

Draft Memorandum for the Record Boston Region Metropolitan Planning Organization TIP Project Cost Ad Hoc Committee Meeting Summary

July 29, 2021, Meeting

10:00 AM–12:10 PM, Zoom Video Conferencing Platform

Eric Bourassa, Chair, representing Marc Draisen, Metropolitan Area Planning Council (MAPC)

Materials

Materials for this meeting included the following:

1. [June 3, 2021, Meeting Summary](#)
2. [Initial Draft Programming Policies to Address Transportation Improvement Program \(TIP\) Project Cost Increases Memorandum](#)

Meeting Agenda and Summary of Discussion

1. Introductions

E. Bourassa called the meeting to order, read the accessibility statement, and called the roll of attendees.

2. Public Comments

There were none

3. Action Item: Summary of June 3, 2021, Meeting

Vote

A motion to approve the minutes of the meeting of June 3, 2021, was made by the Inner Core Committee (City of Somerville) (Tom Bent) and seconded by the Massachusetts Bay Transportation Authority (MBTA) Advisory Board (Brian Kane). The motion carried.

4. Discussion of Initial Draft Programming Policies—*Matt Genova, MPO Staff*

M. Genova presented the first of three presentations regarding initial draft programming policies for the TIP. Based on Committee meetings thus far, three ideas have emerged as key components of a revised set of TIP programming policies. These include (1) requiring more advanced design status at project programming, such as having approved 25 percent design submission, 25 percent design approved, or 25 percent

design public hearing; (2) creating additional touch points between project proponents, MPO staff, the MPO board and Massachusetts Department of Transportation (MassDOT) staff around project progress, deadlines, and challenges; and (3) establishing a policy for rescoring projects when costs or scopes change beyond a specified threshold. M. Genova also referenced the posted memorandum that highlights these three items.

E. Bourassa asked M. Genova if he wanted to review all three of these components or pause after each one for questions. M. Genova preferred pausing after each one to allow sufficient question time. E. Bourassa then clarified that the expectation for the meeting is not to take a vote or formally approve everything, but rather to get the Committee's general consensus on the types of policy changes desired. MPO staff could then use this information to provide a recommendation that the Committee could review and discuss at the next meeting, ideally followed by a vote. M. Genova agreed.

Recommendation One—Design Status at Programming

M. Genova presented the first recommendation, which is to consider changing the required design status of a project at programming. This proposed recommendation would set a higher threshold for project programming than what is currently required, which is that a project is approved by MassDOT's Project Review Committee prior to allocating funding to it in the TIP. The recommendation is to raise this threshold to at least a MassDOT-approved pre-25 percent project scope and cost estimate but could go further than that to require fully approved 25 percent plans or the completion of a 25 percent design public hearing. One of the goals for today will be for this Committee to weigh the pros and cons of setting a higher bar for project proponents for project design prior to programming. One possible complementary policy change could be to formalize a process for project proponents to have their projects scored by MPO staff prior to advancing design beyond Project Review Committee (PRC) approval. This would provide project proponents some guidance on how likely their project is to receive MPO funding before a proponent invests significantly in design.

M. Genova stated that there are two key questions for consideration regarding this proposed policy. The first is what is the appropriate balance between flexibility and certainty in the project selection process? In other words, what are some of the trade-offs of setting a higher bar for municipalities but creating more certainty for the MPO? The second question is what, if anything, should be done for project proponents that need additional support to reach 25 percent design? M. Genova noted that this is a theme that has come up a number of times for smaller municipalities with fewer planning resources, so the MPO may want to consider creating some sort of complementary guidance or support system to address those concerns.

Design Status at Programming Discussion

Lenard Diggins (Regional Transportation Advisory Council) asked about the extent to which proponents who seek funding from the MPO have other options for getting their projects funded. M. Genova replied that typically when a proponent comes to MPO staff with a project, most, if not nearly all, of the time the MPO is the sole source of capital funding for that project outside of municipal contributions for design, permitting, and right-of-way. E. Bourassa stated that the way that transportation infrastructure is funded in Massachusetts is that cities and towns pay for projects using Chapter 90 mitigation funds while the MPO uses federal dollars. Additional state transportation resources for municipalities exist, such as the MassWorks grants program, and there are private contributions through mitigation efforts for land development projects. For most cities and towns with large projects, the MPO is the main funding source.

