

## ARRA Informational Survey Results

*The survey was released on 11/20/09 and all data was collected on 12/09/09. There were 57 total respondents and their responses are documented below. References to specific names of MPOs and other personal information were left out for privacy reasons. All responses were preserved in the manner in which they were submitted.*

### **1. Please briefly describe difficulties, if any, that you are having in meeting the statutory deadlines for obligation of ARRA funds.**

#### Negative Impact

- Getting through the State DOT local projects process. Then, getting through the Governor's certification process. Major delays at both levels.
- Federal and State agencies are extremely paranoid about the use and approval of the ARRA funds and are requiring additional documentation, data, etc. causing lengthy delays and sometimes, obstructs the project completely.
- We are having difficulty in getting contracts from our state DOT. Slow to respond and inaccurate at times.
- We got all programmed projects obligated, but encountered unexpected delays due to the process of Governor's certification, Federal review, and a higher level of scrutiny by the FHWA Division Office prior to authorization to advertise.
- There have been delays in the state review of documentation required to obligate funds.
- The primary difficulty was obtaining certifications for projects from the Governor's office.
- Certifications were only being made every three weeks and there were more difficulties for local projects.
- State DOT is sluggish on approvals for ROW acquisition. Our projects are second priority and there is a lack of management oversight and accountability even though our contract with them requires different.
- The XXXX Metropolitan Area Transportation System, XXXX, the MPO XXXX in XXXX, did not receive any ARRA funding due to the omission of the Noncontiguous States Exemption - 23 USC 133(d)(3)(c) in the ARRA. This was a state specific sub allocation issue.
- Lots of pressure from state DOT headquarters to select projects very quickly or lose funding.
- Shortage of review personnel at State to handle ARRA and regular FY 2009 projects.
- Very little difficulty with the Transit funding. Environmental clearances, air quality conformity and permits challenging for many roadway projects other than simpler rehabilitation projects.
- No deadlines will be missed and both the state of XXXX and we will use 100 percent of available ARRA funds on time. Other work has been shunted aside to accomplish this, which has put strain on staff and on other programmatic deadlines, some of which will be impacted due to time focused on ARRA funds. Some ARRA contributions or eligibility to planning and support activities would have been beneficial--with all of the extra work--were are looking at having to have the first layoff of one of our positions in over 30 years due to funding constraints even while we are getting more work and responsibility to move ARRA projects as quickly as we can.

- No problems anticipated meeting the March deadline for obligating all funds. The only issue that has arisen is that project costs are coming in significantly below programmed amounts, resulting in a sizeable residual that must be committed to additional projects. The short timeframe for programming residual funds and a limited number of shovel ready projects from which to choose is posing some coordination challenges with sponsors.
- The XXXX MPO has had difficulties in obligating projects largely because they are subject to the XXXX Department of Transportation's schedule. XXXX DOT obligated all of its projects prior to obligating any MPO projects. That means that we are now worried that some of the MPO projects may not be obligated by the March deadline.
- XXXX State and our MPO deliberately selected projects that could be obligated within the deadlines and there has been success in using that strategy. However, this set of projects is substantially different than what might have been chosen had deadlines not been so immediate.
- The only issue we are having is that our projects are coming in under budget (nice problem to have). So, we are programming additional projects with the under runs as fast as we can.
- Confusion on deadlines MPO vs. State. Too short of a turn-around time to accomplish the required planning processes, e.g. project identification, project prioritization, and TIP amendment. Processes are time consuming which make the target dates difficult to meet. Obtaining mandated clearances, i.e. NEPA, ROW, for some projects take time, which again limits ability to spend on the schedule outlined. General lack of urgency to have projects ready. Local agencies having trouble understanding the time constraints and eminent deadlines.
- Some issues with local letting matching up with federal requirements. Short timeframe to get utilities adjusted. Numerous deadlines that are consuming a lot of time. Problem with Advance Funding Agreements getting ready on time.
- Just environmental permitting.
- The projects advanced by the local jurisdictions are not truly "shovel-ready". The local jurisdictions are not providing the necessary submittals in a timely manner to enter into the required Local Agency Participation (LAP) Agreements with the State DOT for the projects.
- Unexpected environmental issue created delay in meeting regional deadline for one of our projects but should not pose serious risk to meeting statutory deadline for obligation. Also some difficulty in getting BIA funds associated with this same project transferred appropriately but again, delay is in attaining the regional deadline, not the statutory deadline.
- 1511 Certification lag-time in posting to the Federal Economic Recovery website. Scheduling/timing of Federal Transportation Improvement Program (FTIP) amendments caused the usual delay of getting through the process (interagency consultation, public involvement, board review and approval). The MPO and State DOT, on the other hand, processed FTIP administrative modifications extremely quickly.
- There is a breakdown in communication between the MPO and the locals.
- State DOT review process has been more cumbersome than normal, given the increased scrutiny on administrative detail. I think part of that has been FHWA expectations. However I think we have met all key deadlines anyway.
- Clearances have been a challenge as they take time and involve other partners. We had to push others to get through the process to deliver the project.
- Deadlines were met through thoughtful project selection and outstanding service from our State DOT representative. A streamlined process for overlay projects, and agency specific intergovernmental agreements (IGAs) were instrumental to this success. However, the combination of the tight statutory deadlines and the federal process related to environmental and right-of-way

