



## Alameda County Technical Advisory Committee Meeting Agenda Thursday, October 10, 2019, 1:30 p.m.

Chair: Arthur L. Dao

Staff Liaison: [Gary Huisingsh](#)

Clerk: [Vanessa Lee](#)

### 1. Call to Order

### 2. Introductions/Roll Call

### 3. Public Comment

### 4. Consent Calendar Page/Action

4.1. [Approve the September 5, 2019, ACTAC Meeting Minutes](#) 1 A

### 5. Planning / Programs / Monitoring

5.1. [Approve Alameda County 2020 State Transportation Improvement Program](#) 7 A

5.2. [2020 Countywide Transportation Plan: Initial Discussion of Draft Screening Approach and Shared Mobility Overview](#) 17 I

5.3. [Metropolitan Transportation Commission's Federal Fiscal Year \(FFY\) 2019-20 Annual Obligation Plan and Project Delivery Requirements](#) 23 I

5.4. [Alameda County Federal Inactive Projects Update](#) 63 I

### 6. Member Reports

### 7. Staff Reports

### 8. Adjournment

**Next Meeting:** Thursday, November 7, 2019

#### Notes:

- All items on the agenda are subject to action and/or change by the Commission.
- To comment on an item not on the agenda (3-minute limit), submit a speaker card to the clerk.
- Call 510.208.7450 (Voice) or 1.800.855.7100 (TTY) five days in advance to request a sign-language interpreter.
- If information is needed in another language, contact 510.208.7400. Hard copies available only by request.
- Call 510.208.7400 48 hours in advance to request accommodation or assistance at this meeting.
- Meeting agendas and staff reports are available on the [website calendar](#).
- Alameda CTC is located near 12th St. Oakland City Center BART station and AC Transit bus lines. [Directions and parking information](#) are available online.



## Alameda CTC Schedule of Upcoming Meetings for October 2019 through December 2019

**Commission Chair**

Supervisor Richard Valle, District 2

**Commission Vice Chair**Mayor Pauline Cutter,  
City of San Leandro**AC Transit**

Board Vice President Elsa Ortiz

**Alameda County**Supervisor Scott Haggerty, District 1  
Supervisor Wilma Chan, District 3  
Supervisor Nate Miley, District 4  
Supervisor Keith Carson, District 5**BART**

Vice President Rebecca Saltzman

**City of Alameda**

Mayor Marilyn Ezzy Ashcraft

**City of Albany**

Mayor Rochelle Nason

**City of Berkeley**

Mayor Jesse Arreguin

**City of Dublin**

Mayor David Haubert

**City of Emeryville**

Councilmember John Bauters

**City of Fremont**

Mayor Lily Mei

**City of Hayward**

Mayor Barbara Halliday

**City of Livermore**

Mayor John Marchand

**City of Newark**

Councilmember Luis Freitas

**City of Oakland**Councilmember At-Large  
Rebecca Kaplan  
Councilmember Sheng Thao**City of Piedmont**

Mayor Robert McBain

**City of Pleasanton**

Mayor Jerry Thorne

**City of Union City**

Mayor Carol Dutra-Vernaci

**Executive Director**

Arthur L. Dao

### Commission and Committee Meetings

Time	Description	Date
9:00 a.m.	Finance and Administration Committee (FAC)	October 14, 2019 November 18, 2019
9:30 a.m.	I-680 Sunol Smart Carpool Lane Joint Powers Authority (I-680 JPA)	October 14, 2019
10:00 a.m.	I-580 Express Lane Policy Committee (I-580 PC)	
10:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	
12:00 p.m.	Programs and Projects Committee (PPC)	
2:00 p.m.	Alameda CTC Commission Meeting	October 24, 2019 December 5, 2019

### Advisory Committee Meetings

1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	November 7, 2019
5:30 p.m.	Independent Watchdog Committee (IWC)	November 18, 2019
5:30 p.m.	Bicycle and Pedestrian Advisory Committee (BPAC)	November 21, 2019
1:30 p.m.	Paratransit Advisory and Planning Committee (PAPCO)	November 25, 2019

All meetings are held at Alameda CTC offices located at 1111 Broadway, Suite 800, Oakland, CA 94607. Meeting materials, directions and parking information are all available on the [Alameda CTC website](http://www.AlamedaCTC.org).



## **Alameda County Technical Advisory Committee Fiscal Year 2019-2020**

### **Member Agencies**

AC Transit  
BART  
City of Alameda  
City of Albany  
City of Berkeley  
City of Dublin  
City of Emeryville  
City of Fremont  
City of Hayward  
City of Livermore  
City of Newark  
City of Oakland  
City of Piedmont  
City of Pleasanton  
City of San Leandro  
City of Union City  
County of Alameda

### **Other Agencies**

Chair, Alameda CTC  
ABAG  
ACE  
BAAQMD  
Caltrans  
CHP  
LAVTA  
MTC  
Port of Oakland  
Union City Transit  
WETA

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# Alameda County Technical Advisory Committee Meeting Minutes Thursday, September 5, 2019, 1:30 p.m.

4.1

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

## 1. Call to Order

Gary Huisingsh called the meeting to order.

## 2. Roll Call/Introductions

Introductions were conducted. All members were present with the exception of Kevin Connolly, Amber Evans, Osh Felfala, Anthony Fournier, Johnny Jaramillo, Farid Javandel, Christy Leffal, Steven Lizzarago, Kevin Sheradin, Charmine Solla, Michael Stella, Radiah Victor, and John Xu.

### Subsequent to the Roll Call

Christy Leffal and Charmine Solla arrived during item 5.1.

## 3. Public Comment

A public comment was heard from Kelly Abreu regarding the Interstate 680 Sunol Express Lanes and noted that they are not bicycle accessible.

## 4. Consent Calendar

### 4.1. Approval of June 6, 2019 ACTAC Meeting Minutes

*Hans Larsen made a motion to approve meeting minutes. Obaid Khan seconded the motion. The motion passed with the following votes:*

Yes: Ayupan, Chiu, Farid, Horvath, Huisingsh, Imai, Izon, Khan, Larsen, Lee, McCaulay, Novenario, Ortiz, Payne, Prosod

No: None

Abstain: None

Absent: Connolly, Evans, Felfala, Fournier, Jaramillo, Javandel, Leffal, Lizzarago, Sheradin, Solla, Stella, Victor, Xu

## 5. Programs/Projects/Monitoring

### 5.1. Approve the Vision and Goals for the 2020 Countywide Transportation Plan

Kristen Villanueva recommended the Commission approve the Vision and Goals for the 2020 Countywide Transportation Plan (2020 CTP). She informed ACTAC that staff briefed the Planning, Policy and Legislation Committee (PPLC) and Commission in January and July on the approach for the 2020 CTP and presented draft vision and goal statements in July. Ms. Villanueva reviewed the approach for the 2020 CTP including engagement with ACTAC throughout plan development.

She informed the committee that a draft vision and goal statement for the 2020 CTP went before the Planning, Policy and Legislation Committee (PPLC) and Commission in July and she summarized the modifications requested by the Commission. Ms. Villanueva requested input from ACTAC on the vision and goals and they provided the following comments:

- Revision to goal 2: add in “multimodal”, move “single-occupant vehicles sooners in the statement for clarity”
- Revision to goal 3: “upgrade” only refers to existing infrastructure. Expand the goal statement to be clear it includes new and upgrades to existing infrastructure
- Revision to goal 4: add the word “safe”, goal should reflect importance of connecting housing and transportation, goal should support density
- Revision to the vision statement if appropriate: adding “safe” and “employees”
- Suggestion to add “shared mobility” to one of the goals
- Clarification on the word “equitable” in goal 1
- Suggestion to add more emphasis on affordability of housing and connecting people to housing and density

*Obaid Khan made a motion to approve this item with the suggested edits to the vision and goals incorporated. Donna Lee seconded the motion. The motion passed with the following votes:*

Yes: Ayupan, Chiu, Fried, Horvath, Huisingsh, Imai, Izon, Khan, Larsen, Lee, Leffal, McCaulay, Novenario, Ortiz, Payne, Prosod, Solla  
No: None  
Abstain: None  
Absent: Connolly, Evans, Felfala, Fournier, Jaramillo, Javandel, Lizzarago, Sheradin, Stella, Victor, Xu

## **5.2. Approve the 2019 Congestion Management Program and 2019 Conformity Findings**

Chris Marks recommended that the Commission approve the 2019 Congestion Management Program (CMP) and the 2019 Conformity Findings. The last update to the CMP was completed in December 2017 and considering the legislative efforts related to the CMP, the 2019 update to the CMP is a focused update only to incorporate progress on the implementation of various CMP elements that occurred in the last two years. Once the legislative conflicts are resolved, substantive updates are planned. As a part of the CMP requirements, each year Alameda CTC evaluates each jurisdiction's conformance with four elements to enable continued release of gas tax subventions: Level of Service Monitoring, Land Use Analysis Program, Travel Demand Management implementation, and Payment of membership fees. All jurisdictions with the exception of three

jurisdictions that have the deficiency plan implementation requirements are found to be in conformance. These three jurisdictions are expected to be in conformance by the Commission meeting on September 26th.

*Obaid Khan made a motion to approve this item. Donna Lee seconded the motion. The motion passed with the following votes:*

Yes: Ayupan, Chiu, Fried, Horvath, Huisingsh, Imai, Izon, Khan, Larsen, Lee, Leffal, McCaulay, Novenario, Ortiz, Payne, Prosod, Solla  
No: None  
Abstain: None  
Absent: Connolly, Evans, Felfala, Fournier, Jaramillo, Javandel, Lizzarago, Sheradin, Stella, Victor, Xu

### **5.3. Review 2020 State Transportation Improvement Program Principles**

Vivek Bhat reviewed the approved programming principles and schedule for the development of the Alameda County 2020 State Transportation Improvement Program (STIP) project list. Mr. Bhat mentioned the 2020 STIP will cover Fiscal Years 2020-21 through 2024-25, and based on the State's 2020 STIP Fund Estimate, approximately \$15.7 million of new programming capacity for projects is anticipated for Alameda County. He noted that the California Transportation Commission (CTC) adopted the final STIP program guidelines in August. He informed the committee that the STIP project list is due to the Metropolitan Transportation Commission (MTC) on November 1, 2019. Mr. Bhat noted that the Alameda CTC Commission approved the programming principles and schedule in July 2019, for the development of the Alameda County 2020 STIP project list. He reviewed the 2020 draft STIP principles, stating that the principles are similar to what have been approved in prior STIP cycles. Mr. Bhat stated the CTC will consider programming STIP projects with uncommitted funds from certain SB-1 programs. If the funding commitment is not secured with the adoption of those SB-1 programs and alternative funding is not identified within six months, the projects will be subject to deletion by the CTC.

Hans Larsen from Fremont asked if there was a call for projects scheduled to be released. Mr. Bhat responded that Alameda CTC was not going to release a call but would utilize the CIP inventory of projects to formulate a recommendation for the 2020 STIP.

*This item is for information only.*

### **5.4. Measure RR-funded Safe Routes to BART program**

Rachel Factor from BART presented an update on Measure RR-funded Safe Routes to BART program and reviewed a project inquiry form, which provides a high-level description of cities proposed projects. Ms. Factor requested feedback from

ACTAC members and informed them that their input will assist BART in calibrating the development and implementation of the grant program. She noted that an electronic copy of the form will be provided to the cities via email and she requested the cities to submit their responses by September 30, 2019.

A public comment was heard from Kelly Abreu. He stated that better sidewalk access and trails are needed at BART.

Hans Larsen asked if the Grant funding for new or existing stations. Ms. Factor sated that it's for existing stations.

