

# Instructions to Reviewers for *ConnectOregon* IV Projects

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## **PURPOSE OF THIS DOCUMENT**

The purpose of this document is to provide instruction regarding the *ConnectOregon* IV review and recommendation processes to the various committees that are providing recommendations to the Oregon Transportation Commission (OTC).

The application review process includes the following steps:

- A. AGENCY STAFF REVIEW – November 21, 2011 – February 18, 2012
  - 1. Completeness Review
  - 2. Eligibility Review
  - 3. Feasibility Review
  - 4. Economic Benefit Review
  - 5. Statutory Consideration Review
- B. COMMITTEE REVIEW – February – June, 2012
  - 1. Mode Committee Reviews
  - 2. Region Committee Reviews
  - 3. Final Review Committee
  - 4. OREGON TRANSPORTATION COMMISSION July – August 2012

## REVIEW DOCUMENTS

The application is the primary source of applicant-supplied information regarding the proposed projects. The other documents identified below will be used to document the review process, create a record of actions, and inform the later steps of the review process.

- ▶ Application
- ▶ Completeness Checklist (using the template shown in Appendix A-1)
- ▶ Eligibility/Feasibility Report (using the template shown in Appendix A-2)
- ▶ Economic Benefit Review Form (using the template shown in Appendix A-3)
- ▶ Statutory Consideration Review Form (using the template shown in Appendix A-4)
- ▶ Review Committee Project Reports (One per project per Modal and Regional Committee using the template shown in Appendix A-5)
- ▶ Review Committee Matrix (One per Review Committee using the template shown in Appendix A-6)
- ▶ Modal and Regional Summary Matrix (Prepared by *ConnectOregon* staff prior to the Final Review Committee)
- ▶ Final Review Committee Matrix (Prepared by the Final review Committee with support from the *ConnectOregon* staff.)

The Appendices in this document provide **Sample** versions of the respective document. Agency staff, modal and regional reviewers will receive final versions of each form in Word or Excel prior to the start of the review period.

# **1 AGENCY STAFF REVIEW — November 21, 2011 – February 18, 2012**

## **1.1 Completeness Review**

*ConnectOregon* staff includes all agency staff (ODOT, Oregon Business Development Department, and Oregon Department of Aviation) assigned to develop and administer the *ConnectOregon* IV application process. Applications will be screened by internal *ConnectOregon* staff (rail and transit) and by Oregon Business Development Department (marine) and Department of Aviation staff to ensure that each application is complete, including:

- ▶ Applicant signature
- ▶ Property owner signatures
- ▶ Contact information
- ▶ Budget
- ▶ Real estate details
- ▶ Complete answers to application questions
- ▶ Letters of support (required to answer specific questions)
- ▶ Letters of commitment to use the Project (required to answer specific questions)
- ▶ A completeness review summary will be submitted to the ODOT Freight Mobility Unit on or before November 30, 2012.

*Program administration resources are limited; therefore, incomplete applications that lack signatures, budget details, real estate information, or completed answers will not be forwarded to review committees and will not be considered for project award. ConnectOregon staff will inform applicants if an application is incomplete.*

## **1.2 Eligibility, Feasibility and Statutory Review – December 1, 2011 – February 18, 2012**

### **1.2.1 Eligibility Review**

*ConnectOregon* staff will review whether each applicant and project meet the eligibility requirements including (See Appendix A-2 for review template):

- ▶ If applicable, the applicant must be current on all state and local taxes, fees, and assessments. ODOT staff will complete the applicants' tax status and will distribute the data to rail, transit, marine and aviation review teams. Individual modes will assess if applicants are current on mode specific fees and report to delinquencies to ODOT Freight Mobility Staff.
- ▶ The applicant must have sufficient management and financial capacity to complete the project.
- ▶ The project must benefit aviation, marine, rail, and/or public transit.

- ▶ The project is not eligible for funding from the State Highway Trust Fund revenues described in Section 3a, Article IX of the Oregon Constitution.
- ▶ The project does not require or rely upon continuing subsidies from ODOT.
- ▶ The project is feasible, including the estimated cost of the project, the expected results from the proposed project, the project schedule, and all applicable and required permits may be obtained within the project schedule.

Ineligible applicants or projects will be processed as outlined in Section 1.4.

### 1.2.2 Feasibility Review

*ConnectOregon* staff will review the technical information contained in the applications. The feasibility review may result in some applications being deemed technically infeasible. (See Appendix A-2 for review template.) As needed, applicants may be requested to clarify portions of their application.

*ConnectOregon* staff will review technical aspects of assigned *ConnectOregon* IV applications for project feasibility including:

- ▶ proposed project scale in relation to cost;
- ▶ anticipated market;
- ▶ achievability of the project in the proposed timeframe;
- ▶ achievability of all applicable and required permits in proposed timeframe; and
- ▶ general review of potential safety issues in project applications where there are changes to motor vehicular traffic in and around the site.

#### Feasibility Review Staff Assignments

During the Eligibility/Feasibility Review, applications may be assigned to *ConnectOregon* staff based on modal expertise as follows:

- ▶ Rail projects to the ODOT Rail Division
- ▶ Transit projects to the ODOT Transit Division
- ▶ Aviation projects to the Oregon Department of Aviation
- ▶ Marine projects to the Oregon Business Development Department
- ▶ Multimodal projects will be assigned as appropriate

Applications may also be assigned to *ConnectOregon* staff for specific review, such as finance, project management, or other aspects of a project.