significantly reduced the list of viable projects and thus reduced the amount of job creation that could be achieved. More specifically, preservation projects are high users of materials and low users of labor (per \$ spent). Any other type of transportation capital project will have a higher labor component. Agencies had good success though developing partnerships. In some cases bids received were very low and not all of the funds were used. Again, our DOT representative came through with a way to exchange leftover funds with another agency so that beneficiary cities could use that agency's funds for additional projects.

- Any difficulties are related to our ability to make projects ready for advertising under a very short timeframe and/or in selecting priority projects from among the many worthy and needed projects.
- We believe that all of the ARRA projects programmed in our area will meet the statutory deadlines for these funds. That said, we have seen an unprecedented level of scrutiny by both FHWA and state DOT staff at every step of the project development process, along with several instances of reversing prior decisions about the process, that have not facilitated delivery schedules for these projects.

### Positive Impact

- No problems. All of our projects are obligated, most are out to bid, and some are actually completed.
- We have and are not experiencing any difficulties.
- We have experienced no difficulties. Our XXXX DOT District Office has partnered with us consistently and successfully.
- No difficulties to date.
- We have not had any difficulty meeting the obligation deadlines.
- None. (11 responses)
- No problem meeting deadlines for our projects.
- No difficulties.
- MPOs and local governments should not be whining; we are fortunate to get any additional funding at all. Other than the exceptions provided for by ARRA, most of the projects submitted were already in TIPs and Plans. A number of special Advisory and Policy Board meetings were required to meet the approval and public review timelines. It is not over yet; a number of hurdles are yet to come on stage II projects.
- XXXX is not experiencing difficulties meeting the statutory deadlines for obligation. This is due to a very successful joint effort of the XXXX State Department of Transportation and other members of the XXXX Transportation Committee to jointly identify all (not just STP-Urban) ARRA projects at the MPO table. Through XXXX (the MPO), ARRA funds were used to accelerate delivery of existing TIP projects (mostly on locally-owned federal-aid roads), identify new federally-eligible "1R" projects and other short-development-time projects on the state and local systems, and address intermodal development needs for a bio fuels transfer facility at the XXXX. In all, approximately \$100 M in highway ARRA projects was obligated as planned by November 2009.
- No difficulties of any significance are being experienced. 2/3 of our MPO ARRA funded projects are obligated and the projects involved are under construction. The remaining funds are expected to be obligated by January 2010.
- No problems.
- As an MPO we are not having any difficulties. This area is progressing two locally sponsored projects that were already on the TIP.
- We are not having problems.

- We have not experienced difficulties meeting statutory deadlines.

### No Impact

- Not applicable to our MPO – XXXX DOT is doing all of the obligating and reporting.
- As a small MPO, we did not receive direct funding – N/A.
- MPO received no funding.
- We have received no ARRA funds for transportation. The funds all stayed at the state level.