Obaid Khan asked if the funding can be used on design. Ms. Factor responded that all capital phases are eligible.

*This item is for information only.*

#### **5.5. Alameda County Federal Inactive Projects Update**

Jacki Taylor provided an update on the Federal Inactive List and she highlighted potential deobligation dates for inactive projects. She encouraged ACTAC members to stay current with their federal invoicing and highlighted key dates for projects on the Inactive List.

*This item is for information only.*

#### **5.6. 2020 Countywide Transportation Plan Project Updates**

Kristen Villanueva informed the committee that Alameda CTC will be collecting information on the list of transportation projects and programs that reflect the county's transportation needs through the long-range horizon of 2050. Much of this information has already been gathered throughout the last year with efforts associated with development of the next regional plan, Plan Bay Area 2050. She discussed the projects already submitted for the Plan Bay Area 2050 process, transitioning to the 2020 CTP, and remaining project information requested. Ms. Villanueva informed the committee that staff will email out with agency specific project and program workbooks on September 6, 2019.

*This item is for information only.*

### **6. Members Report**

Gayle Payne informed the committee that the City of Alameda will have a groundbreaking ceremony for the Seaplane Lagoon Ferry Terminal at Alameda Point on September 12, 2019 from 11:30 a.m. to 1 p.m.



Christy Leffal shared with the committee various MTC updates around Plan Bay Area. Ms. Leffal wants to know if she can use the ACTAC distribution list for the broader plan bay area access list.

Donna Lee gave an update on BART transitioning from paper tickets to Clipper cards. She noted that there are four pilot stations that are being converted to Clipper card use only. These include 19th Street, Embarcadero, Powell and Downtown Berkeley stations.

**7. Staff Report**

There were no staff reports

**8. Adjournment**

The meeting adjourned at 3:35 p.m. The next meeting is scheduled for October 10, 2019 at the Alameda CTC offices.

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# Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**DATE:** October 3, 2019

**TO:** Alameda County Technical Advisory Committee

**FROM:** Vivek Bhat, Director of Programming and Project Controls  
Jacki Taylor, Senior Program Analyst

**SUBJECT:** Approve Alameda County 2020 State Transportation Improvement Program (STIP)

## Recommendation

Approve Resolution 19-005 (Attachment A) regarding the approval of the Alameda County 2020 STIP Program, which identifies \$15.7 million of new 2020 STIP funding for the I-80/Gilman Interchange Bicycle/Pedestrian Overcrossing and Access Improvements Project. Staff also recommends identifying the I-680 Express Lanes Gap Closure (SR-84 to Alcosta Boulevard) project as a contingency project for the 2020 STIP.

## Summary

The State Transportation Improvement Program (STIP) is a multi-year capital improvement program of transportation projects on and off the State Highway System, funded with revenues from the State Highway Account and other funding sources administered by the California Transportation Commission (CTC), including Senate Bill 1 (SB 1). The 2020 STIP will cover Fiscal Years (FYs) 2020-21 through 2024-25. Alameda County's share of the State's 2020 STIP Fund Estimate is \$34.7 million and includes \$15.7 million of new programming capacity for projects that would be available in the last year (FY2024-25) of the 2020 STIP period.

The Alameda CTC is to adopt and forward a program of STIP projects to the Metropolitan Transportation Commission (MTC) for inclusion in MTC's 2020 Regional STIP program (2020 RTIP). MTC approves the region's RTIP and submits it to the CTC for inclusion in the STIP.

Staff is recommending Commission approval of the Alameda County 2020 Program (Attachment A) which is consistent with the 2020 STIP Principles approved by the Commission in July 2019 (Attachment B). A final, approved project list and supporting documentation is due to MTC by November 1, 2019.

Staff also recommends identifying the I-680 Express Lanes Gap Closure (SR-84 to Alcosta Boulevard) project as a contingency project for the 2020 STIP.

**Background**

The STIP is a multi-year capital improvement program of transportation projects on and off the State Highway System that is administered by the CTC and funded with revenues from the State Highway Account and other State and federal funding sources, including SB 1. The STIP is composed of two sub-elements with 75% of the STIP funds reserved for the Regional Transportation Improvement Program (RTIP) and 25% for the Interregional Transportation Improvement Program (ITIP).

Senate Bill 45 (SB 45) was signed into law in 1996 and had significant impacts on the regional transportation planning and programming process. The statute delegated major funding decisions to the local level and allows the Congestion Management Agencies/County Transportation Agencies (CMAs/CTAs) to have a more active role in selecting and programming transportation projects. SB 45 changed the transportation funding structure and modified the transportation programming cycle, program components, and expenditure priorities.

For each STIP cycle, Alameda CTC adopts and forwards a program of STIP projects to MTC. As the Regional Transportation Planning Agency (RTPA) for the nine-county Bay Area, MTC is responsible for developing the regional priorities for the RTIP. MTC approves the region's RTIP and submits it to the CTC for inclusion in the STIP. Caltrans is responsible for developing the ITIP.

**2020 STIP Fund Estimate**

The STIP Fund Estimate is approved by the CTC and serves as the basis for determining the STIP county shares and the amounts available for programming each fiscal year during the five-year STIP period. The Draft 2020 STIP Fund Estimate released at the June 2019 CTC meeting indicated \$9.2 million new programming capacity would be available for Alameda County projects. At the August meeting, the CTC approved the final 2020 STIP FE which increased the amount to \$15.7 million. This represents the amount of 2020 STIP new programming capacity that is available for Alameda County projects in FY 2024-25. MTC adopted its final Regional 2020 STIP Policies and Fund Estimate in September 2019.

Alameda County's 2020 STIP Fund Estimate:

\$ 34.7 M	2020 Fund Estimate for Alameda County
\$ 13.1 M	AC Transit East Bay Bus Rapid Transit (2018 STIP)
\$ 2.0 M	ARRA Backfill for Caldecott Tunnel (2018 STIP)
\$ 3.1 M	Ala. Co. share of MTC's Bike Ped Connectivity to Bay Bridge (2018 STIP)
\$ 0.3 M	STIP Administration funds for MTC
\$ 0.5 M	STIP Administration funds for Alameda CTC
<b>\$ 15.7M</b>	<b>New funding available for projects</b>

## **2020 STIP Program**

Staff is recommending Commission approval of the Alameda County 2020 STIP Program (Attachment A) which is consistent with the 2020 STIP Principles approved by the Commission in July 2019 (Attachment B). The program includes \$15.7 million of new 2020 STIP funding for the I-80/Gilman Interchange Bicycle/Pedestrian Overcrossing and Access Improvements Project.

The I-80/Gilman Interchange Bicycle/Pedestrian Overcrossing and Access Improvements Project is currently in the design phase, having obtained NEPA Environmental Clearance in June 2019. The project is programmed with \$25.8 million of 2018 STIP and \$4.2 million of State SB1 ATP funding for the construction phase. Based on multiple stakeholder input received during the Environmental phase and other factors such as UPRR requirements, the project scope had to be modified and resulted in cost increases and an \$18.4 million funding shortfall in the construction phase. The 2020 STIP provides an opportunity to program additional STIP funding to the project to preserve the existing \$29.94 million of combined State funding (STIP and ATP) and to facilitate timely project delivery.

In July 2019, Alameda CTC submitted a grant application requesting \$18.4 million from the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants program. Staff is anticipating the programming recommendations to be declared by the Federal Highway Administration (FHWA) in late fall 2019. In the event of the I-80/Gilman Interchange Bicycle/Pedestrian Overcrossing and Access Improvements Project receives the federal grant, staff is recommending the I-680 Express Lanes Gap Closure (SR-84 to Alcosta Boulevard) project as a contingency project for 2020 STIP funding.

The I-680 Express Lanes Gap Closure Project currently has a significant funding shortfall and has an opportunity to be coordinated with a Caltrans pavement rehabilitation SHOPP project within the same limits, resulting in delivery efficiencies and an estimated \$18 million in cost savings.

## **Next Steps**

Due to the condensed programming schedule for the 2020 STIP, Alameda County's 2020 STIP program needs to be approved in October 2019 in order to meet MTC's November 1, 2019 submittal deadline for the county STIP programs and supporting documentation. In addition to a Commission-approved 2020 STIP project list, the documentation required by MTC for each project recommended for STIP funding includes:

- MTC Complete Streets Checklist,
- STIP Project Programming Request (PPR) form,
- Performance measures analysis,
- Final Project Study Report (PSR) (or PSR Equivalent),
- MTC Resolution of Local Support, and
- STIP Certification of Assurances.

The MTC-approved RTIP is due to the CTC in December 2019 and the final 2020 STIP is scheduled to be adopted by the CTC in March 2020.

**Fiscal Impact:** There is no fiscal impact associated with the requested item.

**Attachments:**

- A. Resolution 19-005, Alameda County 2020 STIP Program
- B. Principles for the Development of the Alameda County 2020 STIP Project List,  
Approved 7/26/19

**Commission Chair**

Supervisor Richard Valle, District 2

**Commission Vice Chair**Mayor Pauline Cutter,  
City of San Leandro**AC Transit**

Board Vice President Elsa Ortiz

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Supervisor Wilma Chan, District 3  
Supervisor Nate Miley, District 4  
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Mayor Jerry Thorne

**City of Union City**

Mayor Carol Dutra-Vernaci

**Executive Director**

Arthur L. Dao

**ALAMEDA COUNTY TRANSPORTATION COMMISSION  
RESOLUTION 19-005****Approval of the Alameda County 2020  
State Transportation Improvement (STIP) Program**

**WHEREAS**, SB 45 (Chapter 622, Statutes 1997) substantially revised the process for estimating the amount of state and federal funds available for transportation projects in the state and for appropriating and allocating the available funds to these projects; and

**WHEREAS**, as part of this process, the Alameda County Transportation Commission (Alameda CTC) is responsible for programming projects eligible for Regional Improvement Program (RIP) funds, pursuant to Government Code Section 14527 (a), for inclusion in the Regional Transportation Improvement Program, and submission to the Metropolitan Transportation Commission (MTC) for inclusion in the MTC Regional Transportation Improvement Program (RTIP) and then to the California Transportation Commission (CTC), for inclusion in the State Transportation Improvement Program (STIP); and

**WHEREAS**, projects recommended for inclusion in the 2020 STIP must be consistent with the Commission-approved 2020 STIP Principles and satisfy all STIP programming, allocation and delivery requirements; and

**WHEREAS**, the funding identified in the 2020 STIP Fund Estimate for Alameda County of \$34.7 includes unallocated programmed balances from prior STIP cycles, approximately \$0.8 million of new STIP funding for Planning, Programming and Monitoring (PPM) and \$15.7 million of new STIP funding for projects for a total of \$16.5 million.

**NOW, THEREFORE BE IT RESOLVED**, that the Alameda CTC approves the 2020 STIP program detailed in Exhibit A.

**DULY PASSED AND ADOPTED** by the Alameda CTC Commission at the regular Commission meeting held on Thursday, October 24, 2019 in Oakland, California, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Attest:

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Richard Valle,  
Chair, Alameda CTC

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Vanessa Lee,  
Clerk of the Commission



**EXHIBIT A****Alameda County 2020 STIP Program**

<b>Index #</b>	<b>Project</b>	<b>Proposed for 2020 STIP (\$ x 1,000)</b>
1	I-80/Gilman Interchange Bike/Ped Overcrossing and Access Improvements <sup>1</sup>	\$15,700
2	AC Transit East Bay Bus Rapid Transit (2018 STIP Carryover project)	\$13,125
3	Route 24 Corridor – Caldecott Project (2018 STIP Carryover project - ARRA Payback)	\$2,000
4	Improved Bike/Ped Connectivity to East Span SFOBB (2018 STIP Carryover project - MTC/BATA)	\$3,063
5	STIP Administration - Alameda CTC portion	\$500
6	STIP Administration - MTC portion	\$300
<b>Total</b>		<b>\$34,688</b>
Table Notes: 1. I-680 Express Lanes Gap Closure Project is recommended as a 2020 STIP contingency project.		

