



Memorandum

DATE: September 30, 2011

TO: Alameda County Technical Advisory Committee (ACTAC)

FROM: Matt Todd, Manager of Programming

SUBJECT: Review of Federal STP/CMAQ Program Timely Use of Funds Report

Recommendation:

This is an information item.

Summary:

ACTAC is requested to review and comment on the project specific information included in the attached Federal STP/CMAQ Program Timely Use of Funds Report, dated October 31, 2011. The report segregates projects into Red, Yellow, and Green zones. Project sponsors are requested to provide documentation related to the status of the required activities shown on the report to Jacki Taylor, via email: JTaylor@alamedactc.org, by Friday, October 14th. This information will be the basis of the Federal At Risk Report which is scheduled to be presented to the Commission during November/December 2011.

Background:

The report is intended to identify activities required to comply with the requirements set forth in MTC's Resolution 3606 – Revised (as of July 23, 2008). Per Resolution 3606, projects programmed with funding in federal FY 2011/12, the deadline to submit the request for authorization is February 1, 2012 and the obligation deadline is April 30, 2012. The report is based on the information made available to the Alameda CTC's project monitoring team. This information stems from the project sponsors as well as other funding agencies such as MTC and Caltrans Local Assistance.

The report includes 54 locally sponsored federally funded projects segregated by "zone." Red zone projects are considered at a relatively high risk of non-compliance with the provisions of Resolution 3606. Yellow zone projects are considered at moderate risk, and Green zone at low risk. The criteria for determining the project zones are listed in Appendix A of the report. The durations included in the criteria are intended to provide adequate time for project sponsors to perform the required activities to meet the deadline(s). A project may have multiple risk factors that indicate multiple zones. Projects with multiple risk factors are listed in the zone of higher risk. Appendix B provides the Resolution 3606 deadlines associated with each of the Required

Activities used to determine the zone of risk. The deadline for submitting the environmental package one year in advance of the obligation deadline for right of way or construction capital funding is tracked and reported, but is not affiliated with any zone of risk.

Note that projects in the three local federal Safety Programs: Highway Safety Improvement Program (HSIP), High Risk Rural Roads Program (HR3), and Safe Routes to School Program (SRTS) have been added to the report. As of November 2010, MTC has been enforcing the Regional STP/CMAQ Project Delivery Policy (MTC Resolution 3606) for all local safety programs. Per MTC, sponsors with local safety funds not obligated by the deadline are ineligible for future programming.

Project sponsors are requested to provide documentation related to the status of the required activities shown on the report to Jacki Taylor, via email: JTaylor@alamedactc.org , by Friday, October 14th. This information will be the basis of the Federal At Risk Report which is scheduled to be presented to the Commission during November/December 2011.

Attachments:

Attachment A - Federal STP/CMAQ Program Timely Use of Funds Report

Federal Timely Use of Funds Report**Status Date: October 31, 2011****Federally-Funded Locally-Sponsored Alameda County Projects****Red Zone Projects**