**2. If state delay is a problem, please describe the nature of that delay including at where in the state the delay is occurring –e.g., at the state DOT headquarters, field offices, Governors office, etc.**

### Negative Impact

- Nature of delay is navigating the federal aid process. But more specifically, while there is more funding available, there is insufficient levels of State DOT staff dedicated to moving locally sponsored fed aid projects. State delay occurring at both the field (regional) office and the main office.
- State delays are happening at almost every level because of the perception of strict oversight. No one wants to be responsible for authorizing the appropriation. Right-of-Way issue is particularly restrictive, including, never before required, documentation.
- Primary delay was at the Governor's office. A decision was made early, as the first projects were being submitted, that they would only submit certification list to Washington D.C. every 3 weeks. There was also a point in mid-summer when they rejected an entire XXXX DOT certification list because of lack of DBE targets for projects for which that was not required (<\$1 million). Anecdotal info was that MPOs and DOT were low balling engineer's estimates to avoid DBE, which was not true. As timeframes shortened, they began submitting weekly certifications. DOT headquarters and regional office were very cooperative; their projects were being held up too.
- The delay is at the regional office and at the state office.
- One specific issue for local projects was that local projects would not be certified without a proposed letting date but a letting date couldn't be identified without knowing when the certification would be made. Without a proposed letting date on the paperwork, DOT-Main Office staff would set the paperwork aside and the project would sit for weeks before DOT-Main Office would inform the local sponsor.
- The XXXX area MPO, did not receive any ARRA funding due to the omission of the Noncontiguous States Exemption - 23 USC 133(d)(3)(c) in the ARRA. This was a XXXX State specific sub allocation issue.
- DOT, also State environmental regulation department.
- The DOT is responsible for allocating ARRA funds and their process for doing so has not been very transparent, e.g., don't know what criteria they used. The XXXX MPO submitted a much more extensive list of projects than the DOT funded.
- Environmental review and contracting are the largest areas of delay in which the state was a factor. The ARRA underestimated the amount of work to move from the STIP to federal obligation and contract letting. Due to many years of state downsizing of its staff and recent limitations on funding for engineering contract services, state personnel were almost stretched beyond their limits to push through this level of work in the time available. Federal staff resources at the FHWA Division level and FTA region level were similarly in short supply.

- Delays in project lettings are occurring at the district and state level. The districts are responsible for developing agreements and design review. XXXX City, XXXX DOT headquarters, is responsible for environmental approval and letting management.
- Most delays are with local project sponsors who have not received all the clearances needed to proceed with the project. The state review layer adds to the time frame required on even basic projects such as overlays. This ties into streamlining concept.
- FHWA is now very busy with many environmental clearance requests. It's a problem when trying to move forward with a project, but it's due to the many requests that are being received.
- MPO is not sure where the delay is occurring. Once the MPO sends the 1511 Certification to State DOT headquarters, the review is done usually within a day. However, the 1511 Certification delay seems to occur after it leaves the State DOT headquarters. Sometimes, the 1511 Certification is not posted on the federal website until a month later. This then delays the ability of the State DOT to approve the "authorization to proceed" for the project.
- Delays occur during field office review, with some at the headquarters level. Delays appear relating to overly fine-toothed reviews including bogging down on trivialities like font sizes and minor details in specifications packets. Some FHWA division interpretations have also created unnecessary issues regarding design details. However we were able to get the interpretations corrected through follow-up.
- We have had very different experiences with ARRA with the two states in our region. In one, we have had very few issues with delays in the project development process. In the other, we perceived a very steep learning curve for new field office staff assigned to project oversight duties, coupled with reversals in interpretation of requirements for procuring consulting engineers, addressing Americans with Disabilities Act provisions and application of Uniform Right-of-Way Act requirements. We do not know if these reversals were decisions by state DOT headquarters staff or FHWA division office staff, but they impacted how quickly several ARRA projects were able to move forward. Ultimately, however, we are still confident that we will deliver all of the ARRA projects programmed in our region within the statutory deadlines of ARRA.
- We are having difficulty in getting contracts from our state DOT headquarters. Slow to respond and inaccurate at times.
- State DOT is sluggish on approvals for ROW acquisition. Our projects are second priority and there is a lack of management oversight and accountability even though our contract with them requires different.

#### Positive Impact

- None. (4 responses)
- No problems with state delay.
- There is no state delay.
- No state delay.
- Not noticeable.
- State delay is not a problem.
- None so far.
- There have been no delay issues caused by the state.
- No problem with state delay at this juncture of the programs.
- XXXX State Department of Transportation has been excellent in regards to ARRA.

