

**Transportation Resource Oversight Committee Meeting
(Lake and Porter County)
Tuesday, August 16, 2022
Minutes**

Charles Bradsky called the meeting to order at 9:01 a.m. with the Pledge of Allegiance. The meeting was streamed live on YouTube. In attendance were Duane Alverson (Lake County), Dean Button (Hammond), Jeff Huet (Schererville), Michael Jabo (Valparaiso), Steve King (Merrillville), Mark O'Dell (Chesterton), Beth Shrader (Valparaiso), Bob Thompson (Porter County), George Topoll (Union Township), David Wright (Gary), Eric Wolverton, Jake Dammarell, Dennis Cobb, and Christopher Murphy.

NIRPC staff included Charles Bradsky, Kevin Polette, and Candice Eklund.

Approval of Minutes

The minutes of the May 17, 2022, TROC meeting minutes were approved on motion by Dean Button and seconded by Michael Jabo.

Public Comments

There were no public comments.

Spending Plan 2023/2024 Review and Update

Charles Bradsky presented the current spending plan and stated there is still funding available in FY 2023. Charles will review the funding requests he has already received as well as any additional requests for FY 2023 and contact the communities who will be awarded additional funding. The committee was reminded that the funding for the Infrastructure Investment and Jobs Act (IIJA) for 2022 can be used until September 25, 2022. There was \$5.3 million carried over and we do not want to lose any of the funds that were obligated to this program.

2022-2026 TIP/STIP Update

Charles announced the STIP was approved on June 17 this year and the TIP was approved on April 2, but he was not notified until August 1, 2022.

Other New Business

Charles reiterated the funding that is still available in FY 2023 and to contact him if additional construction (CN) funds were needed. Due to inflation, be prepared to pay more than 20% local share.

The items below were discussed in detail:

- Splitting projects into phases: INDOT has a policy requiring each phase needs to have design (PE) and Land Acquisition (ROW) for each project that has construction. Contact INDOT with questions.
- Time Guidelines: Please see below for a description of timelines and delays that INDOT has provided.
 - **NEPA Review:** Depends on the level of the environmental document. Would budget at least 90 days but could be up to 180+ days for a larger document, which requires many revisions, reviews, and re-reviews.
 - **ROW:** INDOT budgets 18 months for ROW and that's from the ROW engineering complete to Final Tracings. This captures enough time, in most cases, to go to condemnation and clear the ROW in time for RFC (when the contracts have to go to INDOT Contracts Division for the final review). Keep in mind that ROW can be appraised from PE and it's highly recommended this is done as a Standard Operating System (SOP). To make this happen, you may have to push the consultant to have ROW engineering completed about 6 months prior to the anticipated NEPA completion, but it can buy a lot of time if the ROW schedule is looking like it might be compressed.
 - **Condemnation:** Condemnations are taking even longer than before (now at a 20-25% rate). We used to be able to count on 6 months, but that number is trending more toward 8+ months. A tremendous amount of time is lost negotiating past the statutory 30 days for offer consideration. Some landowners will routinely drag out negotiations as long as possible, believing that when

you're closer to your letting date they are more likely to get a "better offer" or settlement in the LPA's desperation. It is recommended to never extend the offer consideration time more than 15 or 30 days above the base 30. It should be noted that parcels can still be settled outside of court after a condemnation has been filed but filing sooner gives the local government a safety net if negotiations are not productive. Also, if you're dealing with a commercial entity who may have a corporate headquarters in another state, and the entity has been unresponsive, filing condemnation will often gain the attention of the right people in their real estate division which will in turn bring them to the table. These instances are usually settled as well, outside of court, once the land division of the corporation is involved, but it's the initial condemnation that gets their attention.

- **Permits:** This can vary a lot depending upon the permitting agency. If you need a General permit from IDEM (formerly known as a Rule 5), you're likely looking at 6 months. DNR Construction in a Floodway (CIF) permits, especially when work is below the high-water mark, can take 8 months to a year. Core permits in the NIRPC area would likely all go to the Chicago Core and that can take at least a year. Keep in mind that LPA's cannot go to letting with permit exceptions. You also don't have to wait for your NEPA document to be completed if you're on a tight schedule, you can apply for the permits as soon as you've completed the Water's report. This is something to consider on a tight schedule and it is generally not too cumbersome of a process to get a permit extension if you're worried about filing too soon. What's far more likely to be an issue is reviews taking longer than normal and not getting the initial permit in time.
- **Utilities:** When possible, it is ideal to have Utilities relocated prior to letting. This isn't always practical, due to ROW or coincident contract work that a workplan may be dependent upon, but can be a big time/cost savings during construction. Note that having Stage 3 plans will be necessary to get a utility to give you their final work plans, so your best bet is to have a Stage 3 set of plans completed to send to utilities at least 60 days ahead of the letting prep schedule (and the sooner the better).
- **Design Review:** This all depends on the quality of the plans, and the job type. The letting prep schedule puts your Stage 3 approval date at 152 days prior to RFC and it's recommended to try and beat this date, both for better consultant scores and so you don't go past the 152 days with revisions. If you have any work on curb ramps, it's recommended a Stage 2 submittal with a request for TAC (Technical Advisory Committee) to review. We see a number of markups related to work on curb ramps with requirements for more robust pedestrian detours, push button pedestals and talking signals, and sometimes those markups can alter the amount of RW needed. There's not much time to address these issues if you wait until Stage 3.
- 2022 NOFA Update: Will be released mid-September and will need to be completed in October. Contact NIRPC staff if assistance is needed with the applications. There will be two new categories in this NOFA: new sidewalk projects on a busy road (major collector or above) will be categorized as HSIP eligible and there will also be a Carbon Reduction program.
- The meeting materials today provided some of the new competitive FHWA grant programs, such as SS4A, RRCX and RCPP. INDOT may not be performing the reviews for these grants because it is considered outside of their scope of service.
- Marquette Greenway Trail update: The Request for Quote (RFQ) for a project manager and a project engineer will be submitted to FHWA within the next two weeks.
- Jeff Huet stated that the Town of Schererville is starting the PE engineering selection process for phases 3 and 4 of the Kennedy Avenue project. Charles stated NIRPC is updating the Metropolitan Training Plan (MTP), now being referred to as the 2050+ plan, and encouraged the members to complete the online survey. The results of the survey will be shared with the communities in hopes to help prioritize their projects when applying their projects in the NOFA.

Adjournment

Having no further business, the meeting adjourned at 2:00 a.m. The next meeting will be held on November 1st at 9:00 a.m. because November 8th is election day, and a holiday for some. A future meeting is scheduled for February 14, 2023.

The livestream video recording for this meeting is available on NIRPC's YouTube Channel at <https://www.youtube.com/watch?v=PkA0GKpg15w>