



April 17, 2007

**County Share - Regional Bicycle and Pedestrian Program  
\$1,622,513 million Capital Program, FY 2007-08 & 2008-09**

**DEADLINE:** County Share - Regional Bicycle and Pedestrian Program applications are due to SCTA by **5 pm on May 25, 2007**.

SCTA is pleased to issue a “call for projects” for the regional portion of the county share portion of the Regional Bicycle and Pedestrian Program (RBPP). The county share portion of the program represents 75% of the total RBPP program funds and is distributed by population. The purpose of RBPP is to support the construction of pedestrian and bicycle facilities throughout the Bay Area. Bicycle projects should be on the Regional Bicycle Network or improve access to schools or transit. Pedestrian projects will create or improve access to schools, transit or regional activity centers. Please review the detailed eligibility information included with the application for more information. The RBPP provides funding for projects that are developed through an inclusive community planning effort and have the support of the community.

A list of documents is organized as follows:

|  |    |
|--|----|
| Attachment A Application separate attachment.....                                    | 6  |
| Attachment B Program Guidelines: Eligibility Criteria and Scoring Factors.....       | 7  |
| Attachment C MTC Resolution 3606 .....   | 12 |
| Attachment D Project Development Requirements .....                                  | 18 |
| Attachment E Governing Board Resolution For Funded Projects separate attachment..... | 19 |
| Attachment F <i>Sample</i> Budget Form .....   | 20 |
| Attachment G Additional Eligibility Information separate attachment.....             | 21 |

**Please submit eight (8) copies of the complete RBPP application to SCTA by 5:00 pm on May 25, 2007.** Please include a cover letter naming your projects and contact information. In addition, include an electronic version of your application on CD with project summary, maps, photographs and drawings.

Mail your completed RBPP application to:

Sonoma County Transportation Authority  
490 Mendocino Avenue, #206  
Santa Rosa, CA 95401

*Attn: Regional Bicycle and Pedestrian Program- County Share*

Hand-deliveries may be made to SCTA offices at the address shown above. Fax or email copies will not be accepted.

**This memo includes a general overview of eligibility requirements, funding and schedule.**

***Application Process***

**Step 1:** SCTA issues a Call for Projects” for \$1.6 Million in County Share Bike Ped Program Funds.

**Step 2:** Project sponsors submit project application packets by May 25, 2007.

**Step 3:** SCTA evaluates projects with a committee of representatives from the SCTA Countywide Bicycle & Pedestrian Advisory Committee.

**Step 4:** Projects reviewed by CBPAC June 26 and TAC June 28.

**Step 5:** Project list submitted to SCTA Board for approval July 9, 2007.

**Step 6** Resolution (Attachment E) for approved projects due to SCTA by September 1, 2007.

Grant recipients are required to take the project through the federal-aid process with Caltrans Local Assistance. The recipient should attend a workshop on or be familiar with Federal project implementation through Caltrans Local Assistance. Funds not obligated on time will be reprogrammed by the SCTA. Please see Attachments C (MTC Resolution 3606, Project Delivery Requirements) for more information.

## ***I. ELIGIBLE PROJECTS***

The purpose of the RBPP is to fund projects that can demonstrate a likely mode shift to bicycling or walking. Funds can be used for environmental studies, engineering design, right-of-way acquisition, and/or construction. In order to be eligible for RBPP funds, a project must meet all of the project eligibility criteria contained in MTC's RBPP Guidelines (Attachment B, page 2), which are summarized below:

1. Project falls into one or more of the following categories:
  - a. Bicycle project that is included in the Regional Bicycle Network as defined in the Regional Bicycle Plan (see Attachment D).
  - b. Pedestrian project that provides access to and within regional activity centers.
  - c. Bicycle or pedestrian project that provides access to regional and/or lifeline transit.
  - d. Bicycle or pedestrian project that meets criteria for Safe Routes to School (see Attachment C-2).
2. Project is eligible for Congestion Management and Air Quality (CMAQ) funds under Federal guidelines, demonstrating that the project encourages an increase in the number of bicycling or walking trips as a means of improving air quality.
3. Project is well-defined and results in a useable segment.

### **RBPP Bike-Ped Targets:**

In addition to project eligibility criteria, MTC has established a program wide goal for the first 12 years of the RBPP. Specifically, the goal is for bicycle and pedestrian projects to receive an equal share of funds. Through MTC's regional call for projects for RBPP in 2004, over \$1 million was awarded to projects in Sonoma County, of which \$300,000 was for bicycles and \$1.7 million for projects that serve both bicycles and pedestrians.

## ***II. ELIGIBLE APPLICANTS***

Only public agencies that are eligible recipients of federal funds may apply for RBPP funds.

Public agencies may include, but are not limited to federal, state, and local agencies, and transit operators. Public agencies may partner with community based organizations (CBOs) and non-profit agencies, but CBOs and non-profits will not be able to directly receive RBPP funds. Project sponsors will be required to take capital projects through the federal-aid process with Caltrans Local Assistance, and obligate or commit the federal funds by the relevant timely use of funds requirements (See Section V for timely use of funds requirements).

