

Project Delivery Requirements for Local Safety Programs

Background

Need for Clear, Consistent, and Enforceable Delivery Requirements

1. The past delivery requirements have varied from cycle to cycle and have varied from program to program for the three local safety programs: Highway Safety Improvement Program (HSIP), High Risk Rural Roads (HR3), and Federal Safe Routes to School Program (SRTS).
2. Previous delivery requirements for the local safety programs stated that if projects do not meet delivery requirements, the project's funding could be de-obligated and/or the project would be dropped from the program. However, these policies were not enforced since they did not promote expedited delivery of the most critical safety projects.
3. Past delivery data showed that it was typical for a project to take close to a year to obtain approval to proceed with Preliminary Engineering (PE) and almost two years to close-out the project once construction was complete.
4. To date, overall project delivery of local safety projects has been poor and the actual delivery schedules for most safety projects have not met the original schedules proposed by the agencies in their application forms.
5. The poor delivery of safety program projects has resulted in the following:
 - a. In 2006, the Federal Highway Administration (FHWA) requested that Caltrans search for ways to improve project delivery and participate in the preparation of the "FHWA 2006 Annual Risk Analysis Report".
 - b. Obligation rates of federal safety funds remained well below apportionment levels.
 - c. In 2009, FHWA again requested that Caltrans search for ways to improve the delivery and participate as a 2009 FHWA Focus State for local safety programs.
 - d. Safety projects that are not delivered in a timely manner have to be carried over into subsequent Federal Transportation Improvement Programs (FTIP) thereby reducing financial programming capacity for new projects. If the delivery does not improve in the future, the lack of FTIP programming capacity may require Caltrans to delay making future calls-for-projects.

Major Steps in the Preparation of the New Safety Program Delivery Requirements

1. In October 2009, the Caltrans, Division of Local Assistance, Office of Bridge and Safety Programs (OBSP) created a webpage for "Safety Program Delivery Status Reports" at: http://www.dot.ca.gov/hq/LocalPrograms/HSIP/delivery_status.htm
2. In January 2010, OBSP implemented new delivery requirements in conjunction with the notification of successful HSIP Cycle 3 projects.
3. In March 2010, OBSP worked with a committee of State, Federal, and Local Agency representatives to finalize revised delivery requirements for all Cycle 1 and Cycle 2 safety projects in the HSIP, HRRR, and SRTS programs. These delivery requirements are consistent with the requirements for HSIP Cycle 3 projects. The final delivery requirements are discussed below.

4. In April 2010, OBSP updated the “Safety Program Delivery Status Reports” webpage to include the new delivery requirements for all projects and updated the status reports to reflect the new delivery requirements.

New Safety Program Delivery Requirements

Requirement Details

The key delivery requirements for new safety projects are as follows:

The three milestones and corresponding delivery deadlines are:

1. Request for Authorization to Proceed with PE within 6 months after the project is amended into the FTIP.
 - a. For agencies that will not request Authorization to Proceed with PE because they are using their own work force or using other funds for that phase, the agency will only be held to requesting Construction Authorization within 30 months after the project is amended into the FTIP.
 - b. For agencies that retain consultants for any PE work will be provided an additional six (6) months of PE time. This will extend the CON Auth and Close-Out Milestone dates by 6 months.
2. Request Authorization to Proceed with Construction within 30 months (2 ½ years) after the project is amended into the FTIP.
3. Complete construction and close-out the project within 54 months (4 ½ years) after the project is amended into the FTIP.

OBSP staff will track the delivery of the local safety projects and prepare a quarterly report showing the delivery performance of each project. Projects that are on or ahead of schedule will be identified with a green checkmark and/or green diamond. Projects that are behind schedule will be identified with a red flag. Flags will be removed in later reports after the agency has completed the milestone. If an agency has an active safety project with a red flag in the latest quarterly report released during a future ‘call for projects’ cycle, Caltrans will not accept applications from that agency for the program that includes the flag. Example: If an agency has a flagged SRTS project, it would be prevented from submitting an SRTS application. This flagged SRTS project would not prevent the agency from submitting an application for a HR3 or HSIP project.

For a proposed project involving lengthy delivery elements, (i.e. right-of-way acquisition or environmental permits from outside or regulatory agencies), Caltrans recommends agencies consider alternatives to reduce the risk that they will miss the delivery requirements and be excluded from future funding until after the project is completed. Some possible alternatives include:

1. Completing all or part of the PE Phase before requesting safety funding.
2. Down-scoping the project to avoid the environmental, right-of-way or other project components that can cause the project to miss the delivery milestones.