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**Principles for the Development of the Alameda County 2020 STIP Project List***(Approved 7/26/2019)*

- It is anticipated that any new funding programmed in the 2020 STIP will be made available in FY 2024/25.
- Previously-approved commitments for STIP programming will be considered during the development of the 2020 STIP project list.
- Sponsors of currently programmed STIP projects will be required to provide updated project scope, status, schedule, cost and funding information.
- Any project considered for funding must be consistent with the Countywide Transportation Plan and satisfy all STIP programming requirements.
- Projects recommended for STIP funding must demonstrate readiness to meet applicable STIP programming, allocation and delivery requirements and deadlines.
- Consideration of the following are proposed for the required project prioritization for the development of the 2020 STIP project list:
  - The principles and objectives set forth in the Alameda CTC Comprehensive Investment Plan;
  - Previous commitments for STIP programming approved by the Alameda CTC;
  - Projects that can leverage funds from other SB1 and Regional programs;
  - The degree to which a proposed project, or other activity intended to be funded by transportation funding programmed by the Alameda CTC, achieves or advances the goals and objectives included in the Countywide Transportation Plan; and
  - The degree to which a proposed project has viable project implementation strategies that are based on current project-specific project delivery information provided by applicants, including:
    - Readiness for the current/requested project delivery phase;
    - The status of environmental clearance;
    - The project cost/funding plan by phase;
    - The potential for phasing of initial segment(s) which are fully-funded and provide independent benefit; and
    - Potential impediments, i.e. risks, to successful project implementation in accordance with the proposed project delivery schedule.

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**DATE:** October 3, 2019

**TO:** Alameda County Technical Advisory Committee

**FROM:** Carolyn Clevenger, Director of Planning  
Kristen Villanueva, Senior Transportation Planner

**SUBJECT:** 2020 Countywide Transportation Plan: Initial Discussion of Draft Screening Approach and Shared Mobility Overview

### Recommendation

Receive initial overview of the draft screening approach for the 2020 Countywide Transportation Plan (CTP). In addition, receive overview of a shared mobility item that will be presented at the October meeting of the Planning, Policy and Legislative Committee (PPLC) of Alameda CTC. While many local jurisdictions have been very actively engaged in the mobility services arena, the level of engagement varies across the county; the intent is to have a discussion of the trends and emerging effects of mobility services at ACTAC and hear from ACTAC regarding potential themes to pursue as part of the CTP. This item is for information only.

### Summary

As described in September, the 2020 CTP is a long-range transportation plan that articulates a vision and goals, as well as policies, projects and programs for the transportation system serving Alameda County residents, businesses and visitors. Unlike previous CTPs, the 2020 CTP will describe a set of projects, programs and policies that Alameda CTC and its partners will pursue over a 10-year horizon. In this way, the 2020 CTP will be able to more effectively inform project and funding decisions in the near-term while setting up policy direction to address uncertainties in the long-term. This memo provides a general description of the process for overall prioritization in the CTP with a focus on developing the 10-year set of priorities. Staff will discuss this approach with ACTAC at the October meeting as well as discuss conceptual screening applications. A more refined approach reflecting ACTAC's comments will be presented at the November meeting.

Additionally, as part of the developing the CTP, staff will bring key transportation topics to the Commission for discussion purposes. These topics reflect emerging transportation issues for which policies and strategies may be further explored and recommended in the CTP. The first of these topics is on shared mobility, with a focus on transportation network companies (TNCs) and shared bikes and scooters. An overview of shared mobility services, including

current understanding of trends and effects of shared mobility services on overall travel, as well as current regulatory actions, will be presented as an information item at the October meeting of PPLC. A brief update is included in this memo.

### **Draft Screening Approach for 2020 CTP**

Staff are developing a screening approach for the 2020 CTP that will inform development of a short list of priority projects, programs, and initiatives for the next 10 years as well as overall screening for the CTP. Both efforts will be developed through a combination of a qualitative screening application, an iterative discussion with jurisdictions and Commissioners, and informed by input from the public, to accurately reflect local priorities. An initial screening of the projects that are submitted to Alameda CTC for the 2020 CTP will occur in late 2019/early 2020. Refining the prioritization will be done through engagement with jurisdictions, Commissioners and informed by public engagement in spring 2020.

The screening effort will build off of the vision and goals reviewed by ACTAC and approved by the Commission in September. The screening will serve as the first input to developing the short list of projects; it will be one element of analysis to inform a final list of projects and programs in the CTP. The screening will be qualitative, relying on mapping analysis and information that is readily available for projects. The assessment will be based on a scoring rubric that determines if a project would have strong, moderate or neutral effect on specific screening criteria identified and assigned a related score. The total score would then be summarized for each project. The results of the project screening will be used to make a variety of comparisons to inform potential prioritization. Examples include comparing projects of similar types or modes to one another, or comparing all projects within a certain geography, such as planning area, to one another. It will be an iterative process through development of the 2020 CTP.

Staff will present sample screening criteria with an example application at the October ACTAC meeting.

### **Gaps Analysis**

Concurrently with project screening, the 2020 CTP team is developing a needs assessment and several strategy papers for transit, safety, and economic development. These efforts will also inform the projects, programs and policies included in the CTP, including what is prioritized for the near-term. The approach includes comparing the projects that are submitted to the needs and strategies identified in these other efforts. Together with partner agencies, staff will then use this information for understanding where there are existing gaps in physical infrastructure or gaps in planning and policy development for the county. The gaps analysis will be another source of submission to the 2020 CTP that will not necessarily lead to specific projects, but rather identification of initiatives and scoping to conduct in the near-term.

## **2020 CTP Key Topic Area: Shared Mobility**

Since the previous CTP, shared mobility services have emerged as viable options for many trips in the Bay Area. The Commission has requested an overview of shared mobility as a policy discussion for the 2020 CTP. Staff will present trends and emerging effects on overall travel of shared mobility services for transportation network companies (TNCs) such as Uber, and Lyft, as well as micromobility services such as bikeshare and shared scooters at the October meeting of PPLC. While many local jurisdictions have been very actively engaged in the mobility services arena, the level of engagement varies across the county; the intent is to have a discussion of the trends and emerging effects of mobility services at ACTAC and hear from ACTAC regarding potential themes to pursue as part of the CTP. This memo provides a brief overview of the materials that will be presented at PPLC.

### **What do we currently know about TNC use?**

From various data collection efforts over the last 5 years, there are a few key patterns starting to emerge regarding the where and why behind TNC activity. TNCs are most often used for short trips for social purposes and for destinations that are concentrated in urban core neighborhoods. The one exception is for airport trips that are both longer distance and occurring outside of the urban core. TNCs are typically not used for daily commute purpose or for trips that occur on a regular basis.<sup>1</sup>

Based on a recent analysis of Uber and Lyft trip data, Fehr & Peers has determined that as a share of overall travel in the country's largest regions, TNCs still contribute a small share of vehicle-miles travelled (VMT). The share of travel is higher in the core county of these regions and higher still in the core of the core county. The share of VMT within the core of San Francisco, which is the northeast quadrant of the city, is estimated to be approximately 13% of total VMT. Within the nine-county SF Bay Area, 3% of total VMT is estimated to be associated with TNC trips.<sup>2</sup>

A key policy question involves the role of TNCs and public transit. Research on trip substitutions, or how a trip would have been made if TNCs were not an option, is still very limited. One survey done by researchers at UC Davis within major metro areas of the U.S. found that between 49% and 61% of TNC trips either would not have been made at all or would have been made walking, biking, or on transit.<sup>3</sup> This suggests more vehicles are on the road with TNCs than without and that some of the new TNC trips could be leading to decreasing transit ridership. This same study, however, found that TNC use increased use of commuter rail, suggesting a complementary relationship in providing first/last mile service to rail.

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<sup>1</sup> Shared-Use Mobility Center, TCRP Report 195: Broadening Understanding of the Interplay Among Public Transit, Shared Mobility, and Personal Automobiles, 2018

<sup>2</sup> Fehr & Peers analysis of Uber and Lyft data for September 2018 and released August 2019.

<sup>3</sup> Clewlow, R.R. & Mishra, G.S. (2017). *Disruptive Transportation: The Adoption, Utilization, and Impacts of Ride-Hailing in the United States*. Institute of Transportation Studies, University of California, Davis, Research Report UCD-ITS-RR-17-07

## **What do we currently know about bike share and scooter share?**

Shared mobility in the form of bike share has been implemented across cities for the past decade. These systems started in partnership with local municipalities and were implemented as docked systems with stations under a clear regulatory framework. Since the beginning of 2017, however, private companies have deployed dock-less bike and scooter systems on public rights of way after little or no coordination with city officials. According to the National Association of City Transportation Officials (NACTO), the number of trips taken on shared “micromobility” services doubled in one year to 84 million trips nationwide in 2018, which was also the first year that shared scooters were available. In that first year, 38.5 million scooter trips were taken. The majority of the remaining shared mobility trips were from station-based bike share. In the Bay Area, the significant expansion of Ford GoBike led to 260% increase in ridership.<sup>4</sup>

Given the relatively new arrivals of bike share and scooter share, there is less known about where these trips are happening and their effects on travel behavior compared to TNCs. Generally, these services still reflect the same market areas as TNCs: concentrated in core urban areas and used for short trips that are more occasional in nature. Riders have tended to use station-based bike share during traditional commute hours whereas scooter share use is more evenly seen throughout the day and during social hours of Fridays and weekends.<sup>5</sup>

## **What is government’s response to privately-operated mobility services?**

The current regulatory framework for TNCs involves imposing taxes and fees typically at the state or city level on the companies and trips and imposing requirements to ensure everyone has equal access to this service, particularly for people with disabilities. As the regulator of TNCs, the California Public Utilities Commission (CPUC) can impose fees on TNCs. The CPUC assesses an annual fee and a fee as a share of the TNC’s gross statewide revenues. A handful of cities around the country are going one step further and have begun to impose fees and/or taxes on the trips of TNC providers.<sup>6</sup> No jurisdictions in California have imposed fees and/or taxes but the City of San Francisco will vote on November 5, 2019 whether or not to approve what is referred to as a congestion mitigation tax on TNC trips.

Cities across the country are starting to establish regulatory frameworks for dock-less micromobility providers. Within Alameda County, the City of Oakland started a scooter permit program in July 2019 and as recently as August, the City of Fremont launched a shared active transportation program. In January 2019, the City of Berkeley started a shared electric scooter pilot. For cities interested in developing regulation for dock-less systems, NACTO released Version 2 of their [Guidelines for Regulating Shared Micromobility](https://nacto.org/shared-micromobility-2018/) in September 2019. Topics include general terms and conditions for the agreement, permit fees, data sharing protocol, requirements on fleet size, relocation frequency, maintenance, parking and distribution throughout a city.