| Index | TIP ID | Sponsor | | Project Title | | | Date Req'd By | Zone | Notes | Prev Zone |
|-------|-----------|---------------------|---------------------------|---------------|--|---|---------------|---------------------------|---------------------------|---------------------|
| | | Source | Prog'd Amount (\$x 1,000) | Phase | FY | Req'd Activity | | | | |
| 1 | ALA110009 | ACCMA CMAQ | \$500 | Con | 10/11 | Bike Repair and Encouragement Vehicle | | | \$500 Obligated 3/29/11 | Y |
| | | | | | | Award Contract | 12/29/11 | R | | |
| | | | | | | Submit First Invoice | 03/29/12 | G | | |
| | | | | | | Liquidate Funds | 03/29/17 | G | | |
| 2 | ALA110025 | Alameda STP | \$837 | Con | 10/11 | Alameda - Otis Drive Rehabilitation | | | \$837 Obligated 3/8/11 | Y |
| | | | | | | Award Contract | 12/08/11 | R | | |
| | | | | | | Submit First Invoice | 03/08/12 | G | | |
| | | | | | | Liquidate Funds | 03/08/17 | G | | |
| 3 | ALA030002 | Ala County STP | \$2,250 | Con | 07/08 | Vasco Road Safety Imps. Phase 1A | | | \$2,250 Obligated 8/31/10 | R |
| | | | | | | Advertise Contract | Note 1 | R | | |
| | | | | | | Award Contract | Note 1 | R | | |
| | | | | | | Submit First Invoice | Note 1 | R | | |
| | | | | | | Liquidate Funds | 08/31/16 | G | | |
| 4 | ALA090069 | Ala. County STP | \$1,815 | Con | 11/12 | Alameda County: Rural Roads Pavement Rehab | | | | G |
| | | | | | | Submit Req for Auth | 02/01/12 | R | | |
| | | | | | | Obligate Funds | 04/30/12 | G | | |
| | | | | | | Liquidate Funds | 03/16/17 | G | \$320 Obligated 3/16/11 | |
| 5 | ALA110026 | Ala County STP | \$1,071 | Con | 11/12 | Alameda Co - Central Unincorporated Pavement Rehab | | | | G |
| | | | | | | Submit Req for Auth | 02/01/12 | R | | |
| | | | | | | Obligate Funds | 04/30/12 | G | | |
| | | | | | | Liquidate Funds | 03/23/17 | G | \$50 Obligated 3/23/11 | |
| 6 | SRTS | Ala County SRTS | \$500 | 10/11 | Marshall Elementary School Vicinity Improvements | | | Fed Safe Routes to School | R | |
| | | | | | Submit Req for Auth | Note 2 | R | | | |
| 7 | HSIP | Ala. County SRTS | \$508 | 10/11 | Fairview Elementary School Vicinity Improvements | | | Fed Safe Routes to School | R | |
| | | | | | Submit Req for Auth | Note 2 | R | | | |
| | | | | | SRTS | \$77 | Prior | | | Liquidate Funds |
| 8 | HSIP | Ala. County HSIP | \$63 | 10/11 | Castro Valley Blvd - Wisteria St Intersection and Frontage Improvements | | | Hwy Safety Imp Program | R | |
| | | | | | Submit Req for Auth | Note 2 | R | | | |
| | | | | | HSIP | \$577 | 11/12 | | | Submit Req for Auth |
| | | | | | | Liquidate Funds | Note 2 | G | | |
| 9 | HSIP | Ala. County HSIP | \$427 | 10/11 | Remove Permanent Obstacle along Shoulder (Foothill Road) | | | Hwy Safety Imp Program | R | |
| | | | | | Submit Req for Auth | Note 2 | R | | | |
| | | | | | HSIP | \$59 | Prior | | | Liquidate Funds |
| 10 | ALA110030 | Albany CMAQ | \$1,702 | Con | 11/12 | Albany - Buchanan Bicycle and Pedestrian Path | | | | G |
| | | | | | | Submit Req for Auth | 02/01/12 | R | | |
| | | | | | | Obligate Funds | 04/30/12 | G | | |

Federal Timely Use of Funds Report**Status Date: October 31, 2011****Federally-Funded Locally-Sponsored Alameda County Projects****Red Zone Projects (cont.)**