- Everyone is doing their best to meet the tight timelines and other regulations and requirements. XXXX DOT is doing a good job in providing information and assistance.
- Delays have been addressed through cooperation of all parties.
- The state has brought in additional contractors and done everything possible to move this program. The paperwork and certification processes have added time to processing however.
- Our state is a bit slower than others in obligating funds to date because projects have been programmed and let incrementally throughout the year. This was a conscious decision to ensure buy-in on the process and give the maximum number of projects an opportunity to be considered. There have been some issues with getting the Governor to certify some types of projects (particularly bike/ped), but ultimately all projects selected by our MPO have been certified because they were already in the TIP.
- No state delay: Out state DOT performance has been outstanding.
- We have appreciated the XXXX Department of Transportation's involvement in all aspects of meeting ARRA requirements, particularly the attention given to planning partners during project selections and then meeting reporting requirements. We perceive that XXXX DOT's Enterprise Resource Planning (ERP) initiative, implemented over the past few years, provided valuable tools for meeting ARRA reporting requirements.
- The State is making ARRA issues a priority. If potential delays arise, they have opened up out of Cycle STIP revisions and such to facilitate project development.
- I doubt that any problems at the state level have caused some delays.
- A state delay does not seem to be the problem.
- No issues that I'm aware of. Actually have received lots of support from our state's regional office in helping local agencies comply with all requirements in a timely manner.
- State has been very aggressive putting these projects out to contract.
- All projects are let.
- State DOT performance was exemplary. XXXX DOT created new processes that made project delivery possible. Where there was bottleneck above the local level it was at Federal Highway, primarily in two areas: multiple reversals on what could be done by contract change order, and Federal Highway Administration stating it could not keep up with XXXX DOT on the plan review process in order to hold bid dates. However, another local government reported that response to project changes and questions in delivery by the XXXX DOT representative were also excellent. Procedures could be streamlined to accommodate local governments in spending large amounts provided by the Federal government, which could have resulted in putting people to work quicker. However, despite the constraints imposed by both the ARRA program and the State bureaucracy, everyone at the State worked with the local agencies to keep delays to a minimum.
- Implementing the ARRA process here has involved several agencies and offices as well as the MPO, municipalities, and members of the public. Our MPO and state partners have met our deadlines.

No Impact

- N/A. (13 responses)

**3. Please describe any difficulties you or your local governments are having in advancing projects due to federal or state project delivery requirements, e.g., environmental permitting, labor agreements, DBE requirements, etc.**

### Negative Impact

- Nature of delay is navigating the federal aid process. But more specifically, while there is more funding available, there is insufficient levels of State DOT staff dedicated to moving locally sponsored federal aid projects. State delay occurring at both the field (regional) office and the main office.
- FTA is requiring Phase I Environmental Sight Assessments on every project. Many of those projects, prior to ARRA, would have been approved with a Categorical Exclusion. Much more time consuming and costly.
- Federal requirements with state requirements added significant burden to local governments that they were not used to thus requiring the services of consultants to manage resurfacing projects.
- In general the only problem was getting authorization to advertise for bids, as FHWA Division seemed to be overly diligent about making sure every rule was met, more than for typical core-funded projects. They seemed to be concerned about random OIG project audits. This means all but one of our projects will not go to construction until next spring.
- The delay is mostly from state dot office being understaffed. Some projects are not getting the attention they need. The approval process is complex and the lack of pointed attention on projects means staffers are constantly repeating the learning curve on any given project. Next thing you know the fiscal year ends and funds have not been obligated on time.
- DBE requirements have been difficult for many projects because they are preventive maintenance, which are smaller in cost and do not have much opportunity for sub-contractors.
- Getting off the mark quickly was a problem since state DOT would not process preliminary stages of projects until all funds were committed, and we didn't have "shovel ready" projects we could pull off of the shelf to implement quickly.
- The XXXX area MPO, did not receive any ARRA funding due to the omission of the Noncontiguous States Exemption - 23 USC 133(d)(3)(c) in the ARRA. This was a XXXX state specific sub allocation issue.
- Projects must come from existing ready project list. With limited planning funds, several projects on list not ready to advance. Sometimes projects that have the most long-term economic benefit cannot be selected.
- Most of the projects are in other parts of the state because of the federal requirements regarding where the funding could be used, i.e. only federal eligible roads.
- Delivering and completing our local transit projects has been a relatively smooth process so far. We are experiencing a lot of delay in delivering our road projects. Our region received about \$1.1 million through the ARRA program. 100% of that funding is to be used for street overlay/preservation work. To date, we've expended almost 10% of that funding on consultant contracts to complete the necessary federal paperwork. With winter rapidly approaching, we will not be able to actually complete those overlays until May or June 2010. With such a long delay/process, the economic benefit intended with the passage of the ARRA program is questionable.
- None with ARRA. However, the focus on ARRA has delayed other important federally funded projects as resources have been devoted to meeting ARRA deadlines.
- We avoided project delays by the very strict application of "shovel ready" project selection criteria (environmental clearance, right of way availability, etc.). As a consequence, many otherwise high priority projects were not considered for ARRA funding. In addition, we approved enough "contingency projects" so as to have almost double the original estimate of projects for which

