

MINUTES

Capital Area Road and Bridge District CARB-D Working Group Wednesday, April 24, 2019

I: Call or order

II: Roll Call
Working Group
Members

Present:
Tim Johnson, Fred Raiford, Kevin Durbin, William Daniel, James Setze, Scott Kirkpatrick, and Eric Kalivoda

Absent:
Sam Digirolamo

Opening:
J. Campbell, Chairman
CARB-D

- Goal is to secure a project manager to get the project done on time and within budget
- To decide a location and funding for bridge
- Not concerned with seeking funds from parishes at this time
- Trying to meet with each Parish President
Met with Parish President Berthelot and has scheduled a meeting with DOTD Secretary Wilson
Would like to meet with each Parish President one-on-one before next CARB-D meeting on May 13, 2019
- Committee meetings are needed to create and present a RFP/RFQ for review, approval and letting to the District by mid-June

Question: Kevin Durbin
We are not seeking funding from the parishes feels like new information?

Answer: J. Campbell
As of now we are not incurring any cost for your time. DOTD was statutorily volunteered by legislation to secure the services of project manager. We are not incurring any cost until this arrangement is let out to a project manager and the project manager requests compensation at a reasonable cost. Guidance is needed to scope the cost.

Review of handouts
Original Act No. 488 created by Capital Area Road and Bridge District (CARB-D) Resolution 2019-01 passed at meeting with the full Bridge District which established the CARB-D Working Group
RFP used for Lafayette Metro Expressway Commission
RFQ used for Baton Rouge Loop Project

III: Resolution 2019-01 was reviewed. Eric Kalivoda read the last paragraph aloud emphasizing what the Working Group was asked to produce.

IV: Identification of Public Entity in the Public Private Partnership (P3)

- The ultimate end of this process is a P3

- Someone has to be on the Public end of the Public - Private Partnership to ensure the obligations of the contract is fulfilled, who?
 - CARB-D must retain an entity for a 50-year period to assure that the terms of P3 are fulfilled on both the Public and Private sides.
 - DOTD
 - An individual Parish
 - Capital Region Planning (CRPC)
 - Federal Highway Administration has been asked about their participation for federal funds in a P3 that is administered by an entity other than DOTD.
 - DOTD is currently working on Belle Chasse Bridge and Tunnel P3
 - Toll Facilities have been run by a smaller agency
 - Federal Highway Administration has not responded
 - LA1 was done by LTA (Louisiana Transportation Authority) but is run by DOTD.
 - Causeway Commission is a subdivision of state government and also a Public entity, no private contract
 - Could be CRPC or DOTD – Will CRPC be recognized by the Feds to be the entity?

- Will the Public entity effectively solicit a private partner, negotiate a contract, execute that contract and hold and manage that contract over the life of the concession agreement?
 - What are the advantages of CRPC vs. DOTD?
 - Disadvantage of DOTD is that there will be more than one P3, what will be the priority among the statewide list of priorities.
 - There will be a recurring yearly cost.
 - Regional tax may be a future option for funding but at this point the goal is to fund without a regional tax.
 - Is there a need to decide on the front end the ultimate entity knowing that the funding pieces will fall into place later?
 - Bridge District can do the advanced work to locate the site of the bridge etc., at the point of going out to private industry maybe additional funding will be available.
 - The scope of work is affected. DOTD would object to someone else soliciting and negotiating a contract and then being asked to oversee the contract.
 - Operationally there is a need to negotiate a Memorandum of Understanding (MOU) before the project starts because there will be intersections with public roads under different jurisdictions.
 - Can proceed with an optional part of the P3 before the project is started.

- FHWA's answer regarding federal participation is critical because CRPC represents Louisiana parishes and it makes sense for them to lead assuming FHWA allows it.
 - CRPC understand the big picture

- Every parish has to pay a fee every year that may cover the cost for additional staff. It may be difficult to get funding from the Legislature over the years whereas funds could be a part of each parish's yearly renewal fee structure.
- Avoid collecting monies from P3 to pay the salaries of the staff that is overseeing in P3.
- Important to leave door open on federal funding.
- Consensus pending federal participation is to include an element regarding P3 like the Lafayette Metro Expressway which includes Phases in the RFP/RFQ.