| Index | TIP ID | Sponsor | Project Title | | | Req'd Activity | Date Req'd By | Zone | Notes | Prev Zone | |
|-------|-----------|----------|--|------------------------------|---------------------|----------------|----------------------|---------------------------|-------|---------------------------|----|
| | | | Source | Prog'd Amount (\$x 1,000) | Phase | | | | | | FY |
| 11 | ALA110039 | Albany | Albany - Pierce Street Pavement Rehabilitation | | | | | | | | |
| | | | STP | \$117 | Con | 10/11 | Award Contract | 02/02/12 | R | \$117 Obligated 5/2/11 | R |
| | | | | | | | Submit First Invoice | 05/02/12 | G | | |
| | | | | | Liquidate Funds | 05/02/17 | G | | | | |
| 12 | ALA110007 | Berkeley | City of Berkeley Transit Action Plan - TDM | | | | | | | | |
| | | | CMAQ | \$10 | Con | 11/12 | Submit Req for Auth | 02/01/12 | R | | Y |
| | | | | | | | Obligate Funds | 04/30/12 | G | | |
| | | | | | Liquidate Funds | 02/22/17 | G | \$1,990 Obligated 2/22/11 | | | |
| 13 | ALA110022 | Berkeley | Berkeley - Sacramento St Rehab - Dwight to Ashby | | | | | | | | |
| | | | STP | \$955 | Con | 10/11 | Award Contract | 12/18/11 | R | \$955 Obligated 3/18/11 | Y |
| | | | | | | | Submit First Invoice | 03/18/12 | G | | |
| | | | | | Liquidate Funds | 03/18/17 | G | | | | |
| 14 | ALA110024 | Dublin | Dublin Citywide Street Resurfacing | | | | | | | | |
| | | | STP | \$547 | Con | 11/12 | Submit Req for Auth | 02/01/12 | R | | G |
| | | | | | Obligate Funds | 04/30/12 | G | | | | |
| 15 | ALA110034 | Dublin | West Dublin BART Golden Gate Drive Streetscape | | | | | | | | |
| | | | CMAQ | \$580 | Con | 11/12 | Submit Req for Auth | 02/01/12 | R | | G |
| | | | | | | | Obligate Funds | 04/30/12 | G | | |
| | | | | | Liquidate Funds | 03/18/17 | G | \$67 Obligated 3/18/11 | | | |
| 16 | ALA110012 | Fremont | Fremont CBD/Midtown Streetscape | | | | | | | | |
| | | | CMAQ | \$540 | Con | 10/11 | Award Contract | 01/13/12 | R | \$540 Obligated 4/13/11 | Y |
| | | | CMAQ | \$53 | Con | 10/11 | Award Contract | 01/13/12 | R | \$53 Obligated 6/13/11 | |
| | | | | | | | Submit First Invoice | 04/13/12 | G | | |
| | | | | | | | Liquidate Funds | 04/13/17 | G | | |
| | | | | | Submit Req for Auth | 02/01/12 | R | TIP Amendment Pending | | | |
| | | | | | Obligate Funds | 04/30/12 | G | To move \$1,007 to 11/12 | | | |
| 17 | ALA110018 | Fremont | Fremont Various Streets Pavement Rehabilitation | | | | | | | | |
| | | | STP | \$3,138 | Con | 10/11 | Award Contract | 11/22/11 | R | \$3,138 Obligated 2/22/11 | R |
| | | | | | | | Submit First Invoice | 02/22/12 | G | | |
| | | | | | Liquidate Funds | 02/22/17 | G | | | | |
| 18 | HSIP | Fremont | Install Median Barrier, Install Raised Median and Improve Delineation (Mowry) | | | | | | | | |
| | | | HSIP | \$164 | | 10/11 | Submit Req for Auth | Note 2 | R | Hwy Safety Imp Program | R |
| | | | HSIP | \$35 | | Prior | Liquidate Funds | Note 2 | G | | |

Federal Timely Use of Funds Report**Status Date: October 31, 2011****Federally-Funded Locally-Sponsored Alameda County Projects****Red Zone Projects (cont.)**

| Index | TIP ID | Sponsor | | Project Title | | | Date Req'd By | Zone | Notes | Prev Zone | |
|-------|-----------|-------------|------------------------------|---|-----|----------------|----------------------|----------|-------|---------------------------|---|
| | | Source | Prog'd Amount (\$x 1,000) | Phase | FY | Req'd Activity | | | | | |
| 28 | ALA110014 | Oakland | Oakland | Oakland - MacArthur Blvd Streetscape | Con | 10/11 | Award Contract | 01/27/12 | R | \$1.7M Obligated 4/27/11 | Y |
| | | | | | | | Submit First Invoice | 04/27/12 | G | | |
| | | | | | | | Liquidate Funds | 04/27/17 | G | | |
| 29 | ALA110029 | Oakland | Oakland | Oakland Foothill Blvd Streetscape | Con | 11/12 | Submit Req for Auth | 02/01/12 | R | | G |
| | | | | | | | Obligate Funds | 04/30/12 | G | | |
| 30 | SRTS | Oakland | Oakland | Multiple School (5 Schools) Improvements Along Major Routes | Con | 10/11 | Submit Req for Auth | Note 2 | R | Fed Safe Routes to School | G |
| | | | | | | | | | | | |
| | | | | | | | SRTS | \$118 | Prior | | |
| 31 | ALA110021 | Pleasanton | Pleasanton | Pleasanton Various Streets Pavement Rehab | Con | 10/11 | Award Contract | 01/14/12 | R | \$876 Obligated 4/14/11 | R |
| | | | | | | | Submit First Invoice | 04/14/12 | G | | |
| | | | | | | | Liquidate Funds | 04/14/17 | G | | |
| 32 | ALA110031 | Pleasanton | Pleasanton | Pleasanton - Foothill/I-580/IC Bike/Ped Facilities | Con | 11/12 | Submit Req for Auth | 02/01/12 | R | | G |
| | | | | | | | Obligate Funds | 04/30/12 | G | | |
| 33 | ALA110010 | Port | Port | Shore Power Initiative | Con | 11/12 | Submit Req for Auth | 02/01/12 | R | | R |
| | | | | | | | Obligate Funds | 04/30/12 | G | | |
| 34 | ALA110020 | San Leandro | San Leandro | San Leandro - Marina Blvd Rehabilitation | Con | 10/11 | Award Contract | 12/29/11 | R | \$807 Obligated 3/29/11 | Y |
| | | | | | | | Submit First Invoice | 03/29/12 | G | | |
| | | | | | | | Liquidate Funds | 03/29/17 | G | | |
| 35 | ALA110027 | San Leandro | San Leandro | San Leandro Downtown-BART Pedestrian Interface | Con | 11/12 | Submit Req for Auth | 02/01/12 | R | | R |
| | | | | | | | Obligate Funds | 04/30/12 | G | | |
| | | | | | | | CMAQ | \$312 | PE | | |
| 36 | ALA110017 | Union City | Union City | Union City - Dyer Street Rehabilitation | Con | 10/11 | Award Contract | 01/13/12 | R | \$861 Obligated 4/13/11 | Y |
| | | | | | | | Submit First Invoice | 04/13/12 | G | | |
| | | | | | | | Liquidate Funds | 04/13/17 | G | | |