ARRA funds were available. This proved invaluable as cost under-runs have been significant and ready projects were available for those that were delayed for various reasons.

- Since none of regular federal processes were relaxed, identifying enough shovel ready projects was a little challenging. We ended up funding a significant number of local repaving projects as a result. And a few infrastructure projects, which we anticipated being ready to be let for construction, had to be removed from consideration when the review and approval processes hit a late snag.
- The biggest problem is environmental clearance. The process does not lend itself to quick turnaround.
- We have heard from one local agency project sponsor that they have had difficulties engaging DBEs in projects because these firms are now in demand for so many projects at once.
- Federal regional offices vary on interpretation, implementation, and execution of ARRA legislation resulting in confusion nationally. Overall idea of what "shovel ready" actually means was not strongly conveyed and some projects such as planning studies were not supported. These would have resulted in a quick shot of funds and stability in the consulting world along with additional job creation in a short time frame. State DOT's are being overwhelmed due to the rush of 11th-hour projects to the State DOT to review and approve.
- Numerous requirements taking up a bunch of time. Having to learn the correct items for local government project process letting and following procedures that are different from the local City's. The environmental was time consuming.
- Problems with NEPA (noise wall) and Railroad issues.
- It can be time-consuming.
- Environmental Permitting.
- The local jurisdictions have had the greatest difficulty in understanding and applying the Federal requirements pertaining to environmental protection and ROW acquisition.
- Again, an unexpected environmental issue cropped up on one project, which could have happened regardless of funding source. Fact that this is ARRA funding made it a higher profile case. Two agencies did have problems with certifying the low bids they received. Have heard from almost every agency that the level of reporting and the full field audits entailed more staff resources than they had budgeted for.
- Very difficult to get projects "shovel-ready" in the time frame given by ARRA. Illogical to have local and state governmental agencies (transportation specifically) advance projects to apply ARRA funds to and then have a rescission of funding, thereby removing funding from higher priority projects that were not eligible under ARRA because of a prior commitment of regular funds. The only way this makes sense is so that politicians can take credit for the ARRA funds, knowing the average citizen has never heard the term rescission and does not know how this game is being played.
- Environmental review on "simple" rehabilitation/reconstruction of existing roads at State DOT district office is longer than expected. Some projects are taking about three months time to be reviewed and approved. Workload is usually the cause for delay and not problems with the environmental clearance.
- Cost of some projects has exceeded the ARRA funds.
- The cumbersome reviews for stimulus projects has bogged down reviews of MPO directed STP projects, which has been a continuing delay factor for them.
- Bids have come in lower leaving residual money that has to be addressed. FHWA has worked with us to expedite a change order as appropriate.



