1. Call to Order by Co-chairs ................................................................. AASHTO Rodney Haraga, HI
.................................................................................................................. ACEC Jerry Stump (Wilbur Smith, Tennessee)
2. Roll Call – Roster/Sign-In Sheet Provided......................................................................... All
3. Meeting Minutes from September 16, 2005, Nashville, Tennessee*............................... R. Haraga, HI
4. SAFETEA-LU –Overview: Implementation and Streamlining
   a. AASHTO ................................................................................................. John Horsley, AASHTO & Staff
   b. ACEC ........................................................................................................ J. Stump, ACEC
   c. FHWA ......................................................................................................... King Gee, FHWA
5. Cost Estimates for Major Projects (Highway and Transit) .......... Tony Kane, AASHTO and
.................................................................................................................... TJ Schulz, ACEC
6. Public Private Partnerships .................................................................................................. ACEC
7. Improving the Quality of Environmental Documents Project ......................... R. Haraga, HI and
................................................................................................................................. Shannon Eggleston, AASHTO
8. AASHTO Consultant Guide Update ................................................................................. AASHTO and ACEC
9. Surface Transportation Environment and Planning Program (STEP) .................... AASHTO
10. Membership ................................................................................................................. Ken Kobetsky, AASHTO and TJ Schulz, ACEC
11. Old Business ............................................................................................................... R. Haraga, HI and J. Stump, ACEC
12. New Business .............................................................................................................. R. Haraga, HI and J. Stump, ACEC
13. Next AASHTO/ACEC — 2006 AASHTO Annual Meeting in Portland, Oregon .. R. Haraga, HI
14. Adjournment

* Attached
ACEC-AASHTO Joint Committee Meeting Minutes  
September 16, 2005 – Nashville, Tennessee

Officers Present: Co-Chair Rodney Haraga (HI) Co-Chair Gerald (Jerry) Stump (Wilbur Smith Associates, TN), T.J. Schulz (ACEC, co-secretary), Ken Kobetsky (AASHTO, co-secretary)


Others Present: AASHTO Members: Jack Basso (AASHTO), Valerie Briggs (AASHTO), Bob Bryant (OR - AASHTO), Tony L. Chapman (SC), Kevin Chesnik (WI), C. Lamar David (AL), Shannon Eggleston (AASHTO), Adam Fisher (AASHTO), Juan Flores (AASHTO), Gary Hoffman (PA), John Horsley (AASHTO), Tony Kane (AASHTO), Richard Land (CA), Jack Lettiere (NJ), Jim McDonnell (AASHTO), Delbert McOmie (WY), Marcie Mathews (KY), Marvin Murphy (WV), M. G. Patel (PA), Neil Pedersen (MD), Ananth K. Prasad (FL), Roger Roberts (AASHTO), Marty Vitale (AASHTO), Paul A. Mattox (WV)

ACEC Members & Others: Frank L. Danchetz (ARCADIS), Robert J. Close (STV Inc), Kirk Brown, Hanson Professional Services

1. Call to Order: Co-Chairman Rod Haraga and Jerry Stump called the meeting to order at 7:00 p.m.

2. Roll Call: Attendees introduced themselves.

3. Minutes: Minutes from the May 5, 2005 meeting of the Joint Committee in Galloway, New Jersey were unanimously approved.

4. Audit Guide: C. Lamar David of Alabama discussed the update of the AASHTO Uniform Audit and Accounting Guide. The original version was published almost 9 years ago. The most recent addition incorporated many changes reflecting new standards, and the new revisions were discussed by the joint AASHTO/ACEC audit task force in July. The Joint Committee moved a motion to approve the updated guide and subsequently approved the update.

5. Topics for Discussion/Presentations:

a. SAFETEA-LU:
   - AASHTO President Jack Lettiere thanked the Joint Committee for their efforts in passing the new SAFETEA-LU bill. He said that the DOTs and engineering community must now face the challenge of quickly getting the funding to projects. With the “50th Anniversary of the Interstate” approaching, new creativity was needed.
   - John Horsley said that ACEC and AASHTO shared a close partnership during reauthorization and acknowledged ACEC members that were helpful in the effort. He noted that he and ACEC President David Raymond stood up to the White House during meetings with Andrew Card, who was pressuring industry to accept a lower number. Horsley discussed AASHTO’s plan to implement various SAFETEA-LU programs, including research, identifying future funding sources and needs, and freight issues. Gulf Coast recovery will add significant challenges as well.
   - Jerry Stump said that ACEC was pleased to have the bill done, and ACEC members appreciated the partnership with AASHTO. ACEC was working to implement SAFETEA-LU, but is apprehensive about possible threats in the future.
   - Tony Kane reviewed new aspects of the bill that would impact consulting firms, including changes to design build, work zone and environmental regulations and new areas of opportunity such as safety and operations. He noted several possible cottage industries resulting from the bill, including program management and oversight and project cost estimating.
   - Regarding the environmental streamlining provisions, Hal Kassoff said that AASHTO and ACEC need to actively monitor their implementation by USDOT. He suggested that both groups
consider drafting a resolution that DOT rely more on guidance than rulemaking. John Horsley said the appropriate AASHTO committee would consider this issue.