E. Bourassa requested that John Bechard (MassDOT, Highway Division) explain MassDOT's review process after projects have been PRC approved.

J. Bechard stated that MassDOT reviews projects based on its TIP programming year. Projects in the current and first year of the TIP have a 30-day review cycle; projects programmed outside of the first two years of the TIP have a 60- to 90-day cycle; and unprogrammed projects are reviewed based on staff availability. He stated that MassDOT is willing to work with the MPO to establish policies that will work within this schedule. Projects that are both unprogrammed and unlikely to advance in design are generally not prioritized by MassDOT.

J. Bechard stated that MassDOT has instituted measures to mitigate cost increases and scope changes. This includes a new engineering directive requiring a pre-25 percent scoping meeting at roughly the 10 percent design phase, during which MassDOT, proponents, and consultants discuss details of a project's scope. He noted that initial costs determined during PRC approval are dependent upon scope inputs provided by proponents. Cost increases can occur during MassDOT review following 25 percent design submission, as they may determine that certain aspects of the project were not included in the original scope submitted to PRC. The pre-25 percent scoping meeting is intended to mitigate these discrepancies by ensuring that all parties agree on a direction in project design.

The Committee discussed potential project design thresholds for TIP programming.

E. Bourassa asked if the 25 percent design submission should be the minimum stage for a project to be programmed in the TIP. J. Bechard stated that 25 percent design submission is a good indication of whether a project is a good candidate to be funded

and constructed. He stated that MassDOT's pre-25 percent scoping meeting is used to ensure that projects will see minimal changes to scope and cost when they reach 25 percent design.

J. Bechard noted that other MPOs have a smaller backlog of projects than the Boston Region MPO. If a project needs to be removed from the TIP, some MPOs would not have another project they can program. As such, MassDOT is more stringent with the review process for these MPOs. Failing to do so could result in programming a MassDOT-sponsored project that may not address the needs of the region to prevent loss of funding.

John Romano (MassDOT, Highway Division) agreed that 25 percent design submission is an optimal stage to be programmed in the TIP. He noted that the 25 percent design public hearing is the first opportunity for communities to provide input on the project, which may result in scope changes. If the MPO determines that the 25 percent design requirement for programming is too great a burden for some communities, the MPO will need to accept that cost increases will likely occur between PRC approval and 25 percent design. He suggested that the MPO could initially program fewer projects in each outer TIP year to leave funds available for these cost increases.

M. Genova clarified the different design stages discussed in the proposal, regarding the proposed policy changes. These are presented as a sliding scale of potential stages where the MPO would feel they have sufficient information for programming. Pre-25 percent scope approval means that MassDOT has reviewed the scope and updated it from the PRC estimate. The 25 percent design submission means that the proponent has submitted the project for review but it is still pending approval. The MPO could choose to wait until the 25 percent design is approved. Alternately, the minimum stage could be after the 25 percent design public hearing is held.

T. Bent suggested that MassDOT provide updated scopes determined at the pre-25 percent scoping meeting to proponents and consultants to help them better understand what MassDOT will require. J. Bechard stated that MassDOT's new engineering directive requires all projects to have a pre-25 percent scoping meeting, which involves both proponents and consultants.

J. Bechard stated that MassDOT identified which of its projects experience the greatest cost increases. Bridge projects experienced up to a 10 percent increase in cost from inception to construction. Alternately, other types of projects experienced increases up to 35 percent. He noted that the project limits for bridge projects are, in general, strictly

established during the project's initial design, which allowed for earlier scoping. Issues with project limits for other types of projects may not be identified until later in design.

