



65 East State Street, Suite 312, Columbus, Ohio 43215

Commission Chair Sandra Tunnell Director Linda S. Bailiff

Commissioners Kimberly Marshall Paul Oyaski
Halle Jones Capers Joy Padgett

May 5, 2021

To: District Integrating Committee Liaisons
CC: OPWC Program Representatives

Re: FY 23 / Round 36 Guidance

Budget Update

The Transportation Budget Bill, H.B. 74, was signed by the Governor the end of March. This legislation carries the appropriations for the LTIP (including OPWC LTIP operating). Recall program funds for the SCIP are carried in the opposite year so next year the capital bill will address funding for FYs 23 and 24. The main Budget Operating Bill, H.B. 110, is currently receiving hearings in the Senate and that legislation contains OPWC operating funds and debt service. *The bill also contains temporary law, Section 12, amending previous legislation to extend the use of virtual meetings until December 31, 2021 so you may plan accordingly.* The next round's allocations are attached. We don't have census information yet, so the allocations continue to be based on the 2010 Census. Next round will likely be adjusted for 2020 Census data.

The previous transportation budget bill contained a provision allowing for an increase in the Emergency Program from \$3.5 million to \$12 million beginning this July 1st taken from the annual allocation. We have been entertaining applications and approving preapplications looking back to July 1, 2020 considering we ran out of funds so quickly last year, as we have historically. The current transportation budget bill provides for an additional \$2 million for road slips; however, the requests already substantially exceed the funding.

Every district is getting an increase in its FY 22 / Round 35 RLP funds. You may recall we decided to defer last July's billing cycle, so we were conservative in our RLP allocations not knowing how our customers would respond. However, most customers made double payments this past January, so we are now passing that on to the districts. You may obtain updated carryover balances from your OPWC program representative.

Methodologies

You may submit methodologies for review/approval, but we ask that you make any changes apparent to expedite turn-around. (Note the Director will be unavailable the last two weeks in May so please plan accordingly.) Keep in mind possible revisions needed for any written submittal requirements and the use of our new web platform, WorksWise, being launched in July. We don't need to see any adjustments if your methodology has already been approved.

Miscellaneous

Pre-Award Letters. No pre-award letters were released this round, but we are posting funded projects on our website. On the home page, there is a link in the paragraph under the slider. The list is updated every time a slate is processed internally. Only districts 1, 12, 15 and 17 are not listed but are in processing and will be posted soon.

New Advisories. These have been posted on our website at <https://pwc.ohio.gov/Advisories/Infrastructure>.

1. Demolition. Demolition is an eligible cost item as part of a larger OPWC-funded project such that the project is for infrastructure that replaces the infrastructure to be demolished.
2. Markups. A markup cost is ineligible and must be subtracted from any contractor, consultant, subcontractor and/or subconsultant invoice prior to submission with a disbursement request. Any such markup is the responsibility of the local government.

Small Government Meeting. The virtual meeting can be viewed from the posted link on the SG website in which the results will also be posted - <https://pwc.ohio.gov/Programs/Infrastructure-Programs/Small-Government#5627-commission-information>. This has been one of the more competitive rounds in recent history.

Website Resources. This is a reminder there is a wealth of information on our website that you may find useful. For example, on the District Liaison Page, there is the Roles & Responsibilities document and the New Integrating Committee Member Letter. For your funded applicants, if they are new to the program, you can point them to “I’m Funded/Now What” under Project Administration – Infrastructure.

Ethics Commission. Earlier this year, the Director made a request of the Ethics Commission for a staff advisory opinion which is written by an advisory staff attorney and not reviewed by the Ethics Commission. This request contained the following two questions:

1. Do Integrating Committee and NRAC members fall under the Ohio Ethics Law if not a public servant by employment? Most integrating committees are, of course, public servants.
2. What do the provisions under both the infrastructure and Clean Ohio sections of Chapter 164 pertaining to an unlawful interest in a contract specifically mean considering the Ohio Ethics Law in which a public servant may not take any action in matters that definitely and directly affect themselves, their family matters or their business associates?

There was a 9-page response which is available upon request. Understand it is a complicated answer, but the short answer is OPWC committee members are subject to Ohio’s Ethics Laws. It is advisable that members make a practice of recusing themselves when their project application or an application by which they are associated is on the table. We suggest having someone else from the organization be present to address any questions by the committees.

Disbursement Possible Delay. We are temporarily short staffed such that payments may be delayed by a few days; therefore, we ask for patience while we get through this period.

Web Platform – “WorksWise”. Our new web project application and management platform developed in Salesforce, is being launched as WorksWise this July. We have added a page to our site at <https://pwc.ohio.gov/WorksWise-Training> in which you can locate a training schedule for both liaisons and customers. There will also be written materials for these sessions. At the bottom on the webpage, you can register for a WorksWise username for access. We are also launching a customer service phone number and email address, workswise@pwc.ohio.gov. We ask that liaisons schedule for the June 9, 2021 training session if available. You will be receiving an invitation.