- a. Down-scoping the project does not necessarily reduce the net safety benefits of a given project. There may be alternative countermeasures that can be applied to a location which will result in an equal or larger benefit-to-cost ratio.
- 3. Selecting a different project altogether that can be delivered on an expedited schedule.

It is understood that many local agencies may not be able to fully fund the PE Phase of a critical, complex, and lengthy safety project. For this reason, Caltrans will rate those types of projects similarly to other projects and leave the decision up to the local agency to seek safety funding with the understanding that there is a high risk that their project will miss the delivery requirements, be flagged, and the agency will be excluded from future funding under that program until after the project is completed.

Applying the New Safety Program Delivery Requirements to Past Projects

Agencies for all past successful safety projects, including Cycles 1 and 2 of the HSIP, HR3 and SRTS programs were not apprised of these Delivery Requirements at the time they proposed the project for funding; therefore, Caltrans has established slightly different requirements for these projects.

All projects will be granted the full duration of the delivery phase that they were in as of March 31, 2010. For example, a project without PE authorization will be given a full 6 months from March 31, 2010 to obtain PE authorization, even if the project is a Cycle 1 project that was originally approved in the FTIP in 2007. This project would also have an additional 24 months to obtain Construction Authorization and 24 months to close-out the project.

The following table shows the actual new delivery deadlines for Cycle 1 and Cycle 2 safety projects:

Current Status of Project	Authorize PE by:	Authorize CON by:	Close-out Project by:
No Phase Authorized	Sept. 30, 2010	Sept. 30, 2012	Sept. 30, 2014
PE Authorized		Mar. 31, 2012	Mar. 31, 2014
CON Authorized			Mar. 31, 2012