Federal Timely Use of Funds Report**Status Date: October 31, 2011****Federally-Funded Locally-Sponsored Alameda County Projects****Red Zone Projects (cont.)**

| Index | TIP ID | Sponsor | | Project Title | | | Date Req'd By | Zone | Notes | Prev Zone |
|-------|-----------|------------|------------------------------|---------------|-------|--|------------------|------|-------|--------------------------|
| | | Source | Prog'd Amount (\$x 1,000) | Phase | FY | Req'd Activity | | | | |
| 37 | ALA110028 | Union City | \$860 | Con | 11/12 | Union City Blvd Corridor Bicycle Imp. Phase 1 | | | R | R |
| | | CMAQ | | | | Submit Req for Auth | 02/01/12 | G | | |
| | | | | | | Obligate Funds | 04/30/12 | | | |
| 38 | ALA110036 | Union City | \$4,450 | Con | 10/11 | Union City BART East Plaza Enhancements | | | R | \$4,450 Obligated 2/2/11 |
| | | CMAQ | | | | Award Contract | 11/02/11 | Y | | |
| | | | | | | Submit First Invoice | 02/02/12 | G | | |
| | | | | | | Liquidate Funds | 02/02/17 | | | |

Yellow Zone Projects

| Index | TIP ID | Sponsor | | Project Title | | | Date Req'd By | Zone | Notes | Prev Zone |
|-------|--------|-------------|------------------------------|---------------|-------|---|------------------|------|-------|------------------------|
| | | Source | Prog'd Amount (\$x 1,000) | Phase | FY | Req'd Activity | | | | |
| 39 | HSIP | Alameda | \$733 | Con | 11/12 | Park Street Operations Improvements | | | Y | Hwy Safety Imp Program |
| | | HSIP | | | | Submit Req for Auth | Note 2 | NA | | |
| 40 | HSIP | Alameda | \$416 | Con | 11/12 | Shoreline Dr - Westline Dr - Broadway Improvements | | | Y | Hwy Safety Imp Program |
| | | HSIP | | | | Submit Req for Auth | Note 2 | NA | | |
| 41 | HSIP | Oakland | \$223 | | 11/12 | West Grand at Market, Macarthur at Fruitvale & Market at 55th Improvements | | | Y | Hwy Safety Imp Program |
| | | HSIP | | | | Submit Req for Auth | Note 2 | G | | |
| 42 | HSIP | Oakland | \$81 | | 11/12 | Various Intersections Pedestrian Improvements | | | Y | Hwy Safety Imp Program |
| | | HSIP | | | | Submit Req for Auth | Note 2 | G | | |
| 43 | HSIP | Oakland | \$416 | Con | 11/12 | San Pablo Ave - West St - W. Grand Ave Intersections | | | Y | Hwy Safety Imp Program |
| | | HSIP | | | | Submit Req for Auth | Note 2 | NA | | |
| 44 | HSIP | San Leandro | \$373 | Con | 11/12 | Washington Ave - Monterey Blvd Intersections | | | Y | Hwy Safety Imp Program |
| | | HSIP | | | | Submit Req for Auth | Note 2 | NA | | |