b. **CSS National Conference**
   - Neil Pederson of Maryland discussed the activities of an AASHTO task force that is working on training in context sensitive design, and noted that FHWA had a training program on this issue. A conference on this subject would be held that month – the last conference was held in 1998. ASCE and ITE also sponsored a conference in the spring. The results of the conference would be made available in September of 2006, with particular focus on what had been learned since 1998. States are at different places on CSS at this time. Jerry Stump asked if engineering firms had opportunities to participate in training, and Neil said they were in the formative stages and will look to include consultants.

c. **Work Zone Safety Rule**
   - Del McOmie discussed the recently revised FHWA regulations governing work zones, and noted that the final rule will impact design. Project sponsors and designers should review how the regulations will affect projects. ACEC will need to be involved in determining state policies.

d. **Quality of Environmental Documents**
   - Shannon Eggleston provided an update on the joint AASHTO/ACEC/FHWA effort to improve the quality of environmental documents. She discussed the activities of the three task groups that were based on the findings of an initial survey: improving clarity and format, legal sufficiency, and training. The goal was to draft documents by the end of the year and present them at the January TRB meeting. Final documents will be produced in 2006.

e. **Inspector General Audits**
   - Jerry Stump discussed the status of two audits at the U.S. DOT Inspector General’s office. Stump said ACEC was interested in working with AASHTO on the state DOT errors and omissions audit. He said that many states have differing policies. ACEC was in support of a fair and efficient process, and worked to develop a list of components of a good cost recovery policy. These components include recognizing negligence, early notification, involving the design consultant in the review of issues and development of solutions, and recognizing betterment. John Horsley and Jack Basso noted that the audit reflected a new emphasis by the IG on financial management. AASHTO and ACEC discussed forming a joint task force to review this issue if the OIG audit continued.

   Stump also discussed the other IG audit on the accuracy of overhead rates. Stump said that the IG was examining overhead rates and compensation practices and whether states were following the Federal Acquisition Regulations and providing proper oversight. He said that ACEC was looking to further educate engineering firms on the FAR and recommended that ACEC, AASHTO and FHWA partner on joint training activities.

f. **AASHTO Consulting Guide Update**
   - Jim McDonnell noted that 160 consultants responded to AASHTO’s survey, and a technical committee was conducting some analysis on the results.

g. **International Scans**
   - Bob Bryant said that the 2006 international scans would be announced soon, and that industry representatives would be solicited. ACEC would be contacted for recommendations.

h. **TIG**
   - Garry Hoffman discussed the Technology Implementation Group activities, and a website was in place that solicited new proposals. He said that the group needed representation from the consultant community.
6. **Membership:**  
T.J. Schulz and Ken Kobetsky reviewed the positions and vacancies on the Joint Committee.

7. **Old Business:**  
Jerry Stump noted that some state agencies are considering using reverse auctions to procure engineering services. ACEC had suggested forming a joint task force with AASHTO to review this issue and possibly develop a joint resolution. Rod Haraga agreed to form a task force soon.

8. **New Business:** The response to Hurricane Katrina was discussed. John Horsley noted that AASHTO was having some sessions on this topic, and how states can better respond to natural disasters. Horsley said that the repercussions of the hurricanes will be felt in every state, and we have to do better jobs responding through improved communications and disaster plans.

9. **Next Meeting:** The next meeting of the Joint Committee will be in May in Georgia.
April 17, 2006

Docket Clerk
U.S. DOT Dockets
Room PL-401
400 Seventh Street, S.W.
Washington, D.C. 20509-0001

Dear Sir or Madam:

AASHTO Comments on the Draft Implementation Strategy for the Surface Transportation Environment and Planning Cooperative Research Program (STEP)

The American Association of State Highway and Transportation Officials (AASHTO) submits the following comments on the draft Implementation Strategy for the Surface Transportation Environment and Planning Cooperative Research Program (STEP). These comments are being submitted in response to the notice published in the Federal Register on March 1, 2006, which requested comments by April 17, 2006.

General Comments

During the reauthorization process, AASHTO supported the creation of a new “Surface Transportation Environmental Cooperative Research Program,” in order to create the capability to do more in-depth research so that State DOTs could deliver increasingly environmentally compatible projects. As enacted in SAFETEA-LU, the STEP program has the potential to fulfill that objective. However, the actual success of this program will depend largely on how it is implemented.

