

## Attachment A



# PACTS Complex Projects Task Force

Thursday, January 13, 2022  
MEETING NOTES

## Attendance

- Attendees: Jeremiah Bartlett, Jim Bennett, Jessa Berna, Eamonn Dundon, Tom Milligan, Christian MilNeil
- GPCOG staff: Chris Chop, Aubrey Miller, Harold Spetla
- Absent: Darryl Belz, Erin Courtney

## Agreements Reached

- Recommend that PACTS increase the percentage of federal funding (currently 60%) that goes to complex projects. (The other 40% currently goes to collector paving.)

## Discussion Notes

- This group will make recommendations to the Policy Board. Once approved by the Policy Board, the changes will be in effect for the next call for new complex projects in 2023. [Eamonn, Aubrey]
- Complex projects funding has not kept pace with construction costs. Once a number is fixed, communities are at the mercy of the market. PACTS may need to leave funding for a contingency. [Tom]
- I suggest that the policy of having 60% of PACTS' federal funding go to complex projects and 40% go the collector paving be revisited. Voters are willing to take care of roads, but not willing to pay for major improvements. [Jim]
- I agree. PACTS is the best resource for making the transformative changes to the transportation system that are necessary to make it financially and environmentally sustainable. MaineDOT and municipalities should be responsible for collector paving. [Christian]
- This group cannot change the split, but can recommend that PACTS revisit the possibility. [Aubrey]

- As indicated by a show of hands, all are in favor of recommending that PACTS revisit the current federal funding split (60% for complex projects and 40% for collector paving) and increase the amount of funding for complex projects.
- What should the expectations be for UPWP-funded planning studies? If these projects are not guaranteed PACTS funding for construction, that needs to be clear up front. [Jeremiah]
- There should be consideration of cost avoidance. [Jim]
- We should set a hard budget—e.g., 10% of the annual allocation—that is available for contingency funding. And that 10% should be allocated on a competitive basis. [Christian]
- So you would propose opening it up for cost increases on previously funded projects at application time. [Chris]
- How we address cost in final decision making is important overall. I agree cost avoidance should be a factor in addressing that. A bicycle/pedestrian project reduces automobile traffic, which should be part of the math. [Jessa]
- There are two different types of overruns – scope creep and inflation. They are very different, and discussion of cost overruns should be sensitive to that. [Jessa]
- Portland is open to adjustments to ensure a shared understanding of the project before applying for funding from PACTS. Any opportunity to better define what you are actually asking for when you apply for funding makes sense. It adds work and cost for the municipality, but projects can be almost speculative unless we have reached a certain level of detail. 25% design is a reasonable request. [Jeremiah]
- Perhaps a solution would be to fund complex projects in two steps, first using non-federal funds and significant local match to get a concept to some level of engineering. Getting to a reasonable place with a reasonable estimate would cut down on cost overruns. [Jim]
- I like requiring 25% design and suggest adding a requirement to include a financial plan. Requiring a financial plan might help ensure design considers development opportunities, for example. [Christian]
- A financial plan feels like an unnecessary burden, a solution to a problem that does not exist. [Jessa, Jim]
- Could there be an opportunity for municipalities to be reimbursed for the funds spent on 25% design if a project is selected for funding? [Tom]
- I am concerned that requiring that municipalities fund 25% design before they can even submit for PACTS funding may mean some innovative projects never even get considered, because innovative projects are going to compete against traditional projects and decision makers will always feel pressure to fix roads and sidewalks. I was thinking half the funding for 25% design would come from PACTS, from non-federal dollars. [Jim]
- I like the idea of municipalities paying more up front to avoid the possibility of having to pay federal money back, but some assurance or preliminary scoring before putting local money in

would be helpful. I would also advocate for not necessarily increasing the total local match, but rather shifting the expense to the beginning of the project. [Jessa]

- Public Comment [Ken Capron]: There may be more grant money than you are aware of. Also, the projection for micro rail is that it will be making a billion dollars a year within 4-5 years, assuming a carbon exchange is put into place. That money could perhaps fund transportation needs. Also, the climate impact of micro rail is twofold – solar panels along the guideway in addition to a decrease in transportation emissions.
- I support municipalities funding 25% design, and perhaps we can find a compromise with potential reimbursement, up to 50% of the cost of 25% design. [Eamonn]
- Also, I think cost avoidance, though a little different from the earlier conversation, is the reason we're talking about municipalities funding 25% design. If we can identify cost increases at that stage, we are saving PACTS and municipalities money down the road, from projects that might have huge surprises. [Eamonn]
- Thank you to staff for putting together Attachment B. They are all good ideas, and I would be in favor of any of them. [Christian]