## ***III. FUNDS AVAILABLE/LOCAL MATCH***

The County Share available to Sonoma County for this cycle is \$1,622,513. SCTA will program the this entire amount into the next two programming years \$811,256 in FY 07/08 and \$811,256 in FY 08/09.

RBPP projects will be funded by CMAQ and as such, 11.47% of the total project cost is required as local match.

#### IV. SCHEDULE

|                             |  |
|-----------------------------|--|
| April 17, 2007:             | SCTA issues a “call for projects” to the CMAs for the \$1.6 Million in County Share Bike Ped Program Funds.      |
| May 25, 2007:               | Project sponsors submit complete project application packets.  |
| May 29 – June 8 (date TBD): | SCTA evaluates projects with Scoring Committee from the SCTA Countywide Bicycle & Pedestrian Advisory Committee. |
| June 26, 2007               | Projects reviewed by CBPAC   |
| June 28, 2007               | TAC.   |
| July 9, 2007                | Project list submitted to SCTA for approval  |
| September 1, 2007           | Resolution (Attachment E) for approved projects due to SCTA  |

#### V. TIMELY USE OF FUNDS REQUIREMENTS

RBPP are required to meet strict timely use of funds requirements. The deadlines, which are imposed by MTC and Caltrans, are intended to facilitate a strong record of project delivery so as to avoid loss of transportation funds to the region and the state. When project sponsors fail to meet the timely use of funds requirements, funds can be lost to the project, to Sonoma County, and/or the MTC region depending upon the particular requirement that was not satisfied. Examples of timely use of funds requirements include, but are not limited to:

- Funds must be obligated in the year of programming
- Construction contracts must be awarded within a certain period of time following obligation
- Invoices must be submitted on a regular schedule

RBPP projects must comply with MTC’s regional project delivery policy for third cycle STP/CMAQ funds contained in MTC Resolution 3606, revised April 2006. Summary charts of the timely use of funds requirements included in MTC Resolution 3606.

#### VI. DELIVERY OF APPLICATIONS

Six (6) hard copies and one electronic copy on CD of the completed application should be submitted to the SCTA by 5 p.m. on Friday, May 25, 2007 to:

Sonoma County Transportation Authority  
 490 Mendocino Avenue, #206  
 Santa Rosa, CA 95401

*Attn: Regional Bicycle and Pedestrian Program- County Share*

Applications may be hand-delivered or mailed. Late applications will not be accepted.

A complete application package consists of the following components:

- 1. Transmittal Letter/Applicant Information** – Project sponsors must submit a transmittal letter on agency letterhead. A single transmittal letter may cover all of the projects being submitted by a single project sponsor and must include the name and contact information of the project sponsor.
- 2. Funding Application** – Complete all parts of the application

Part 1. Project Summary

Part 2. Project Description

Part 3. Attachments (schedule, budget, funding plan, maps, site plan, photos, letters of support)

**3. Resolution of Local Support** – A Resolution is a required component of the RBPP application process. Use the template provided in Attachment E. Please note that the Resolution should be specific to this project, funding amount and fund source.

The funding application and associated MTC guidelines are attached to this document and are available on the SCTA website at [www.sctainfo.org](http://www.sctainfo.org) by clicking on Resources for Project Sponsors.

## **VII. EVALUATION PROCESS**

The SCTA will evaluate complete RBPP applications that are submitted by the application deadline through a two-part process involving eligibility and evaluation criteria. Projects will first be screened for eligibility. In general, projects will be eligible to compete for these fund sources if the sponsor demonstrates full funding for the project including at least 11.47% local match, has a well-defined project that results in a usable segment, and can meet timely use of funds requirements. Only those projects that satisfy all of the eligibility criteria will be evaluated based on RBPP program-specific objectives.

Applications for RBPP funds will be evaluated and prioritized based on criteria such as how well the proposed project bridges gaps in walking or bicycling routes, addresses safety issues, and the level of stakeholder involvement.

These criteria are outlined in Parts 2 and 3 of the application and detailed in Attachments B.

In addition to the criteria discussed above, the SCTA will take into account project readiness, sponsor priority if a sponsor has submitted more than one project and provided a priority ranking; eligibility for other funding sources; and leveraging of other fund sources. We will also consider geographic equity when looking at the entire list of recommended projects.

Given the challenge of meeting the timely use of funds requirements and the consequences of failing to meet the requirements, project readiness will be given strong consideration.

**Approval Process:** Consistent with MTC guidelines, we will seek input on recommendations for RBPP funds from a scoring committee derived from the Bicycle/Pedestrian Advisory Committee.

We will present the draft staff recommendation to the TAC at its June 28 meeting for further input and discussion. Following the TAC meeting, the RBPP project list will be presented to the SCTA for approval on the dates shown in the Section IV. Public comment will be taken at each of these Authority Board and committee meetings. Upon Board approval, the list will be submitted to MTC in August 2007 for inclusion in the TIP.

