’s Office	Judy K., Jim E., David Z.
Follow up on FHWA policy developments regarding rural geographical boundaries	David Z.
Create online application to determine rural coordinates	T-Bank P.O. (Jenn)
Advocate both Base and RPI projects to all LGUs (rescheduling tele-conferences with 7 additional counties and annual program-wide seminars due to COVID-19)	Committee, DZ, GR, MR

Completed

Item:	Responsible Party:
I-Bank has confirmed borrowers’ ability to use Co-op agreements	George
Identified DOT’s contact at DEP for environmental issues	George
I-Bank has held off-site meetings with County and Municipal representatives in 11 counties to date	David Z. George R. Rob F.