V: Contract for CARB-D Project Manager

- Type of Contract
 - Cost Plus
 - Lump Sum
- Public Entity that will advertise and select project manager
 - CRPC
- Public Entity what will hold and administer contract with project manager
 - CRPC
- Outline of scope of services for project manager contract
 - First 4 years NEPA
 - After or within 3 years start a P3
- Is an RFQ needed or proceed with RFP where qualifications are considered in grading proposals
 - RFQ – qualification based selecting
- Drafting of RFQ or RFP
 - Draft a RFQ within 2 weeks

VI: Status of CRPC/DOTD Evaluation of Full Freeway Facility versus Conventional Highway/Expressway Facility

- CRPC is working on Travel Demand Model and sending data to determine whether the road should be a full freeway or a conventional highway. After reviewing the cost will be determined.
- Interstate will cost more and have more environmental impacts.
- Decision of roadway will be made before the NEPA process begins.
- The decision can be made once Travel Demand Model is complete and will be presented in the May or June meeting.

VII: Other Business

- Any other items to research we can discuss via email
- Next meeting to be determined
- Draft RFQ by May 13th meeting

- VIII: Public Comment
- J. Basilicia (HNTB) – It matters in terms of how you construct the RFQ and what that might look like in terms of what the consultant will be able to do and whether or not as you start to pursue some of this you are conflicted from future opportunities. Can you compete for the environmental and stop and say, “I want to be on the design team later?” Are you looking to hire a program manager for the next few years that will take you from cradle to grave and be that long term partner? Firms will have concerns. There will be better results if there are marked lines. There are lots of models. If the idea is to have an Indefinite Delivery Indefinite Quantity (IDIQ) in a type of master that could contemplate all of the things needed firms would compete on a qualification based levels, then you can get more precise and narrow with task orders. Task orders that you only have the money to fund, task orders for only a specific piece that was in the master and that could be a way to manage it going forward. It would be clearer then for firms that are interested in competing what the expectation were from that project manager.
 - W. Daniel (Ascension Parish) – Do you prohibit if you do the NEPA that they are ineligible to this degree?
 - E. Kalivoda (DOTD) – Typically yes.
 - W. Daniel (Ascension Parish) – It seems that the only disqualification would be that you can't be the program manager and do the design. Doing NEPA would not prohibit a P3 consultant from working on it at times.
 - E. Kalivoda (DOTD) – The concern FHWA has expressed with NEPA is that if you are doing the design you may be conflicted in which alternative you select.
 - W. Daniel (Ascension Parish) – We won't select the design person until after the NEPA.
 - K. Durbin (WBR Parish) – We've been discussing NEPA when we should be selecting a project manager. Have we been discussing the wrong thing?
 - E. Kalivoda (DOTD) – No, the way you structure the contract is that they would serve as the staff in addition to handling the NEPA process for the duration of the project?
 - K. Durbin (WBR Parish) – Won't those two need to be separate?
 - E. Kalivoda (DOTD) – There could be separate contracts, 1) NEPA and 2) Project Manager
 - S. Kirkpatrick (CRISIS) – I would want to proceed as we've done in the past keeping the appropriate staff, going in that same direction.
 - T. Johnson (TJCG/IB Parish) – One thing the environmental does well that we know from the past history that's not enough to get you to the finish line.
 - W. Daniel (Ascension Parish) – I would say the most important in the 3 or 4 year process with NEPA is for us to get started. There is not going to be that much oversight at the start probably. Ascension Parish would be fine with Jamie (CRPC) being the staff for the NEPA and as we start anticipating the needs further down the road I think that's going to be overlooked. We have a lot of balls in the air, so just set three down and keep one up for a while before we start juggling all the others.

- F. Raiford (City of B. R.) – Moving forward there is a long way between now three years to talk about spending more money that you don't know if you will get a huge benefit from hiring a program manager.
- K. Durbin (WBR Parish) – Will we go to the Board on May 13th and say we've decided that CPRC will be the project manager?
- S. Kirkpatrick (CRISIS) – Today we want to make sure that we have access to all the funds we can set. We want to make sure that the environmental get started.
- E. Kalivoda (DOTD) – Referring back to the Resolution, *“drafting of a RFQ/RFP or other required documents for a Firm/Consultant to serve as staff for a project manager for the District in carrying out its purpose and mission in pursuit of project definition, environmental impact review, and to include any future related RFI's or RFQ's and propose the toll funding/developer/partner teams for the Bridge, and to approve and release the prepared document at the next scheduled meeting of the District.”* We can say that CRPC will be the staff and we could provide terms in the contract to provide some support so that it doesn't have to come 100% out of CRPC staff. Some of the tasks can be put on the consultant in serving as the staff for the Bridge District therefore the full burden would not fall on CRPC.
- T. Johnson (TJCG/IB Parish) – To follow-up on Kevin's question we have some specific tasks to go away with today. What have we decided?
- E. Kalivoda (DOTD) – We have decided we want to limit our contract to only go through NEPA, at this point we can always do a later contract for something else. We going to get with FHWA to get an answer on:
 - their participation in P3 construction
 - who will they accept to be the contract holder
 - CRPC's capabilities if any beyond environmental
 - draft a RFP/RFQ to get us through NEPA containing support so that the staff work does not fall completely on CRPC to provide support for the Bridge District
- T. Johnson (TJCG/IB Parish) – To be clear the RFP/RFQ we are drafting is for the project manager?
- E. Kalivoda (DOTD) – Yes, but we may call it for NEPA and staff support.
- S. Kirkpatrick (CRISIS) – The goal is to get funding from the Legislature directed to the District for their specific needs at that time. If we decide the need for a full freeway would that be in line with the LOOP?
- E. Kalivoda (DOTD) – It would be but if you want to include any other routes other than what is in the final EIS you would have to reopen the entire process. Secondly, that is a Tier-1 EIS. You would have to do a Tier-2 EIS.
- S. Kirkpatrick (CRISIS) – Are there funds left at the Capital Area Expressway Commission (CAEC)?
- E. Kalivoda (DOTD) – Yes, it will require action on the part of the Capital Area Expressway Commission at this point.
- S. Kirkpatrick (CRISIS) – There is about \$160,000, the question is what can that be spent on that would help this project.
- E. Kalivoda (DOTD) – Yes.
- S. Kirkpatrick (CRISIS) – If anyone has ideas on accessing that funding it would be beneficial