### 1.2.3 Statutory Consideration Review

OAR 731-035-0060 requires the Oregon Transportation Commission to take into consideration the following Statutory Considerations:

- a. Whether a proposed transportation project reduces transportation costs for Oregon businesses or improves access to jobs and sources of labor;
- b. Whether a proposed transportation project results in an economic benefit to this state. Refer to the Economic Benefits review form (Appendix A-3) to determine the total number of points assigned;

- c. Whether a proposed transportation project is a critical link connecting elements of Oregon’s transportation system that will measurably improve utilization and efficiency of the system;
- d. How much of the cost of a proposed transportation project can be borne by the applicant for the grant or loan from any source other than the Multimodal Transportation Fund.
- e. Whether a proposed transportation project is ready for construction.

To support the review committees’ prioritization process ConnectOregon staff will sort projects into “Tiers” that indicate how many of the project Statutory Considerations identified in OAR 731-035-0060 are **thoroughly** met by the project. Tiers will be assigned based on scores achieved from a combination of the Statutory Considerations Review (Appendix A-4) and Economic Benefit Review (Appendix A-3). The tiers include:

<b>Tier 1</b>	41 – 50 Points	The application demonstrates the project meets <b>all five</b> considerations <b>thoroughly</b>
<b>Tier 2</b>	31 – 40 Points	The application demonstrates the project meets <b>most</b> considerations <b>thoroughly</b>
<b>Tier 3</b>	21 – 30 Points	The application demonstrates the project meets <b>some</b> considerations <b>thoroughly</b>
<b>Tier 4</b>	1 - 20 Points	The application <b>fails to demonstrate</b> the project meets <b>any of</b> the considerations <b>thoroughly</b>

Based on the application materials, each committee shall determine whether a project **thoroughly** meets each of the OAR 731-035-0060 considerations. ConnectOregon staff will complete reviews and tier each project for committee consideration.

To **thoroughly** meet a consideration, a project shall demonstrate through application responses, and through the requested independent verification, that the project will accomplish the intent. (A project statutory consideration review form is provided in Appendix A-4).

All ConnectOregon review committees and the OTC must consider the statutory consideration review when prioritizing or selecting projects. The Statutory Consideration Review must be complete by staff and returned to the ODOT Freight Mobility Unit by January 6, 2012

#### 1.2.4 Economic Benefit Review

ODOT economists and Business Oregon business development officers will conduct an economic benefit review of the reasonableness of the economic benefit claimed in each project application. The Economic Benefit Review is an element of the statutory considerations review and included in the score for tiering. The economic benefit review will include (but not limited to):

- ▶ A review of the application’s analytical methodology for estimating project benefits;
- ▶ A review of the project’s likelihood to retain or generate new distinct jobs in Oregon (not just move jobs from one part of the state to another).

- ▶ A review of the project's level certainty to produce benefits; and
- ▶ A review of the project's potential for public benefits.

A report will be completed for each application documenting the results of the review. This report will be submitted to the ODOT Freight Mobility Unit by January 6, 2012. (See Appendix A-3 for sample template.)

### ***1.3 Communication with Applicants during Eligibility, Feasibility and Statutory Review***

If the *ConnectOregon* staff identify a need for additional written data concerning any applicant or project, *ConnectOregon* staff will solicit this from applicants.

Applicants will be given a specified amount of time (three business days) to provide the requested additional information.

All requests for additional information must be sent in writing to applicants during the week of January 2, 2012.

### ***1.4 Decisions on Applicant and Project Eligibility***

ODOT will exclude any project from continuing to the Modal, Regional or Final Review process if it is deemed the applicant or project is ineligible, or the project is technically infeasible.

If this determination is made, ODOT will notify the applicant in writing.

The applicant will have 30 days to file a written protest with the ODOT Director. The ODOT Director will make a final determination of eligibility/feasibility. Only applicants may file a protest.

## **2 COMMITTEE REVIEW – February 21 – May 8, 2012**

### **2.1 Overview**

#### **2.1.1 Modal Review Committee**

This section provides specific instructions to the staff, chairs, and members of:

- ▶ **The Oregon Aviation Board**, which will make recommendations on aviation projects.
- ▶ **The Oregon Freight Advisory Committee**, which will make recommendations on freight transportation projects.
- ▶ **The Public Transit Advisory Committee**, which will make recommendations on public transit transportation projects.
- ▶ **The Rail Advisory Committee**, which will make recommendations on rail transportation projects.
- ▶ **The Marine Project and Planning Advisory Committee, Oregon Business Development Department**, which will make recommendations on marine transportation projects.

OAR 731-035-0060 requires the OTC to solicit advice from these entities for projects as outlined. In the remainder of this document, the board and committees identified above will be referenced as “Modal Review Committees” or “MRC”. The staff assigned to support these committees will be referred to “Modal Review Committee staff” as “MRC staff”.

All MRC meetings will be conducted as public meetings as defined by Oregon Public Meetings Law. MRC staff shall ensure adequate notice of the meeting and compile meeting minutes.

#### **Timeline for Modal Committee Review**

Modal Review Committees may start review of applications on February 21, 2012 and must complete their work and submit it back to the ODOT Freight Mobility Unit by March 27, 2012.

#### **2.1.2 Regional Review Committee**

In the remainder of this document, the committees identified below will be referenced as “Regional Review Committees” or “RRC”. The staff assigned to support these committees will be referred to as “Regional Review Committee staff” or “RRC staff”.

Regional Review Committees will be formed by ODOT as follows:

- ▶ An equal number of selected ACT members from each ACT in the Region.

- ▶ Where no ACTs exist in a region, the ODOT Director will appoint a Regional Review Committee.

### Region 1

OAR 731-035-0070 defines Region 1 as consisting of Clackamas, Columbia, Hood River, Multnomah and Washington Counties.

The Region 1 RRC will be a special purpose committee that will include the business community, selected JPACT members, and representatives from Columbia and Hood River Counties. It is being created by the Oregon Transportation Commission (OTC) for the purposes of *ConnectOregon* project review in this area.

