

Committee Name: Transportation

Committee Chair: Al Biehl, Transystems

Committee Members: Over 150 members (Roster can be found online)

Committee Mission: Monitor legislation, regulations and other activities related to transportation infrastructure issues, including highways, railroads, aviation, and mass transit. Maintain liaison with the Ohio Department of Transportation (ODOT), Ohio Turnpike & Infrastructure Commission (OTIC) and other appropriate transportation agencies for the purpose of representing the interests of ACEC Ohio members. Work with other organizations on issues of mutual interest.

Summary of 2023-2024 Committee Activities/Accomplishments

The Transportation Committee and its various sub-committees had a relatively active year; notably with ODOT and OTIC as we continue to represent our members on interests and issues that affect our industry. Notably, this past year we have continued to work with the Ohio Turnpike & Infrastructure Commission to address issues, such as rate caps, mileage allowance, lump sum contracting on projects with a well-defined scope of services and increasing transparency in consultant procurement. As it relates to ODOT, our biggest efforts this past year have been resolving issues with Open Road software (ORD), including the establishment of protocols, gaining a deeper understanding of level of effort early on in project development, plan review requirements and the need to adjust the ODOT fee guidance schedule to better match level of effort for each stage of project development. This work is not yet completed and it is expected that this conversation will continue into the new fiscal year. ODOT initiated its first “Progressive Design-Build” contract with the Brent Spence Bridge project. ACEC Ohio had been advocating for Progressive Design-Build for the last few years through our Alternatives Delivery subcommittee.

Led by professors at Ohio University, ACEC Ohio was requested to participate in a committee that will focus on “building a sustainable and resilient transportation system”. Made up of industry partners, this committee will predominately look at how to design, construct and inspect more durable and long-lasting pavements. As of this report, there has been only one meeting of this committee which kicked off this effort. Future meetings will be announced.

ODOT initiated a Letter of Interest (LOI) subcommittee that includes ACEC Ohio members, to take a look at the current ODOT LOI process and to determine if there are ways to streamline the process that will make both preparing (consultant) and reviewing (ODOT) Letters of Interest easier. Many ideas are being presented (and some already discounted), such as one-page approaches for GES contracts, eliminating meet & greets, reducing the required resumes on a project, filing consultant staff resumes annually and not include them in a programmatic submission, etc. This committee is still an on-going effort and no final recommendations have been made, as of this report.

Finally, our biggest challenge and possibly our biggest victory this past year is working with ODOT on establishing a fair LPA Local-Let policy, as it relates to ACEC members who serve as a municipal engineer and the ability to work on projects that have Federal (FHWA) funding. The original draft policy that the Department rolled out did not take into consideration the interests of our industry or local public agencies, for that matter. In working with ACEC Ohio after many questions were raised about this new policy, ODOT agreed to numerous language revisions in the policy that both reassured QBS is part of the process, but also provided options to allow consultants who act as a municipal engineer to perform design services on a Federal-aid project.

Our accomplishments, although not all inclusive, are noted below:

August 29, 2023: ACEC Ohio/ODOT Matchmaker Event

This year's Matchmaker Event to introduce DBE firms to various prime consultants and was set up as a round robin or "speed dating" set-up where DBE firms selected and spent time with various prime consultants.

Transportation Committee Meetings – November 9, 2023 and February 8, 2024

The two committee meetings briefed Transportation Committee members on discussions that occurred with ODOT, OTIC, legislative updates and other items of interest in the transportation arena.

ODOT Liaison Meetings – July 26, 2023, September 14, 2023, December 13, 2023, June 26, 2024

The Liaison Committee has been working with ODOT leadership to update and educate on issues facing our industry, as well as concerns that remained unresolved. Meetings focused on many topics of concern by ACEC Ohio members, including easier access to information on ODOT's website for DBE and small firms, relaxing of CEI prequalification requirements as a means to increase the pool of inspectors (notably former government employees who performed these duties while they worked at the agency), continued challenges with Open Roads (ORD), the advanced populating by ODOT of future ODOT Programmatic listings on ODOT's webpage, ODOT's criteria for determining of Design-Build projects, timely CES scoring of consultants, issues with Project Management/review submissions, use of Lump Sum contracting on concise-scoped projects, etc... The Department has reinforced the appropriate use of Design-Build contracting to comply with their own policies on its use. Still to be addressed is the migration by ODOT Districts to use lump sum contracting on their contracts (a position paper was prepared by ACEC Ohio that identifies the agency benefits and supports the use of Lump Sum contracting and ACEC National Research recently released a study regarding the use of Lump Sum contracting). The Liaison Committee will continue discussions on ProjectWise/Bentley issues, local let policy changes, and DBE supportive services.