Federal Timely Use of Funds Report**Status Date: October 31, 2011****Federally-Funded Locally-Sponsored Alameda County Projects****Green Zone Projects (cont.)**

| Index | TIP ID | Sponsor | | Project Title | | Req'd Activity | Date Req'd By | Zone | Notes | Prev Zone |
|-------|-----------|-------------|---------------------------|---|-------|----------------------|---------------|------|--|-----------|
| | | Source | Prog'd Amount (\$x 1,000) | Phase | FY | | | | | |
| 45 | ALA110033 | ACCMA | | Alameda County Safe Routes to School | | | | | | |
| | | CMAQ | \$2,289 | Con | 10/11 | Submit First Invoice | 03/29/12 | G | \$2,689 Obligated 3/29/11 | Y |
| | | STP | \$400 | Con | 10/11 | Liquidate Funds | 03/29/17 | G | Obligated w/ALA110009 | |
| 46 | HBRR | Ala. County | | Patterson Pass Road - PM6.4 Widen or Improve Shoulder | | | | | | |
| | | HBRR | \$717 | | 12/13 | Submit Req for Auth | Note 2 | G | Fed High Risk Rural Roads | R |
| | | HBRR | \$101 | Prior | | Liquidate Funds | Note 2 | G | | |
| 47 | ALA090068 | BART | | MacArthur BART Plaza Remodel | | | | | | |
| | | CMAQ | \$626 | Con | 10/11 | | | | \$626 Obligated 3/16/11 Transfer to FTA Grant | G |
| 48 | ALA110032 | BART | | Downtown Berkeley BART Plaza/Transit Area Imps. | | | | | | |
| | | CMAQ | \$706 | PE | 10/11 | | | | \$706 Obligated 3/16/11 | G |
| | | CMAQ | \$1,099 | Con | 10/11 | | | | \$1,099 Obligated 3/16/11 Transfer to FTA Grant | |
| 49 | ALA110038 | BART | | BART - West Dublin BART Station Ped Access Imps | | | | | | |
| | | CMAQ | \$21 | PE | 10/11 | | | | \$21 Obligated 2/2/11 | G |
| | | CMAQ | \$839 | Con | 10/11 | | | | \$839 Obligated 2/2/11 Transfer to FTA Grant | |
| 50 | HSIP | Fremont | | Paseo Padre Parkway - Walnut to Washington - Replace Poles | | | | | | |
| | | HSIP | \$120 | | 12/13 | Submit Req for Auth | Note 2 | G | Hwy Safety Imp Program | R |
| | | HSIP | \$23 | | 10/11 | Liquidate Funds | Note 2 | G | \$23 Obligated 11/18/10 | |
| 51 | HSIP | Fremont | | Paseo Padre Parkway - Walnut to Washington - Replace Poles | | | | | | |
| | | HSIP | \$458 | | 12/13 | Submit Req for Auth | Note 2 | G | Hwy Safety Imp Program | R |
| | | HSIP | \$59 | | 10/11 | Liquidate Funds | Note 2 | G | \$59 Obligated 11/18/10 | |
| 52 | HSIP | Oakland | | Various Intersections Signal Improvements | | | | | | |
| | | HSIP | \$900 | Con | 13/14 | Submit Req for Auth | Note 2 | G | Hwy Safety Imp Program | NA |
| 53 | HSIP | Oakland | | Bancroft Ave - 98th Ave Improvements | | | | | | |
| | | HSIP | \$485 | Con | 13/14 | Submit Req for Auth | Note 2 | G | Hwy Safety Imp Program | NA |
| 54 | SRTS | Oakland | | Intersection Improvements at Multiple School (5 Elem. + 1 Middle) | | | | | | |
| | | SRTS | \$63 | Prior | | Liquidate Funds | Note 2 | G | Fed Safe Routes to School | G |
| | | SRTS | \$638 | | 10/11 | Liquidate Funds | Note 2 | G | \$638 Obligated 11/22/10 | |

Notes:

- 1 MTC Reso 3606 deadline is before the status date of this report. Sponsor is working with Caltrans, MTC and Alameda CTC to expedite/complete required activity.
- 2 HSIP, SRTS and HRRR projects may have different timely use of funds provisions than the MTC Reso 3606 requirements. The information in this Report is based on the current programming information available from MTC (Group Listings in the TIP). For the purposes of assigning projects to a "Zone" in this Report, funds shown as FY 10/11 are assigned to the Red Zone, funds in FY 11/12 are Yellow, and funds in FY 12/13 or later years are in the Green Zone. Sponsors are encouraged to confirm any project-specific timely use of funds provisions included in funding agreements, authorization documents, etc. and to provide a copy of the documents to the Alameda CTC for monitoring purposes.