### Region 2

OAR 731-035-0070 defines Region 2 as consisting of Benton, Clatsop, Lane, Lincoln, Linn, Marion, Polk, Tillamook and Yamhill Counties.

The Region 2 RRC will include the Northwest Oregon ACT<sup>1</sup> (Clatsop, and Tillamook Counties), the Mid-Willamette Valley ACT (Marion, Polk and Yamhill Counties), the Cascades West ACT (Benton, Linn and Lincoln Counties), and Lane County ACT.

### Region 3

OAR 731-035-0070 defines Region 3 as consisting of Coos, Curry, Douglas, Jackson and Josephine Counties.

The Region 3 RRC will include the South West ACT (Coos, Curry and Douglas Counties) and the Rogue Valley ACT (Jackson and Josephine Counties).

### Region 4

OAR 731-035-0070 defines Region 4 as consisting of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake, Sherman, Wasco and Wheeler Counties.

The Region 4 RRC will include the Lower John Day ACT (Gilliam, Sherman, Wheeler and Wasco Counties) the Central Oregon Act (Crook, Deschutes and Jefferson Counties) and the South Central Oregon ACT (Klamath and Lake Counties).

### Region 5

OAR 731-035-0070 defines Region 5 as consisting of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and Wallowa Counties.

The Region 5 RRC will include the North East ACT (Morrow, Baker, Union, Umatilla and Wallowa Counties) and the South East ACT (Grant, Harney and Malheur Counties).

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<sup>1</sup> The Northwest ACT will not review projects in western rural Washington county or Columbia county, as these Counties are in *ConnectOregon* Region 1, and will be reviewed by the *ConnectOregon* Region 1 RRC.

## Timeline for Regional Review Committee Review

RRCs may begin their review, discussion and recommendation of projects when they receive the Modal Committee reports. **These reports will be delivered to the RRCs by March 30, 2012. The RRCs must complete their work and submit the required documents to the ConnectOregon staff by May 8, 2012.**

## **2.2 Committee General Administration**

### **2.2.1 Scheduling and Noticing of MRC and RRC Meetings**

All meetings where *ConnectOregon* IV projects are discussed are public meetings and public notices will be posted on the ODOT *ConnectOregon* website in addition to other posting sites used by the committees. MRC and RRC staff will coordinate the posting of notices with the ODOT Freight Mobility Unit.

### **2.2.2 Conflict of Interest Disclosure**

At the start of each meeting, the MRC and RRC Chairs shall require committee members to disclose all conflicts of interest regarding any projects being discussed. A conflict of interest means the member is an applicant, or a consultant to the applicant, or is a committee or board member who has assisted the applicant, or has a financial benefit in the project. All conflict of interest disclosures will be recorded in the committee meeting minutes.

The MRC and RRC Chairs will ensure that members refrain from voting on or recommending projects or a slate of projects in which they have disclosed a conflict of interest. Committee members with conflicts of interest, except those who are excluded from discussions or debate because they are subject to ORS 244.120(2)(b) and have an actual conflict of interest, are allowed to otherwise participate in the evaluation process. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote.

### **2.2.3 Applicant Presentations**

MRCs and RRCs may invite presentations from applicants on an equitable basis, specifically inviting every applicant for projects under that committee's purview. All presentations from applicants are to be conducted during the public meetings.

If applicants are invited to make presentations, the applicants must be informed at the same time as the public meeting notices are posted.

### **2.2.4 Input into the Decision Process**

The MRCs and RRCs will review projects based on information provided through:

1. The project application and related documents;
2. Applicant responses to questions;
3. Completeness Review;

4. Eligibility, Feasibility, and Statutory Considerations Reviews;
5. Economic Benefit Review; and
6. MRC and RRC members' knowledge and expertise.

The MRCs and RRCs may also review projects based on information provided through:

8. Applicant testimony (if all applicants are provided the opportunity to testify);
9. Professional staff recommendations or analysis (if requested by the committee); and
10. Public comment.

The MRCs and RRCs shall **not consider** information provided through lobbying by the applicant or any other person outside of the committees' public meetings. This includes any request for pre-approval by an applicant or other party.

MRCs and RRCs shall not require applicants to seek prior consultation or pre-approval of any projects, nor prioritize any project negatively due to any failure to consult with the committee prior to submitting an application.

### **2.2.5 Additional Information**

MRCs and RRCs may request additional written data as needed concerning any application or project. This request must be made through the MRC and RRC staff. Staff will then collect information from applicants. MRC and RRC staff will be responsible for submitting electronic copies of all requests to and responses received from applicants to the ODOT Freight Mobility Unit as an attachment to the Review Committee Project Report (See section 2.6.1).

## **2.3 Committee Evaluation Process Overview**

### **2.3.1 General**

*ConnectOregon* staff will provide each MRC and RRC with an application package for each project that the committee will review.

Because the projects potentially represent a variety of different actions on four different modal systems, no single set of data can be used for comparison. It is each applicant's responsibility to be as precise and well-documented as possible in showing how the application responds to each of the five *ConnectOregon* considerations. It is each MRC's and RRC's responsibility to prioritize projects while considering the benefits of the project and the statutory considerations.

