

Memorandum



Date: September 15, 2005

RTC
Agenda Item No. 7(B)

To: Honorable Chairman Joe A. Martinez and
Members, Board of County Commissioners

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of the County Manager.

Subject: Report on the Public Involvement Plan (PIP) in all construction contracts and
Joint Participation Agreements (JPA) exceeding \$1 million

On March 1, 2005, the Board of County Commissioners (Board) passed Resolution No. R-273-05 to develop a proposal to include a Public Involvement Plan (PIP) in all construction contracts and Joint Participation Agreements (JPA) in excess of \$1 million that adversely impact the public and neighboring businesses and to report such proposals to the Regional Transportation Committee.

The language proposed below will be incorporated within Administrative Order 3-39 which will then require all County departments, or recipients of County capital improvement funding, to incorporate public involvement planning as a critical component in their capital improvement project planning and implementation. Specifically, capital improvement infrastructure projects exceeding \$1 million in construction cost and where schools and businesses comprise more than ten (10) percent of the project limits frontage. The PIP may include, but not be limited to, public meetings, field assessment, innovative design, contracting construction management and evaluation techniques to minimize the disruptive effects of planned infrastructure improvement projects. In the event of an emergency, I have the authority to waive the PIP requirements.

Departments or funding recipients shall, at a minimum, implement the following prior to achieving fifty percent design completion (proposed PIP plan) and prior to seeking authorization to advertise for construction (final PIP plan):

- Identify each business or school within the project limits and, if a major roadway is impacted, the extended project limits ($\frac{1}{4}$ mile outside project limits), days and hours of operation and peak traffic periods, square footage, number of dedicated parking places, number of customers or students, scheduled deliveries and contact person information.
- Identify specific strategies to maintain ingress and egress to businesses and schools within the extended project limits.
- Identify the number of days the project will directly and indirectly disrupt access or parking to businesses or schools within the extended project limits.
- Prepare a maintenance of traffic plan to maximize access to businesses and schools during peak traffic periods (customer or student and vehicular) and scheduled deliveries and in consideration of all hours of operations.

- Prepare a parking plan to maximize access to business and schools during peak traffic periods (customer or student and vehicular), scheduled deliveries and in consideration of all hours of operations.
- Prepare a parking plan to minimize the effects of the construction project and subsequent operational noise or odor in consideration of all entities in the vicinity of the construction.
- Identify construction implementation methodologies that will be utilized to mitigate disruption to businesses and schools within the project limits. Each department, or funding recipient, will be responsible for minimizing the impact of its projects through close adherence to project construction schedules, breaking the project into phases, enforcing work performance in accordance with applicable specifications, working nights and weekends, and/or offering bonus incentives for early completion in addition to strictly enforcing the assessment of liquidated damages related to contractor delays.
- Identify promotional techniques (in addition to supplemental signage) to inform the community how to access the businesses and schools during the construction period. Prepare advertisements and distribute promotional materials to inform the immediate community no less than once per month that the business or school is impacted by the project.
- For projects where schools and businesses comprise more than ten (10) percent but less than fifty percent of the extended project limits frontage, assign a full-time public involvement officer who shall be on the project site no less than 8 hours per week and available, all other times, by telephone beginning thirty days prior to the start of construction in order to contact all businesses or schools monthly on issues regarding the project.
- For projects where schools and businesses comprise more than fifty (50) percent of the extended project limits frontage, departments shall inform the community and conduct a test of their maintenance of traffic and parking plan (for a period not less than one week) and then conduct a public meeting to discuss the effectiveness of the test.
- For projects where schools and businesses comprise more than fifty (50) percent of the project limits frontage, assign a full-time public involvement officer who shall be on the project site no less than 18 hours per week and available all other times by telephone, beginning thirty days prior to the start of construction in order to contact all businesses and schools monthly regarding issues on the project.
- Conduct no less than two public meetings to obtain community input and feedback to the proposed and final plan. Items to be discussed include, but are not limited to,

project schedule, planned dates, days and hours of construction, phasing or staging, maintenance of traffic, access mitigation, promotional activities and other relevant public involvement concerns.

- Conduct a project impact community survey no less than sixty days after completion of the project to obtain feedback on the public involvement plan and project implementation. The public shall provide their project impact community survey comments directly to the Office of Capital Improvements (OCI). OCI shall report the survey results to the department director and to me.

The department director and the designated project manager assigned to implement and supervise the project are responsible for the PIP. The associated records shall be retained in writing or on audio tape. The PIP records shall include, but are not limited to, the proposed PIP plan and initial public meeting minutes, final PIP plan and final meeting minutes, all notices and reports associated with implementing each project's PIP, as well as any reports of stagnant work, potential disruptions and the contractor's progress. The PIP records are to be made available to OCI upon request. In addition to providing delay or delinquent notification to the contractor, all notifications of potential or actual delinquency will also be provided to OCI. County departments shall utilize the Capital Improvements Information System (CIIS) to report on project implementation.

The PIP may be augmented by loans even if the project was designed and constructed in a manner that minimized adverse impacts on business. Loans may also be utilized when a notice of delinquency has been issued to a contractor due to the project falling behind schedule, or a time extension change order has been issued on a project that started on schedule and where no additional work was required.


Assistant County Manager