Federal Timely Use of Funds Report**Status Date: October 31, 2011****Federally-Funded Locally-Sponsored Alameda County Projects****Appendix A****Federal At Risk Report Zone Criteria****Required Activities per Resolution 3606 (Revised July 23, 2008)**

| Required Activities Monitored by CMA¹ | Criteria Timeframes for Required Activities | | |
|---|--|---|---|
| | Red Zone | Yellow Zone | Green Zone |
| Request Project Field Review | Project in TIP for more than nine (9) months, or obligation deadline for Con funds within 15 months. | Project in TIP for less than nine (9) months, and obligation deadline for Con funds more than 15 months away. | All conditions other than Red or Yellow Zones |
| Submit Environmental Package | NA | NA | NA |
| Approved DBE Program and Methodology | NA | NA | NA |
| Submit Request for Authorization (PE) | within three (3) months | within three (3) to six (6) months | All conditions other than Red or Yellow Zones |
| Submit Request for Authorization (R/W) | within four (4) months | within four (4) to nine (9) months | All conditions other than Red or Yellow Zones |
| Submit Request for Authorization (Con) | within six (6) months | | All conditions other than Red or Yellow Zones |
| Obligation/ FTA Transfer | within two (2) months | within two (2) to four (4) months | All conditions other than Red or Yellow Zones |
| Advertise Construction | within four (4) months | within four (4) to six (6) months | All conditions other than Red or Yellow Zones |
| Award Contract | within six (6) months | within six (6) to nine (9) months | All conditions other than Red or Yellow Zones |
| Award into FTA Grant | within two (2) months | within two (2) to four (4) months | All conditions other than Red or Yellow Zones |
| Submit First Invoice | within two (2) months | within two (2) to four (4) months | All conditions other than Red or Yellow Zones |
| Liquidate Funds | within four (4) months | within four (4) to nine (9) months | All conditions other than Red or Yellow Zones Move to Appendix D |
| Project Closeout | within four (4) months | within four (4) to nine (9) months | All conditions other than Red or Yellow Zones |

Other Zone Criteria

| | |
|--------------------|--|
| Red Zone | Projects with funds programmed in the same FY for both a project development phase (i.e. Env or PSE) and a capital phase (i.e. R/W or Con) without the project development phase(s) obligated. |
| Yellow Zone | Projects with an Amendment to the TIP pending. |

Notes: ¹ See Appendix B for more information about the Required Activities and Resolution 3606.

Federal Timely Use of Funds Report

Status Date: October 31, 2011

Federally-Funded Locally-Sponsored Alameda County Projects

| Appendix B | | |
|--|--|--|
| Definitions of the Required Activities per Resolution 3606 (As revised July 23, 2008) | | |
| Index | Definition | Deadline |
| 1 | Req Proj Field Rev | |
| | Per MTC Resolution 3606-Revised, "Implementing agencies are required to request a field review from Caltrans Local Assistance within 12 months of approval of the project in the TIP ¹ , but no less than 12 months prior to the obligation deadline of construction funds. 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 operations projects and planning activities. Failure for an implementing agency to make a good-faith effort in requesting and scheduling a field review from Caltrans Local Assistance within twelve months of programming into the TIP could result in the funding being reprogrammed and restrictions on future programming and obligations. Completed field review forms must be submitted to Caltrans in accordance with Caltrans Local Assistance procedures." | 12 months from approval in the TIP ¹ , but no less than 12 months prior to the obligation deadline of construction funds. |
| 2 | Sub ENV package | |
| | Per MTC Resolution 3606-Revised, "Implementing agencies are required to submit a complete environmental package to Caltrans for all projects (except those determined Programmatic Categorical Exclusion 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 and 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 for delivering the complete environmental submittal in a timely manner. Failure to comply with this provision could result in the funding being reprogrammed. The requirement does not apply to FTA transfers, regional operations projects or planning activities." | 12 months prior to the obligation deadline for RW or Con funds. (No change) |
| 3 | Approved DBE Prog | |
| | Per MTC Resolution 3606-Revised, "Obligation of federal funds may not occur for contracted activities (any combination of environmental/ design/ construction/ procurement activities performed outside the agency) until and unless an agency has an approved DBE program and methodology for the current federal fiscal year. Therefore, agencies with federal funds programmed in the TIP must have a current approved DBE Program and annual methodology (if applicable) in place prior to the fiscal year the federal funds are programmed in the TIP. STP/CMAQ funding for agencies without approved DBE methodology for the current year are subject to redirection to other projects after March 1. Agencies should begin the DBE process no later than January 1 to meet the March 1 deadline. Projects advanced under the Expedited Project Selection Process (EPSP) must have an approved DBE program and annual methodology for the current year (if applicable) prior to the advancement of funds." | Approved program and methodology in place prior to the FFY the funds are programmed in the TIP. |
| 4 | Sub Req for Auth | |
| | Per MTC Resolution 3606-Revised, "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 February 1 of the year the funds are listed in the TIP. Projects with complete packages delivered by February 1 of the programmed year will have priority for available OA, after ACA conversions that are included in the Obligation Plan. If the project is delivered after February 1 of the programmed year, the funds will not be the highest priority for obligation in the event of OA limitations, and will compete for limited OA with projects advanced from future years. Funding for which an obligation/ FTA transfer request is submitted after the February 1 deadline will lose its priority for OA, and be viewed as subject to reprogramming." | February 1 of FY in which funds are programmed in the TIP. |