## **VIII. FOR MORE INFORMATION**

For more information or assistance with this call for projects, please contact Janet Spilman, Deputy Director at (707) 565-5373 or via e-mail [jspilman@sctainfo.org](mailto:jspilman@sctainfo.org)

This call for projects and other related materials are also available on the Authority's website ([www.sctainfo.org](http://www.sctainfo.org)) by clicking on Project Sponsor Resources

**ATTACHMENT A**  
**APPLICATION**  
separate attachment

## **ATTACHMENT B**

### **PROGRAM GUIDELINES: ELIGIBILITY CRITERIA AND SCORING FACTORS**

#### **Program Description**

The RBPP funds transportation infrastructure improvements to pedestrian and bicycle facilities. The key objective of this program is to encourage convenient and safe pedestrian and bicycle trips to shift trips to non-motorized modes to improve air quality. Typical RBPP capital projects include new or improved pedestrian facilities at schools, transit stations, or regional activity centers; bicycle facilities will serve schools, transit stations or be included in the Regional Bicycle network. Funds can be used for engineering (design and environmental), right-of-way acquisition and/or construction. Funds are not available for the sole-use of engineering or right-of-way acquisition without project construction.

#### **Who Can Apply?**

Capital Program grants are awarded on a competitive basis. Local governments, transit operators, and other public agencies are eligible recipients of the federal funds. Potential sponsors must coordinate their applications with their county congestion management agency (CMA) which will compile projects into a single, prioritized list.

#### **Funding**

MTC will allocate federal Congestion Mitigation and Air Quality (CMAQ) Improvements Program Funds toward the regional program of projects. A non-federal local match of 11.5 percent of the total RBPP project cost is required.

Grant recipients will be required to take the RBPP capital project through the federal-aid process with Caltrans Local Assistance, and obligate, or commit, the federal funds by the regional deadlines specified in MTC resolution 3606 (Attachment C). Project reviews are conducted by Caltrans, and Caltrans and the Federal Highway Administration will review the project for eligibility and must approve the project proposal before the sponsor can incur reimbursable expenses. The sponsor must pay the bills and submit the invoices to Caltrans for reimbursement. Reimbursement usually takes six to eight weeks. Sponsors must also fulfill any audit requirements.

Grant recipients will be encouraged to attend a training workshop on project implementation and the federal-aid process.

Resolutions— Following approval of a RBPP grant, project sponsors of funded projects will be required to have their governing boards adopt a resolution (Attachment E).

#### **Eligible Activities**

Project activities eligible for funding include bicycle and pedestrian paths and bridges; on-street bike lanes; pedestrian street crossings; traffic calming design features such as pedestrian bulb-outs; and way-finding signage. While these discrete activities are eligible for funding, MTC is looking for a capital project that is well designed and offers non-motorized travelers with a safe, convenient and continuous facility to encourage mode shift.

#### **How Will Projects Be Evaluated?**

##### ***Part A: Project Readiness Criteria***

The following criteria will be used to evaluate whether a project will be able to meet the fund obligation deadline. Projects must secure a federal authorization to proceed with construction by the obligation deadline set by MTC.

Has a collaborative planning process involving the local government agency, community stakeholders, transit district(s), and others affected by the project taken place?

Is the project deliverable within the established timeframe? Provide a project schedule with the start and end dates of the major phases. Funds must be secured by the required fund deadlines established in MTC resolution 3606 (Attachment C).

Is the project dependent upon another uncompleted major capital project?

What type of environmental document required by CEQA and NEPA will be (has been) prepared, and when will it be (was it) certified? What environmental issues may require more detailed study?

Is the project entirely within the local agency's right-of-way? Are any new right-of-way, permits or easements needed, and when would it be acquired (from non-RBPP sources) if needed?

Is there a utility relocation phase within the project area but implemented separately from the project?

Have all affected departments within the local government agency, transit agency, and/or other public agency (1) been involved in the development of the project and (2) reviewed the project to ensure project feasibility?

Is there significant local opposition that may prevent the project from meeting the funding obligation deadline?

Are there any pending lawsuits related to the project?

**Part B: Basic Eligibility Criteria**

All basic eligibility criteria below must be met before a project can be reviewed according to the evaluation criteria under Part 3. Briefly describe how the project satisfies each criterion. Following grant approval, the project sponsor will submit a governing board approved resolution confirming the requirements described below have been met.