- The constraints of the federal delivery process greatly limited what projects would be eligible for ARRA funds. We had several projects that are more of a priority to the local community, and would have created more local job opportunities, but were not shovel ready by federal standards. We, like other smaller agencies, do not have a backlog of projects on the shelf that are federally ready. The length of the federal process and cost to do so is prohibitive unless the project is guaranteed federally reimbursable. In addition, only projects designed by the approved list of consultants were eligible for design review. The shortened length of the project delivery process for the ARRA obligation forced us to pick the easy overlay project. Unfortunately this type of project has the least of all job creation capabilities for construction. Even adding one year to the project delivery process would have allowed time for local agencies and XXXX DOT to develop projects that would have been better to stimulate local jobs. By selecting an overlay project we did not have any difficulty in obligating the funds. The State requirements made it a challenge to put contractors to work in 2009 and, due to the need to avoid environmental and right-of-way issues, it became obvious early on that local governments were going to be limited, for all practical purposes, to overlay work on existing streets. This severely limited the number of trades that could be put to work and limited the cost-effectiveness of the projects. If we had been allowed to construct new curb, gutter, sidewalk, storm drains, etc. we could have put many more people to work and we could have constructed more meaningful projects. As it turns out, the work that was done was hardly noticed by the citizens because it simply added asphalt on top of existing asphalt streets. Asphalt overlays only require truck drivers and an asphalt lay down crew on the job. Concrete and pipe contractors were not required, as they would have been had other work besides overlay been allowed. Pipe laying and concrete work were avoided because of concerns associated with environmental permitting and right-of-way encroachment. The State processes to deal with those concerns are extremely cumbersome and time-consuming and would have hampered our ability to spend the funds within the time allowed. Even though the work was limited to overlays to keep things as uncomplicated as possible, the cumbersome procurement rules followed by the DOT made getting the projects out to bid in a timely fashion somewhat challenging. There were no provisions for using local agency procurement rules. Local agencies are used to performing overlays under contract. Most of these are done without significant engineering expense and the finished work product are usually as good or better than that which was achieved by going through the DOT's standard procedures in this case. The message is that the local governments could generally have spent the funds allocated to locals more cost effectively and more quickly had the Federal and State governments trusted the local procurement and project review processes.

Transit Agency Comments: The primary difficulty has come with understanding procurement procedures with minor and major construction projects. As a small transit agency we do not have experience with major construction and the variety of minor construction projects that were funded through ARRA. There was very little administrative assistance provided to us through any local, state or federal agency. Due to this, several projects have been delayed so that our staff can be trained to follow proper procurement procedures.
- Difficulties are not because of ARRA delivery requirements. They are the usual project development type difficulties. One difficulty is the large increase in workload at the XXXX DOT Highway Division due to the added projects.
- In one of our states, ADA requirements were reinterpreted after design work had begun on most local ARRA projects. This created significant confusion and in some cases redesign of projects, which slowed delivery of these projects.

### Positive Impact

- No problems - we purposely selected projects which were "shovel ready" meaning that they would not have NEPA/permitting/approval issues.
- We selected projects that would minimize a potential delay.
- No difficulties.
- None to date.
- None so far. (2 responses)
- None. (4 responses)
- None that I am aware of.
- No problem. Our projects had completed these prior to funding.
- No problem with project delivery.
- Unfamiliarity with federal process.
- Most of the projects advanced were fairly straight forward, while some have had trouble fast tracking environmental documentation. The vast majority were designed and approved waiting for funding. XXXX DOT has a comprehensive DBE program and the MPO participates.
- Local government projects using ARRA projects totaled approximately half of the \$100 M in highway ARRA projects in the XXXX area and comprised about \$40 M of nearly-ready TIP projects along with seven new "1R" projects totaling \$10 M. The nearly ready status prevented delays for the former; XXXX DOT screening of "1R" candidates prior to XXXX programming assured that the latter would be easily deliverable. This proved correct.
- Design and final plan approval was the issue, but all local jurisdictions have successfully moved all of the projects, most of which came in under bid estimates allowing us to advance additional projects late in the game.
- No project delivery difficulties. Our DOT leadership and region staff are doing an excellent job of moving the projects along.
- We selected projects that were ready to go, so we have had little difficulty in this area.
- The requirements were recognized early and taken care of.

### Suggestions for Improvement

- All correspondence between the local government and the MPO should be sent to both the local government and the MPO.

### No Impact

- N/A. (5 responses)

**4. Please include any other information that you feel would be beneficial for us to have in advancing ARRA implementation efforts.**

### Negative Response

- ARRA isn't working for local governments, at least in our area. While the State DOT stepped up efforts (temporarily) to assist local municipalities implement local projects, insufficient State DOT staffing levels and resources continue to limit the amount of federal aid local governments can spend. This is not an accident. The State DOT benefits when municipalities fall behind in ARRA project implementation. Moreover, while local governments scrambled to implement ARRA

projects, "regular" Federal aid projects scheduled for implementation this year did not get implemented resulting in no additional Federal aid spending or "stimulus" for this MPO area.