In general, the draft Implementation Strategy adopts a flexible approach to implementing the STEP program. While we support flexibility, we are concerned that this strategy could allow STEP funds to be diverted to lower priority activities or to activities that are actually contrary to the goals of the federal-aid highway program. We urge FHWA to refine this strategy so that it more directly ensures that STEP funds will be dedicated to high-priority activities that advance the goals of the federal-aid highway program. Priorities should be determined in close cooperation with State DOTs, which have a long track record of identifying and prioritizing research needs.

Role of State DOTs

As indicated in 23 U.S.C. 145 (a), the federal aid highway program is a “federally assisted state program.” As such, State DOTs have a unique role as the principal delivery agents for the federal-aid highway program. The implementation of the STEP program should recognize this unique role by ensuring that State DOTs have direct, ongoing involvement in setting research priorities and carrying out research.
projects. State DOTs are not “just another stakeholder” in the federal-aid program, and should not be treated as such.

Specifically, we urge FHWA to establish a mechanism for regular consultation between FHWA and State DOTs regarding the implementation of the STEP program. This consultation should directly involve the AASHTO Standing Committee on Planning (SCOP), Standing Committee on the Environment (SCOE), and Standing Committee on Research (SCOR).

Allocation of Research Funds

As the agencies responsible for delivering federal-aid projects, State DOTs are in the best position to understand research needs, to carry out research programs, and to deliver research products to practitioners. To take advantage of this unique resource, a share of the STEP funds – not less than 50% – should be allotted for State DOT-led research activities. A portion of these funds should be allotted to SCOP and SCOE for research activities designated by those committees, in coordination with FHWA. A portion of these funds also should be available to State DOT research departments. SCOE and SCOP annually manage NCHRP funds for environmental and planning research. We recommend that a similar mechanism be used to implement the STEP program.

Emphasis Areas

There are several additional topics that we recommend adding to the list of Emphasis Areas in the Implementation Strategy:

- linking the planning and NEPA processes;
- implementing the “delegation” provisions of SAFETEA-LU (assignment of FHWA responsibilities to State DOTS);
- developing programmatic agreements for meeting environmental requirements;
- promoting environmental stewardship in planning, constructing, operating, and maintaining transportation systems;
- mitigation banking and conservation banking;
- tracking progress toward meeting the environmental streamlining goals of SAFETEA-LU;
- adapting traditional environmental process strategies to support public-private partnerships (design-build, SEP-15, etc.);
- supporting asset management programs;
- environmental management systems;
- energy efficiency;
- indirect and cumulative impacts;
- waste and recycling;
- Data to support transportation planning models and analytic techniques; and
- Realty issues, including corridor preservation.

Prioritization
We support the listing of emphasis areas in alphabetical order (not prioritized) at this stage. However, given the broad range of emphasis areas, prioritization will be vital to the success of this program. In general, we advocate prioritizing research activities that meet research needs identified by State DOTs, while avoiding duplication with research efforts being undertaken under other programs. We also advocate providing regular opportunities for updating research priorities, because experience has shown that research needs can evolve over time. We will provide further input about priority areas as part of the stakeholder outreach process.

Prioritization also should take into account the new online Environmental Research Database, which has been created by the AASHTO Center for Environmental Excellence. This database, which will be hosted on the Center’s website, compiles existing environmental research that has been completed or is under way by State DOTs, federal agencies, TRB, academia and other private entities. The database includes the environmental research needs, the status of ongoing research, and links to completed reports. It will be searchable by environmental topic, key word, timeframe or researcher. This resource will provide a strategic foundation for setting environmental research priorities.

**Relationship to Other Research Programs**

We support the need for close coordination with the SHRP, NCHRP, and TCRP research programs to avoid unnecessary duplication of work. The STEP program should not in any way diminish those other research programs. Instead, it should be a complementary effort that provides an additional source of funding to pursue research topics on planning and environmental issues.

Also, we suggest clarifying in the implementation strategy that there may be overlap with other research programs in the sense that similar issues are being addressed; this type of overlap is appropriate as long as the research projects are complementary.

**Eligible Activities**

We urge FHWA to interpret the concept of “research” broadly to include activities such as symposia, peer-to-peer exchanges, workshops, collection of best practices, and other similar work, including the dissemination of information from the above activities. It should not be limited to the preparation of research papers.

**50% Match**

We urge FHWA to establish guidelines, in consultation with State DOTs and other stakeholders, for determining when waivers of the 50% match are appropriate. This will help to ensure that any waivers are granted even-handedly and do not inadvertently favor any particular stakeholder or research topic. We also believe that NCHRP research funds should be allowed to count toward the required match.

**Availability of Research Products**

We urge FHWA to make research priorities and research products readily available through the STEP website. This will help to promote transparency and to ensure that the research products reach the broadest possible audience.

We appreciate the opportunity to provide comments on the draft Implementation Strategy. We look forward to working closely with FHWA to implement this important program.

Sincerely

John Horsley
Executive Director