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<sup>4</sup> All values sources from the NACTO assessment of trip data: <https://nacto.org/shared-micromobility-2018/>

<sup>5</sup> <https://nacto.org/shared-micromobility-2018/>

<sup>6</sup> Eno Center for Transportation. Eno Brief: Taxing New Mobility Services: What’s Right? What’s Next? July 18. 2018



At the regional level, the Metropolitan Transportation Commission (MTC) is kicking off an effort to integrate existing and new mobility options and create an interconnected, multimodal transportation system. MTC presented a high-level concept of a regional system to Bay Area transportation officials in July at the Partnership Board meeting and have just started reaching out to staff from local jurisdictions. They are still in the very early phases of this effort, engaging with county transportation agencies, local jurisdictions and transit agencies, collecting information about local efforts, and soliciting feedback on key focus areas that a regional effort could entail. So far, MTC has identified the following components that would create a comprehensive and coordinated system:

- Seamless Technology Platforms (includes Mobility as a Service)
- Expand the Reach of Public Transit
- Unified Travel Demand Management Strategy
- Regional New Mobility Guidance and Data Standards

Alameda CTC staff will continue to coordinate with MTC on this effort and bring updates to ACTAC as appropriate.

### **Next Steps**

Staff will present the draft screening approach as well as sample criteria with an application at the October meeting of ACTAC. Staff will present an overview on shared mobility to ACTAC as well as brief the Commission on the latest trends and policy concepts around shared mobility in October. In November, staff will present the full list of draft screening criteria for ACTAC review. The screening application for the 2020 CTP will be conducted in December and January with draft results anticipated to be shared at meetings with agencies in early spring 2020.

**Fiscal Impact:** There is no fiscal impact associated with the requested action.

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# Memorandum

5.3

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**DATE:** October 3, 2019

**TO:** Alameda County Technical Advisory Committee

**FROM:** Vivek Bhat, Director of Programming and Project Controls  
Jacki Taylor, Senior Program Analyst

**SUBJECT:** Metropolitan Transportation Commission's Federal Fiscal Year (FFY) 2019-20 Annual Obligation Plan and Project Delivery Requirements

## Recommendation

Receive an update on the Alameda County projects included in the Metropolitan Transportation Commission (MTC) Federal Fiscal Year (FFY) 2019-20 Annual Obligation Plan and the associated project delivery requirements and deadlines. This item is for information only.

## Summary

MTC's Regional Project Delivery Policy, Resolution 3606 (Attachment A), requires MTC to develop an Annual Obligation Plan by October 1<sup>st</sup> of each year in coordination with local agencies and Caltrans. MTC also takes an active role in monitoring the various State Senate Bill 1 (SB1) funding sources administered by Caltrans Local Assistance. Additionally, Caltrans and MTC require local agencies to assign and maintain a Local Agency Single Point of Contact (SPOC) for all federal and state-funded projects administered by Caltrans Local Assistance.

ACTAC is requested to review the attached information (Attachments A-F) related to the development and monitoring of the FFY 2019-20 Annual Obligation Plan: MTC's Resolution 3606 and Annual Obligation Plan Requirements, the FFY 2019-20 Annual Obligation Plan, the FY 2019-20 California Transportation Commission (CTC) Allocation Plan, list of Alameda County SPOCs, and information on a required SPOC training on November 4, 2019.

## Background

MTC's Regional Project Delivery Policy, Resolution 3606 (Attachment A), requires MTC to develop an Annual Obligation Plan (AOP) by October 1<sup>st</sup> of each year in

coordination with local agencies and Caltrans. The AOP is to include the projects with discretionary federal funding requiring a federal authorization by the Federal Highway Administration (FHWA), including One Bay Area Grant (OBAG), Highway Safety Improvement Program (HSIP) and Active Transportation Program (ATP). Once an AOP is provided to Caltrans, MTC continues to monitor the status of individual projects against the project delivery deadlines established in Resolution 3606, including, the Field Review, Request for Authorization (RFA), FHWA authorization (E-76), contract award and invoicing milestones. In recent years, MTC has developed an Annual Obligation Plan Requirements document to bring together the requirements of Resolution 3606 along with additional guidance and timelines for local agencies delivering federal and state-funded projects in the MTC region. To assist with monitoring the delivery deadlines of Senate Bill 1 (SB 1) funding, MTC has also developed a CTC Allocation Plan, a list of projects with a CTC allocation deadline in the current fiscal year.

### ***Regional Project Delivery Requirements***

MTC's Resolution 3606 (Attachment A) requires local agencies to submit a request for authorization (RFA) to Caltrans Local Assistance by November 1<sup>st</sup> of the federal fiscal year in which federal funds are programmed. Once the funds are obligated by Caltrans and FHWA (E-76 authorization issued), sponsors are to submit an invoice within 6 months and receive a reimbursement from Caltrans within 9 months. As discussed at recent MTC Local Streets and Roads and Programming and Delivery Working Group meetings, FHWA wants to reduce the number of inactive obligations, which are often caused by projects missing the deadline to award a contract within 6 months of an FHWA authorization or CTC allocation. In response, MTC has proposed suspending the regional November 1<sup>st</sup> RFA deadline (an exception is Highway Safety Improvement Program Cycle 8 funding, for which RFA s are still due by November 1<sup>st</sup>). MTC plans to closely monitor whether funds are obligated and contracts are awarded in a timely manner. These modifications to the delivery deadlines identified in MTC Resolution 3606 are highlighted in MTC's Annual Obligation Plan Requirements (Attachment B).

### ***FFY 2019-20 Obligation Plan***

The FFY 2019-20 Obligation Plan for Alameda County projects (Attachment C) was developed by MTC over the last several months with input from County Transportation Agencies (CTAs), Local Agency SPOCs and ACTAC members. Each designated SPOC was asked to confirm the projects proposed for the FFY 2019-20 Obligation Plan. During this time, local agencies with inactive projects were at risk for having their OBAG projects withheld from the AOP or future OBAG projects delayed until invoicing issues were resolved.

### FFY 2019-20 Project Delivery Monitoring

Below are the FY 2019-20 delivery deadlines as identified in Attachment B:

- October 1, 2019      Obligation Plan finalized and submitted to Caltrans
- ~~November 1, 2019~~      ~~RFA submitted to Caltrans~~ (*suspended for FY 2019-20*)
- January 31, 2020      Obligation deadline for funds in Annual Obligation Plan
- January 31, 2020      CTC Allocation request deadline
- February 1, 2020      Unused Obligation Authority available
- March 31, 2020      CTC Allocation deadline for CTC-administered projects

With the suspension of the regional November 1<sup>st</sup> RFA deadline, MTC's focus for monitoring Caltrans-administered federal fund sources will shift to timely contract award and invoicing. In response to MTC's request for estimated RFA and award dates to aid in their monitoring efforts, as a starting point, unless a planned award date was provided by a project sponsor, Alameda CTC has assumed an estimated award date of 200 days from the sponsor-provided planned RFA submittal date. Once the funds are obligated and an authorization to proceed is issued, project sponsors are to provide updated planned dates for award and first invoice that are ahead of the 6-month deadline.

In light of these changes, sponsors are cautioned not to lose sight of the January 31, 2020 obligation deadline and to plan to submit RFAs well ahead of January 31<sup>st</sup>, because each year the region typically runs out of its federal obligation authority (OA) by late March. Once the region's OA is depleted, projects with late RFAs may have to wait 6 months or more to receive an obligation, when unobligated funds from other regions are redistributed throughout the state.

For state funding administered by the CTC, in an attempt to reduce the number of CTC extension requests for various SB1 programs, MTC has developed a FY 2019-20 CTC Allocation Plan (Attachment D). Additionally, the regional allocation request submittal and CTC allocation deadlines have been pushed back to January 31<sup>st</sup> and March 31<sup>st</sup> respectfully. MTC will consider allocation and award extensions as a "delivery failure" against the initial baseline project schedule approved by the CTC and will consider an agency's project delivery history before approving extension requests and programming future discretionary funds.

### **Local Agency Single Point of Contact (SPOC) Requirements**

Caltrans and MTC require local agencies to assign and maintain a Local Agency Single Point of Contact (SPOC) for all federal and state-funded projects administered by Caltrans Local Assistance. In addition to being an agency's primary contact for MTC and Caltrans Local Assistance, Alameda County SPOCs (Attachment E) are tasked with ensuring certain requirements are met in order for agencies to qualify for the various regional discretionary funding sources awarded

by MTC. These requirements are identified in the signed "SPOC Checklists" on file with MTC and include, but are not limited to:

- Tracking the status of major delivery milestones for all programmed and active FHWA-administered projects implemented by the agency and provide quarterly status updates to your CMA/CTA.
- Maintaining all active FHWA-administered projects in good standing with respect to regional, state and federal delivery deadlines, and federal-aid requirements. This includes ensuring timely invoices for all projects.
- Maintaining consultant and/or staff resources with the knowledge and expertise to deliver federal-aid projects within the funding timeframe and meet all federal-aid project requirements.
- Attending a minimum of 50% of MTC's Partnership Working Group meetings annually, i.e., the Transit Finance (TFWG), Local Streets and Roads (LSRWG) and/or Programming and Delivery (PDWG) meetings.
- Additional information regarding SPOC roles and responsibilities can be found on MTC's website at: <http://mtc.ca.gov/our-work/fund-invest/federal-funding/project-delivery>

MTC and Caltrans have scheduled a regional Local Agency SPOC Training for November 4<sup>th</sup> at Caltrans District 4 (Attachment F). SPOCs will receive an overview of SPOC responsibilities and Caltrans and MTC's expectations for projects programmed with federal and/or state funding. Attendance is required.

### **Next Steps**

ACTAC members, in conjunction with Local Agency SPOCs, are requested to actively monitor the delivery status of the projects included in the FFY 2019-20 Obligation and CTC Allocation Plans to ensure compliance with MTC's requirements. Additionally, Local Agency SPOCs are to register for the November 4<sup>th</sup> SPOC training.

**Fiscal Impact:** There is no fiscal impact associated with the requested action.

### **Attachments:**

- A. MTC Regional Project Delivery Policy, Resolution 3606
- B. MTC Annual Obligation Plan Requirements
- C. Final FFY 2019-20 Obligation Plan
- D. Final FY 2019-20 CTC Allocation Plan
- E. Alameda County Single Point of Contact (SPOC) List
- F. Flyer for 11/4/2019 Required SPOC Training

**Metropolitan Transportation Commission (MTC)  
Regional Project Funding Delivery Policy Guidance for  
FHWA-Administered Federal Funds  
In the San Francisco Bay Area  
MTC Resolution 3606  
January 22, 2014**

**Regional Project Funding Delivery Policy Intent**

The intent of the regional funding 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. It is also intended to assist the region in managing Obligation Authority (OA) and meeting federal financial constraint requirements. MTC has purposefully established regional deadlines in advance of state and federal funding deadlines to provide the opportunity for implementing agencies, Congestion Management Agencies (CMAs), Caltrans, and MTC to solve potential project delivery issues and bring projects back in-line in advance of losing funds due to a missed funding deadline. The policy is also intended to assist in project delivery, and ensure funds are used in a timely manner.

Although the policy guidance specifically addresses the Regional Discretionary Funding managed by MTC, the state and federal deadlines cited apply to all federal-aid funds administered by the state (with few exceptions such as congressionally mandated projects including Earmarks which come with their own assigned OA). 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, such as those imposed by the CTC on funds it administers and allocates.

This regional project delivery policy guidance was developed by the San Francisco Bay Area's Partnership, through the working groups of the Bay Area Partnership Technical Advisory Committee's (PTAC) consisting of representatives of Caltrans, county Congestion Management Agencies (CMAs), transit operators, counties, cities, interested stakeholders, and MTC staff.

