



STATE OF CONNECTICUT
ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

November 24, 2000

Dear First Selectman:

As Chairman of the Connecticut Advisory Commission on Intergovernmental Relations (ACIR), it is my pleasure to provide you with a copy of the Commission's report on the Rural Collector Road Program in Connecticut. This program, while relatively small in the greater scheme of federal/state transportation programs, is very important to our smaller, rural communities. Through this ACIR project, and the positive response by ConnDOT, the towns and the regions, we believe that we have made a good program into a better program.

The accomplishments and recommendations set out in this report represent the collective efforts of a variety of individuals and agencies including the Rural Roads Advisory Committee convened by ACIR. The Committee was composed of several First Selectmen and representatives from ConnDOT, FHWA, Rep. Nancy Johnson's Office and the five rural Regional Planning Organizations.

Working together, I think the Committee helped to promote improvements in the administration of the program and to identify areas where further streamlining is possible without compromising the integrity of program requirements.

In addition, I hope we have initiated a communication mechanism between ConnDOT and local/regional officials that can be utilized in the future to help resolve issues that may arise.

Sincerely,

A handwritten signature in cursive script that reads "Sonya".

Rep. Sonya Googins
Chairman, ACIR

Connecticut Advisory Commission on Intergovernmental Relations

The Rural Collector Road Program

Project Report

Introduction

As part of its research and coordination role, the Connecticut Advisory Commission on Intergovernmental Relations (ACIR) was requested by its membership to review the requirements and procedures of the Rural Collector Road Program (RCR) as they impact participating towns and the Connecticut Department of Transportation (ConnDOT). The RCR is a federal reimbursable program for towns administered by the ConnDOT.

Issues/Questions

ACIR was asked to address two issues/questions regarding the RCR program:

- (1) As the result of a consultative process among participating towns/regions, ConnDOT and ACIR, can the requirements and procedures of the Rural Collector Road program be simplified and streamlined to help accommodate the limited resources of towns/regions while at the same time maintaining ConnDOT accountability to the Federal Highway Administration (FHWA)?
- (2) As the result of the same consultative process, is it possible to develop a communications model that could be used to facilitate cooperation in the future between towns and ConnDOT over other transportation-related issues and programs?

Program Description

The Rural Collector Road Program was developed by the ConnDOT in response to enabling language found in Section 1108(f)(1) of the federal Transportation Equity Act for the 21st Century (TEA-21) enacted in 1998. Under the Act, states have the option of setting aside up to 15% of the required Surface Transportation Program's rural funding category for improvements to rural minor collector roads. Prior to TEA-21, roadways were eligible if classified higher than a rural minor collector.

The ConnDOT exercised the option to fund the minor collector program at the full 15% level over the five-year period. In order to address rural transportation needs in the most comprehensive manner, ConnDOT chose to

combine the minor collector program (\$667,000) and the separately funded (\$438,000) major collector roads in its \$1.1 million annual major/minor collector program. Currently, under the program, only town-owned and maintained collectors in Connecticut's five rural planning regions (Attachment A) are considered for funding. The minimum project cost limit is \$30,000. A set-aside or carryover of funds not utilized in a given year is not permissible across federal fiscal years. Funds are allocated among the regions based upon the number of lane miles of qualifying collector roads maintained in each region as a percentage of the total lane miles of collector roads maintained in all five regions. The five rural regions (and the number of towns within each region) are:

Connecticut River Estuary (9 towns)
Litchfield Hills (11 towns)
Northeastern Connecticut (10 towns)
Northwestern Connecticut (9 towns)
Windham (10 towns)

Towns that are selected to participate in the program by ConnDOT are required to provide a 20% match for most projects (Safety-based projects are 100% federally funded). They are responsible for 100% of the costs that exceed the initial project cost approved by ConnDOT. A variety of projects are eligible under the program including pavement marking and signing, spot safety improvements and roadway rehabilitation.

All federal requirements apply to town projects. Requirements include those pertaining to consultant selection, audit procedures, Disadvantaged Business Enterprise set asides, affirmative action activities, prevailing wage payments, and project inspection and documentation.