- Instead of expediting projects to speed up the economy, the federal and state requirements have back logged projects that would have been completed months ago with the regular oversight requirements. Congress needs to quit worrying about transparency and start trusting the professionals who have done a good job for years.
- Several jurisdictions were very frustrated with the required federal process especially for resurfacing and urban street. They believe that the federal and state requirements added 40 to 50% to a project cost.
- We are receiving funds through the Clean Water Act Section 604(b) and we are providing monthly reports on time, jobs, etc. That is not a problem. However, we have completed our work, and have received NO funds because our tasks are tied to the completion of work by state agency staff, outside of our control. It is a Catch 22. We do not believe that this was the intention of the economic recovery or stimulus funds. We believe that this contract was structured inaccurately by the state agency administering the funds.
- Since we took seriously the intent of the ARRA program to get jobs out quickly, we did not have problems getting the projects we selected obligated, to bid, and under construction. However, the process of selecting these projects, monitoring and reporting on progress has taken staff resources at the MPO level, and there have not been any additional resources made available at MPOs to carry out this work. Under the continuing resolutions, we are actually getting less funding and will have a very difficult time keeping staff on board necessary to implement the first ARRA, and be ready for a second ARRA if Congress authorizes it.
- The XXXX area MPO, did not receive any ARRA funding due to the omission of the Noncontiguous States Exemption - 23 USC 133(d)(3)(c) in the ARRA. This was a XXXX state specific sub allocation issue.
- Contractors are complaining about the burden of reporting requirements.
- We had several "shovel ready" projects to pick from. Unfortunately they were not necessarily the most needed transportation projects, but they eventually would be accomplished. Also, not enough time to consider raising additional local (public / private) support in order to consider leveraging the funds for larger more needed (though not shovel ready) projects.
- Planning needs some consideration for ARRA cost recovery for all of our extra work and efforts. At a time when we need staff the most to deliver the program, we may need to cut a position due to our funding constraints under SAFETEA -LU after rescissions and continuing resolutions are taken into account. We will meet our ARRA challenge--but we may lose qualified staff while doing so since no funding was made available to support our extra work efforts.
- We are awaiting resolution of a couple of small local issues to get the final project funds obligated and the project under construction.
- The accelerated advancement of projects caused substantial frustration because of such an abrupt shift in daily work routines and interruptions of ongoing planning and programming processes. Ironically, this came at a time when the state and its MPOs were facing the risks of rescissions from regular transportation funding programs at the end of SAFETEA-LU.
- Not enough \$ for the efforts of all. Our MPO including XXXX DOT received only 7 million.
- The difficulties appear to be a lack of knowledge and understanding at the local level of the Federal requirements.
- There seemed to be little recognition of the time involved in conducting a typical project prioritization / selection process and updating the associated RTIP / STIP documents. This was

exacerbated by the high profile nature of the ARRA funding and the public / media / policy maker expectations about the immediacy with which these funds could be spent. It placed MPOs in an awkward position of either having to abandon or greatly compress established processes for project prioritization and selection or risk losing the funds, either of which were being done in a very public process. We managed a remarkably thoughtful and deliberative process considering the circumstances but I'm not sure it appeared that way to the general public and would not want to go through that same process again.

- The paperwork in amending the TIPs is time-consuming, especially when it's just for minor project description changes.
- This has been truly challenging from a local perspective because standards and clearances were not relaxed to expedite project delivery.
- The State of XXXX used a 120 to add criteria for projects that could be submitted for consideration. This short time period excluded a lot of projects that given a longer period would have qualified and may have provided more job creation opportunities.
- We are very concerned about the impact of the March 2010 statutory deadline for ARRA on the ability of local governments to manage change orders on ARRA projects during construction. Because both of our states have been managing obligation of ARRA funds differently than other FHWA funds, we are concerned that federal funds may not be available to cover change orders and cost over-runs on these projects during construction.