**General Policy Guidance**

As the federally designated Metropolitan Planning Organization (MPO) and the agency serving as the Regional Transportation Planning Agency (RTPA) for the nine-counties of the San Francisco Bay Area, the Metropolitan Transportation Commission (MTC) is responsible for various funding and programming requirements, including, but not limited to: development and submittal of the Regional Transportation Improvement Program (RTIP); managing and administering the federal Transportation Improvement Program (TIP); and project selection for designated federal funds (referred collectively as 'Regional Discretionary Funding');

As a result of the responsibility to administer these funding programs, the region has established various deadlines for the delivery of regional discretionary funds including the

regional Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) Program, regional Transportation Alternatives Program (TAP) and Regional Transportation Improvement Program (RTIP) to ensure timely project delivery against state and federal funding deadlines. MTC Resolution 3606 establishes standard guidance and policy for enforcing project funding deadlines for these and other FHWA-administered federal funds during the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP 21) and subsequent extensions and federal transportation acts.

Once FHWA-administered funds are transferred to FTA, non-applicable provisions of this policy guidance no longer apply. The project sponsor must then follow FTA guidance and requirements.

FHWA-administered federal funds are to be programmed in the federal Transportation Improvement Program (TIP), up to the apportionment level for that fiscal year, in 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).

The regional discretionary funds such as the RTIP, STP, CMAQ and regional-TAP funds are project specific. Projects are chosen for the program based on eligibility, project merit, and deliverability within the established deadlines. The regional discretionary funds are for those projects alone, and may be used for any phase of the project, unless otherwise specified at the time of programming, in accordance with Caltrans procedures and federal regulations.

It is the responsibility of the implementing agency at the time of project application and programming to ensure the regional deadlines and provisions of the regional project funding delivery policy can be met. Agencies with difficulty in delivering existing FHWA federal-aid projects will have future programming and Obligation Authority (OA) restricted for additional projects until the troubled projects are brought back on schedule, and the agency has demonstrated it can deliver new projects within the funding deadlines and can meet all federal-aid project requirements.

MTC staff will actively monitor and report the obligation status of projects to the Working Groups of the Bay Area Partnership. The Working Groups will monitor project funding 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 regional discretionary fund programming. These changes, or revisions to these regional programs, are not routine. Proposed changes will be reviewed by MTC staff before any formal actions on program amendments are considered by the MTC Commission. Regional discretionary funds may be shifted among any phase of the project without the concurrence or



involvement of MTC if allowed under Caltrans procedures and federal regulations. 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 comply with the provisions of Title VI, must not negatively impact the deliverability of other projects in the regional programs, and must not affect the conformity finding in the TIP. Additionally, any changes involving funding managed by the California Transportation Commission (CTC), such as RTIP and TAP, must also follow the CTC's processes for amendments and fund management.

**Regional Discretionary Funding:**

Regional Discretionary Funding is revenue assigned to MTC for programming and project selection, including but not limited to funding in the Regional Transportation Improvement Program (RTIP), Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding, regional Transportation Alternatives Program (TAP) funding and any subsequent federal funding programs at MTC's discretion. The funds are referred collectively as Regional Discretionary Funding.

**Programming to Apportionment in the year of Obligation/Authorization**

Federal funds are to be programmed in the TIP, up to the apportionment level available, in the fiscal year in which the funds are to be obligated by FHWA or transferred to FTA. The implementing agency is committed to obligate/transfer the funds by the required obligation deadline once the program year in the TIP becomes the current year, and the regional annual Obligation Plan has been developed for that year. This will improve the overall management of federal apportionment and Obligation Authority (OA) within the region and help ensure apportionment and OA are available for projects that are programmed in a particular year. It will also assist the region in meeting federal financial constraint requirements. At the end of the federal authorization act, MTC will reconcile any differences between final apportionments, programmed amounts, obligations and actual OA received for the funds it manages.

**Advanced Project Selection Process**

Obligations for funds advanced from future years of the TIP will be permitted only upon the availability of surplus OA, with Advance Construction Authorization (ACA) projects in the annual obligation plan having first priority for OA in a given year, and current programmed projects that have met the delivery deadlines having second priority for OA in a given year. Advanced obligations will be based on the availability of OA and generally will only be considered after January 31 of each fiscal year. In some years OA may not be available for advancements until after May 1, but the funds must be included in the annual obligation plan, and the obligation request for the advanced OA should be received by Caltrans prior to May 1.

Agencies requesting advanced funding should be in good standing in meeting deadlines for other FHWA federal-aid projects. Restrictions may be placed on the advancement of funds for

agencies that continue to have difficulty delivering projects within required deadlines or have current projects that are not in compliance with funding deadlines and federal-aid requirements. MTC may consult with FHWA, Caltrans and/or the appropriate Congestion Management Agency (CMA) to determine whether the advancement of funds is warranted and will not impact the delivery of other projects.

Implementing agencies wishing to advance projects may request Advance Construction Authorization from FHWA, or pre-award authority from FTA, to proceed with the project using local funds until OA becomes available. ACA does not satisfy the obligation deadline requirement.

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**Important Tip:** Caltrans releases unused local OA by May 1 of each year. Projects that do not access their OA through obligation or transfer to FTA by that date are subject to having their funds taken by other regions. This provision also allows the advancement of projects after May 1, by using unclaimed OA from other regions.

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### **Advance Construction Authorization (ACA)**

Agencies that cannot meet the regional, state or federal deadlines subsequent to the obligation deadline (such as award and invoicing deadlines) have the option to use Advance Construction Authorization (ACA) rather than seeking an obligation of funds and risk losing the funds due to missing these subsequent deadlines. For example if the expenditure of project development funds or award of a construction contract, or project invoicing cannot easily be met within the required deadlines, the agency may consider using ACA until the project phase is underway and the agency is able to meet the deadlines. The use of ACA may also be considered by agencies that prefer to invoice once – at the end of the project, rather than invoice on the required semi-annual basis. When seeking this option, the project sponsor must program the local funds supporting the ACA in the same year of the TIP as the ACA, and program an equal amount of federal funds in the TIP in the year the ACA will be converted to a funding authorization.

ACA conversion to full obligation receives priority in the annual obligation plan. MTC will monitor the availability of OA to ensure delivery of other projects is not impacted by ACA conversions. At the end of the federal authorization Act, ACA may be the only option available should the region's OA be fully used.

### **Project Cost Savings/Changes in Scope/Project Failures – For FHWA-Administered Funds Managed By MTC (Regional Discretionary Funding)**

Projects may be completed at a lower cost than anticipated, or have a minor change in scope resulting in a lower project cost, or may not proceed to implementation. In such circumstances, the implementing agency must inform MTC, Caltrans and the appropriate county Congestion Management Agency (CMA) within a timely manner that the funds resulting from these project funding reductions will not be used. Federal regulations require that the project proceed to

construction within ten years of initial federal authorization of any phase of the project. Furthermore, if a project is canceled, or fails to proceed to construction or right of way acquisition in ten years, FHWA will de-obligate any remaining funds, and the agency may be required to repay any reimbursed funds.

Project funding reductions accrued prior to the established obligation deadline are available for redirection within the program of origin. Savings within the CMA administered programs are available for redirection within the program by the respective CMA, subject to Commission approval. Project funding reductions within regional programs, are available for redirection by the Commission. For all programs, projects using the redirected funding reductions prior to the obligation deadline must still obligate the funds within the original deadline.

Minor adjustments in project scope may be made to accommodate final costs, in accordance with Caltrans (and if applicable, CTC) procedures and federal regulation. However, Regional Discretionary Funding managed by MTC and assigned to the project is limited to the amount approved by MTC for that specific project. Once funds are de-obligated, there is no guarantee replacement funding will be available for the project. However, in rare instances, such as when a project becomes inactive, funds de-obligated from a project may be made available for that project once again, as long as the de-obligated funds are not rescinded and are re-obligated within the same federal fiscal year.

For federal regional discretionary funds managed by MTC, any funding reductions or unused funds realized after the obligation deadline return to MTC. Any Regional Discretionary Funding such as STP/CMAQ funds that have been obligated but remain unexpended at the time of project close-out will be de-obligated and returned to the Commission for reprogramming. However, for funding administered by the CTC, such as STIP funds, any unexpended funds at the time of project close-out are returned to the state rather than the region.

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.

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**Important Tip:** If a project is canceled and does not proceed to construction or right of way acquisition within 10 years, the agency may be required to repay all reimbursed federal funds.

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### **Federal Rescissions**

FHWA regularly rescinds unused federal funds, either annually as part of the annual federal appropriations or at the end or beginning of a federal transportation act or extension. Therefore, local public agencies must obligate the funds assigned to them within the deadlines established in this policy. Should regional discretionary funds be subject to a federal rescission,

the rescinded funding will first apply to projects with funds that have missed the regional obligation deadline and to projects with funds that have been de-obligated but not yet re-obligated, unless otherwise directed by the Commission.

### **Annual Obligation Plan**

California Streets and Highway Code Section 182.6(f) requires the regions to notify Caltrans of the expected use of OA each year. Any local OA, and corresponding apportionment that is not used by the end of the fiscal year will be redistributed by Caltrans to other projects in a manner that ensures the state continues to receive increased obligation authority during the annual OA redistribution from other states. There is no provision in state statute that the local apportionment and OA used by the state will be returned.

MTC will prepare an annual Obligation Plan prior to each federal fiscal year based on the funding programmed in the TIP, and the apportionment and OA expected to be available in the upcoming federal fiscal year. This plan will be the basis upon which priority for OA and obligations will be made for the upcoming federal fiscal year. It is expected that the CMAs and project sponsors with funds programmed in the TIP will assist in the development of the plan by ensuring the TIP is kept up to date, and review the plan prior to submittal to Caltrans. Projects listed in the plan that do not receive an obligation by the deadline are subject to re-programming. Projects to be advanced from future years, or converted from ACA must be included in the plan to receive priority for obligations against available OA.

The project sponsor shall be considered committed to delivering the project (obligating/authorizing the funds in an E-76 or transferring to FTA) by the required funding deadline at the beginning of the federal fiscal year (October 1) for funding programmed in that year of the TIP. If a project or project phase will not be ready for obligation in the year programmed, the agency responsible for the project should request to delay the project prior to entering the federal fiscal year.

In the event that OA is severely limited, such as at the end of a federal authorization act, and there is insufficient OA to obligate all of the projects in the annual obligation plan, restrictions may be placed on funds for agencies that continue to have difficulty delivering projects within required deadlines or have current projects that are in violation of funding deadlines and federal-aid requirements.

### **Local Public Agency (LPA) Single Point of Contact**

To further facilitate project delivery and ensure all federal funds in the region are meeting federal and state regulations, requirements and deadlines, every Local Public Agency (LPA) that receives FHWA-administered funds and includes these funds in the federal TIP will need to identify and maintain a staff position that serves as the single point of contact for the implementation of all FHWA-administered funds within that agency. The person in this position must have sufficient knowledge and expertise in the federal-aid delivery process to coordinate

issues and questions that may arise from project inception to project close-out. The local public agency is required to identify, maintain and update the contact information for this position at the time of programming changes in the federal TIP. This person will be expected to work closely with FHWA, Caltrans, MTC and the respective CMA on all issues related to federal funding for all FHWA-funded projects implemented by the recipient.

By applying for and accepting FHWA funds that must be included in the federal TIP, the project sponsor is acknowledging that it has and will maintain the expertise and staff resources necessary to deliver the federal-aid project within the funding timeframe, and meet all federal-aid project requirements.