Project Selection and Administration

Towns are requested by their RPO to develop a list of possible projects and subsequently to submit applications for local collector roads under the program. The Regional Planning Organizations for each of the five regions coordinate and prioritize project applications from the towns within their respective regions. Prioritized projects are reviewed initially by ConnDOT staff for general eligibility and scoping. The scoping process includes a review of traffic data (speed, volume, accident experience, etc.) and field reviews that may result in recommended modifications to the project or revisions to project cost estimates.

The scoped project and cost estimate is returned to the town for a public informational hearing and subsequent official approval by the town. Once this is done, both the regional and state Transportation Improvement Programs are amended to add the newly approved project(s). Finally, ConnDOT's Local Roads Unit meets with the town to begin the design phase of the project. Once the

selection process is completed, project administration is the responsibility of the town with construction oversight.

For Fiscal Years 1998, 1999 and 2000, ConnDOT has approved a total of 12 minor collector road projects (Attachment B) involving 13 different individual towns in the five participating planning regions at a total funding level of approximately \$2 million. For the same three-year period, ConnDOT approved 9 major collector projects involving 10 towns. The funding level for the major collector road program is approximately \$2.1 million (these totals include the 20% local match from the towns, where applicable).

ACIR Methodology

Participating towns in the Litchfield Hills and Northwestern Connecticut regions had the most concern with the requirements of the RCR program. As a result, ACIR staff met first with the First Selectmen of Goshen, Kent and Roxbury and the Executive Directors of the Litchfield Hills Council of Elected Officials and the Northwestern Connecticut Council of Governments. Subsequently, ACIR staff had discussions with Executive Directors and staff of each of the other three Regional Planning Organizations involved in the collector road program, as well as staff from Representative Nancy Johnson's Office, the Federal Highway Administration, and the Connecticut Department of Transportation.

Representative Johnson was responsible for including the 15% set aside option for rural minor collector roads in the TEA 21 legislation. Responding to earlier town concerns with the program, Representative Johnson had convened several meetings with the towns and ConnDOT to discuss how the administration of the program might be improved.

In organizing its study of the issue, ACIR created an Advisory Committee (Attachment C) to lend guidance and expertise to the overall project. At the first meeting of that Committee, in order to focus discussion, a summary of local recommendations for improvements to the program previously prepared by the Litchfield Hills Council of Elected Officials was distributed and discussed by the Committee members.

Subsequently, each RPO, as well as the ConnDOT, was asked to compile its own list of recommendations on specific activities that might serve to simplify program requirements and procedures. Four of the RPOs and the ConnDOT submitted recommendations that were discussed at a later meeting of the Advisory Committee. For that meeting, ConnDOT also compiled and distributed an item-by-item response to the various recommendations made by the RPOs. The fifth RPO, the Northeastern Connecticut Council of Governments, chose not to submit any recommendations, indicating that the program as presently constituted worked well in that region and was not in need of modification.

Recommendations from Participants on the Advisory Committee

The recommendations from the towns/RPOs addressed four areas of concern:

- (1) Elimination of unnecessary technical requirements
- (2) Reduction of excessive paperwork
- (3) Increased technical assistance
- (4) Up front explanation of program requirements

The recommendations from the ConnDOT centered around:

- (1) Hiring project administrators to oversee projects - increases administrative expertise
- (2) Pooling regional funding to undertake larger projects - achieves economies of scale
- (3) Programming project plans out over three or more years - provides a long-term frame of reference for funding decisions

Implementation of Town/RPO Recommendations

(1) Elimination of unnecessary technical requirements

In part, as a result of the ACIR sponsored consultative process, including the exchange and discussion of various recommendations for improving program requirements and procedures, ConnDOT initiated the following modifications to previous requirements:

(a) Clarified the misconception that double yellow centerline striping must be included as a project item. Municipalities have the option of not including any striping as part of a Rural Collector project, if they do not want double centerline striping.

(b) Modified the requirement that only hot mix asphalt be used for road projects. Municipalities have the option of using alternative asphalt applications on low-volume roads.

(c) Modified the requirement calling for paving shoulders. Municipalities have the option of either keeping existing grassed shoulders or providing minimal shoulders through the design exception process, so as to minimize the disturbance to the roadside.