Project is CMAQ eligible under Federal guidelines. The project sponsor must be able to demonstrate the project encourages walking or bicycling as a means of improving air quality. Note that Federal guidelines prohibit the use of CMAQ funds for projects purely intended for safety as well as for basic repair and rehabilitation of bicycle or pedestrian facilities. See FHWA website for more information: <http://www.fhwa.dot.gov/environment/cmaqpgs/>

Funding request is at least \$150,000 and does not exceed \$1,622,513. As a general guideline, auxiliary elements (e.g. ADA access improvements, utility trenching, drainage work, fire hydrants, landscaping, cosmetic resurfacing, surface improvements, etc.) that are incidental to the overall project should not exceed 20% of the total project cost. Exceptions may be allowed at the discretion of the SCTA. In particular, new sidewalk projects may be exceptions. Signage designating a bicycle or pedestrian facility is not considered auxiliary elements for this program. The project sponsor assures that a local match of at least 11.5 percent of the total project cost will be available.

The project sponsor agrees to abide by all applicable regulations, including the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), and the American with Disabilities Act (ADA).

The project is well-defined and results in a usable segment. MTC defines a usable segment as a section of public improvements that has defined start and end points and allows continuous travel from the start point to the end point. Please identify useable segment length and endpoints.

The project sponsor understands and agrees to the MTC project delivery requirements as described below and in MTC Resolution 3606\* (Attachment C) and the Project Development Requirements (Attachment D).

- a. Federal funds through the RBPP Capital Grants program are fixed at the programmed amount, and therefore any cost increase would not be funded through RBPP.
- b. Projects are to be designed and built consistent with the project description contained in the grant application, and if approved, as programmed in MTC's Transportation Improvement Program (TIP).
- c. A field review with Caltrans Local Assistance will be completed within six (6) months of grant approval.

- d. The appropriate NEPA document for the project will be certified through the office of Caltrans Local Assistance within twelve (12) months of grant approval.
- e. Federal funds will be obligated by the fund obligation deadline established by MTC for this grant cycle.
- f. “Before” and “after” photos of the project will be sent electronically to MTC for use in publications, press releases, reports, etc. about the RBPP program.
- g. MTC will be notified immediately to discuss potential project implications that will affect the delivery of the project.
- h. The project sponsor or a cooperating agency commits to operating and maintaining the project.

*\*MTC reserves the right to rescind the RBPP capital funds in full should any of the above requirements not be fulfilled by the project sponsor, and reprogram the RBPP capital funds in accords with Commission policy.*

**Part C: Evaluation Criteria**

If a project meets all the screening factors identified in Parts A and B, it is evaluated according to the criteria shown on next page. Funding priority is based on the degree to which the project meets these criteria.

**Scoring Basis for Selecting Projects for Regional Portion**

| Focus Area  | Ranking and Description  | Points |
|---|--|--------|
| <p><u>Gap closures</u> in pedestrian facility or regional bicycle network serving mobility needs</p> <p>Addresses <u>barrier</u><sup>1</sup> to completing trip</p> | High: Project provides means to overcome a barrier (e.g. bridge over freeway, expressway, or rail line) or eliminates a gap (e.g. a new bike lane or a new sidewalk in a corridor without facilities) where <u>no</u> nearby facility exists.  | 8-10   |
|   | Med: Project reduces consequences of an existing barrier or gap to provide more direct non-motorized travel where limited or inferior alternatives exist.  | 4-7    |
|   | Low: Project <u>extends</u> an existing pedestrian facility or regional bicycle route (e.g. bike lane or sidewalk), working towards a gap closure, but not eliminating it.   | 0-3    |
| <p><u>Access</u> to schools, regional transit, lifeline transit<sup>2</sup> or to/within regional activity center<sup>3</sup></p>                                   | High: Project is specifically designed to significantly improve access to a destination. Project will be within ¼ mile (pedestrian facility) or ½ mile (bike facility) in actual walking/biking distance from destination.   | 8-10   |
|   | Medium: Project will generally enhance access to a destination. Project will be within ½ mile (pedestrian facility) or 1 mile (bike facility) in actual walking/biking distance from destination.  | 4-7    |
|   | Low: Project improves upon limited existing access. Project will be beyond ½ mile (pedestrian facility) or 1 mile (bike facility) in actual walking/biking distance from destination.  | 0-3    |
| <p><u>Safety</u></p>  | High: Project will address a demonstrated safety issue (e.g. collision statistics are high). Project will address safety concern with a proven or demonstrated counter measure.  | 8-10   |
|   | Med: Project will improve a situation with some safety issues (e.g. some reported collisions, conflicts, near-misses, or evidence of high vehicle traffic volume or speed)   | 4-7    |
|   | Low: Project will generally improve safety, even though there are no known problems.   | 0-3    |
| <p><u>Community Support</u></p>   | High: Project has <u>strong</u> documented community <u>and</u> neighborhood support. Letters of support OR minutes indicating actions taken by communities or neighborhood groups in support of project provided. Projects are included in a local, county or community-based plan. | 8-10   |
|   | Med: Project has <u>some</u> community & neighborhood support. Projects are included in a local, county or community-based plan.   | 4-7    |

<sup>1</sup> Barriers include major arterials, freeways, major transit facilities, railroad tracks, creek/streams, etc. A substandard or deficient facility is generally considered a “medium” gap.