### **2.3.2 Task Outline**

The project recommendation process for the review committees involves the development of a single prioritized list. Prior to the initial MRC or RRC meeting, the MRC and RRC staff will provide each committee with the documents needed for the evaluation process. The evaluation tasks are detailed in the following table:

**Table 1 Review Committee Outline**

<b>Step</b>	<b>Task</b>	<b>Explanation</b>	<b>Responsible party</b>
<b>Pre Meeting</b> Through 2/21/12	Delivery of Information to Modal Review Committee staff	Delivery of project documents including: applications and completeness reviews, feasibility reports, economic benefit evaluations, and standardized committee reporting materials.	CO IV staff
	Staff Preparation for meeting	Modal Review Committee staff ensures all documents are distributed to the Committee members.	Modal Review Committee staff
<b>Meetings</b> 2/21/12 Through 3/27/12	Prioritizing	Projects are prioritized (1- through <i>n</i> , with 1 indicating the highest priority project).	Modal Review Committee
<b>Post Meeting</b> 3/27/10 through 3/30/10	Reporting	Complete standardized committee report material and obtain approval of the report by the Modal Review Committee Chair.	Modal Review Committee staff
<b>Pre Meeting</b> Through 03/30/12	Delivery of Information to Regional Review Committee staff	Delivery of project documents including: applications and completeness reviews, feasibility reports, economic benefit evaluations, and standardized committee reporting materials.	CO IV staff
	Regional Review Committee Staff preparation for meeting	Regional Review Committee staff ensures all documents are distributed to the Committee members.	Regional Review Committee staff
<b>Meetings</b> 4/2/12 Through 5/08/12	Prioritizing	Projects are prioritized (1- through <i>n</i> , with 1 indicating the highest priority project).	Regional Review Committee
<b>Post Meeting</b> 05/09/12 through 05/21/12	Reporting	Complete standardized committee report material and obtain approval of the report by the Regional Review Committee Chair.	Regional Review Committee staff

**2.4 Prior to Public Meetings**

**2.4.1 Modal and Regional Review Committee Staff Responsibilities**

**Scheduling and Noticing of Review Meetings**

MRC and RRC staff will notify *ConnectOregon* staff of all MRC and RRC meeting dates. *ConnectOregon* staff will ensure all *ConnectOregon* meetings, and any revisions or changes, are accurately noticed on the *ConnectOregon* website. MRC and RRC staff are responsible for all

required public meeting notices (A duplicate notice will be posted on the *ConnectOregon* website).

#### **Distribution of Application Materials**

The *ConnectOregon* staff will provide one printed copy and unlimited access to electronic copies of project application materials (e.g. application, letters of support, and supplemental information) to the MRC and RRC staff. MRC and RRC staff are responsible for the distribution of the review materials to committee members prior to the scheduled MRC and RRC meeting.

#### **2.4.2 Modal and Regional Review Committee Responsibilities**

Prior to the MRC and RRC meetings, the MRC and RRC members should review in detail the application packages.

#### **2.4.3 Modal and Regional Review Committee Chair Responsibilities**

##### **Coordinate with MRC and RRC Staff**

Prior to meetings, the MRC and RRC Chairs will coordinate with respective MRC/RRC staff regarding the meeting scheduling, agenda and necessary public notice.

### **2.5 During Public Meetings**

#### **2.5.1 Modal and Regional Review Committee Staff Responsibilities**

##### **General**

The MRC and RRC staff will assist the committees with understanding the review process, and the expectations of and instructions to the committees.

##### **Meeting Minutes**

For each MRC and RRC meeting, MRC and RRC staff will record and prepare committee meeting minutes, and secure the committee's approval of the minutes. Within 5 days of each meeting, draft meeting minutes will be sent to the *ConnectOregon* staff for posting on the *ConnectOregon* website. Upon approval of the committee, final meeting minutes will be sent to the *ConnectOregon* staff. Final minutes will replace draft minutes posted on the *ConnectOregon* website.

#### **2.5.2 Modal and Regional Review Committee Responsibilities**

##### **Conflict of Interest Disclosure**

The MRC and RRC members shall adhere to the conflict of interest disclosure instructions in Section 2.2.2.

##### **Review, Discuss and Recommend Projects**

Each MRC and RRC is expected to provide the OTC with a single prioritized list of recommended projects for *ConnectOregon* IV funding.

All MRC and RRC meetings related to the recommendations of projects for *ConnectOregon* IV funding shall be held as public meetings. MRC and RRC members may present information

regarding projects, the condition of the state's transportation network, or other relevant information to the whole committee. Each MRC and RRC shall establish a written record of the decision-making process and project specific reports (See Appendix A-5 for report format).

### **Prioritize the Projects**

Each MRC and RRC will assign a number to each prioritized project, with priority 1 indicating the committee's first choice, priority 2 indicating the second choice, and so on, until all prioritized projects are assigned a number. If a committee reviews 20 projects, the prioritization should be from 1 to 20.

MRCs and RRCs will use the Statutory Consideration Review completed by *ConnectOregon* staff as a basis for the prioritization process (See Section 1.2.3); however, review committees are not constrained by the identified project "Tier" and may give a lower tiered project a higher prioritization if circumstances warrant. If a lower "Tier" project is moved up in priority the project, "Review Committee Report" must contain a discussion of the reasoning for this placement. (See Section 2.6.1 for information on the Review Committee Report)

Each MRC and RRC will provide only one prioritized list statewide. There is no need to differentiate projects by region.

### **3.5.3 Modal and Regional Review Committee Chair Responsibilities**

The MRC and RRC Chairs shall preside over all meetings, including calling the meeting to order, ensuring members participate appropriately, minutes are taken and approved, and the committee completes its work as outlined in this document.

## **2.6 After Public Meetings**

### **2.6.1 Modal and Regional Review Committee Staff Responsibilities**

#### **Preparation and Transmittal of Reviews**

MRC and RRC staff will complete and prepare for publication the following:

- ▶ Review Matrix,
- ▶ Review Committee Report, and
- ▶ Meeting Minutes.

MRC and RRC staff shall secure the authorization of the MRC and RRC Chairs prior to transmittal of these documents to the *ConnectOregon* staff. MRC and RRC staff will be responsible for submitting electronic copies of documents to the ODOT Freight Mobility Unit no later than March, 27 2012 (Modal Review Committees) or May 08, 2012 (Regional Review Committees).