(d) Modified the requirement for surveyed plans. Municipalities may submit non-surveyed plans for simple overlay and reclamation projects. Such projects may use the U.S Customary System of Feet and inches in lieu of metric.

(e) Modified the requirement that two public information meetings be held. Municipalities are only required to hold one such meeting for simple projects.

(f) Developed and promulgated cost estimating guidelines to assist municipalities in developing more accurate cost estimates for projects.

(2) Reduction of excessive paperwork

ConnDOT responded to individual town/RPO recommendations as follows:

(a) Simplify and reduce the number of forms contained in the overall contract package.

According to both FHWA and ConnDOT, the information is required by federal and/or state law and would necessitate a change at both levels.

(b) Simplify and reduce the number of forms contained in the Disadvantaged Business Enterprise section of the contract package.

According to both FHWA and ConnDOT, the information is required by federal law and would necessitate a change at the federal level not by ConnDOT.

(c) Incorporate in the contract package by reference federal and state contract provisions and federal and state wages rates section. According to both FHWA and ConnDOT, federal law requires that these provisions be included in their entirety and cannot be included by reference.

(d) Modify the standard legal notice required of towns advertising for federally assisted construction projects.

According to both FHWA and ConnDOT, modifications to the standard version would not satisfy federal requirements.

(3) Increased technical assistance

ConnDOT responded to town/RPO recommendations as follows:

(a) Initiated Municipal Systems Action Teams (MSATs) in all four of ConnDOT's Bureau of Engineering and Highway Operations construction Districts. Two Teams, operating out of district offices in Norwich and Thomaston, were formed as a result of municipal concerns regarding the Rural Collector Road program. Members will focus on assisting towns with their Rural Collector Road projects as well as other federal aid administered programs. Teams

are charged with specific responsibilities vis-à-vis municipalities and will work closely with the towns from project start up through the final project close out with a special emphasis on:

1. Monitoring and assisting the performance of municipalities regarding adequate record keeping, material testing requirements, prevailing wage rate monitoring, etc
2. Assisting municipal administrators with scope change requests, time extensions and change orders
3. Performing weekly field visits/reviews of each municipal project
4. Meeting monthly, at a minimum, with the municipal administrator to review project status, administrator's responsibilities and any project issues that require attention
5. Establishing procedures for uniform use by districts in overseeing municipally administered projects
6. Performing plan reviews of municipally designed projects during the construction phase of the project
7. Providing guidance and assisting municipal administrators and inspectors with project close out procedures
8. Preparing weekly and monthly reports on project activities

In addition, according to ConnDOT, the MSATs will monitor paperwork requirements associated with the program on a continuous basis.

(4) Up front explanation of program requirements

- (a) Two of the rural RPOs collaborated in designing an application checklist and timeline for use by all participating towns/regions when they initiate RCR projects.

Implementation of ConnDOT Recommendations

The indication from participating towns/regions is that they will consider hiring an Inspector to handle the inspection/administrative paperwork for future RCR projects. The cost of the inspector is a legitimate expense covered by program funding. In the Northeastern Connecticut Planning Region, the RPO developed a job description for a Durational Regional Transportation Inspector and subsequently hired a former ConnDOT employee.

The Northeastern Connecticut Planning Region not only hired an Inspector, but pooled its funding in order to undertake a larger regional project, an 18.8 mile regional guard rail project in 1999. On that project, the inspector worked a total of 591.5 hours at \$25.00 per hour for a personal service cost of \$14,787 or approximately 15% of the total project cost. The inspector is currently overseeing the region's second regional project; this one involving sign replacement and pavement marking. The region considers this arrangement as crucial to its success and satisfaction with the program.