E. Bourassa requested clarification on MassDOT's process following PRC approval. J. Bechard stated that the PRC approval letter is sent to the proponent. This includes the PRC-determined project cost, in addition to contingency costs; contingency costs include 10 percent overruns, construction engineering, police detail during construction, and utility work. He noted that some projects are designed to the PRC-established cost without accounting for the contingency costs. As a result, estimated project costs submitted to the MPO may not account for contingency costs.

E. Bourassa stated that the Ad Hoc Committee needs to determine a balance between requiring projects to reach the pre-25 percent scoping meeting and requiring projects to have had a 25 percent design public hearing. He asked J. Bechard if he felt that the pre-25 percent scoping meeting was an adequate threshold. J. Bechard stated the pre-25 percent scoping meeting would be an ideal threshold, as this would allow projects to be programmed earlier in their design stage.

L. Diggins asked if MassDOT can assist with design funds for communities that do not have resources available to reach the pre-25 percent scoping meeting. E. Bourassa stated that the Commonwealth provides funds for design, such as through MassWorks and Complete Streets program. Benjamin Muller (MassDOT, Office of Transportation Planning) stated that lack of funds is not necessarily why communities struggle to advance projects. It can also be attributed to inexperience with either designing federal-aid projects or the MassDOT process. In addition, some communities lack sufficient staff to track and reach milestones. He suggested that providing increased guidance, conducted by MPO staff or subregional partners, could assist proponents through the process. L. Diggins supported this, adding that outreach could be conducted to communities that have not had TIP projects, should they be stymied by the TIP process.

E. Bourassa suggested that MPO staff could conduct preliminary evaluations of projects early in the design process and before they reach a programming threshold, allowing proponents to see if their projects would be competitive during TIP programming. Should a project receive a low preliminary score, proponents could modify or abandon a project before investing significant resources. T. Bent supported this concept.

J. Romano asked if Unified Planning Work Program funding or a portion of the MPO's Regional Target funds could be used to provide workshops and training for proponents on design and the MassDOT process. Increased familiarity with best practices could result in fewer cost overruns. E. Bourassa suggested that workshops or refreshers on

the design process could be held at MAPC subregional meetings. This could include updates to the MassDOT review process and how it relates to the MPO. This could potentially be incorporated into the outreach efforts of MAPC and Central Transportation Planning Staff (CTPS).

B. Muller noted that the MPO can change the programming threshold in several years, should the MPO determine that a different threshold may be more effective. He noted that because the pre-25 percent scoping meeting is a relatively new requirement, there may be a number of initiated projects in the Universe of Projects that will not meet this requirement. As more projects are initiated, there will be more projects that meet this threshold. He recommended using 25 percent design submission as the threshold for programming. T. Bent suggested that the policy should be applied to new projects in the federal fiscal years 2023–27 Universe of Projects.

Steve Olanoff suggested that all projects should have public hearings prior to programming. Scope changes and cost increases could occur at the 25 percent design public hearing, which may be mitigated with early outreach. L. Diggins supported this idea, adding that this could either be mandated by the MPO or issued as a strong recommendation by MPO staff to proponents.

Tegin Teich (Executive Director, CTPS) asked if the pre-25 percent scoping meeting results in updated project costs. J. Bechard stated that project costs are not necessarily changed following the meeting. However, the meeting allows MassDOT to discuss items that may need to be included in the scope, and to check on the progress of proponents and consultants. This includes ensuring that proponents are including elements requested by MassDOT and to inform proponents of potential changes in the area, such as new developments in the vicinity of the project area that may affect travel patterns. He added that if the project scope or cost increases by 25 percent, MassDOT may request that the project be resubmitted for PRC approval.

J. Romano stated that the cost estimates following the pre-25 percent scoping meeting may not reflect the 25 percent design cost. J. Bechard noted that the largest cost increases generally occur between PRC approval and 25 percent design. The pre-25 percent scoping meeting aims to mitigate potential cost increases by discussing if the project design is adhering to the proposed scope.