#### **Review Committee Report**

For each application, the MRC and RRC staff will complete the Review Committee Report. *ConnectOregon* staff will provide MRC and RRC staff with a Review Committee Report Form template (Appendix A-5). Additionally, the template will be available on the *ConnectOregon* IV website. The form will summarize the project and will present the details of the committee's decision-making process to subsequent reviewers, the Final Review Committee and the OTC.

The Review Committee Report should include any specific details which the MRC or RRC thinks subsequent reviewers should be aware.

#### **Review Committee Matrix**

A Review Committee Matrix will be provided to each MRC and RRC in electronic form (See Appendix A-6) prior to each MRC and RRC meeting. MRC and RRC staff will complete the Review Committee Matrix recording the actions of the committee. The Review Committee Matrix is designed to provide subsequent reviewers, the Final Review Committee and the OTC with a summary of the MRC's or RRC's prioritization. The MRC or RRC staff will email the Review Committee Matrix to the ODOT Freight Mobility Unit in MS Excel format within the aforementioned prescribed timeline.

Neither the Modal Review Committees or Regional Review Committees make the final decision on final project prioritization. The MRCs and RRCs provide guidance to the Final Review Committee and OTC to allow for an informed final project recommendation. To ensure the preferences of each MRC and RRC are presented to the OTC, the Review Committee Matrix from each MRC and RRC will be forwarded to the OTC along with the Final Review Committee's Final Recommendation Report.

#### **2.6.2 Representatives to the Final Review Committee**

Representatives from each MRC and RRC will be invited to participate on the Final Review Committee (See section 3). These representatives will be asked to present their MRC's or RRC's prioritization, discuss project merits and collaborate with other members of the Final Review Committee to reach a consensus.

The final review committee process treats the inputs from each MRC and RRC equally. This is necessary as each MRC and RRC approaches projects from a different prospective. Due to the time constraints placed on the Final Review Committee, representatives from each MRC and RRC will not have the opportunity to consult with other MRC and RRC members during the consensus process. The representatives to the Final Review Committee will be asked to adapt the input from their respective MRC's and RRC's prioritizations to create a single prioritized list for the OTC. This will allow the Final Review Committee to resolve differences in prioritization between MRCs and RRCs.

### **3 FINAL REVIEW COMMITTEE – May 21 – June 7, 2012**

#### **3.1 Formation of the Final Review Committee**

Following the receipt of recommendations from the Modal and Regional Review Committees, the ODOT Director will convene a Final Review Committee. The Final Review Committee will include representatives from each MRC and RRC.

#### **3.2 Committee Administration**

The *ConnectOregon* staff will provide the Final Review Committee a combined list of recommendations from each MRC and RRC. The format of this summary will be developed in consultation with the OTC and the Final Review Committee facilitator.<sup>2</sup>

##### **3.2.1 Scheduling and Noticing of Review Meetings**

The Final Review Committee meeting is scheduled for June 6 and 7, 2012 in Portland, Oregon. Meeting details will be published on the *ConnectOregon* website in April 2012.

##### **3.2.2 Staff Support**

The *ConnectOregon* staff will provide staff support for the Final Review Committee.

*ConnectOregon* staff, unless otherwise directed by the committee, will:

- ▶ Present the MRC and RRC prioritization of projects to the Final Review Committee;
- ▶ Assist the Final Review Committee with understanding the review process; and
- ▶ Record results of the Final Review Committee proceedings.

*ConnectOregon* staff advice and analysis is limited to a supporting role and cannot be substituted for the required decision-making role of the Final Review Committee.

##### **3.2.3 Conflict of Interest Disclosure**

At the start of each meeting, the Final Review Committee Chair shall require committee members to disclose all conflicts of interest regarding any projects being discussed. A conflict of interest means the member is an applicant, or a consultant to the applicant, or is a committee or board member who has assisted the applicant, or has a financial benefit in the project. All conflict of interest disclosures will be recorded in the Final Review Committee meeting minutes.

The Final Review Committee Chair will ensure that members refrain from voting on or recommending projects or a slate of projects in which they have disclosed a conflict of interest. Final Review Committee members with conflicts of interest, except those who are excluded from discussions or debate because they are subject to ORS 244.120(2)(b) and have an actual conflict of interest, are allowed to otherwise participate in the evaluation process. Those with actual

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<sup>2</sup> An independent facilitator will be contracted by ODOT to coordinate the decision-making process of the Final Review Committee.

conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote.

This disclosure requirement applies to all committee members.

### **3.2.4 Inputs into the Decision Process**

The Final Review Committee will review projects based on information provided through:

1. The project application and related documents;
2. Applicant responses to questions;
3. Completeness and Eligibility Review;
4. Economic Benefit Review;
5. Modal Report;
6. Modal Review Matrix; and
7. Final Review Committee members' knowledge and expertise.

The Final Review Committees may also review projects based on information provided through:

8. Applicant testimony (if all applicants were provided the opportunity to testify as provided during the Modal or Regional Review Committees' process);
9. Professional staff knowledge or analysis (if requested by the committee); and
10. Public comment received throughout the Modal and Regional Review Committee review process.

The Final Review Committee shall **not consider** information provided through:

Any lobbying by the applicant or any other person outside of the Final Review Committee's public meetings. This includes any request for pre-approval by an applicant or other party.

The Final Review Committee shall not require applicants to seek prior consultation or pre-approval of any projects, nor prioritize any project negatively due to any failure to consult with the committee prior to submitting an application.

### **3.2.5 Applicant Presentations**

The Final Review Committee will **not** hear presentations from any applicants.

## **3.3 Final Recommendation Report**

This Final Review Committee will provide the ODOT Director a Final Recommendation Report prioritizing projects.