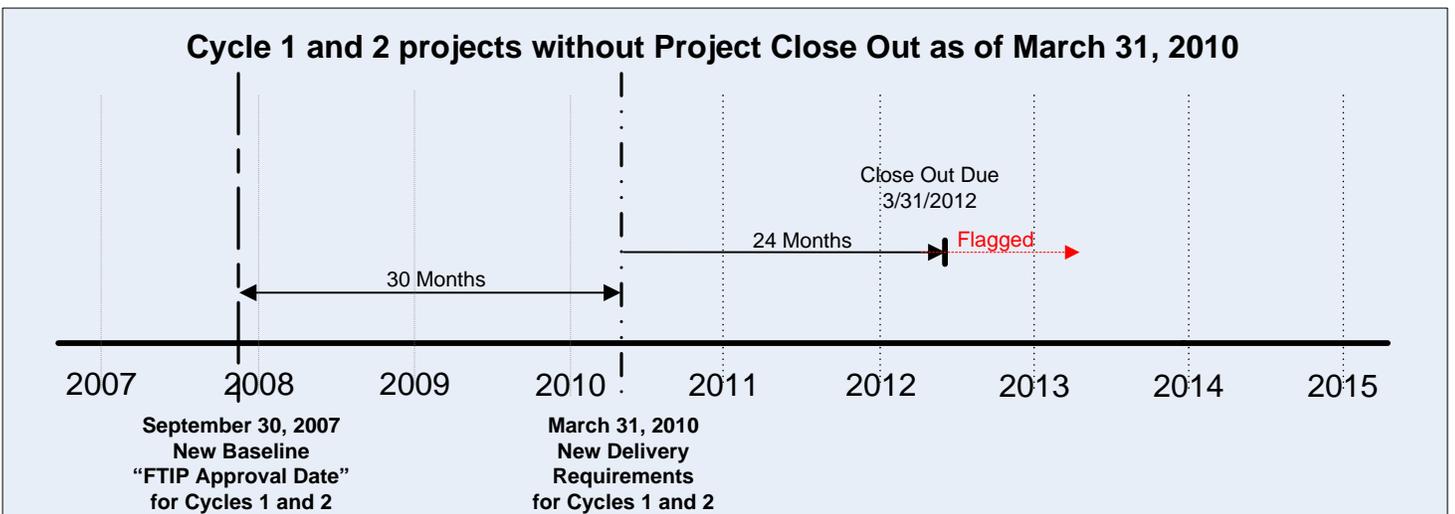
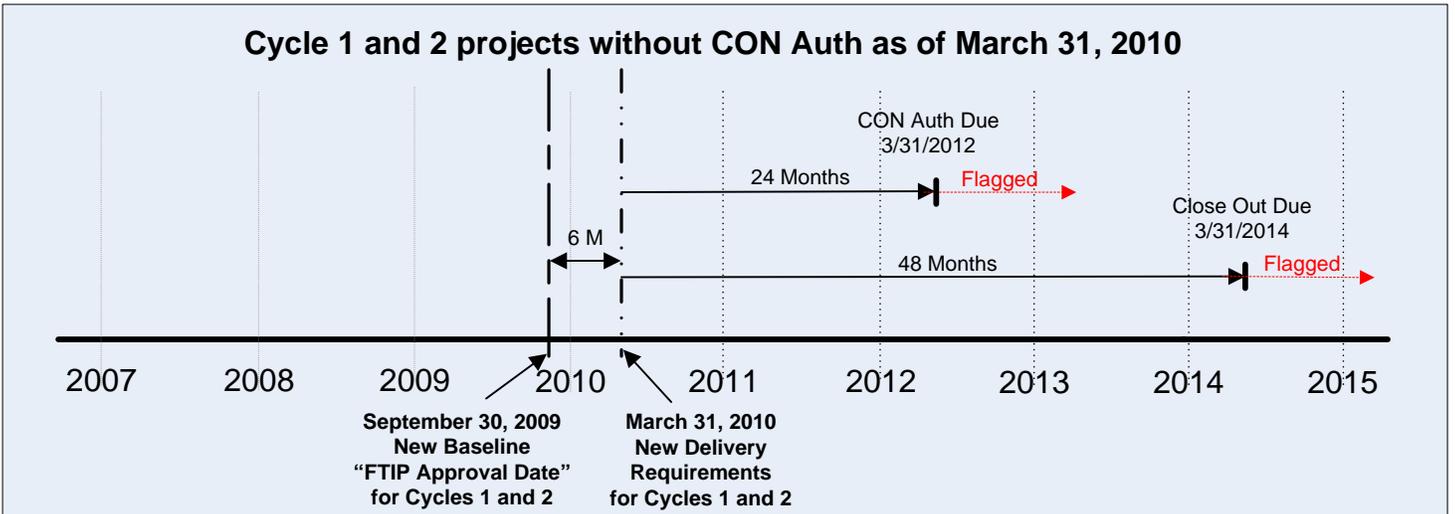
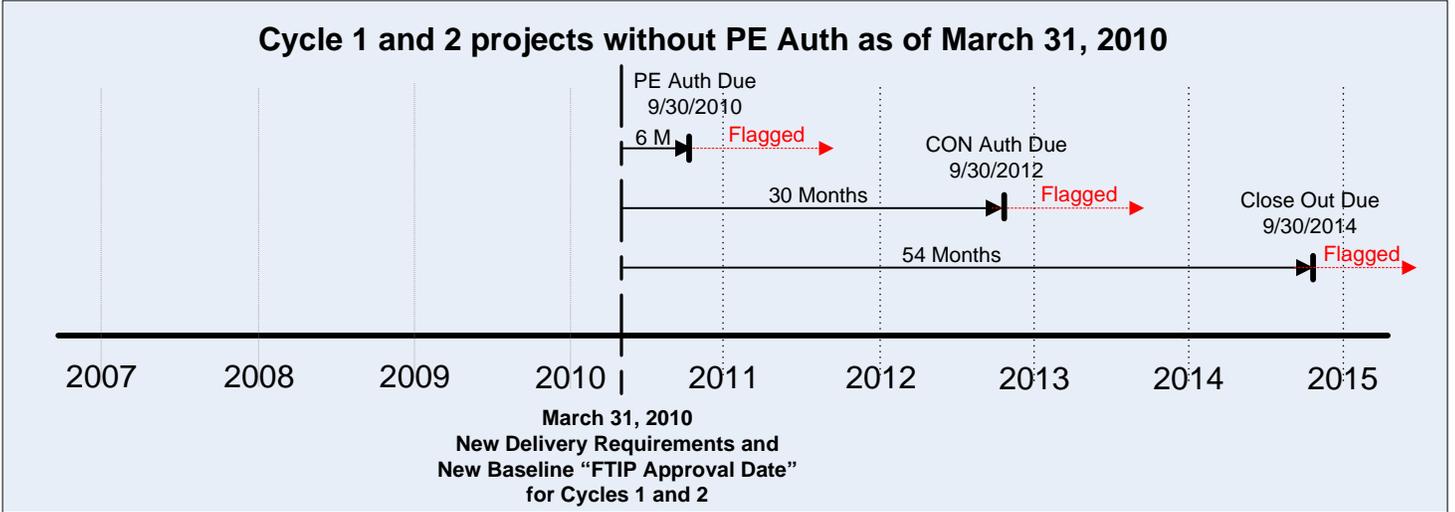
After notification of these new delivery requirements for Cycle 1 and 2 projects, agencies will be given one month to review the project status and if necessary, to provide a revised delivery schedule with justification for extending the time frames shown above.