<sup>2</sup> Regional transit is transit serving a regional activity center. Lifeline transit serves low-income, transit-dependent communities.

<sup>3</sup> Regional activity centers include universities, hospitals, major commercial districts, major employment centers, central business districts and major public venues. Priority should be given to projects serving utilitarian trip purposes when possible. Pedestrian access to or within a regional activity center will be eligible for funding. Bicycle access to or within a regional activity center is only eligible if it is included on the regional bicycle network.

| Focus Area   | Ranking and Description  | Points                         |
|--|--|--------------------------------|
|  | Low: Community outreach will be completed as part of the project, but little or none done to date.   | 0-3                            |
| <u>Other Funds</u> with a copy of local resolution | Project can commit over 35% of total project cost (includes 11.47% required match) from other sources  | 5                              |
|  | Project can commit 30% to 34.9% of total project cost (includes 11.47% required match) from other sources  | 4                              |
|  | Project can commit 25% to 29.9% of total project cost (includes 11.47% required match) from other sources.   | 3                              |
|  | Project can commit 20% to 24.9% of total project cost (includes required 11.47% required match) from other sources.  | 2                              |
|  | Project can commit 15 to 19.9% of total project cost (includes 11.47% required match) from other sources.  | 1                              |
| <u>Regional Significance Bonus</u>                 | Demonstrates multi-jurisdictional cooperation <sup>4</sup> ; project is innovative; has potential to be replicated elsewhere; demonstrates regional significance | 0-5                            |
|  |  | <b>50<br/>Points<br/>Total</b> |

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<sup>4</sup> Jurisdictions include city/county public agencies, special districts, non-profit organizations, transit, etc.

## **ATTACHMENT C MTC RESOLUTION 3606**

### **Regional Project Delivery Policy for TEA-21 Reauthorization for STP and CMAQ Funds**

#### **General Policy**

The region has established deadlines for funding in the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality (CMAQ) Program to ensure timely project delivery against state and federal funding deadlines. This resolution establishes a standard policy for enforcing project funding deadlines and project substitutions for these funds during the Transportation Equity Act for the Twenty-First Century (TEA-21) Reauthorization.

The regional STP and CMAQ programs are project specific. Projects are chosen for the program based on eligibility, project merit, and deliverability within the established deadlines. The programmed STP and CMAQ funds are for those projects alone.

It is the responsibility of the implementing agency at the time of programming, to ensure the regional deadlines and provisions of the regional project delivery policy can be met.

MTC staff will actively monitor and report the obligation status of projects to the Finance Working Group (FWG) of the Bay Area Partnership. The FWG will monitor project delivery issues as they arise and make recommendations to the Partnership Technical Advisory Committee (PTAC) as necessary.

The implementing agency or MTC may determine that circumstances may justify changes to the STP and CMAQ programming. These changes, or amendments to these regional programs, are not routine. All proposed changes will be reviewed by MTC staff before any formal actions on program amendments are considered by the Commission. All changes must follow MTC policies on the Public Involvement Process and Federal Air Quality Procedures and Conformity Protocol. Changes must be consistent with the Regional Transportation Plan (RTP), must not adversely affect the expeditious implementation of Transportation Control Measures (TCMs), must not negatively impact the deliverability of other projects in the regional programs, and must not affect the conformity finding in the Transportation Improvement Program (TIP).

In selecting projects to receive redirected funding, the Commission may use existing lists of projects that did not receive funding in past programming exercises, or direct the funds to agencies with proven on-time project delivery, or could identify other projects with merit to receive the funding, or retain the funding for future programming cycles.

Final decisions regarding the reprogramming of available funds will be made by the Commission.

#### **Project Cost Savings/Reductions in Scope/Project Failures**

From time to time projects may be completed at a lower cost than anticipated, or have a minor reduction in scope resulting in a lower project cost, or may not proceed to implementation. In such circumstances, the implementing agency must notify MTC, Caltrans and the appropriate county Congestion Management Agency (CMA), within a timely manner, that the funds resulting from these 'project savings' will not be used.

Project savings accrued prior to the established obligation deadline are available for redirection within the program of origin. Savings within the formula-based programs, such as county guaranteed funding returned to counties based on a population share, are available for redirection by the CMAs within the formula program, subject to Commission approval.

Project savings within regional competitive programs, such as the regional Transportation for Livable Communities (TLC) program, or for regional customer service projects, such as TravInfo®, or for planning activities, such as the 3% planning funds for CMA planning activities, are available for redirection by the Commission.

For all programs, the projects using the redirected savings prior to the obligation deadline must still obligate the funds within the original deadline.

Project savings or unused funding realized after the obligation deadline return to MTC. Any funds that have been obligated but remain unused will be deobligated from the project and returned to the Commission for redirection.

### **Project Advances**

Obligations for funds advanced from future years of the TIP will be permitted only upon the availability of surplus OA and SBA in a particular year, with current programmed projects that have met the delivery deadlines having priority for OA in a given year. Advanced obligations will be based on the availability of OA and will only be considered after April 1, and before June 30 of each fiscal year. In some years, OA may not be available for advancements until after June 30, but the request for the advanced OA must still be received by Caltrans prior to June 30.

