



## CMAQ Project Selection Committee Meeting Minutes

Thursday, February 9, 2012

Offices of the Chicago Metropolitan Agency for Planning

**Committee Members Present:** Ross Patronsky, Chair (CMAQ), Marty Buehler (counties), Bruce Carmitchel (IDOT), Larry Keller (Council of Mayors), Mark Pitstick (RTA), Luann Hamilton (City of Chicago), Mike Rogers (IEPA)

**Staff Present:** Patricia Berry, Doug Ferguson, Don Kopec, Holly Ostdick, Joy Schaad

**Others Present:** Reggie Arkell, Curt Barrett, Allison Bos, Chris DiGiantis, John Donovan, Jonathon Doster, Laura Fedak, Tara Fifer, Bud Fleming, Christina Kupkowski, Tam Kutzmark, Aimee Lee, Lafayette Linear, Wes Lujan, Joshua McCluskey, Sat Nagar, Kevin O'Malley, Keith Privett, Tom Rickert, Chris Snyder, Paul Snyder, Chris Staron, Mike Sullivan, David Tomzik, Jerry Townsend, Mike Walczak, Jan Ward (via phone) Thomas Weaver, and Tammy Wierciak (via phone)

### 1.0 Call to Order

Committee Chair Ross Patronsky called the meeting to order at 2:05 p.m.

### 2.0 Agenda Changes and Announcements

Chairman Patronsky stated that item 8 on CMAQ Active Program Management Policies would be moved to directly after agenda item 5 - Project Changes. There were no objections.

### 3.0 Approval of November 4, 2011 Minutes

On a motion by Mr. Buehler and a second by Mr. Rogers, the minutes of the November 4, 2011 meeting were approved as presented.

### 4.0 Project Changes

#### 4.1 Evanston – Sheridan Rd from Central St. to Chicago Ave (TIP ID 02-08-0005)

Ms. Ostdick stated that the City of Evanston has requested a cost increase of \$266,694 total (\$213,355 federal) because bids came in high and they now want to include a signal upgrade that wasn't originally part of the scope. The project has been let, so the funds will be obligated quickly.

Staff recommended approval. On a motion by Mayor Keller and a second by Mr. Buehler, the cost and scope changes were approved. The sponsor was reminded that the council's planning liaison (PL) is responsible for making the TIP change.

**4.2 Hillside – Butterfield Rd from Wolf Rd to Mannheim Rd (TIP ID 04-12-0002)**

Ms. Ostdick stated that the Village of Hillside requested an additional \$800,000 for ROW which is both a scope and cost change. This project is part of a larger reconstruction project on Butterfield Rd. The project has STP funding for phase 1 and 2 engineering which are currently underway. Staff requested approval. On a motion by Mr. Carmitchel and a second by Mr. Buehler, the cost and scope changes were approved.

**4.3 Bedford Park – BRC Clearing, Yard Switcher Retrofit (TIP ID 06-09-0004).**

Ms. Ostdick stated that the Belt Railway Company requested approval to purchase Tier III (710 ECO) locomotive engines from EMD instead of the planned GenSet engines. The manufacture has stated that the locomotive engines will be certified TIER III by April or May of this year. The purchase would require additional funds in the amount of \$678,000 federal. The project's new ranking remains within the other funded diesel retrofit projects for that year. Staff recommended approval. On a motion by Mr. Rogers and a second by Mayor Keller, cost and scope changes were approved contingent on the subject locomotives receiving the Tier III certification.

**4.4 University Park – University Parkway bike Facility and Intersection Improvement at Governors Highway (TIP ID 07-96-0003):**

Ms. Ostdick stated that the Village of University Park requested a cost increase of \$1.3 million for the intersection of Central and Cicero Avenues. The sponsor has split CMAQ funds through the three construction phases. The intersection improvement alone requires an additional \$1.3 million. The schedule for the two additional construction phases is unclear and this project first received funding in FFY 2000. Staff recommended moving the \$360,000 programmed for the sponsor identified subsequent two construction phases into this intersection improvement. If done, the sponsor would need a cost increase of \$580,000 to complete the intersection improvement and the project will be complete, all CMAQ funds allocated to this project will be used and the CMAQ project will be closed. Staff recommends approval of a cost increase in that amount, moving the later CMAQ funds into the first sponsor identified construction phase. University Park indicated that they were amenable to this approach. On a motion by Mr. Buehler and a second by Mr. Carmitchel, the additional \$580,000 and the moving the funds that the sponsor assigned to subsequent phases to this intersection improvement was approved.

