

Project Delivery and Timely Use of Funds Policy

Project Delivery Assistance

Alameda CTC will provide consultant services to assist in monitoring the implementation of projects programmed to receive state, federal, or TFCA funds programmed by Alameda CTC. This service will include ongoing collection of project monitoring information and development of a quarterly status report on the delivery status of projects programmed to receive state, federal, or TFCA funds by Alameda CTC. The consultant will also meet with Caltrans local assistance as needed to review the status of the Caltrans review of Alameda County projects.

Alameda CTC will provide consultant services to project sponsors to assist in the delivery of state, federal, or TFCA funded projects programmed through Alameda CTC. This assistance could include services such as project delivery workshops for sponsors and development and management of a project delivery website. Due to budget limitations in Alameda CTC's project oversight contract, one-on-one on-call assistance will likely be limited to the review of documents and answering questions relative to a specific funding program. Sponsors that require assistance beyond this level, such as completing documents that are required for project delivery, can contract with Alameda CTC's oversight consultant directly or request Alameda CTC expand the current scope of work on a task order basis to provide the necessary support. Any additional task order work completed through the Alameda CTC contract will be reimbursed to Alameda CTC from the local agency receiving the support. Billing rates for any additional support work will be based on the rates in the current Alameda CTC contract with the oversight consultant.

Agencies receiving funding through Alameda CTC will, as part of the application process, submit to Alameda CTC a baseline schedule for project delivery. Alameda CTC's project monitoring consultant will provide assistance to sponsors in the development

of the baseline schedule to insure that all required state and federal approvals are accounted for in the schedule. Agencies agree to provide Alameda CTC with quarterly updates on project delivery status and to notify and seek Alameda CTC's concurrence on any significant changes to the project delivery schedule, scope, or cost. The baseline schedule will identify major milestones for each project that are critical for timely delivery of the project. These milestones will likely include start and end dates for environmental clearance, development of PS&E, acquisition of right of way, and construction of the project. Deadlines associated with any timely use of funds provisions such as Caltrans or California Transportation Commission authorizations and/or approvals will also be identified.

Alameda CTC may host a workshop on project delivery after the adoption of a state/federal/TFCA program by the Alameda CTC Commission. The workshop would review the project delivery requirements of the particular funding program(s) adopted by Alameda CTC and provide an opportunity for project sponsors to have questions related to the specific program answered by both Alameda CTC staff and staff from other agencies that may have project approval authority (i.e., Caltrans, BAAQMD, MTC). Attendance at this workshop may be mandatory for all project sponsors.

Extension and Reprogramming Requests

Alameda CTC will consider the following prior to endorsing an extension or reprogramming request: Are the circumstances causing the delay truly "extraordinary," or an oversight during project planning?

Although the circumstances may be unforeseen, baseline project schedules should incorporate risk factors related to unknowns. Are these circumstances "beyond the control" of the implementing agency? Sponsors requesting extensions or reprogramming will be

required to justify why the circumstances causing the delay are “extraordinary and beyond their control.”

Has the project sponsor exercised due diligence in the delivery of the project and is such diligence documented? Have previous milestones in the project delivery scheduled been met and has Alameda CTC been notified of and concurred with any changes to the schedule? Alameda CTC should be notified when a delay situation, or potential delay situation, arises in order to be prepared to review the request and to take whatever action may be required to assure no loss of funding to Alameda County. Sponsors requesting extensions or reprogramming must demonstrate that previous milestones identified in the baseline schedule as critical to the delivery of the project have been met, or that Alameda CTC was notified and concurred with any potential delays to the project schedule.

If Alameda CTC was to grant an extension or reprogramming, how prepared is the sponsor to meet future delivery deadlines? For example, failure to meet the initial STIP project delivery deadline—project allocation approval—will result in the funds being deprogrammed from the project but returned to the county share. However, once the initial allocation has been received, failure to meet any future SB 45 deadlines will result in a loss of funds to both the project and the county. Sponsors requesting extensions or reprogramming requests must provide Alameda CTC with a revised schedule for project delivery and a strategy for resolution of the problem that is causing the delay in project delivery. This revised schedule will also provide detail relating to the impact this delay and modified schedule may have on other projects sponsored by the respective agency. Alameda CTC will consider the circumstances causing the project delivery delay and the impact on other projects being implemented by the sponsor and may deny the extension or reprogramming request until the sponsor can demonstrate an acceptable resolution to the problem causing the delay.

Timely Use of Funds Policy

Any project sponsor that fails to meet a timely use of funds deadline that results in a loss of programmed funds to Alameda County will be penalized in a future state or federal funding cycle in an amount equal to the funds that were lost to Alameda County.

This policy will apply to all funding programs administered by Alameda CTC. Projects programmed to receive TFCA funds will be subject to additional delivery requirements included in Alameda CTC’s adopted TFCA Timely Use of Funds Policy.