E. Bourassa provided an overview of the discussion:

- The Committee supported either pre-25 percent scoping meeting or 25 percent design submittal as TIP programming thresholds.
- The Committee supported preliminary scoring of PRC-approved projects.

- The Committee supported educational outreach to communities following the approval of the Committee's recommendations. This would include updates on the design process.

M. Genova stated that he felt that Committee members expressed interest in either having MassDOT confirm that the PRC cost estimate is reasonably accurate or that costs are updated based on scope changes before projects are programmed in the TIP.

Second Recommendation—Increasing TIP Stakeholder Communication

M. Genova outlined the proposed changes to stakeholder communication, above MPO staff's current stakeholder outreach:

1. Establish biannual check-ins between MPO staff, project proponents, and MassDOT staff on project status
2. Encourage proponents to include MPO staff on design submissions to MassDOT
3. Require proponent presentations to the MPO when there are major cost or scope changes to currently programmed projects
4. Create additional materials detailing the TIP process for proponents

These recommendations would support better TIP stakeholder engagement without requiring significant additional staff time or resources.

M. Genova offered two questions for consideration:

1. Should certain actions be required by proponents? If so, how should this be enforced?
2. Do members desire more regular project status updates? If so, what is the best format for this information?

Stakeholder Communication Discussion

T. Bent supported all the proposed recommendations and suggested that the frequency of check-ins should be based on a given project's scale and type. He requested that proponents attend MPO meetings to provide more regular project status updates, as this facilitates better discussion both among MPO members and with proponents.

L. Diggins advocated receiving written updates from proponents while leaving the opportunity open to request that proponents attend an MPO meeting if they feel that discussion is warranted.

E. Bourassa suggested that proponents should address the MPO in person if their projects increase in cost. Requiring proponents to attend meetings creates a degree of

accountability. T. Bent and L. Diggins supported this, with L. Diggins adding that he would prefer nonurgent check-ins to be handled first with written updates. E. Bourassa noted that check-ins could be conducted virtually or on the phone.

T. Bent suggested that proponents could provide updates in person if a project is particularly large scale or complex. Alternately, MPO staff could give a presentation summarizing project updates.

Rich Benevento (WorldTech Engineering) suggested that project readiness should be included in discussions regarding cost increases. Project readiness and cost are highly important to the MPO. He asked for the best method to relate this information to the MPO, and the ideal point that proponents should provide this information.

J. Bechard asked R. Benevento to provide thoughts on cost and scope increases between PRC and 25 percent design. R. Benevento speculated that some project costs, when submitted to PRC, may be artificially low to better ensure PRC approval. He noted that much data is missing during PRC approval, such as subsurface data and utilities within the project area. He stated that proponents and consultants must be transparent about project costs, noting that construction costs have increased in recent years. He added that the pre-25 percent scoping meeting is of vital importance to ensure that MassDOT, consultants, and proponents are all on the same page.

Ken Miller (Federal Highway Administration) noted that MassDOT and the MPO could conduct an analysis and propose a different rate of inflation for projects in the outer four years of the TIP. He suggested that the 10percent review/pre-25percent scoping meeting could be incorporated into the PRC process and added that that unit costs should be discussed at the Ad Hoc Committee as a measure of project cost-effectiveness.

E. Bourassa stated there is consensus on the recommendations outlined by M. Genova.

Third Recommendation—Project Rescoring

M. Genova stated that the third recommendation is to establish a clear and consistent policy for rescoring projects when costs and scope change beyond a specified threshold. Any rescoring policy should include a defined set of impacts that rescoring could have on program projects, including whether projects should be delayed to a later fiscal year, removed from the TIP entirely, or limited in how much additional MPO funding they can access.

M. Genova provided an overview of the components that would need to be addressed to have a full process for rescoring:

1. What cost increase should trigger a warning?
2. Should cost-effectiveness scoring be used to evaluate across projects or within projects?
3. How should cost-effectiveness be measured? Example methods include be cost per point, cost per unit, or cost per user.
4. Are any projects exempt from rescoring?
5. At what point in the annual TIP process does rescoring happen?
6. Are any qualitative assessments made of projects as part of the rescoring process?
7. What rescoring would trigger further action by the MPO board?
8. What would these further actions entail?