### **FHWA-Administered Project Milestones Status**

Project sponsors that miss delivery milestones and funding deadlines for FHWA-administered funds are required to prepare and update a delivery status report on major delivery milestones for all active projects with FHWA-administered funds and participate if requested in a consultation meeting with the county CMA, MTC and Caltrans to discuss the local agency's ability to deliver current and future federal-aid transportation projects, and efforts, practices and procedures to be implemented by the local agency to ensure delivery deadlines and requirements are met in the future. The purpose of the status report and consultation is to ensure the local public agency has the resources and technical capacity to deliver FHWA federal-aid projects, is fully aware of the required delivery deadlines, and has developed a delivery timeline that takes into consideration the requirements and lead-time of the federal-aid process within available resources. For purposes of the delivery status report, 'Active' projects are projects programmed in the current federal TIP with FHWA-administered funds (including those in grouped TIP listings), and projects with FHWA-administered funds that remain active (have received an authorization/obligation but have not been withdrawn or closed out by FHWA). The local public agency is to use the status report format provided by MTC, or use a report agreeable by the respective CMA and MTC staff.

### **Local Public Agency (LPA) Qualification**

In an effort to facilitate project delivery and address federal-aid process requirements, Local Public Agencies (LPA) applying for and accepting FHWA administered funds must be qualified in the federal-aid process. By requesting the programming of federal funds in the federal TIP, the LPA is self-certifying they are qualified to deliver federal-funding transportation projects. This regional LPA qualification is to help confirm the jurisdiction has the appropriate knowledge and expertise to deliver the project. The regional LPA self-qualification is not a substitute for any state or federal certification requirements and is simply to acknowledge a minimum requirement by which a local agency can demonstrate to the respective CMA, MTC and Caltrans a basic level of readiness for delivering federal-aid projects. The purpose of the regional LPA qualification is to allow the LPA to program the funds in the federal TIP and has no other standing, implied or otherwise. The regional LPA qualification does not apply to transit operators that transfer all of their FHWA-administered funds to FTA.

To be 'regionally qualified' for regional discretionary funds, and for programming federal funds in the federal TIP, the LPA must comply with the following, in addition to any other state and federal requirements:

- Assign and maintain a single point of contact for all FHWA-administered projects implemented by the agency.
- Maintain a project tracking status of major delivery milestones for all programmed and active FHWA-administered projects implemented by the agency
- Have staff and/or consultant(s) on board who have delivered FHWA-administered projects within the past five years and/or attended the federal-aid process training class held by Caltrans Local Assistance within the past 5 years, and have the knowledge and expertise to deliver federal-aid projects.
- Maintain all active FHWA-administered projects in good standing with respect to regional, state and federal delivery deadlines, and federal-aid requirements
- Maintain the expertise and staff resources necessary to deliver federal-aid projects within the funding timeframe, and meet all federal-aid project requirements
- Has a financial/accounting system in place that meets state and federal invoicing and auditing requirements;
- Has demonstrated a good delivery record and delivery practices with past and current projects.

### **Maximizing Federal Funds on Local Projects**

To facilitate project delivery and make the most efficient use of federal funds, project sponsors are encouraged to concentrate federal funds on fewer, larger projects and maximize the federal share on federalized project so as to reduce the overall number of federal-aid projects.

Sponsors may also want to consider using local funds for the Preliminary Engineering (PE) and Right of Way (ROW) phases and target the federal funds on the Construction (CON) phase, thus further reducing the number of authorizations processed by Caltrans and FHWA. Under the regional toll credit policy (MTC Resolution 4008) sponsors that demonstrate they have met or exceeded the total required non-federal project match in the earlier phases, may use toll credits in lieu of a non-federal match for the construction phase. However, sponsors must still comply with NEPA and other federal requirements for the PE and ROW phases. Such an approach can provide the sponsor with greater flexibility in delivering federal projects and avoiding invoicing requirements for the earlier phases. Sponsors pursuing this strategy should ensure that federal funds are programmed to the construction phase in the federal TIP so that Caltrans will prioritize field reviews and NEPA review and approval.

### **Specific Project-Level Policy Provisions**

Projects selected to receive Regional Discretionary Funding must have a demonstrated ability to use the funds within the established regional, state and federal deadlines. This criterion will be used for selecting projects for funding, and for placement of funding in a particular year of



the TIP. Agencies with a continued history of being delivery-challenged and continue to miss funding delivery deadlines will have restrictions placed on future obligations and programming and are required to develop major milestone delivery schedules for each of their federal-aid projects.

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 funding 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 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 loss of funding.

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

- **Field Reviews**

Implementing agencies are to request a field review from Caltrans Local Assistance within twelve months of approval of the project in the TIP, but no less than twelve 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, or if a field review is otherwise not required by Caltrans. It is expected that Caltrans will conduct the review within 60 calendar days of the request.

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 (but no less than twelve months prior to the obligation deadline) could result in the funding being reprogrammed and restrictions on future programming and obligations. Completed field review forms (if required) must be submitted to Caltrans in accordance with Caltrans Local Assistance procedures.

- **Environmental Submittal Deadline**

Implementing agencies are required to submit a complete Preliminary Environmental Study (PES) form and attachments to Caltrans for all projects, 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.

- **Obligation/Request For Authorization (RFA) Submittal Deadline**

Projects selected to receive Regional Discretionary funding must demonstrate the ability to obligate programmed funds by the established deadlines. This criterion 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 funding 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 for Authorization (RFA) package to Caltrans Local Assistance by November 1 of the fiscal year the funds are listed in the TIP. The RFA package is to include the CTC allocation request documentation for CTC administered funds such as STIP and state-TAP funded projects as applicable. Projects with complete packages delivered by November 1 of the TIP program year will have priority for available OA, after ACA conversions that are included in the Obligation Plan. If the project is delivered after November 1 of the TIP program 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 November 1 deadline will lose its priority for OA, and be viewed as subject to reprogramming.

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**Important Tip:** Once a federal fiscal year (October 1 through September 30) has begun, and the Obligation Plan for that year developed, the agency is committed to obligating/authorizing the funds by the required obligation deadline for that fiscal year. Funds that do not meet the obligation deadline are subject to re-programming by MTC.

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Within the CMA administered programs, the CMAs may adjust delivery, consistent with the program eligibility requirements, up until the start of federal fiscal year in which the funds are programmed in the TIP, swapping funds to ready-to-go projects in order to utilize all of the programming capacity. The substituted project(s) must still obligate the funds within the original funding deadline.

For funds programmed through regional programs, the Commission has discretion to redirect funds from delayed or failed projects.

MTC Regional Discretionary Funding is subject to a regional obligation/ authorization/ FTA transfer deadline of January 31 of the fiscal year the funds are programmed in the TIP. Implementing agencies are required to submit the completed request for obligation/ authorization or FTA transfer to Caltrans Local Assistance by November 1 of the fiscal year the funds are programmed in the TIP, and receive an obligation/authorization/ FTA transfer of the funds by January 31 of the fiscal year programmed in the TIP. For example, projects programmed in FY 2014-15 of the TIP have a request for authorization/ obligation/ FTA transfer submittal deadline (to Caltrans Local Assistance) of November 1, 2014 and an



obligation/ authorization/FTA transfer deadline of January 31, 2015. No extensions will be granted to the obligation deadline.

**In Summary:**

- Request For Authorization (RFA) Submittal Deadline: November 1 of the fiscal year the funds are programmed in the federal TIP. The Implementing Agency is required to submit a complete Request for Authorization (RFA)/ obligation/transfer package to Caltrans (3 months prior to the Obligation Deadline). For projects with federal funds administered by the CTC, such as STIP and State-TAP, the required CTC allocation request documentation must also be submitted by November 1 in order to meet the January 31 obligation deadline of federal funds.
- Obligation /Authorization Deadline: January 31 of the fiscal year the funds are programmed in the TIP, including funds administered by the CTC, such as STIP and state-TAP. No extensions will be granted to the obligation deadline for regional discretionary funds.

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**Important Tip:** If an agency must coordinate delivery with other delivery timelines and other fund sources, it should program the regional discretionary funding in a later year of the TIP and advance the funds after May 1 using the Expedited Project Selection Process (EPSP) once additional OA is made available by Caltrans. Projects with federal funds administered by the CTC, such as STIP and state-TAP, should receive a CTC allocation in sufficient time to receive the federal obligation by the obligation deadline.

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**November 1** - Regional Request for Authorization (RFA) submittal deadline. Complete and accurate Request for Authorization package submittals, and ACA conversion requests for projects in the annual obligation plan received by November 1 of the fiscal year the funds are programmed in the TIP receive priority for obligations against available OA. The RFA should include CTC allocation request documentation for federal STIP and state-TAP funded projects as applicable.

**November 1 – January 31** – Projects programmed in the current year of the TIP and submitted during this timeframe are subject to re-programming. If OA is still available, these projects may receive OA if obligated by January 31. If OA is limited, these projects will compete for OA with projects advanced from future years on a first-come first-served basis. Projects with funds to be advanced from future years should request the advance prior to January 31, in order to secure the funds within that federal fiscal year. This rule does not apply to federal funds administered by the CTC such as STIP or state-TAP funds.

**January 31** - Regional Obligation/Authorization deadline. Regional Discretionary Funding not obligated (or transferred to FTA) by January 31 of the fiscal year the funds are programmed in the TIP are subject to reprogramming by MTC. No extensions of this deadline will be granted. Projects seeking advanced obligations against funds from future years should request the advance prior to January 31 in order to secure the funds within that federal fiscal year, though a project may be advanced from a later year any time after January 31. For funding administered by the CTC, the CTC allocation should occur in sufficient time to meet the January 31 federal obligation deadline.

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

Note: Advance Construction Authorization does not satisfy the regional obligation deadline requirement.

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**Important Tip:** In some years, OA for the region may be severely limited, such as when the state has run out of OA, or Congress has only provided a partial year's appropriation or during short-term extensions of a federal Authorization Act. When OA is limited, ACA conversions identified in the annual obligation plan and submitted before the RFA deadline of November 1 have priority, followed by other projects in the annual obligation plan submitted before the RFA Submittal deadline of November 1. Projects in the obligation plan but submitted after November 1 may have OA (and thus the obligation of funds) restricted and may have to wait until OA becomes available – either after May 1, when unused OA is released from other regions, or in the following federal fiscal year when Congress approves additional OA. RFAs submitted after the November 1 deadline have no priority for OA for that year. Agencies with projects not in good standing with regards to the deadlines of this policy or not complying with federal-aid requirements are subject to restrictions in future Regional Discretionary Funding and the programming of funds in the federal TIP.

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- **Coordination with CTC allocations**

The CTC has its own delivery deadlines that must be met in addition to the regional deadlines. Regional deadlines are in advance of both state and federal deadlines to ensure all deadlines can be met and funds are not jeopardized. To further ensure that CTC deadlines are met, allocation requests to the CTC for federal funds must be accompanied with a complete and accurate E-76 Request for Authorization (RFA) package, so that the authorization/ obligation may be processed immediately following CTC action. MTC will not sign off on allocation concurrences for federal funds unless the E-76 RFA package is also submitted.

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**Important Tip:** There may be occasions when the schedule for a project funded by the CTC is not in sync with the standard summer construction season or with the January 31 regional obligation deadline. Considering that CTC-administered construction funds must be awarded within 6 months of the CTC allocation, the project sponsor may want to delay the CTC construction allocation until later in the season in order to comply with the CTC award deadline. This is allowed on a case-by-case basis for construction funds when the project sponsor has demonstrated a special project delivery time-schedule, and programming the funds in the following state fiscal year was not an option. Regardless of the regional obligation deadline, the end-of-state-fiscal-year CTC allocation deadline still applies, and CTC-administered funds must still receive a CTC allocation by June 30 of the year the funds are programmed in the STIP. This means the construction CTC allocation request/ RFA must be submitted to Caltrans local assistance no later than March 31 of the year the funds are programmed in the STIP/TIP in order to meet the June CTC allocation deadline.