**4.5 Berkeley – Union Pacific Proviso Rail Yard Switcher Engine Retrofit (TIP ID 04-09-0002)**

Ms. Ostdick stated that the Union Pacific railroad has requested a scope change and cost increase of \$22,400,000 total (\$14,560,000 federal) for a total project cost of \$33,600,000 total (\$21,840,000 federal) to purchase 14 more ultra-low-emitting GenSet switch locomotives for use at their Dolton facility. This project change was tabled from the November meeting. Staff recommends tabling the request again to allow for time to discuss the active program management policies. The Union Pacific representative was agreeable to delaying the request and stated that the company's match dollars are budgeted in this year and hopes the request will be considered soon. Mr. Pitstick asked the representative if the UP would be agreeable to accepting less than the total amount. The UP stated that it is definitely open for discussion. On a motion by Mr. Pitstick and a second by Ms. Hamilton the request was tabled to the April 5th meeting.

Chairman Patronskey offered an opportunity for comments and questions on the remaining project changes that were undertaken by staff as administrative modifications. There were none.

**4.6 DuPage County DOT-75th St at Cass Ave and Plainfield Rd (TIP ID 08-09-0016)**

The sponsor moved funding from Construction to Engineering II.

**4.7 RTA – Chicagoland Commute Options (TIP ID 13-12-0004)**

The sponsor moved all funding into FFY 2012.

**4.8 DuPage County DOT – Thorndale Ave from I-290 Entrance Ramp to Park Blvd (TIP ID 08-07-0003)**

The sponsor withdrew the project from the program.

**4.9 Arlington Heights – Buffalo Creek Bike Path Extension – Intersection of Wilke at Lake Cook Road (TIP ID 03-08-0003)**

The sponsor withdrew the project from the program.

**4.10 Elgin – Elgin-IL58/Summit Street at IL25/Dundee Road (TIP ID 09-00-0021)**

The sponsor withdrew the project from the program.

**4.11 Grayslake – Lake St from Washington St to Belvidere Rd (TIP ID 10-12-0001)**

The sponsor transferred sponsorship to Lake County DOT. Lake County DOT agreed to accept sponsorship.

**4.12 CTA - Retrofit of Electronic Engine Cooling Fan/System (TIP ID 16-12-0001)**

The sponsor moved all funding into FFY 2012.

**4.13 CTA – Purchase a ZF TopoDyn Program (TIP ID 16-12-0002)**

The sponsor moved all funding into FFY 2012.

**5.0 Transit Status Quarterly Report Update**

This agenda item was tabled to April meeting.

**6.0 GO TO 2040 Focused Programming Approach Lessons Learned**

Staff has begun preparing a document highlighting lessons learned during the CMAQ 2012-2016 Improvement Program. Comments have been solicited from interested parties. This agenda item was tabled to April meeting.

**7.0 Post-Implementation Evaluation of Emissions Benefits of CMAQ Projects**

This agenda item was tabled to April meeting.

**8.0 CMAQ Active Program Management Policies**

Mr. Patronsky recapped the issue, highlighting the region’s high unobligated balance and the potential for lapse in 2013 and 2014. The region is in a difficult position even though we have dramatically increased obligations to over \$70 million in each of the last two years, the annual apportionments of roughly \$90 million mean that the unobligated balance continues to grow. Don Kopec briefed the Committee on Randy Blankenhorn's recent discussion with the Regional Coordinating Committee. Mr. Kopec explained that Mr. Blankenhorn put forth four main suggestions:

- Requiring sponsors to complete phase 1 engineering without CMAQ funds to improve the likelihood of well scoped and budgeted, ready projects for CMAQ funding of subsequent phases.
- Fund the phases subsequent to phase 1 engineering at 100% CMAQ funding, rather than 80%, thus making such a policy changes a financial “positive” for sponsors.
- Put in place definite time limits for accomplishment of phases, such as the year programmed plus two years, so that it is clear when a project would be removed from the program and would not rely on Committee deliberation as to the reasons for delay

in accomplishment. Mr. Kopec noted that for the projects that are removed due to delays, there may be special rules for bringing them back into the CMAQ program.