As a higher level question, M. Genova asked the Committee if they wished to advance some level of rescoring in the event that project costs change and, if so, how it would take shape.

Project Rescoring Discussion

E. Bourassa noted that it is within the MPO's power to remove a project from the TIP. However, there is no precedent for doing it. Historically, the MPO has committed to projects once they've been selected for funding. Removing projects would likely be a subjective and difficult process. He stated that a loose policy could state that if a project's cost increases by a certain amount, it will be subject to rescoring and would be objectively evaluated against other projects. Depending on the results, the MPO may choose to continue supporting the project, to not fund the difference between the original and new cost, or to remove the project from the TIP. This would create accountability and encourage proponents to follow TIP guidelines.

J. Bechard stated that contingencies should be included in the project cost when determining the trigger for rescoring. Otherwise, if the MPO chose to still include a project in the TIP, the project could still have another cost increase if the project had been designed to the inflated cost programmed in the TIP. He clarified that projects have a 10 percent contingency for project overruns, a sliding scale for construction engineering of five to 15 percent, and traffic police costs. This generally totals to a 25 percent contingency. E. Bourassa noted that this would also include four percent inflation in each of the outer four years of the TIP.

T. Bent supported including contingencies and inflation in determining the rescoring trigger. He added that the MPO should discuss increasing the inflation rate of four percent per TIP year. Given the rising cost of construction materials, increasing the percentage of contingencies should be considered.

T. Bent stated that while he is supportive of a percentage increase being the trigger for rescoring, he feels that it may depend on the original scope and the project type. He expressed that the reason for a cost increase could be a factor in determining that a project will be rescored. For instance, rescoring may be warranted if the cause of scope creep was the addition of unnecessary elements. He added that the MPO ultimately wants to fund regionally beneficial projects, and some cost increases will add value to a project. E. Bourassa emphasized that the proposal does not mean that the MPO would never fund cost increases. Rather, the proposal will establish a more objective process for reevaluating projects and allow the MPO to act with a combination of qualitative and quantitative analysis.

B. Muller stated cost changes are determined during TIP readiness days in early spring. For the Boston Region MPO, unlike other MPOs in the state, many cost changes are determined earlier because these changes affect more projects. He asked if it would be beneficial for the Boston Region MPO to have a TIP amendment in the fall, determine large scope changes, and then conduct rescoring. Alternately, he asked if rescoring would be independent from the TIP amendment process. M. Genova stated there should be consideration for whether the MPO would want to handle cost increases as they occur on a rolling basis, or if there could be a set timeline surrounding a TIP amendment.

E. Bourassa suggested that the rescoring system should be relatively simple if it is incorporated into the MPO decision-making cycle, stating that the normal TIP scoring process is too complex and time consuming.

L. Diggins suggested that the Committee determine if there will be consequences for rescoring before deciding if MPO staff will rescore projects.

J. Romano stated that he would prefer to know the reason for the cost increase than the percentage increase from the original cost. He added that the MPO should be informed of price increases far in advance of TIP amendments, to allow adequate time for discussion before voting. E. Bourassa stated that the proposed process should reduce the prevalence of this issue. He added that this process will prevent subjectively moving projects into later years of the TIP to accommodate cost increases of other projects.

5. Discussion of Potential Areas for Further Exploration—*Matt Genova, MPO Staff*

M. Genova provided a brief overview of three additional policy areas to review for potential changes. The first was whether the MPO should adjust its current practice of including a four percent per year, non-compounding cost contingency for each project. The second topic of discussion was the implementation timeline for any proposed policy changes. The third topic for consideration was whether the MPO should adopt project development benchmarks similar to what the Cape Cod Commission does with its TIP process. M. Genova also asked the Committee to consider whether or not there are additional ideas beyond these topics that they would like to discuss at future meetings as the proposed policies continue to be refined.