Federal Timely Use of Funds Report**Status Date: October 31, 2011****Federally-Funded Locally-Sponsored Alameda County Projects****Appendix B****Definitions of the Required Activities per Resolution 3606 (As revised July 23, 2008)**

| Index | Definition | Deadline |
|--------------|---|---|
| 5 | Obligate Funds/ Transfer to FTA | |
| | Per MTC Resolution 3606-Revised, "STP and CMAQ funds are subject to an obligation/FTA transfer deadline of April 30 of the fiscal year the funds are programmed in the TIP. Implementing agencies are required to submit the completed request for obligation or FTA transfer to Caltrans Local Assistance by February 1 of the fiscal year the funds are programmed in the TIP, and receive an obligation/ FTA transfer of the funds by April 30 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 February 1, 2008 and an obligation/FTA transfer deadline of April 30, 2008. Projects programmed in FY 2008-09 have an obligation request submittal deadline (to Caltrans) of February 1, 2009 and an obligation/FTA transfer deadline of April 30, 2009. No extensions will be granted to the obligation deadline." | April 30 of FY in which funds are programmed in the TIP. |
| 6 | Execute PSA | |
| | Per MTC Resolution 3606, "The implementing agency must execute and return the Program Supplement Agreement (PSA) to Caltrans in accordance with Caltrans Local Assistance procedures. The agency must contact Caltrans if the PSA is not received from Caltrans within 60 days of the obligation. This requirement does not apply to FTA transfers. Agencies that do not execute and return the PSA to Caltrans within the required Caltrans deadline will be unable to obtain future approvals for any projects, including obligation and payments, until all PSAs for that agency, regardless of fund source, meet the PSA execution requirement. Funds for projects that do not have an executed PSA within the required Caltrans deadline are subject to de-obligation by Caltrans." | Within 60 days of receipt of the PSA from Caltrans, and within six months from the actual obligation date. ² |
| 7 | Advertise Contract /Award Contract/Award into FTA Grant | |
| | Per MTC Resolution 3606-Revised, "For the Construction (CON) phase, the construction/equipment purchase contract must be advertised within 6 months of obligation and awarded within 9 months of obligation. However, regardless of the advertisement and award deadlines, agencies must still meet the invoicing deadline for construction funds. Failure to advertise and award a contract in a timely manner could result in missing the subsequent invoicing and reimbursement deadline, resulting in the loss of funding. Agencies must submit the notice of award to Caltrans in accordance with Caltrans Local Assistance procedures, with a copy also submitted to the applicable CMA. Agencies with projects that do not meet these award deadlines will have future programming and OA restricted until their projects are brought into compliance. For FTA projects, funds must be approved/ awarded in an FTA Grant within one federal fiscal year following the federal fiscal year in which the funds were transferred to FTA." | Advertised within 6 months of obligation and awarded within 9 months of obligation. FTA Grant Award: Within 1 year of transfer to FTA. |
| 8 | Submit First Invoice / Next Invoice Due | |
| | Per MTC Resolution 3606-Revised, "Funds for each federally funded (Environmental (ENV/ PA&ED), Preliminary Engineering (PE), Final Design (PS&E) and Right of Way (R/W) phase and for each federal program code within these phases, must be invoiced against at least once every six months following obligation. Funds that are not invoiced at least once every 12 months are subject to de-obligation. There is no guarantee that funds will be available to the project once de-obligated. Funds for the Construction (CON) phase, and for each federal program code within the construction phase, must be invoiced and reimbursed against at least once within 12 months of the obligation, and then invoiced at least once every 6-months there after. Funds that are not invoiced and reimbursed at least once every 12 months are subject to de-obligation by FHWA. There is no guarantee that funds will be available to the project once de-obligated. If a project does not have eligible expenses within a 6-month period, the agency must provide a written explanation to Caltrans Local Assistance for that six-month period and submit an invoice as soon as practicable to avoid missing the 12-month invoicing and reimbursement deadline. Agencies with projects that have not been invoiced against and reimbursed within a 12-month period, regardless of federal fund source, will have restrictions placed on future programming and OA until the project is properly invoiced. Funds that are not invoiced and reimbursed against at least once every 12 months are subject to de-obligation by FHWA." | For Con phase: Once within 12 months of Obligation and then once every 6 months thereafter, for each federal program code. For all other phases: Once within 6 months following Obligation and then once every 6 months thereafter, for each phase and federal program code. |