- Setting annual obligation goals for the CMAQ funding available to the region and, and if falling short, implementing some method to bring ready-to-obligate projects into the program.

Ms. Hamilton asked if implementing these policy provisions would mean revisiting the FFY 2012-16 program or if we are talking about changes in programming for the next call for projects. Mr. Kopec responded that both options are up for discussion.

Mr. Buehler asked what the equivalent funding changes would be for transit projects, as they usually do not have specific phase 1 and 2 engineering phases. Mr. Weaver responded that most transit projects have four budget line items: design engineering, ROW, construction and construction management. Ms. Hamilton pointed out that while most transit projects follow that format, major station renovations and expansions require preliminary engineering and have the same phases as highway projects.

Chairman Patronsky commented that applying this policy proposal to different types of projects will require sensitivity to potential inequities. It was pointed out that because transit projects are obligated when the transfer of CMAQ funds from FHWA to FTA takes place, those projects are not contributing to the unobligated balance problem. It was agreed that the often slow implementation of transit projects does hurt the region in terms of realizing the air quality benefits as quickly as desired, however.

Mr. Buehler said that he reviewed the list of unobligated county projects that CMAP supplied and found many that were actually constructed. He expressed concern that the magnitude of the problem is being overestimated. Mr. Rickert pointed out that the estimate of FFY 2013 lapse potential has dropped from \$160 million to \$140 million to \$100 million and most recently to about \$75 million and that it is quite likely, because upcoming obligations will be counted through September of 2013, that there will be no lapse potential. Chairman Patronsky explained that the FMIS reports are the official source of unobligated balance information and that, due to the dynamic nature of project obligation, the balance changes frequently. Mr. Rickert conceded that large unobligated balances are problematic when seeking higher levels of funding in Washington, but suggested that lapses are not actually a serious concern. IDOT Central Office staff was asked if they believe the threat of lapse is something to be concerned about. IDOT stated it is; but the appropriate level of concern is hard to discern. Mr. Rickert said he feels that more detailed tracking of upcoming projects, although a large staff effort would be necessary to have a handle on the lapse potential.

Mr. Pitstick said that he was in favor of adding the four policy changes Mr. Kopec outlined and stated that there are a lot of details yet to be worked out. He expressed concern that these changes would not do anything to encourage timely obligations on currently tardy projects. It was pointed out that 100% CMAQ funding would help the projects that are delayed for lack of local match, but according to sponsor self-reporting of reasons for delay, that is only about 3% of the tardy projects.

Mr. Snyder commented that his belief is that very little engineering is underway on B List projects and that the B List will not be a good source of projects to pull from if obligations are falling short of the target amount in a given year. Mr. Rickert pointed out that two thirds of CMAQ and STP projects miss their schedule goals and suggested that taking a hard line on delays could actually harm the accomplishment of the program. He said that he agreed with Messrs. Buehler and Snyder that moving projects in might help meet an obligation target for the subsequent year, but feels that it is impossible to move quickly enough to help meet a target in a current year. Mr. Kopec replied that all of these issues need to be further considered and details hammered out.

Mr. Snyder commented that small agencies are hurt the most with the lack of phase 1 engineering support. He feels that asking communities to apply for “needy communities” funding would make things even more complicated. He stated that potential CMAQ sponsors would have to have their phase 1 engineering underway today in order to compete in a call for projects to be announced in the winter. He also stated that projects with railroad involvement take much longer to get through phase 1 engineering. Ms. Hamilton said that innovative projects would also be hurt, as it is very difficult to get local funding for engineering of non-standard projects.

Chairman Patronskey asked the Committee members if they liked the ideas proposed well enough for staff to take time fleshing out details. Mayor Keller said that he thought municipalities who felt that their potential CMAQ project was a high priority could work with the changes and such policy changes were needed to have a different outcome. The CMAQ committee has implemented the one time move and first ready, first funded policies, but still has a hard time removing funding from tardy projects unless the sponsor agrees to their removal.

Mr. Buehler suggested that rather than refer to the second point as 100% funding for non-phase 1 engineering phases, that we should think in terms of variable local match and retain some flexibility. Mr. Pitstick asked what we would take out of the program in order to accommodate the higher percentage of CMAQ funding for non-phase 1 engineering projects in the FFY 2012-16 program. Staff stated that we would have to run an analysis to find out the total dollar impact and that one solution is to extend the years of the program.