Recommendations for Improvements to the Program

- (1) Towns/RPOs should consider hiring an inspector to handle the inspection/administrative paperwork involved in the RCR program.
- (2) Towns/RPOs should consider pooling funds in order to undertake projects that are larger and therefore contain more economies of scale.
- (3) The Application Checklist developed by the Connecticut River Estuary Regional Planning Agency and the Litchfield Hills Council of Elected Officials should be shared with the other three RPOs and their participating towns for use in the program. This should help the towns and the regions with program administration.
- (4) ConnDOT should review, clarify and standardize the various checklists for forms required throughout the project, particularly the construction phase up to and including the final close out. ConnDOT should also reformat and simplify the ConnDOT publication entitled *Municipality Manual: Guidelines for Contracts Administered by the Municipality (1994)*. This could result in the reduction of some forms and paperwork, but should clarify what is due and when from the towns/regions.
- (5) ConnDOT should at least consider utilizing state rather than federal funds on the program, thereby eliminating some portion of the administrative paperwork and form filing requirements of the federal government. This would give ConnDOT extra flexibility in administering the RCR program. If the program is successful, the use of state dollars as a funding source could be an alternative after the sunseting of TEA 21 in 2003. This alternative should be pursued only if it does not interrupt the multiplier effect of using state money to match other available federal grants.

Conclusions Regarding Streamlining Requirements and Procedures

All of the participating parties involved with the RCR program support the program's objectives and feel that the program benefits the towns, the regions and the state by providing funds to improve transportation in rural areas. There is, however, genuine disagreement over program requirements and procedures ranging from minimal concern in the Northeastern Connecticut region to considerable concern in the Northwestern Connecticut region. The other three regions involved in the program, Connecticut River Estuary, Litchfield Hills and Windham, fall somewhere in the middle of the concern continuum and each had suggestions for improvements to the program.

What is particularly troubling is that several towns have chosen not to participate in the RCR program because of concerns involving program requirements and procedures. It serves the interests of neither the state, the federal government nor the towns/regions to allow an important program to be underutilized because of those concerns.

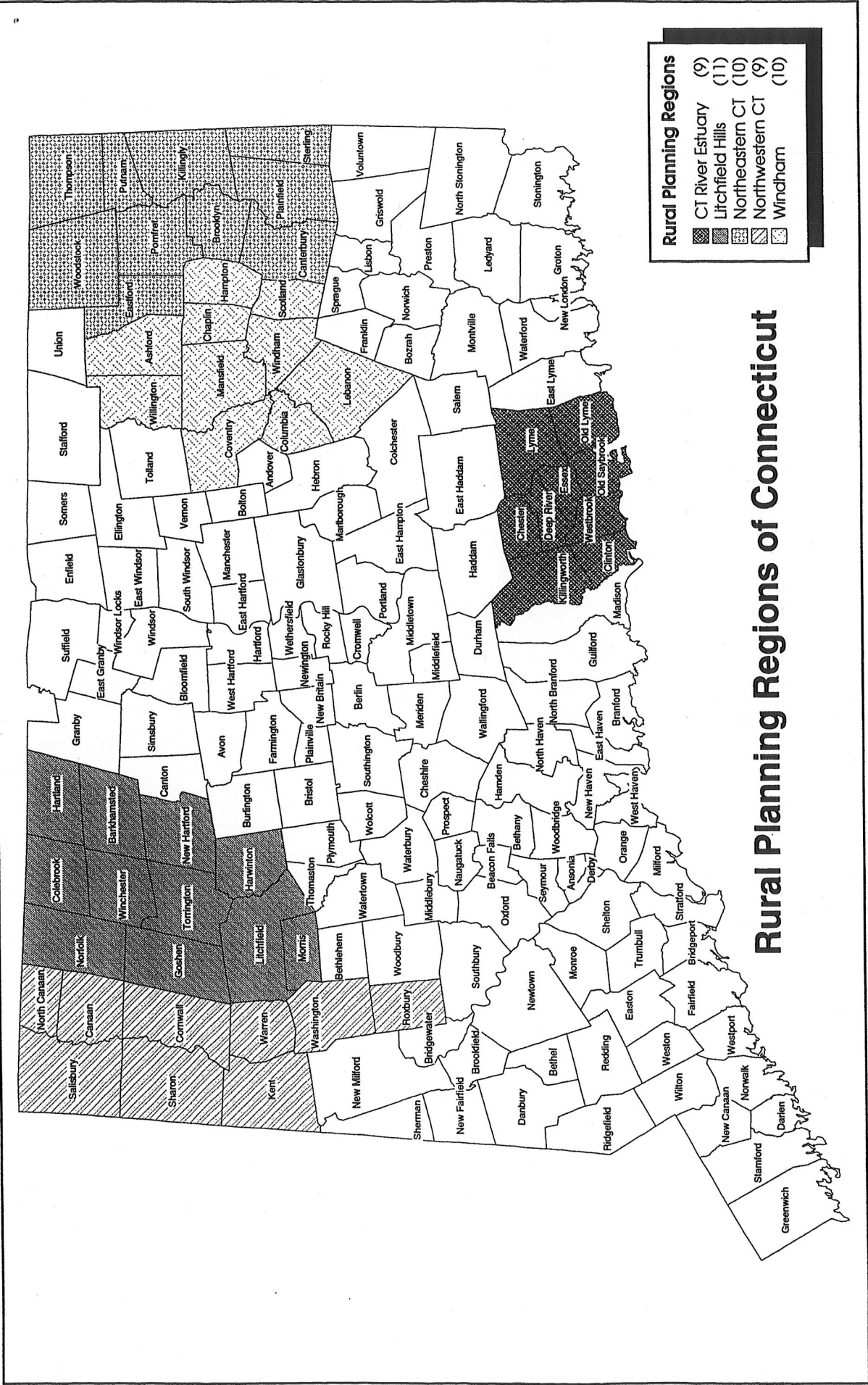
That notwithstanding, both the towns/regions and ConnDOT have made accommodations in the best interests of the program. As the result of working together:

