




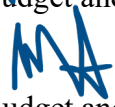
June 6, 2025

FISCAL AND POLICY NOTE

TO: Colette R. Gresham, Esq.
Interim Council Administrator

Karen T. Zavakos
Associate Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Alex Hirtle 
Legislative Budget and Policy Analyst

Policy Analysis and Fiscal Impact Statement
CB-030-2025 Road Paving

CB-030-2025 (*proposed by: Council Members Oriadha and Dernoga*)

Assigned to the Transportation, Infrastructure, Energy and Environment (TIEE) Committee

AN ACT CONCERNING ROAD PAVING for the purpose of providing a certain list of roads to be repaved to the County Council before contracts are approved within a certain time period; providing for a certain County Council approval; and generally regarding roads and road paving in the County.

Fiscal Summary

Direct Impact:

Expenditures: Minimal administrative expenditures.

Revenues: No foreseen revenue impact.

Indirect Impact:

Potentially unfavorable.

Legislative Summary:

CB-030-2025 was presented on April 29th and referred to the Transportation, Infrastructure, Energy and Environment (TIEE) Committee. This bill requires the Department of Public Works and Transportation (DPW&T) to submit to the County Council the list of roads to be repaved at least 60 days before contracts are approved. The Council will then, by Resolution, approve the list of roads to be repaved prior to the Department approving contracts.

Current Law/Background:

CB-030-2025 modifies Subtitle 23 (Roads and Sidewalks) Section 23-138, Standard Paving Sections.

DPW&T utilizes a Pavement Condition Index (PCI) to identify roadways proposed for resurfacing. DPW&T drove all the County roads, 2100 miles, in 2023 to determine an up-to-date PCI. A combination of larger, collector roads and local neighborhood roads are selected to be repaved each year based on the PCI and safety needs. Roadways identified by the Department of Permitting, Inspections, and Enforcement (DPIE) as under permit, especially to utility companies, are not considered, as the permittee is required to resurface once the work is complete. The Department's goal is to increase the overall PCI of all County roads through various treatments: traditional mill and overlay, thin-lift resurfacing, slurry paving, and cut and patch.¹

The Bill's proposers have indicated that the worst streets in their Council districts do not get the attention needed to provide minimal repairs in creating safer, more drivable roadways.

Resource Personnel:

- Kathy Canning, Legislative Officer
 - Tiffany Hannon, Chief of Staff (District 7)
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Discussion/Policy Analysis:

The Asphalt Resurfacing and Related Roadway Improvements contracts are the principal contract vehicles through which DPW&T provides roadway resurfacing for the County. The Department currently has five active contracts that service the nine councilmanic districts. These contracts are multi-year, unit-cost contracts in which DPW&T provides estimated quantities of work to be performed based on a proposed list of roads for resurfacing. It is important to note that the road list is based on County priorities at the time of the contract solicitation and is subject to change.

¹ Information from this paragraph was provided by DPW&T through a May 7th legislative comment form.

The contract allows for modifications to the roadway list, including increasing or decreasing contract quantities depending on funding availability. The purpose of providing a proposed resurfacing list in the contract is to allow potential bidders to review roadway conditions and constraints to make an informed bid. No construction plans are provided for these contracts, so this allows bidders to get an idea of the scope of work required.

The construction season is from April-October each year, as these treatments are temperature sensitive. Any delay in execution of the contracts will cause significant impact to the delivery of the projects. Also, as roadway conditions can vary due to environmental issues, such as extreme temperatures, flooding, etc., the Department must have the flexibility to modify the proposed project to react to real-time pavement conditions, safety concerns, and emergencies. Putting a specific listing of streets into a Resolution will inhibit this flexibility. DPW&T submits a detailed listing of roadways proposed to be repaved to the County Council during the annual budget formulation period.²

With this said, there is credible empirical evidence from both elected officials and constituents that certain streets in the County have been habitually in disrepair and create a nuisance and at times safety concerns for drivers. It may be prudent that the Department and Council agree on a more informalized process of using data from the PCI as well as identifying the streets in most need of attention. From there, a list of proposed repaving projects can be created that both parties are agreeable with and move forward with the contracting process.

Fiscal Impact:

- *Direct Impact*

Enactment of CB-030-2025 will have a probable minimal (adverse) administrative and fiscal impact on the County due to additional steps in submission of roads to be re-paved by the Department, and approval by Council through a Resolution.

- *Indirect Impact*

Enactment of CB-030-2025 could have an unfavorable indirect impact on the County if the County does not follow a prescribed pavement management system which addresses all roads by the PCI and the various pavement preservation treatments. This could possibly and indirectly affect the long-term cost to resurface/rehabilitate roads. Addressing only the worst roads first could cause other roads to fall into greater disrepair, thus costing more in overall repaving services in the future. If a modified repaving process was established between the Department and the Council, this cost could be minimized. Consideration should also be given to the hazard and nuisance of the County's worst roads, as these streets may be very costly in terms of reconstruction and vehicle damage/human injury if habitually ill-maintained.

² Most data was retrieved from a DPW&T May 7th legislative comment form.

- *Appropriated in the Current Fiscal Year Budget*

No.

Effective Date of Proposed Legislation:

The proposed Bill shall be effective forty-five (45) calendar days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please reach out to me via phone or email.