Implementing agencies wishing to advance projects may request Advance Construction (AC) authorization from Caltrans (or pre-award authority from FTA) to proceed with the project using local funds until OA becomes available.

### **Specific Policy Provisions**

Projects selected to receive STP or CMAQ funding must have a demonstrated ability to use the funds within the established regional, state and federal deadlines. This criteria will be used for selecting projects for funding, and for placement of funding in a particular year of the TIP.

It is the responsibility of the implementing agency to ensure the funds can be used within the established regional, state and federal deadlines and that the provisions of the regional delivery policy can be met. It is also the responsibility of the implementing agency to continuously monitor the progress of the programmed funds against regional, state and federal deadlines, and to report any potential difficulties in meeting these deadlines, (or difficulties in meeting the provisions of the regional delivery policy) to MTC, Caltrans and the appropriate county CMA within a timely manner, to seek solutions to potential problems well in advance of potential delivery failure or permanent loss of funding.

Specific provisions of the Regional Project Funding-Delivery Policy are as follow:

- ***Funds to be Obligated/Transferred in the Fiscal Year Programmed in the TIP***

STP and CMAQ funds are to be programmed, up to the apportionment level for that fiscal year, in the TIP within the fiscal year in which the funds are to be obligated by the Federal Highway Administration (FHWA) or transferred to the Federal Transit Administration (FTA), similar to the programming of the State Transportation Improvement Program (STIP). This will improve the overall management of federal Obligation Authority (OA) within the region and improve the likelihood that OA and State Budget Authority (SBA) will be available for projects that are programmed in a particular fiscal year.

- ***Field Reviews***

Implementing agencies are required to request a field review within 6 months of MTC's approval of the project in the TIP for federal-aid projects receiving funding through the STP and CMAQ programs that are subject to AB 1012 or regional obligation deadlines. This policy also applies to federal-aid projects in the STIP. The requirement does not apply to projects for which a field review would not be applicable (such as FTA transfers, regional customer service projects and planning activities).

Failure for an implementing agency to make a good-faith effort in scheduling and/or obtaining a field review from Caltrans Local Assistance within six months of programming into the TIP could result in the funding being subject to reprogramming.

- **Complete Environmental Submittal to Caltrans 12 months prior to Obligation Deadline**

Implementing agencies are required to submit a complete environmental package to Caltrans for all projects (except those determined *Programmatic Categorical Exemption* as determined by Caltrans at the field review), twelve months prior to the obligation deadline for right of way or construction funds. This policy creates a more realistic time frame for projects to progress from the field review through the environmental and design process, to the right of way or construction phase. If the environmental process, as determined at the field review, will take longer than 12 months before obligation, the implementing agency is responsible to deliver the complete environmental submittal in a timely manner. Failure to comply with this provision could result in the funding being subject to reprogramming. The requirement does not apply to FTA transfers, regional customer service projects or planning activities.

- **Obligation/Submittal Deadlines**

Projects selected to receive STP and CMAQ funding must demonstrate the ability to obligate programmed funds by the established obligation deadline. This criteria will be used for selecting projects for funding, and for placement in a particular year of the TIP. It is the responsibility of the implementing agency to ensure the deadlines can be met.

In order to ensure funds are obligated or transferred to FTA in a timely manner, the implementing agency is required to deliver a complete funding obligation / FTA Transfer request package to Caltrans Local Assistance by April 1 of the year the funds are listed in the TIP. Projects with complete packages delivered by April 1 of the programmed year will have first priority for available OA. If the project is delivered after April 1 of the programmed year, the funds will not be the highest priority for obligation in the event of Obligation Authority (OA) limitations, and will compete with projects advanced from future years for limited OA. Fund obligation/FTA transfer requests submitted after the April 1 deadline will be viewed as subject to reprogramming.

Within the formula-based programs, such as county guaranteed funding returned to counties based on a population share the Congestion Management Agencies (CMAs) may adjust programming up until April 1 of the programmed year, swapping funds to a ready project in order to utilize all of the programming capacity, subject to available OA. The substituted project(s) must still obligate the funds within the original funding deadline.

For funding programmed through regional competitive programs, such as the regional Transportation for Livable Communities (TLC) program, or for regional customer service projects, such as TravInfo®, or for planning activities, such as the CMA planning activities, the Commission has discretion to redirect funds from delayed or failed projects.

STP and CMAQ funds are subject to an obligation/FTA transfer deadline of June 30<sup>th</sup> of the fiscal year the funds are programmed in the TIP. Implementing agencies are required to submit the complete request for obligation or FTA transfer to Caltrans Local Assistance by April 1 of the fiscal year programmed in the TIP, and receive an obligation/FTA transfer of the funds by June 30<sup>th</sup> of the fiscal year programmed in the TIP. For example, projects programmed in FY 2007-08 of the TIP have an obligation/FTA transfer request submittal deadline (to Caltrans) of April 1, 2008 and an obligation/FTA transfer deadline of June 30, 2008. Projects programmed in FY 2008-09 have an obligation request submittal deadline (to Caltrans) of April 1, 2009 and an obligation/FTA transfer deadline of June 30, 2009.