- S. LeBas (GEC) – It sounded as if you were still needing a project manager to help with the procurement of the P3. General Basilica's idea of having that IDIQ would be good to have some flexibility and include the different pieces in there whether it's the project manager, or the project management or NEPA for that procurement could be something to think about.
- E. Kalivoda (DOTD) – The point of going to FHWA is to ask how far beyond NEPA, CPRC can go with the P3.
- S. LeBas (GEC) – The interstate standard vs. the conventional/private road standard, looking into the future, are there different funding available depending on if you choose a freeway vs. a conventional road? Are there more options for federal funding for or larger percentages for interstate vs. conventional?
- E. Kalivoda (DOTD) – Currently no, but that could change in the future.
- S. LeBas (GEC) – My point is, maybe having conversations to make sure things are not changing that there is something at the federal level that could be of advantage to your decision which road you choose.

Adjournment

The meeting adjourned at 2:52 p.m.

MEETING NOTICE

Capital Area Road and Bridge District CARB-D Working Group

Meeting Date: April 24, 2019
Meeting Time: 1:30 PM
Meeting Location: Louisiana Department of Transportation and Development
1201 Capitol Access Road
Room 102B
Baton Rouge, LA 70802

Agenda

- I. Call to Order
- II. Roll Call
- III. Review of CARB-D Resolution 2019-01
- IV. Identification of Public Entity in the Public Private Partnership (P3)
 - Public Entity that will administer the P3 solicitation process including contract negotiation
 - Public Entity that will execute and administer P3 contract with private entity
 - Federal participation in P3 project
- V. Contract for CARB-D Project Manager
 - Type of contract
 - Public Entity that will advertise and select project manager
 - Public Entity that will hold and administer contract with project manager
 - Outline of scope of services for project manager contract
 - Is an RFQ needed or proceed with RFP where qualifications are considered in grading proposals
 - Drafting of RFQ or RFP
- VI. Status of CRPC/DOTD Evaluation of Full Freeway Facility versus Conventional Highway/Expressway Facility
- VII. Other Business
- VIII. Public Comment
- IX. Adjourn



Capital Area Road and Bridge District
CARB-D Working Group
April 24, 2019
1:30 PM
LADOTD
1201 Capitol Access Road
Baton Rouge, LA 70802

Sign-In Sheet

Name	Affiliation	Email
FRED RO, Ford	City of B.R.	FR,Ford@brla.gov
ERIC KALIVODA	DOTD	eric.kalivoda@la.gov
LONA HANKINS	HNTB	lhankins@hntb.com
JOHN BASILICA	HNTB	JBASILICA@HNTB.COM
Jessica Pranjic	GBRIA	Jessica@gbria.org
Sherri LeBae	GEC	stebas@gecinc.com
Tim Johnson	TJCG / IB RARETH	TIM.JOHNSON@THETJCGROUP.COM
Nick Johnson	TJCG	Nick.Johnson@theTJCGroup.com
Nick Ferlito	Neel Schaffer	nick.ferlito@neel-schaffer.com
Jamie Setze	CRPC	jsetze@crpc-la.org
Liz Smith	BRAC	liz@brac.org
Kevin Durbin	WBR PARVA	Kevin.Durbin@wbrparva.com
Sam Kikfetrich	CFIS	sk.kikfetrich@crowdsource.com