Mr. Snyder suggested a hybrid be adopted for accomplishment deadlines; stating that some project types will take more than two years past obligation year as a matter of course, particularly ones with railroad involvement. Mr. Kopec said that there is room to fine tune all of the policies proposed.

Mr. Carmitchel asked what the timeline is for implementation of new policies. Mr. Kopec responded that the hope is to have them in effect by the end of this fiscal year, where practical. Some of the policies that are focused longer term, such as not funding phase 1 engineering, may come into effect for new projects beyond the FFY 2012-16 program recently adopted. Mr. Buehler suggested that the immediate concern is to bring down the

unobligated balance and we should set an obligation target for FFY 2012 and bring in contingency projects soon.

Mr. Kopec said he was not a fan of the B List or a contingency list, and felt that we should be advancing projects already in the FFY 2012-2016 program. Ms. Hamilton asked if it wasn't too late to set a goal for FFY 2012 and get it attained by September 30<sup>th</sup>. Mr. Kopec stated that with the annual obligation goal strategy, an appropriate date early enough in the fiscal year needs to be set, at which point the staff and committee will assess the readiness of projects to bring in as substitute projects. Mr. Rickert said that projects would need to be brought in by February and Mr. Snyder pointed out that there is no practical value in letting a big construction job in the summer, as the work cannot get started until spring of the next year or the road is all torn up during the winter non-construction season.

Chairman Patronsky attempted to recap the points staff could flesh out:

- Requiring sponsors to fund phase 1 engineering without CMAQ funds;
- A higher federal match ratio for projects that do phase 1 engineering without CMAQ funds;
- Setting annual obligation goals for the region and implementing some method to bring ready projects into the program if the goal will not be met.
- For projects that are dropped due to delays, future phases would be carried at zero funding, but kept in the program for reinstatement at a later time, under rules yet to be specified; and
- Lastly, he said he heard some reluctance to put in place definite time limits.

Mr. Rickert responded that he felt the overall direction was good, but that the biggest negative impact hits the municipalities. He commented that he thought we would lose sponsors from the program over the loss of phase 1 engineering support. Chairman Patronsky mentioned he thought there should be some pressure put on transit agencies as well.

Mr. Privett asked if the Committee could be updated regularly on what projects had been obligated recently. He said that doing so would focus attention on the positive and help the Committee to understand how Active Program Management efforts are playing out. Chairman Patronsky responded that staff could do that and said that staff will flesh out the policies that were discussed today and bring that information back to this committee for adopting a recommendation either at the April 5<sup>th</sup> meeting or at a special meeting to be determined. Mr. Pitstick asked that the staff work include an analysis of the impact on projects in the current program and an update on status of projects that could be obligated in 2012. Chairman Patronsky agreed.

Then the discussion focused on setting a special meeting date. Chairman Patronsky said staff would work with the Committee off line to schedule a meeting.

## 9.0 Other Business

Chairman Patronskey stated that the US EPA has issued a letter indicated that they will now utilize 2011 air quality monitoring data in assessing our region's attainment status. He thanked everyone for their efforts in contacting US EPA to urge this change of policy which assures the continuation of the CMAQ program for northeast Illinois, southeast Wisconsin and northwest Indiana.

Ms. Berry stated that as the committee and staff are planning for the next CMAQ call for projects to be issued in early December, there is value in activating the four program focus groups now to have sufficient time to generate regional projects and undertake needed coordination. She said that staff will inform the staff of each group to encourage such advance work.

#### **10.0 Public Comment**

Mr. Curt Barrett, the Chair of the DuPage Mayors and Managers Transportation Policy Committee said that their committee appreciated Ross Patronskey participating in two of their meetings to talk about the CMAQ Project Selection Committee's programming process. Mr. Barrett said that the Conference staff has submitted a follow up letter to CMAP and they are looking forward to a written response.

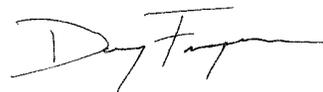
#### **11.0 Next Meeting**

The committee confirmed their next regular meeting for April 5, 2012. The special meeting on Active Program Management policies was later set for noon on Tuesday, March 13, 2012 at CMAP.

#### **12.0 Adjournment**

The meeting was adjourned at 3:55 p.m.

Respectfully submitted,



Douglas Ferguson  
Committee Liaison