Federal Timely Use of Funds Report**Status Date: October 31, 2011****Federally-Funded Locally-Sponsored Alameda County Projects****Appendix B****Definitions of the Required Activities per Resolution 3606 (As revised July 23, 2008)**

| Index | Definition | Deadline |
|--------------|--|---|
| 8a | Inactive Projects | |
| | Per MTC Resolution 3606-Revised, "Most projects can be completed well within the state's deadline for funding liquidation or FHWA's ten-year proceed-to-construction requirement. Yet it is viewed negatively by both FHWA and the California Department of Finance for projects to remain inactive for more than twelve months. It is expected that funds for completed phases will be invoiced immediately for the phase, and projects will be closed out within six months of the final project invoice. Funds that are not invoiced and reimbursed at least once every 12 months are subject to de-obligation by FHWA. There is no guarantee the funds will be available to the project once de-obligated." | Funds must be invoiced and reimbursed against once every 12 months to remain active. |
| 9 | Liquidate Funds | |
| | Per MTC Resolution 3606-Revised, "Funds must be liquidated (fully expended, invoiced and reimbursed) within six years of obligation. California Government Codes 16304.1 and 16304.3 places additional restrictions on the liquidation of federal funds. Generally, federal funds must be liquidated (fully expended, invoiced and reimbursed) within 6 state fiscal years following the fiscal year in which the funds were appropriated. Funds that miss the state's liquidation/ reimbursement deadline will lose State Budget Authority and will be de-obligated if not re-appropriated by the State Legislature, or extended (for one year) in a Cooperative Work Agreement (CWA) with the California Department of Finance. This requirement does not apply to FTA transfers." | Funds must be liquidated within six years of obligation. |
| 10 | Estimated Completion Date/Project Closeout | |
| | Per MTC Resolution 3606-Revised, "Implementing Agencies must fully expend federal funds on a phase one year prior to the estimated completion date provided to Caltrans. At the time of obligation, the implementing agency must provide Caltrans with an estimated completion date for that project phase. Any un-reimbursed federal funds remaining on the phase after the estimated completion date has passed, is subject to project funding adjustments by FHWA. Projects must be properly closed out within six months of final project invoice. Projects must proceed to construction within 10 years of federal authorization of the initial phase. Federal regulations require that federally funded projects proceed to construction within 10 years of initial federal authorization of any phase of the project. Furthermore, if a project is canceled, or fails to proceed to construction in 10 years, FHWA will de-obligate any remaining funds, and the agency is required to repay any reimbursed funds. If a project is canceled as a result of the environmental process, the agency does not have to repay reimbursed costs for the environmental activities. However, if a project is canceled after the environmental process is complete, or a project does not proceed to construction within 10 years, the agency is required to repay all reimbursed federal funds. Agencies with projects that have not been closed out within 6 months of final invoice will have future programming and OA restricted until the project is closed out or brought back to good standing by providing written explanation to Caltrans Local Assistance, the applicable CMA and MTC." | Est. Completion Date: For each phase, fully expend federal funds 1 year prior to date provided to Caltrans. Project Close-out: Within 6 months of final project invoice. |

Notes:

- ¹ Approval in the TIP: For administrative/ minor TIP Amendments it is the date of Caltrans approval. For formal TIP Amendments, it is the date of FHWA approval.
- ² Per DOT letter from Caltrans Local Assistance to MPOs, regarding "Procedural Changes in Managing Obligations", dated 9/15/05.