## **4 OREGON TRANSPORTATION COMMISSION**

The OTC will hold a public hearing on the recommended project list on July 15, 2012.

The OTC will make its project selection decision on August 15, 2012.

## **5 CONTACT INFORMATION**

### ***5.1 ConnectOregon Staff:***

Please use this address to send any review documents to the *ConnectOregon* staff.

**Freight Mobility Section**

**555 13th Street NE, Suite 2**

**Salem, Oregon 97301-4178**

**Email: [ConnectOregon@odot.state.or.us](mailto:ConnectOregon@odot.state.or.us)**

### ***5.2 Questions***

Please direct all questions to:

**[ConnectOregon@odot.state.or.us](mailto:ConnectOregon@odot.state.or.us)**

Email specific questions regarding the *ConnectOregon IV* program to this email address.

For Questions about the *ConnectOregon* Program contact:

**Kim Otis at 503-986- 3520**

## Appendices

The Appendices in this document provide SAMPLE versions of the respective document, agency staff; modal and regional reviewers will receive final versions of each form in Word or Excel prior to the start of the review period.

## A-1 Sample Completeness Application Checklist

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Applicant: \_\_\_\_\_

Applicant Representative: \_\_\_\_\_

Application # (To be completed by Staff): \_\_\_\_\_

Reviewer Name: \_\_\_\_\_

Reviewer Phone: \_\_\_\_\_

All applicable answers must be completed by the applicant. Applications that do not contain answers for all applicable questions will be deemed incomplete and will not be forwarded to Modal or Regional Review Committees for consideration.

This Application Checklist has been incorporated into the application to assist applicants with completeness. Carefully review your application utilizing the following checklist for completeness prior to submission to ODOT. The completed checklist must be submitted as part of each application.

### Completeness:

#### Project Summary and Certification

<u>Staff</u>	<u>Applicant</u>	<u>N/A</u>	<u>Question #</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 – Contact Information
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2 – Name and location
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3 – Cost Summary (completed automatically)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4 – Signature and match to name from contact person listed in Item 1

#### Project Description

<u>Staff</u>	<u>Applicant</u>	<u>N/A</u>	<u>Question #</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5 – Project summary
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6 – Project purpose and description completed ( <input type="checkbox"/> Maps)

			included)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7 – Detailed Location
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8 – Mode
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9 – Region
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10 – Taxes – To be verified by <i>ConnectOregon</i> staff
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11 – Life of project
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12 – Responsible party
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13 – Source of operational funds
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14 – Funding for operation secured or budgeted ( <input type="checkbox"/> description with No answer)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15 – Real estate ( <input type="checkbox"/> Signature contact information for No answer)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16 – Property purchase ( <input type="checkbox"/> Escrow answered for Yes answer)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17 – Property leased
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18 – Property Details (optional)

**Project Budget and Schedule**

<u>Staff</u>	<u>Applicant</u>	<u>N/A</u>	<u>Question #</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19 – Source and amount of funds ( <input type="checkbox"/> 19a complete, <input type="checkbox"/> 195b complete, <input type="checkbox"/> 19c complete)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20 – Source and timing of match ( <input type="checkbox"/> Source, <input type="checkbox"/> Amount, <input type="checkbox"/> Year and month)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21 – Description of larger project context. ( <input type="checkbox"/> Commitment letters checked)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	22 – Milestones
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	23 – Milestone details
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 – Milestone budgets
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	25 – Documentation and permits tables – ALL boxes must be checked
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	26 – Other permit approvals (Optional)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	27 – Construction window limits ( <input type="checkbox"/> Additional information provided for Yes answer)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	28 – Support of public agencies ( <input type="checkbox"/> Approvals listed with Yes answer)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	29 – Other construction readiness text box (optional)

30 – Certainty of Schedule ( 30a complete,  30b complete)

**Project Details**

<u>Staff</u>	<u>Applicant</u>	<u>N/A</u>	<u>Question #</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	31 – Improves/creates critical link ( <input type="checkbox"/> Additional checked for Yes answer)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	32 – Measure of success ( <input type="checkbox"/> 32a complete, <input type="checkbox"/> 32b complete)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	33 – Connection to industrial/employment center ( <input type="checkbox"/> Additional checked for Yes answer) ( <input type="checkbox"/> 33a complete)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	34 – Link workers to jobs ( <input type="checkbox"/> 34a complete, <input type="checkbox"/> 34b complete, <input type="checkbox"/> 34c complete)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	35 – Link to medical, social services, shopping( <input type="checkbox"/> 36a complete, <input type="checkbox"/> 36b complete, <input type="checkbox"/> 36c complete)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	36 – All applicable checked ( <input type="checkbox"/> Explanation provided)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	37 – Business Clusters ( <input type="checkbox"/> Details provided)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	38 – Job increase/retention ( <input type="checkbox"/> 38a complete, <input type="checkbox"/> 38b complete, <input type="checkbox"/> 38c complete, <input type="checkbox"/> 38d complete)( <input type="checkbox"/> Commitment letters box checked) ( <input type="checkbox"/> Explanation provided)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	39 – Short-term construction related jobs ( <input type="checkbox"/> 39a complete, <input type="checkbox"/> 39b complete, <input type="checkbox"/> 39c complete)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	40 – Unemployment rate ( <input type="checkbox"/> Details provided)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	41 – Improve safety ( <input type="checkbox"/> Documentation or explanation provided)

**Other Considerations and Information**

<u>Staff</u>	<u>Applicant</u>	<u>N/A</u>	<u>Question #</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	42 – Other Considerations Text box (optional)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	43 – Support materials
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Question #21 – Commitment letters
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Question #28 – Public agency coordination
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Question #32 – Other success measurement support
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Question #36 – Other reliability support
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Question #38 – Commitment letters from businesses and organizations
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other Supporting documentation