OTIC Liaison Meetings – September 25, 2023 and March 11, 2024

The Goals of the OTIC Liaison Committee remain the same: to make doing business with OTIC fair, transparent, economically viable and open to all Member firms by looking at things like insurance requirements, capped travel rates, capped labor rates, more open, transparent consultant selection, etc.. We have made strides in “moving the dial” on all of these issues, notably in adjustments to labor rates (although still capped) to better coincide with today’s labor market and other issues. Our accomplishments are better detailed on ACEC Ohio’s website.

ORD (Open Roads Design) Committee – Various Dates

Started in 2021 after concerns were expressed with the challenges of migrating to Open Roads by ACEC Ohio members, a joint committee was created to go over the issues with both the software and how it affects current processes outlined by ODOT’s various Manuals, including stage submissions and fee guidance. Also noted was the inconsistencies of each ODOT District on the expectations of plan submittals (format, content, etc...) ACEC Ohio is continuing to work with ODOT to review/update their internal documents and processes to better reflect the level of effort needed as a result of Open Roads software. Concern was also expressed to ODOT on the escalating costs and financial impact this is placing on our members in order to hold licenses to this software; notably for small/DBE firms. This will be a continuing dialogue moving into the new fiscal year.

ODOT/ACEC Ohio Partnering Conference – May 14, 2024

The annual partnering conference was held in-person with almost 400 attendees on May 14, 2024 at the Ohio Union on the campus of The Ohio State University; with the topics of Mentorship and Career Advancement, DBE Program Best Practices, Workforce Strategies, Project Execution, and Networking. Participating in this year’s conference were members of the Ohio Turnpike & Infrastructure Commission, at the suggestion/request of Turnpike Executive Director, Ferzan Ahmed.

Alternative Revenues Study – Various Dates

ACEC Ohio's Beth Easterday is a member of the External Advisory Committee for the grant funded study which is exploring alternative revenues to supplement or replace the state motor fuel tax as a mechanism to fund transportation in Ohio. Over 30 revenue sources were examined and reduced to 10 for continued evaluation. A robust public involvement campaign sought input from Ohio citizens, businesses, and elected officials. A final report will be completed in July 2023 which will be reviewed by ODOT before release to public. More information can be found at www.ohioroadfunding.com

Ohio University Research: Building a Sustainable & Resilient Transportation System – February 22, 2024

Ohio University engineering faculty engaged ODOT to form a committee that will study and provide input into how to develop a more sustainable and resilient transportation system. Focused on designing/building/inspecting longer lasting pavements, the inaugural meeting of industry representatives, including contractors, material suppliers, county, city and consultant (ACEC Ohio) representatives. To date, no new meetings have been scheduled; however, this effort is expected to take 1-2 years.

Transportation currently has 9 subcommittees (2023-2024 meeting frequency in parentheses):

1. ODOT Liaison Committee (routine)
2. Alternative Delivery with ODOT and OCA (when needed)
3. Construction, including Workforce Development (when needed)
4. Partnering Conference (annual)
5. OTIC Liaison Committee (routine)
6. ODOT STIC (State Transportation Innovation Council), with ODOT, FHWA, OCA, various local public agencies/universities and ACEC Ohio (routine)
7. ORD (Open Roads Design) User's Group, with ODOT Central Office, District Offices and ACEC Ohio (routine)
8. **NEW-** Letter of Interest (LOI) Streamlining Committee (routine)
9. **NEW-** Ohio University Research: Building a Sustainable & Resilient Transportation System, with ODOT, CEAO members, contractors, material suppliers and ACEC Ohio (routine)