Eric Bourassa suggested that the Committee hold on discussing these items until the next meeting.

6. Discussion of Next Steps for the TIP Project Cost Ad Hoc Committee—*Eric Bourassa, MAPC*

Eric Bourassa stated there will be further discussion of the third recommendation at the next meeting.

7. Members Items

There were none.

8. Next Meeting

The committee will meet on August 19, 2021, at 12:30 PM.

9. Adjourn

A motion to adjourn was made by T. Bent and seconded by L. Diggins. The motion carried.

Attendance

Members	Representatives and Alternates
Massachusetts Department of Transportation (Highway Division)	John Romano John Bechard
Metropolitan Area Planning Council	Eric Bourassa
Regional Transportation Advisory Council	Lenard Diggins
Inner Core Committee (City of Somerville)	Tom Bent
At Large City (City of Everett)	Jay Monty
MBTA Advisory Board	Brian Kane
SouthWest Advisory Planning Committee (Town of Medway)	Peter Pelletier

Other Attendees	Affiliation
Amira Patterson	MBTA Advisory Board
Benjamin Muller	MassDOT Office of Transportation Planning
Tina Cassidy	North Suburban Planning Council/City of Woburn
Aleida Leza	
Joy Glynn	MetroWest RTA
Jon Seward	MoveMass
Ken Miller	FHWA
Matthew Petersen	TransitMatters
Sarah Bradbury	MassDOT Highway District 3
Timothy Paris	MassDOT Highway District 4
Darlene Wynne	North Shore Task Force/City of Beverly
Michaela Boneva	
Steven Olanoff	
Sheila Page	Town of Lexington
Bonnie Friedman	
Cassie Ostrander	FHWA
Kristiana Lachiusa	
Joe Collins	Town of Norwood
Catherine Bowen	Town of Belmont (School Committee, Community Path Committee)
Chris Reilly	
Rich Benevento	WorldTech Engineering

MPO Staff/Central Transportation Planning Staff

Tegin Teich, Executive Director

Anne McGahan, Chief Planner

Ariel Patterson, Transportation Planner

Betsy Harvey, Transportation Equity Program Manager

Jonathan Church, Manager of MPO Activities

Matt Genova, TIP Manager

Michelle Scott, Chief Planner

Sandy Johnston, UPWP Manager

Kate White, Public Outreach Coordinator

Róisín Foley, Administrative and Communications Assistant

The Boston Region Metropolitan Planning Organization (MPO) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, or national origin (including limited English proficiency), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, Federal Transit Administration, or both, prohibit discrimination on the basis of age, sex, and disability. The Boston Region MPO considers these protected populations in its Title VI Programs, consistent with federal interpretation and administration. In addition, the Boston Region MPO provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with U.S. Department of Transportation policy and guidance on federal Executive Order 13166.

The Boston Region MPO also complies with the Massachusetts Public Accommodation Law, M.G.L. c 272 sections 92a, 98, 98a, which prohibits making any distinction, discrimination, or restriction in admission to, or treatment in a place of public accommodation based on race, color, religious creed, national origin, sex, sexual orientation, disability, or ancestry. Likewise, the Boston Region MPO complies with the Governor's Executive Order 526, section 4, which requires that all programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-era veterans), or background.

A complaint form and additional information can be obtained by contacting the MPO or at http://www.bostonmpo.org/mpo_non_discrimination. To request this information in a different language or in an accessible format, please contact

Title VI Specialist

Boston Region MPO
10 Park Plaza, Suite 2150
Boston, MA 02116
civilrights@ctps.org

By Telephone:

857.702.3702 (voice)

For people with hearing or speaking difficulties, connect through the state MassRelay service:

- **Relay Using TTY or Hearing Carry-over:** 800.439.2370
- **Relay Using Voice Carry-over:** 866.887.6619
- **Relay Using Text to Speech:** 866.645.9870

For more information, including numbers for Spanish speakers, visit <https://www.mass.gov/massrelay>.