**Addenda**

<u>Staff</u>	<u>Applicant</u>	<u>N/A</u>	<u>Question #</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Additional text (optional)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Additional signature page – ( <input type="checkbox"/> Signatures match names)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Modal Budget Attached and complete

**APPLICANT NOTES:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STAFF NOTES:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# A-2 SAMPLE ELIGIBILITY/FEASIBILITY REPORT TEMPLATE

## SAMPLE *CONNECTOR* OREGON IV FEASIBILITY REPORT FORM

[insert reviewer name and organization] , Feasibility Reviewer:

DATE: : \_\_\_\_\_

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Application Number: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Project Name: \_\_\_\_\_

Mode: \_\_\_\_\_

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### Applicant Administrative Eligibility:

- The Applicant is a Public Body or Person within the state of Oregon.
  - The Applicant, if applicable, is current on all state and local taxes, fees, and assessments.
  - The Applicant has sufficient management and financial capacity to complete the Project including without limitation the ability to contribute 20 percent of the eligible grant Project cost.
- 

### Project Administrative Eligibility:

- The project is a Transportation Project that involves one or more of the following modes of transportation: air, marine, rail or public transit.
  - The Project will assist in developing a multimodal transportation system that supports state and local government efforts to attract new businesses to Oregon or that keeps and encourages expansion of existing businesses.
  - The Project is eligible for funding with lottery bond proceeds under the Oregon Constitution and laws of the State of Oregon.
  - The Project will not require or rely upon continuing subsidies from the Department for ongoing operations.
  - The Project is not a public road or other project that is eligible for funding from revenues described in section 3a, Article IX of the Oregon Constitution, i.e. the State Highway Trust Fund.
  - The Project is feasible, including the estimated cost of the Project, the expected results from the proposed Project for each of the considerations as prescribed in 731-035-0060, the Project schedule, and all applicable and required permits may be obtained within the Project schedule.
- 

### Technical Feasibility

Is the budget estimate complete?

Yes  No

If budget estimate information is complete, does the cost estimate appear reasonable?

Yes  No

Is timeline in relation to tasks not yet completed feasible?

Yes  No

Are there any elements of the project that could cause unanticipated delays?

Yes  No

Can all applicable and required permits be obtained as indicated in the schedule?

Yes  No

Does the application package include documentation of the desire for and support of the Project from the businesses and entities to be served by the Project

Yes  No

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Comments:

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**No Conflict of Interest Certification:** I do not have any conflict of interest with the proposer submitting this project application. A conflict of interest may include any family members presently associated with a proposer, or any financial relationships with a proposer (does not include past employment). I have read and rated the project application independently, and without interference or pressure from anyone. I have not had conversation or other contact with the proposer concerning this project application since it was issued. I have noted any potential conflicts or concerns on this form."

**FEASIBILITY EVALUATOR SIGNATURE:**

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Name

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Date

# A-3 SAMPLE ECONOMIC BENEFIT REVIEW

## *ConnectOregon* IV Review of Economic Benefit to the State

Project Number and Mode: \_\_\_\_\_

Project Description: \_\_\_\_\_

Project Reviewer: \_\_\_\_\_

Thank you for your participation in evaluating the economic benefit aspects of *ConnectOregon* IV applications. One of the five required “considerations” of the Oregon Transportation Commission when selecting applications for funding through the Multimodal Transportation Fund (*ConnectOregon*) asks, “Whether a proposed transportation project results in an economic benefit to this state.”

Use the scoring sheet below as a quick guide to the application. In some instances, the scoring sheet will identify the appropriate score based on calculations from information provided in the application. Other questions require a critical review of the applicant’s answer before selecting an evaluation score based on the range of possible evaluations. Calculation and comment areas are provided to show your work and note information critical to your evaluation.

Save a completed electronic version of this document for each application you evaluate. Scan the signed evaluation form and return it to Michael.Bufalino@odot.state.or.us in the TDD Freight Mobility Unit no later than Friday, January 6, 2012.

### Section 1

Application Question #s	Evaluation Criteria	Total Score 0 - 3
38a*11	Long-term jobs multiplied by projects useful life = long-term job-years	
38d/[(19a2+19b)/1,000,000]	<b>OR</b> Private investment (\$) divided by [ <i>ConnectOregon</i> IV request/1 million] = Private investment per \$ million requested from <i>ConnectOregon</i>	
<b>Point System:</b>		
0 – no net positive impacts;		

<p>1 – potential net positive impacts;</p> <p>2 – likely net positive impacts;</p> <p>3 – significant net positive impacts</p>
<p><b>Calculations/Comments:</b></p>

**Section 2**

Application Question #s	Evaluation Criteria	Individual Score	Final Score (Higher of 2) 0-3
39c/ [(19a2+19b)/1,000,000]	Short-run construction-related jobs divided by [ <i>ConnectOregon</i> IV request/1 million] = construction related jobs per \$ million requested from <i>ConnectOregon</i>		
<p><b>Point System:</b></p> <p>1 – less than 16 jobs per \$million requested;</p> <p>2 – 16-25 jobs per \$million requested;</p> <p>3 – greater than 25 jobs per million requested</p>			
40	Project area unemployment rate (from instruction table) compared to state unemployment rate (10.1%)		
<p><b>Point System:</b></p> <p>0 – located in area with unemployment rate more than 2 percentage points <i>below</i> state average;</p> <p>1 – located in area with unemployment rate 0-2 percentage points <i>below</i> state average;</p> <p>2 – located in area with unemployment rate 0-2 percentage points <i>above</i> state average;</p>			

3 – located in area with unemployment rate more than 2 percentage points <i>above</i> state average	
<b>Calculations/Comments:</b>	

**Section 3**

Application Question #s	Evaluation Criteria	Individual Score	Final Score (Higher of 2) 0-4
36	Does this project improve Oregon's transportation system in specifically identified ways?  [note in comments section which box(es) were checked and any other relevant details]		
<b>Point System:</b> 0 – no positive impacts; 1– unlikely to make positive impacts; 2 – potential positive impacts; 3 – likely positive impacts; 4 – significant positive impacts			
41	Does the project improve safety?  [briefly note in comments section the documentation or explanation required for a “yes” answer that was provided]		
<b>Point System:</b>			



## A-4 STATUTORY CONSIDERATION REVIEW FORM

On the following pages, a table is provided indicating which application questions relate to the identified consideration. A given question may relate to more than one consideration, and will appear under each relevant consideration.