- Submittal Deadline: April 1 of the fiscal year programmed in the TIP. The Implementing Agency is required to submit a complete obligation/transfer package to Caltrans (3 months prior to the Obligation Deadline).

- **Obligation Deadline:** June 30 of the fiscal year programmed in the TIP. No extensions will be granted to the obligation deadline.

**April 1** - Regional submittal deadline. Compete package submittals received by April 1 of the fiscal year programmed in the TIP will receive first priority for obligations against available OA.

**April 2 – June 30** - Projects submitted during this timeframe are subject to deprogramming. If OA is still available, these projects may receive OA if obligated by June 30. If OA is limited, these projects would compete for OA with projects advanced from the following fiscal year on a first come-first serve basis. Projects with funds to be advanced from future years must request the advance prior to June 30, in order to receive the funds within that federal fiscal year.

**June 30** - Regional obligation deadline. Funds not obligated (or transferred to FTA) by June 30 of the fiscal year programmed in the TIP will be returned to MTC for reprogramming. No extensions of this deadline will be granted. Projects seeking advanced obligations against funds from future years, must request the advance prior to June 30, in order to receive the funds within that federal fiscal year.

The obligation deadline may not be extended. The funds must be obligated by the established deadline or they will be de-programmed from the project and redirected by the Commission to a project that can use the funds in a timely manner.

Note: Authorization of Advance Construction (AC) satisfies the regional obligation deadline requirement.

- ***Encumbrance/Liquidation/Project Close-Out Deadlines***

STP and CMAQ funds must be encumbered by an approved State funding agreement within one state fiscal year after the fiscal year of obligation. Furthermore, the funds must be fully liquidated (expended, invoiced and reimbursed), within four state fiscal years after the fiscal year in which the funds were obligated, and the project must be accepted and closed out within five state fiscal years after the fiscal year in which the funds were obligated.

The following provisions are required in order to ensure no funds are lost after obligation. Failure to meet these requirements will result in the potential loss of funding for reimbursement of incurred project costs.

- Funds must be encumbered within one state fiscal year following the fiscal year in which the funds were obligated (encumbrance is approval of a funding agreement with the state). This requirement does not apply to FTA transfers.
- Construction/Equipment Purchase contract must be awarded within one state fiscal year following the fiscal year in which the construction funds were obligated (this requirement does not apply to FTA transfers).
- Funds must be liquidated (expended, invoiced and reimbursed) within four state fiscal years following the fiscal year in which the funds were obligated (this requirement does not apply to FTA transfers).
- Project must be accepted and closed out within one year of the last expenditure, or within five state fiscal years following the fiscal year in which the funds were obligated, whichever occurs first (this requirement does not apply to FTA transfers).
- For FTA projects, funds must be approved/awarded in an FTA Grant within one state fiscal year following the fiscal year in which the funds were transferred to FTA.

Funds that miss the encumbrance, liquidation/project close out deadlines are subject to de-obligation if not reappropriated by the State Legislature, or extended (for one year) in a Cooperative Work Agreement (CWA) with the California Department of Finance.

Implementing agencies with projects that require reappropriation in the State budget, or require a CWA from the California Department of Finance, or fail to meet the post-obligation provisions, or have projects that have been inactive for more than two years, regardless of federal fund source, are subject to MTC restrictions on receipt of OA for subsequent projects, and/or limitations on future programming of funds until the reappropriated/ inactive projects are cleared up and a firm commitment date is provided to Caltrans Local Assistance for meeting the next project milestone.

| MTC                   | State FY<br>1 | State FY<br>2 | State FY<br>3 | State FY<br>4 | State FY<br>5 | State FY<br>6 |
|-----------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Milestone<br>Deadline | June 30       | June 30       | June 30       | June 30       | June 30       | June 30       |

**Programming** [Redacted]

**Obligation** [Redacted]

**Encumbrance** [Redacted]

**Award** [Redacted]

**Liquidation** [Redacted]

**Project Close-Out** [Redacted]

- Inactive Projects**

Most projects can be completed well within the state’s seven-year deadline for project close-out. Yet it is viewed negatively by both FHWA and the California Department of Finance for projects to remain inactive for more than a few years. It is expected that funds for completed phases will be invoiced within a reasonable time of completion of work for the phase, and projects will be closed out within a reasonable time following project completion.

Implementing agencies that have projects that have not been closed out within one year of final expenditure, or have projects that remain inactive for more than two years, regardless of federal fund source, will have future OA limited for subsequent projects, and/or have restrictions on future programming. Completed phase invoicing and project close-out within a reasonable time will help ensure the implementing agency remains in good standing.