#### Positive Response

- ARRA funding was a welcome infusion of funding.
- ARRA funding has been very helpful at moving a stalled project pipeline with the equivalent of two years normal STP funding. It does no good however, if future funding levels are uncertain or cut because of failure to pass a transportation bill in a timely manner.
- Applying the MPO three C's in working with local governments, other neighboring MPOs, and district/state DOT is crucial.
- For us all has been fluid.
- Again, XXXX's experience documents the value and necessity of mutual trust among MPO participants, mutual willingness to use the MPO for joint decision-making and the willingness of the state DOT to support joint decisions through its own actions. Further, the stature of XXXX as the regional decision-making forum proved valuable as ARRA funds were programmed (as intended in the law) through the MPO for all projects. MPO stature in many other areas of the nation is short-changed by the treatment by state DOTs of MPOs as entities primarily to program STP-Urban funds.
- Having more funds available to do such projects is a good problem.
- We put ARRA funds on mostly State DOT projects so that we would be assured of implementing on time and of reporting satisfactorily.
- Thank you for the opportunity to comment.
- Was primarily straightforward.
- Considering the main purpose of the ARRA of 2009 (a quick infusion of funds into the economy to boost jobs and the economy, while improving the infrastructure), the approach seems to be the best possible.
- We only had one project, since our allocation was so small and it has progressed nicely.

#### Suggestions for Improvement

- Only to remind decision makers that there is a real cost in terms of time and dollars of transparency and accountability.
- I do not have any other comments specific to the ARRA program. The ARRA program, however, has shown (again) the need to improve the federal aid funding process. Delivering simple overlay projects should not take more than 1 year. In addition, a simplified process would reduce the amount of funding expended on consultant support and direct more funding to real projects being implemented.
- Flexibility so that both the ARRA and "regular" programs can advance.
- Provide State DOT's and MPOs program and process guidance as soon as possible.
- Hopefully reporting requirements can be standardized and stabilized. To some extent, the House T&I reporting requirements were duplicative of existing requirements.
- Establish a close working relationship with whoever is in charge of the day-to-day issues of the ARRA program at the state DOT. Being able to pick up the phone and get immediate answers to issues has extremely beneficial to keeping sponsors updated. And the flow of information needs to go uphill as well since you may have knowledge that the DOT can use. Finally, go above and beyond what you think is reasonable in terms of providing information on the certification status, letting/award status and funding breakdowns on your website. We have received no complaints of not being transparent with ARRA data since we have been able to quickly direct inquisitive members of the public and the media to very detailed online reports that we maintain on a regular basis.
- Direct allocations to MPOs and local governments via a block program would have facilitated the process.
- Streamline federal regulations to move projects forward more quickly. Drop "use or lose" option; extend time frame for having projects obligated. For example funds should be given to the MPO's and the final date only should be the cutoff not an interim cutoff then another later cutoff date.
- Needs to be more information sharing on what is required by the local entity and by the Department of Transportation. There is some confusion on who reports what to whom and when.
- Do not promote another stimulus. It may (although doubtful) be beneficial to the transportation industry in the short run; however, it definitely is not in our nations long-term interest.
- We recommend that future ARRA funds should be sub allocated to small MPOs not limited to large MPOs.
- Congress and FHWA should focus administrative attention on substantial details not relatively insignificant details of project administration, especially given the premium on quick spending in economic terms.
- Local governments appreciate the funding. More flexibility in using those funds would have produced more jobs and more infrastructure projects in a more timely fashion. If there is a desire to achieve higher job creation in future similar legislation some combination of the following must be incorporated into the legislation: {Longer project development phase; Easing of environmental documentation requirements (this does not mean let us destroy the environment, this means trust us not to destroy the environment while relaxing the environmental documentation thus saving time and \$); Allow right-of-way to be done in parallel with environmental instead of sequentially (to save time); Work to further streamline the process between Federal Highway and state DOT's; Be consistent with rules and process as projects develop. Changing the rules mid-way through project development will delay projects. A block grant type of program direct to local government would have been the most effective way to use these funds and put people back to work.} Our original project came in under budget. The need for a contingency plan to spend the un-obligated funds

could have been an issue if we did not partner with another neighboring agency. We either would have had to give back un-obligated funds, or expend a disproportionate amount of PE efforts for a very small project. Transit Agency Comments: Please consider consolidating the reporting for ARRA projects. We (FTA grantees) are currently reporting data on three very similar reports that all have different databases, forms and due dates (reports are: 1512, 1201 and T-I). This has caused confusion and frustration with the repetitive administrative work that needs to occur. Additional training on how to calculate FTE's and work hours would also be helpful. All in all our collaboration with FTA Region X office has been good and their staff has been great with obligating funds and reminding us about report deadlines.

No Response

- N/A. (7 responses)
- No comment at this time. (2 responses)
- None at this point.
- None. (2 responses)
- We have no other information to provide.
- No additional information.