Diagrams for the New Safety Program Delivery Requirements

The following diagrams visually illustrate the new delivery requirements. They show the differences between the delivery requirements for future safety projects and past Cycle 1 and Cycle 2 safety projects. The key difference is that future project delivery milestones will be based on their actual FTIP Approval Date from FHWA, while past project delivery milestones for Cycle 1 and Cycle 2 projects will be based on a baseline FTIP Approval Date that varies based upon the status of the project as of March 31, 2010.

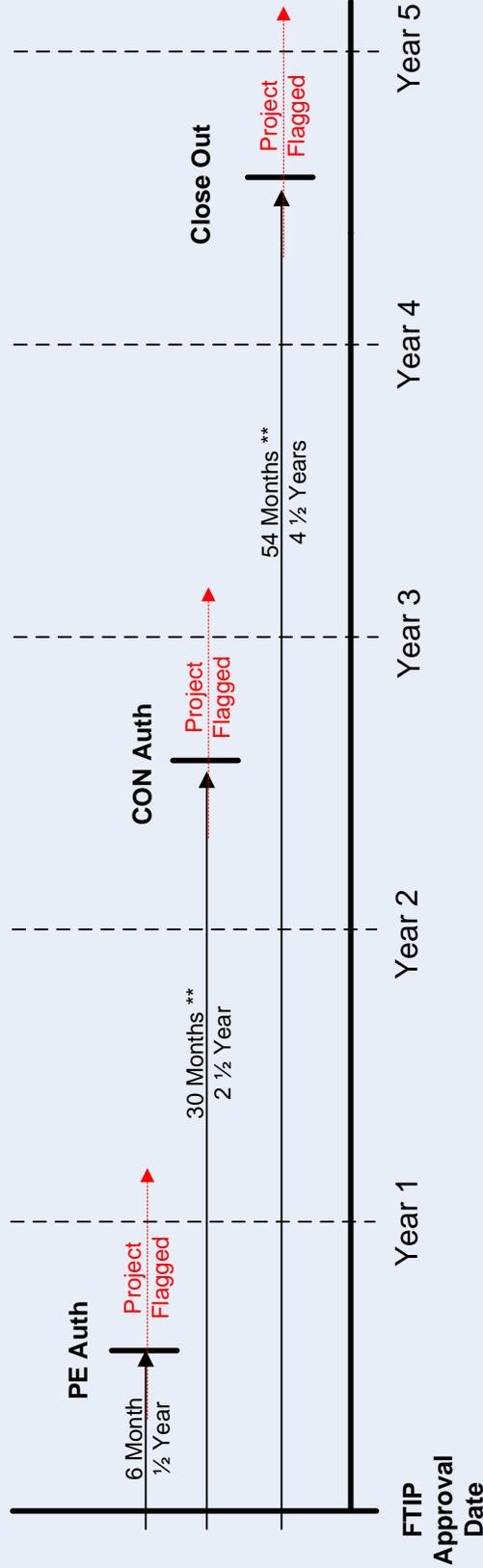
DLA Safety Programs Delivery Requirements (Cycles 1 and 2 only)

(Cycle 1 and 2 projects will have to meet these delivery dates, unless they formally request and justify a time extension.)



DLA Safety Programs Delivery Requirements (Future Cycles *)

(Durations are standard for all projects, while actual dates will be unique for each project)



* Includes HSIP, HR3, and SRTS Infrastructure Projects

** Agencies that retain consultants for any PE work will be provided an additional six (6) months of PE time. This will extend the CON Auth and Close Out Milestone dates by 6 months