Committee staff will be provided with an electronic document containing the following table for use during sorting.

Committee staff will record the results on the Review Matrix for presentation to the Committee during public meetings.

**Consideration (a) - Whether a proposed transportation project reduces transportation costs for Oregon businesses or improves access to jobs and sources of labor**

Item No.	Brief Description of Question (from Application)	Points	Appraiser's Score
<p><i>* Items 33 and 34 are evaluated together with a shared point value and Items 32 and 41 are evaluated together with a shared point value</i></p> <p><i>* To determine the score of questions with a shared point value, score each question separately, then select the highest of the two scores as the "appraiser's score."</i></p>			
33	Industrial or employments connections	* 3	
34	Linking workers to jobs		
32	Measurement of Success (Improved use and efficiency)	* 4	
41	Safety		
31	Transportation Connections	3	
<b>TOTAL AVAILABLE POINTS – Consideration "A"</b>		<b>10</b>	
<p><b>Point System for 33, 34, and 31:</b>            0 – No positive benefit;            1 – Potential positive benefit;            2 – Likely positive benefit;            3 – Significant positive benefit.</p> <p><b>Point System for 32 and 41:</b>            0 – No positive impacts;            1 – Unlikely to make positive impacts;            2 – Potential positive impacts;            3 – Likely positive impacts;            4 – Significant positive impacts.</p>			
<b>COMMENTS</b>			
<b>COMMENTS (Continued):</b>			

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**Consideration (c) - Whether a proposed transportation project is a critical link connecting elements of Oregon's transportation system that will measurably improve utilization and efficiency of the system.**

Item No.	Brief Description of Question (from Application)	Points	Appraiser's Score
* Items 33 and 31 are evaluated together with a shared point value			
33	Industrial or employments connections	* 3	
35	Linking populations to medical care, social services, or shopping		
* Items 32 and 41 are evaluated together with a shared point value			
32	Measurement of Success (Improved use and efficiency)	* 4	
41	Safety		
31	Transportation Connections	3	
<b>TOTAL AVAILABLE POINTS – Consideration "C"</b>		<b>10</b>	
<p><b>Point System for 33, 35 and 41:</b>  0 – No positive benefit;  1 – Potential positive benefit;  2 – Likely positive benefits; and  3 – Significant positive benefits.</p> <p><b>Point System for 32 and 41:</b>  0 – No positive impact;  1 – Unlikely to make positive impact;  2 – Potential positive benefits;  3 – Likely positive benefits; and  4 – Significant positive benefits</p> <p>* To determine the score of questions with a shared point value, score each question separately, then select the highest of the scores as the "appraiser's score."</p>			
<b>COMMENT:</b>			

**Consideration (d) - How much of the cost of a proposed transportation project can be borne by the applicant for the grant or loan from any source other than the Multimodal Transportation Fund.**

Item No.	Brief Description of Question (from Application)	Points	Appraiser's Score
<b>Overmatch Criteria</b> (Additional Match / Project Total) x 100 = Overmatch Percentage Example: (\$25K / \$100K) x 100 = 25%			
1	<b>Applicant will provide no Overmatch</b> (\$0K/\$100K) x 100 = 0%	1	
1	<b>Applicant will provide between 1% to 20% Overmatch</b> (\$15K/\$100K) x 100 = 15%	2	
1	<b>Applicant will provide between 21% to 40% Overmatch</b> (\$25K/\$100K) x 100 = 25%	4	
1	<b>Applicant will provide between 41% to 60% Overmatch</b> (\$45K/100K) x 100 = 45%	6	
1	<b>Applicant will provide between 61% to 81% Overmatch</b> (\$70K/100K) x 100 = 70%	8	
1	<b>Applicant will provide &gt;80% Overmatch</b> (\$90K/100K) x 100 = 90%	10	
	<b>TOTAL AVAILABLE POINTS –</b> <b>Consideration “D”</b>	10	
<b>COMMENT:</b>          			

Consideration (e) - Whether a proposed transportation project is ready for construction.

Item No.	Brief Description of Question (from Application)	Points	Appraiser's Score
For this consideration, assume a grant execution date of September, 2012			
23	Project is ready to start construction 6 months after grant agreement execution.	10	
23	Project is ready to start construction 12 months after grant agreement execution.	8	
23	Project is ready to start construction 18 months after grant agreement execution.	6	
23	Project where property is not owned by applicant and negotiations are not underway.	-2	
	<b>TOTAL AVAILABLE POINTS – Consideration “E”</b>	<b>10</b>	

#### FINAL POINT CALCULATION

	AVAILABLE POINTS	TOTAL SCORE
Consideration a –	Maximum 10 Points	
Consideration b –	Maximum 10 Points (Use Score Provided By Economic Benefit Evaluation Team)	
Consideration c –	Maximum 10 Points	
Consideration d –	Maximum 10 Points	
Consideration e –	Maximum 10 Points	
<b>Maximum Available Points = 50</b>		