The intent of this regional delivery policy is to ensure implementing agencies do not lose any funds due to missing a federal or state funding deadline, while providing maximum flexibility in delivering transportation projects. MTC has purposefully established regional deadlines in advance of state deadlines, to provide the opportunity for implementing agencies, the CMAs, Caltrans, and MTC to

solve potential problems and bring the project back on-line in advance of losing funding due to a missed state deadline.

Although the policy is limited to the regional STP and CMAQ funds managed by MTC, the state deadlines cited apply to all federal-aid funds administered by the state. Implementing agencies should pay close attention to the deadlines of other state and federal funds on their projects so as not to miss any other applicable funding deadlines.

## ATTACHMENT D PROJECT DEVELOPMENT REQUIREMENTS

### Field Review and Environmental Review

Project sponsor completes a field review through Caltrans Local Assistance within six (6) months of MTC grant approval. The Local Assistance Procedures Manual contains the field review, preliminary environmental studies (PES), and other forms required in the federal-aid process. It can be downloaded at: <http://www.dot.ca.gov/hq/LocalPrograms/lam/lapm.htm>

### Fund Obligation

The obligation date for FY07/08 is March 2008. Since CMAQ funds are a federal source, the fiscal year for 2007/2008 begins October 2007. That means you have until March 2008 to get your projects to Caltrans. MTC would amend the TIP sometime in May of 2008. The MTC Commission would most likely release the FY 08/09 funds later in early 2008.

1. To meet the deadline for 07/08 funds, a complete a complete obligation request package due to Caltrans local assistance by April 1, 2008 (<http://www.dot.ca.gov/hq/LocalPrograms/lam/lapm.htm>). To obligate funds, project sponsor must receive an E-76 for construction. If a project does not receive an E-76 for construction for these funds by the deadline date, the funds will be returned to MTC for reprogramming at its discretion.
2. Federal funded provided through the RBPP program are subject to the funding requirement of MTC resolution 3606 (Attachment C)

### Project Delivery

1. Project sponsor moves forward with advertising the project and awarding a construction contract immediately after receipt of an E-76 for construction. MTC expects the project to be constructed and operational within one year of receipt of an E-76 for construction.
2. If, after construction bids have been received on the project and issues arise which will affect the delivery of the project, project sponsor contacts MTC immediately to discuss potential project implications.

**ATTACHMENT E**  
**GOVERNING BOARD RESOLUTION FOR FUNDED PROJECTS**  
separate attachment

The resolution below only needs to be completed for RBPP projects after they are approved by the SCTA

**ATTACHMENT F  
SAMPLE BUDGET FORM**

**Funding Outline**

|   | <b>Fund Source</b>                | <b>2004</b> | <b>2005</b> | <b>2006</b> | <b>2007</b> | <b>2008</b> | <b>Total</b>     |
|---|-----------------------------------|-------------|-------------|-------------|-------------|-------------|------------------|
| <b>Planning</b>                         | TDA3                              | \$5,000     |             |             |             |             | <b>\$5,000</b>   |
| <b>Design</b>                           | BTA*                              |             |             | \$10,000    |             |             | <b>\$10,000</b>  |
| <b>Right of Way</b>                     | TEA                               |             |             | \$30,000    |             |             | <b>\$30,000</b>  |
| <b>Construction</b><br><b>See Below</b> | Regional<br>Bike/ Ped<br>Program* |             |             |             | \$86,250    |             | <b>\$86,250</b>  |
| <b>Project Total</b>                    |                                   |             |             |             |             |             | <b>\$131,250</b> |

\*These funds subject to future allocation

**Construction Budget**

Segment A: From First Street to First Ave.

| <b>Item</b>               | <b>Unit</b> | <b>Quantity</b> | <b>Unit Cost</b> | <b>Total</b>    |
|---------------------------|-------------|-----------------|------------------|-----------------|
| Structure Backfill        | CY          | 50              | \$40.00          | \$2,000         |
| Remove Sidewalk           | SF          | 2000            | \$2.00           | \$4,000         |
| Concrete paving           | SF          | 6,000           | \$7.00           | \$42,000        |
| Trench Drain              | LF          | 100             | \$50.00          | \$5,000         |
| Thermoplastic             | LF          | 250             | \$4.00           | \$1,000         |
| Bollards                  | EA          | 25              | \$1250.00        | \$31,250        |
| Directional Signage       | EA          | 10              | \$100            | \$1000          |
| Etc.                      |             |                 |                  |                 |
| Etc.                      |             |                 |                  |                 |
| Etc.                      |             |                 |                  |                 |
| Etc.                      |             |                 |                  |                 |
| Etc.                      |             |                 |                  |                 |
| <b>Construction Total</b> |             |                 |                  | <b>\$86,250</b> |

**ATTACHMENT G**  
**ADDITIONAL ELIGIBILITY INFORMATION**  
separate attachment

Regional Bicycle Network - Northbay map