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- **Program Supplement Agreement (PSA) Deadline**

The implementing agency must execute and return the Program Supplement Agreement (PSA) to Caltrans in accordance with Caltrans Local Assistance procedures. It is expected that Caltrans will initiate the PSA within 30 days of obligation. The agency should contact Caltrans if the PSA is not received from Caltrans within 30 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.

- **Construction Advertisement / Award Deadline**

For the Construction (CON) phase, the construction/equipment purchase contract must be advertised within 3 months and awarded within 6 months of obligation / E-76 Authorization (or awarded within 6 months of allocation by the CTC for funds administered by the CTC). However, regardless of the award deadline, 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 complete award package immediately after contract award and prior to submitting the first invoice to Caltrans in accordance with Caltrans Local Assistance procedures.—Agencies with projects that do not meet these award deadlines will have future

programming and OA restricted until their projects are brought into compliance (CTC-administered construction funds lapse if not awarded within 6 months).

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.

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**Important Tip:** Agencies may want to use the flexibility provided through Advance Construction Authorization (ACA) if it will be difficult meeting the deadlines. Agencies may consider proceeding with ACA and converting to a full obligation at time of award when project costs and schedules are more defined or when the agency is ready to invoice.

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- **Regional Invoicing and Reimbursement Deadlines – Inactive Projects**

Caltrans requires administering agencies to submit invoices at least once every 6 months from the time of obligation (E-76 authorization). Projects that have not received a reimbursement of federal funds in the previous 12 months are considered inactive with the remaining un-reimbursed funds subject to de-obligation by FHWA with no guarantee the funds are available to the project sponsor.

To ensure funds are not lost in the region, regional deadlines have been established in advance of federal deadlines. Project Sponsors must submit a valid invoice to Caltrans Local Assistance at least once every 6 months and receive a reimbursement at least once every 9 months, but should not submit an invoice more than quarterly.

Agencies with projects that have not been invoiced against at least once in the previous 6 months or have not received a reimbursement within the previous 9 months have missed the invoicing/reimbursement deadlines and are subject to restrictions placed on future regional discretionary funds and the programming of additional federal funds in the federal TIP until the project receives a reimbursement.

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**Important Tip:** In accordance with Caltrans procedures, federal funds must be invoiced against at least once every six months. Funds that are not reimbursed against 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. Agencies that prefer to submit one final billing rather than semi-annual progress billings, or anticipate a longer project-award process or anticipate having difficulty in meeting these deadlines can use Advance Construction Authority (ACA) to proceed with the project, then convert to a full obligation prior to project completion. ACA conversions receive priority in the annual obligation plan. Furthermore, agencies that obligate construction engineering (CE) funds may (with concurrence from Caltrans) invoice against this phase for project advertisement activities to comply with invoicing deadlines.

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- **State Liquidation Deadline**

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 4 state fiscal years following the fiscal year in which the funds were appropriated. CTC-administered funds must be expended within 2 state fiscal years following the fiscal year in which the funds were allocated. 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 in a Cooperative Work Agreement (CWA) with the California Department of Finance. CTC-administered funds must also be extended by the CTC. This requirement does not apply to FTA transfers.

- **Project Completion /Close-Out Deadline**

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 (E-76 authorization) the implementing agency must provide Caltrans with an estimated completion date for that project phase. Any unreimbursed federal funding remaining on the phase after the estimated completion date has passed, is subject to project funding adjustments by FHWA.

Implementing agencies must submit to Caltrans the Final Report of Expenditures within six months of project completion. Projects must proceed to right of way acquisition or construction within 10 years of federal authorization of the initial phase.

Federal regulations require that federally funded projects proceed to construction or right of way acquisition 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 or right of way acquisition in 10 years, FHWA will de-obligate any remaining funds, and the agency may be required to repay any reimbursed funds. If a project is canceled as a result of the environmental process, the agency may not be required 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 right of way acquisition or 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.

Note that funds managed and allocated by the CTC may have different and more stringent funding deadlines. A CTC allocated-project must fully expend those funds within 36 months of the CTC funding allocation.

**Consequences of Missed Deadlines**

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 project-funding delivery policy, and all other state and federal requirements can be met. It is also the responsibility of the implementing agency to continuously monitor the progress of all their FHWA federal-aid projects against these regional, state and federal funding deadlines and milestones and report any potential difficulties in meeting these deadlines to MTC, Caltrans and the appropriate county CMA within a timely manner. MTC, Caltrans and the CMAs are available to assist the implementing agencies in meeting the funding deadlines, and will work with the agency to find solutions that avoid the loss of funds.

Agencies that do not meet these funding deadlines risk the loss of federal funds. To minimize such losses to the region, and encourage timely project delivery, agencies that continue to be delivery-challenged and/or have current projects that have missed the funding deadlines, or are out of compliance with federal-aid requirements and deadlines will have future obligations, programming or requests for advancement of funds restricted until their projects are brought back into good standing. Projects are selected to receive Regional Discretionary Funding based on the implementing agency's demonstrated ability to deliver the projects within the funding deadlines. An agency's proven delivery record will be used for selecting projects for funding and placement in a particular year of the TIP, and for receipt of OA.

**Regional Project Delivery Principles**

The following requirements apply to the management and implementation of FHWA-administered funds within the region:

- **Federal funds must comply with federal fiscal constraint requirements.** FHWA-administered federal funds are to be programmed in the federal Transportation Improvement Program (TIP), up to the apportionment level for that fiscal year, in the fiscal year in which the funds are to be obligated by FHWA or transferred to the Federal Transit Administration (FTA) or allocated by the CTC.
- **Regional discretionary funds are project specific.** Projects are chosen for the program based on eligibility, project merit, and deliverability within the established deadlines. The regional discretionary funds are for those projects alone and may be used for any phase of the project, unless otherwise specified at the time of programming, in accordance with Caltrans procedures and federal regulations.
- **Funds must be included in the annual obligation plan.** MTC staff, in consultation with regional partners, will prepare an annual obligation plan as required by California Streets and Highway Code 182.6(f) at the end of each state fiscal year based on the funding programmed in the federal TIP and the apportionment and OA expected to be available. This plan will be the basis upon which obligations will be made in the following federal fiscal year.
- **Advance Construction Conversion has priority for funding.** Conversion of Advance Construction Authorization (AC) to full authorization receives priority in the annual obligation plan. At the end of the federal authorization Act, AC may be the only option available should the region fully use its Obligation Authority.
- **Federal funds must meet timely use of funds requirements.** To comply with federal timely use of funds requirements, the Request for Authorization (RFA) and obligation (E-76 authorization/ FTA Transfer) deadlines are November 1 and January 31, respectively. These deadlines align with the natural schedule to have projects ready for the following summer construction season.
- **Projects may be advanced from future years.** Obligations for funds advanced from future years of the TIP will be permitted only upon the availability of surplus OA and generally will only be considered after the obligation submittal deadline of November 1. OA is available first-come first-served after January 31. In some years OA may not be available for project advancements until after April 30, when Caltrans releases unused OA statewide.
- **CTC allocation and FHWA authorization requests should be coordinated.** To ensure deadlines imposed by the CTC are met, allocation requests to the CTC for federal funds should be accompanied with a complete RFA package, so the authorization request for federal funds may be submitted to FHWA immediately following CTC action.
- **Funds for construction should be awarded within 6 months of obligation.** This deadline is for consistency with the CTC's 6-month award deadline following CTC allocation, and to ensure there are eligible expenditures to invoice against to meet Caltrans' 6-month invoicing requirement and FHWA's inactive obligations requirements.
- **Funds must be invoiced against at least once every 6 months.** Project sponsors must submit a valid invoice to Caltrans Local Assistance at least once every 6 months and receive a reimbursement at least once every 9 months, but should not submit an invoice more than quarterly. This ensures the sponsor complies with Caltrans requirements and the project does not become inactive under FHWA's rules.



Milestone	Deadline	Authority	Consequence of Missed Deadline
Programming in TIP	Agency is committed to delivering project in the year programmed in the TIP	Region	Deprogramming of funds and redirection to other projects that can use the OA (MTC)
Field Review (If applicable)	Within 12 months of inclusion in TIP	Region	Restrictions on future programming, obligations and OA until deadline is met (MTC)
MTC Obligation Plan CA S&H Code § 182.6(f)	October 1 - Beginning of each federal fiscal year	Caltrans Region	Only projects identified in MTC's annual Obligation Plan receive priority for OA. Projects not in annual plan may need to wait until after May 1 to receive an obligation (MTC)
Request For Authorization (RFA) Submittal	November 1 of year funds programmed in TIP	Region	Project loses priority for OA. OA may be redirected to other projects (MTC)
Obligation / FTA Transfer E-76 / Authorization	January 31 of year programmed in TIP	Region	Reprogramming of funds and redirection to other projects that can use the OA (MTC)
Release of Unused OA	May 1	Caltrans	Unused OA becomes available for all regions to access on first-come first-served basis (Caltrans)
CTC-Allocation CA Gov Code § 14529.8	June 30 of the year CTC funds are programmed	CTC	CTC-programmed funds lapse (CTC) Requires CTC approval for extension
Last opportunity to submit Request For Authorization (RFA) for federal fiscal year	June 30	Caltrans	Requests submitted after June 30 may need to wait until following federal fiscal year to receive E-76 / Authorization (Caltrans)
End of Federal Fiscal Year - OA No Longer Available	August 30	Caltrans Federal	Federal system shut down. Unused OA at end of federal fiscal year is taken for other projects. No provision funds taken will be returned (FHWA)
Program Supplement Agreement (PSA)	60 days after receipt from Caltrans 6 months after obligation	Caltrans Region	De-obligation of funds after 6 months (so project does not become inactive) (Caltrans) Restrictions on future programming, obligations and OA until deadline is met (MTC)
Construction Advertisement	3 months after obligation	Region	Potential to miss award deadline. Restrictions on future programming, obligations and OA until deadline is met (MTC)
Construction Award	6 months after Allocation/ Obligation	CTC Region	CTC-allocated funds lapse. Requires CTC extension approval (CTC) Potential for project to become Inactive. Restrictions on future programming, obligations and OA until deadline is met (MTC)
Invoicing & Reimbursement	Submit invoice and receive reimbursement at least once every 6 months following obligation of funds.	Federal Caltrans Region	Placed on pending inactive list after 6 months. Must submit invoice status reports (Caltrans) De-obligation of funds if project does not receive reimbursement within 12 months, with no guarantee funds will be returned (FHWA) Restrictions on future funding (MTC)
Expenditure CA Gov Code § 14529.8	2 years following the year of CTC allocation of funds	CTC	CTC-allocated funds lapse (CTC) Requires CTC approval for extension
Liquidation CA Gov Code § 16304.1	2 years following the year of allocation (state funds) 4 years following the year of allocation (Federal funds)	State of California Caltrans	Loss of State budget authority and de-obligation of funds (State of California). Requires CWA with Caltrans for extension (Caltrans)
Project Close-Out	6 months after final invoice	Caltrans Region	Must submit explanation in writing (Caltrans) Restrictions on future funding (MTC)



**Background**

The regional project delivery policy ([MTC Resolution 3606](#)) establishes certain deadlines and requirements for agencies accepting Federal Highway Administration (FHWA) funding and including these funds in the federal Transportation Improvement Program (TIP). The intent of the regional funding 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. It is also intended to assist the region in managing Obligation Authority (OA) and meeting federal financial constraint requirements. MTC has purposefully established regional deadlines in advance of state and federal funding deadlines to provide the opportunity for implementing agencies, Bay Area County Transportation Agencies (BACTAs), Caltrans, and MTC to solve potential project delivery issues and bring projects back in-line in advance of losing funds due to a missed funding deadline. The policy is also intended to assist in project delivery, and ensure funds are used in a timely manner.

