

P3 Update

Alternative Finance / P3 Committee

December 9, 2009



P3 Rules

-Update-

P3 Rules Update:

- Steering Committee finalized proposed Rules on September 3, 2009
- Presentation to the Alternative Finance/P3 Committee and Board on September 16, 2009 for input prior to introducing proposed Rules to the House and Senate Transportation Committees
- Proposed Rules amended October 9, 2009 after receiving input from the House and Senate Transportation Committees
- Board opens the Official Rule Making Process November 4, 2009
- Public Hearing held as part of the Official Rules Making Process on November 30, 2009
- The 30 day public comment period of the Official Rule Making Process closed on December 7, 2009

P3 Rules

-Update-

P3 Rules Update:

- Present proposed Rules comment matrix
 - Received 31 comments
 - 26 comments were of a general nature regarding the P3 program and not Rule related
 - 3 comments will be address in the P3 Guidelines and/or solicitation documents
 - 2 comments were requesting changes to language in SB 200

P3 Rules

-Action Items-

P3 Rules Action Items:

- Propose a motion for the P3 Committee to recommend that the State Transportation Board tentatively accept the proposed Rules for submittal to the House and Senate Transportation Committees for approval during the 2010 Legislative Session, as required by SB 200
- Final approval by State Transportation Board anticipated at January 21, 2010 meeting

P3 Guidelines

-Update-

P3 Guidelines Update:

- Subject Matter Experts and Staff presented the first draft of the Guidelines to the P3 Committee at the September 16, 2009 Board meeting
- Changes have been made to the Guidelines based on comments from the House and Senate Transportation Committees and the open public comment period
- P3 Steering Committee approved Guidelines which establish the detailed day-to-day processes for all program activities from the beginning of project selection to final financial close of project
- Considered a “living document” so as to expand or change as the P3 program progresses

P3 Guidelines

-Action Items-

P3 Guidelines Action Items:

- Propose a motion that the P3 Committee of the State Transportation Board accept new Guidelines governing Public Private Partnerships (P3)

P3 Board Policies

-Update-

PPI Policies Update:

- GDOT staff presented the current Policies and Procedures at the November 18, 2009 P3 Committee meeting
 - Policies included:
 - 2K-1: Purpose of Public Private Transportation initiatives Guidelines
 - 2K-2: Definitions for Public Private Transportation initiatives Guidelines
 - 2K-3: Implementation of Public private Transportation initiatives Guidelines
 - Policies are in conflict due to:
 - Current policy allowing for unsolicited proposals
 - Current policy does not allow for two step process

P3 Board Policies

-Action Item-

PPI Policies Action Item:

- Propose a motion that the State Transportation Board delete chapter 672-17, Public Private Initiative Rules, and Board Policies 2K-1, 2K-2 and 2K-3*

*This motion is contingent upon the adoption of the new P3 rules governing the Public Private Partnership

P3 Board Resolutions

-Update-

PPI Resolution Update:

- Board Resolution adopted June 16, 2005 included:
 - Establish a policy that all existing general purpose lanes will remain free to the public when utilizing a PPI
 - Proposed statewide templates for TOT, HOT, HOV and other Managed Lane projects
 - Temporary postponement of the receipt of Unsolicited PPI proposals
- 2005 Resolution is in conflict due to:
 - Certain provisions of the Resolution regarding general purpose lanes are inconsistent with the proposed Managed Lane System Plan

P3 Board Resolutions

-Update-

PPI Resolution Update:

- Board Resolution adopted May 17, 2007 included:
 - Temporary postponement of the receipt of Unsolicited PPI proposals
- 2007 Resolution is in conflict due to:
 - The implementation of SB 200 Unsolicited proposals are no longer accepted

P3 Board Resolutions

-Action Items-

PPI Resolutions Action Items:

- Propose a motion that the resolutions adopted on June 16, 2005 and May 17, 2007 be removed and replaced with the Managed Lane System Plan Resolution to be presented by the Planning Director, Todd Long*

*Planning Director, Todd Long, will be making a recommendation at the State Transportation Board meeting on December 10, 2009

P3 R/W for Above Surface Use

-Presentation-

P3 R/W Above Surface Use Update:

- Introduction to concept of other uses for above surface state R/W
- Tim Lowe, Lowe Engineering, to make presentation on above surface use of State R/W

P3 R/W for Above Surface Use

-Action Items-

P3 R/W Above Surface Use Action Items:

- Propose a motion that the State Transportation Board direct staff to determine the feasibility of using Georgia DOT Right of Way for above ground infrastructure. Department staff, coordinated through the P3 Division, with support from the Offices of Legal Services, Utilities, Maintenance and Right of Way will make recommendations for moving forward to the P3 Committee of the State Transportation Board on January 20, 2010

P3 Rest Area Advertisement

-Update-

P3 Rest Area Advertisement Update:

- Nossaman provided GDOT with a memo regarding the operation of information centers within safety rest areas, welcome centers and other facilities within Interstate and limited access highways.
- According to Federal Code some items need to be considered:
 - Which Safety Rest Areas (SRA) are suitable for an information center.
 - Nothing prevents the use of electronic variable message boards or other devices operating in enclosed buildings or free standing kiosks.
 - Information is limited to matters "of interest to the traveling public".
 - Information must include some public service announcements.
 - All information, Goods and Services except telephones and articles from vending machines must be free to the traveling public.
 - If messages are dispensed outside of the enclosed building, the messages must not be legible from the main traveled way of the highway.

P3 Rest Area Advertisement

-Action Items-

P3 Rest Area Advertisement Action Items:

- Propose a motion that the State Transportation Board direct staff to determine the feasibility of advertising in GDOT rest areas as permitted by the Federal Highway Beautification Act (“HBA”); U.S.C. §131(i) to establish information centers and systems; and 23 C.F.R. §752.7(a), to further provide specific information to motorists. Department staff, coordinated through the P3 Division, with support from the Office of Legal Services, and Office of Maintenance, and Office of Facilities will report progress to the P3 Committee of the State Transportation Board on January 20, 2010