- (1) ConnDOT has been receptive to streamlining procedures where possible, particularly in the start up phase of the program where initial requirements were not in keeping with the size of the project. While there remains interest in additional streamlining, ConnDOT's efforts to date have been well received.
- (2) ConnDOT has initiated a team approach within four districts to concentrate primarily upon assistance to towns participating in the RCR program.
- (3) Towns have realized that certain requirements, particularly those concerning affirmative action, disadvantaged business enterprises and prevailing wages are federal mandates that cannot be waived by ConnDOT.
- (4) Towns and ConnDOT have realized that there is a learning curve for towns administering the program that will improve as familiarity with the program grows, but which requires ongoing assistance from ConnDOT to reach that familiarity.

Conclusions Regarding a Communications Model

The consultative process initiated by ACIR did provide a forum for all parties to express their concerns and disagreements over the administration of the RCR program. Moderated by a neutral third party, it brought together in a series of meetings all of the key participants involved with the program at the federal, state and town/region level.

The effectiveness of the process was enhanced by participation of staff from the various ConnDOT units with responsibility for the program, including Construction, Design, Local Roads and Project Concept. Each unit was able to bring to the discussion its own expertise on a particular phase of the program and to make adjustments to that phase as appropriate. The adjustments were made throughout the process so that there was a sense of accomplishment without having to wait for recommendations to be implemented only after they appeared in a final report.



Rural Collector Road Program

	FY 1998	FY 1999	FY 2000	TOTAL
<u>Minor Collector Roads</u>				
Connecticut River Estuary Region 3 Participating Towns	\$0	\$232,000	\$250,000	\$482,000
Litchfield Hills Region 1 Participating Town	\$15,295	\$0	\$0	\$15,295
Northeastern Connecticut Region 5 Participating Towns	\$237,382	\$86,000	\$85,250	\$408,632
Northwestern Connecticut Region 2 Participating Towns	\$0	\$255,000	\$302,000	\$557,000
Windham Region 2 Participating Towns	\$175,000	\$157,000	\$165,000	\$497,000
Total	\$427,677	\$730,000	\$802,250	\$1,959,927
<u>Major Collector Roads</u>				
Connecticut River Estuary Region 0 Participating Towns	\$0	\$0	\$0	\$0
Litchfield Hills Region 6 Participating Towns	\$639,405	\$485,000	\$383,000	\$1,507,405
Northeastern Connecticut Region 4 Participating Towns	\$297,368	\$111,000	\$196,400	\$604,768
Northwestern Connecticut Region 0 Participating Towns	\$0	\$0	\$0	\$0
Windham Region 0 Participating Towns	\$0	\$0	\$0	\$0
Total	\$936,773	\$596,000	\$579,400	\$2,112,173
Grand Total	\$1,364,450	\$1,326,000	\$1,381,650	\$4,072,100

**Advisory Commission on Intergovernmental Relations
Advisory Committee on Rural Collector Roads**

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