As the federally designated Metropolitan Planning Organization (MPO) and the agency serving as the Regional Transportation Planning Agency (RTPA) for the nine-counties of the San Francisco Bay Area, the Metropolitan Transportation Commission (MTC) is responsible for various funding and programming requirements, including, but not limited to: development and submittal of the Regional Transportation Improvement Program (RTIP); managing and administering the federal Transportation Improvement Program (TIP); and project selection for designated federal funds (referred collectively as 'Regional Discretionary Funding'); As a result of the responsibility to administer these funding programs, the region has established various deadlines for the delivery of regional discretionary funds including the regional Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) Program, regional Transportation Alternatives Program (TAP) and Regional Transportation Improvement Program (RTIP) to ensure timely project delivery against state and federal funding deadlines. MTC Resolution 3606 establishes standard guidance and policy for enforcing project funding deadlines for these and other FHWA-administered federal funds

One of the most important features of the delivery policy, and a key to the success of on-time delivery, is the obligation deadline. Regional discretionary funding, as well as other FHWA funds in the TIP, must meet the Obligation/E-76/Authorization deadline established in the Policy. This ensures federal funds are being used in a timely manner, and funds are not lost to the region.

**FY 2015-16 STP/CMAQ Delivery Status**

In 2014, the regional obligation deadline was changed from March 31 to January 31 for projects listed in the FY 2015-16 annual obligation plan. Although FY 2015-16 was a transition year (meaning unobligated funds will not be redirected to other projects until after March 31) it was still expected that project sponsors would meet the new obligation deadline. However, the delivery rate was not as good as hoped. As of January 31 less than 30% of the targeted STP/CMAQ OA had been obligated. In examining the low delivery rate, MTC staff noticed many projects were not ready to proceed when placed in the FY 2015-16 Annual Obligation Plan, and therefore many project sponsors were unable to meet the November 1 Request for Authorization (RFA) deadline, even though the annual obligation plan was made final only a month earlier.

**FY 2016-17 STP/CMAQ Delivery Status**

The delivery rate for FY 2016-17 improved over FY 2015-16. As of January 31, 2017 45% of the targeted STP/CMAQ OA had been obligated, compared with 30% in 2016. By March 31, 2017 115% of the STP/CMAQ OA had been delivered. However, the goal is still to have 100% OA delivery by January 31, so that projects may capture favorable bids and proceed to construction over the summer construction season.

**FY 2017-18 STP/CMAQ Delivery Status**

The delivery rate for FY 2017-18 improved over FY 2015-16 and FY 2016-17. As of January 31, 2018, 75% of the targeted STP/CMAQ OA had been obligated, compared with 30% in 2016 and 45% in 2017. By March 31, 2018 112% of the STP/CMAQ OA had been delivered. However, the goal is still to have 100% OA delivery by January 31 so that projects may capture favorable bids and proceed to construction over the summer construction season.

**FY 2018-19 STP/CMAQ Delivery Status**

**The delivery rate for FY 2018-19 slipped a little from FY 2017-18. As of January 31, 2019, 63% of the targeted STP/CMAQ OA had been obligated, compared with 30% in 2016, 45% in 2017 and 75% in 2018. By March 31, 2019, 74% of the STP/CMAQ OA had been delivered. The goal is still to have 100% OA delivery by January 31 so that projects may capture favorable bids and proceed to construction over the summer construction season.**

**Increased Importance of Annual Obligation Plan**

In recent years other regions and the state-managed local programs have improved upon their own annual delivery rate, and the region is once again hitting apportionment limits prior to the end of the fiscal year. These factors are reducing the flexibility the region has in advancing funds and allowing projects to move forward when ready. As a result, the annual obligation plan is becoming increasingly important to prioritize the funding available for projects to be delivered in a given year. It is anticipated that moving forward, the obligation plan will become a more vital tool in managing the delivery of FHWA-funded projects each year

**Proposed Annual Obligation Plan Conditions and Requirements**

To address the issues of projects being included in the annual obligation plan that are not yet ready to proceed, and to better manage the availability of funds (primarily STP/CMAQ) for projects that are ready for delivery, and to facilitate timely project delivery within the region, MTC staff is proposing certain conditions and requirements for projects to be included the Annual Obligation Plan as outlined in Attachment 1. The obligation plan will serve to prioritize delivery of FHWA-funded projects, and assist Caltrans Local Assistance in managing its workload for the federal fiscal year.

**FY 2019-20 Annual Obligation Plan Schedule**

The schedule for development and implementation of the FY 2019-20 Annual Obligation Plan is as follows:

May/June 2019	Projects with known delivery deadlines in next fiscal year released for review
June/July 2019	Draft Plan reviewed by partnership working groups
June/July/Aug 2019	SPOCs submit requests to include STP/CMAQ projects in Obligation Plan
September 2019	Proposed Final Plan reviewed by partnership working groups
October 1, 2019	Obligation Plan finalized and submitted to Caltrans
<del>November 1, 2019</del>	<del>Request for Authorization (RFA) submitted to Caltrans</del>
January 31, 2020	Obligation deadline for funds in Annual Obligation Plan
<b><u>January 31, 2020</u></b>	<b><u>CTC Allocation request deadline</u></b>
February 1, 2020	Unused Obligation Authority available first-come first-served
<b><u>March 31, 2020</u></b>	<b><u>CTC Allocation deadline for CTC-administered state and federally-funded projects</u></b>

### Annual Obligation Plan Conditions and Requirements

To facilitate timely project delivery within the region, the following proposed conditions and requirements must be met for projects to be included in the Annual Obligation. The obligation plan will serve to prioritize delivery of FHWA-funded projects for the federal fiscal year.

- **Projects automatically included in Obligation Plan**  
To the extent known, projects with required federal funding delivery deadlines within the fiscal year will be added to the annual **obligation** plan. These include but are not limited to STIP, ATP, HSIP and Local Bridge Seismic Retrofit Program (LBSRP) projects. **In addition to the annual obligation plan, a “CTC Allocation Plan” will be developed specifically for CTC-allocated state and federally-funded projects.** It is the responsibility of the Single Point of Contact (SPOC) to ensure the Plans include all projects from their agency that have delivery deadlines within the applicable fiscal year.
- **SPOC Involvement**  
Requests for OBAG STP/CMAQ projects to be included in the annual obligation plan must come from the Single Point of Contact (SPOC) for that agency. This ensures the SPOC is aware of the federal-aid projects to be delivered that year, and to be available to assist the Project Manager(s) through the federal-aid delivery process. In addition, subsequent communication to MTC or applicable BACTA regarding potential delays or missed deadlines of any project in the annual obligation plan must include the SPOC. To add a project to the plan, email the request to the applicable Bay Area County Transportation Agency staff and to John Saelee of MTC at [jsaelee@bayareametro.gov](mailto:jsaelee@bayareametro.gov)
- **Missed Past Delivery Deadlines**  
For project sponsors that have missed delivery deadlines within the past year, **including CTC-administered program deadlines**, the agency must prepare and submit a delivery [status report](#) on major delivery milestones for all federally active projects with FHWA-administered funds, and all projects with FHWA-administered funds programmed in the current TIP, before their OBAG 2 project(s) are added to the annual obligation plan. Furthermore, once projects for such agencies are accepted in the final obligation Plan, the Single Point of Contact (SPOC) for the agency must report monthly to the applicable BACTA and MTC staff on the status of all agency project(s) in the annual obligation plan,

until the funds are obligated/authorized. The [FHWA-Funded Projects Status](#) report template is located at:

[http://mtc.ca.gov/sites/default/files/Template\\_FHWA\\_Funded\\_Projects\\_Status.xlsx](http://mtc.ca.gov/sites/default/files/Template_FHWA_Funded_Projects_Status.xlsx)

- **Field Review**

For the PE phase of a **STP/CMAQ** project to be included in the draft plan, a field review must be scheduled to occur by June 30. To remain in the final plan the field review and related/required documentation, including the Preliminary Environmental Study (PES) if applicable, must be completed and accepted/signed off by Caltrans by September 30.

For the Right Of Way or Construction phase of a project to be included in the draft Annual Obligation Plan, the project must have undergone a field review with Caltrans AND all field review related/required documentation, including the Preliminary Environmental Study (PES) if applicable, submitted, signed and accepted by Caltrans by June 30.

This does not apply to projects for which Caltrans does not conduct a field review, such as FTA transfers, planning activities and most non-infrastructure projects.

- **HSIP Delivery Requirements**

Because of the importance of timely delivery of safety projects, the following applies to agencies with Highway Safety Improvement Program (HSIP) projects programmed in the federal TIP.

**For project sponsors with HSIP funds in the PE phase of a project:** A complete and accurate Request for Authorization (RFA) must be submitted to Caltrans for the PE phase of all of the agency's HSIP project(s) prior to any OBAG 2 STP/CMAQ project being added to the Annual Obligation Plan for that agency. The Caltrans-managed HSIP program has an obligation deadline for the PE phase of September 30. To meet this deadline, sponsors must have a field review (with all required documentation including the Preliminary Environmental Study (PES) if applicable, accepted by Caltrans) and submit the RFA for PE by June 30.

**For project sponsors with HSIP funds in the CON phase of a project:** A complete and accurate Request for Authorization (RFA) must be submitted to Caltrans for the CON phase of all of the agency's HSIP project(s) subject to the delivery deadlines noted below, prior to any OBAG 2 STP/CMAQ project for that agency being included in the Annual Obligation Plan.

**HSIP Deadlines for purposes of the Annual Obligation plan are outlined below:**

Unless a later date is identified in the Caltrans [HSIP Project Listing](#) at the following link: [http://www.dot.ca.gov/hq/LocalPrograms/HSIP/delivery\\_status.htm](http://www.dot.ca.gov/hq/LocalPrograms/HSIP/delivery_status.htm))

**Cycle 7 HSIP program:**

PE Authorization: All PE phases have been submitted and authorized

**CON Authorization: June 30, 2019 (RFA due April 30, 2019)**

**Cycle 8 HSIP program:**

PE Authorization: All PE phases have been submitted and authorized

**CON Authorization: December 31, 2019 (RFA due November 1, 2019)**

**Cycle 9 HSIP program:**

**PE Authorization: September 30, 2019 (RFA due May 31, 2019)**

CON Authorization: December 31, 2021 (RFA due October 31, 2021)

**Waiver request for unforeseen project delays:**

A jurisdiction that has been proceeding with a project in good faith and has encountered unforeseen delays may request special consideration. A sponsor may be allowed to add projects into the annual obligation plan even if it has an outstanding project delay if Caltrans Local Assistance, MTC and the applicable BACTA reach consensus that the delay was unforeseen, beyond the control of the project sponsor, and not a repeated occurrence for the agency.

**NOTE: Poor project management is not considered an unforeseen delay.**

**OBAG 2 Requirements**

Projects funded in the One Bay Area Grant 2 Program (OBAG 2) will not be included in the annual obligation plan until the project sponsor has met applicable OBAG 2 requirements, such as submittal of the annual housing element reports to HCD by April 1 of each year or fully participating in the statewide local streets and roads needs assessment survey or providing updated information to the Highway Performance Monitoring System (HPMS).

**Request for Authorization Review Period**

For purposes of delivery of projects within the annual obligation plan, it is expected that sponsors schedule at least sixty to ninety days for Caltrans/FHWA review and approval of the Request for Authorization (RFA). This is to ensure delivery schedules adequately account for federal-aid process review.

**SPOC Checklist**

Starting in 2017, jurisdictions must have the SPOC checklist filled out and on file prior to projects being included in the annual obligation plan. A new checklist must be filled out whenever a new SPOC is assigned for that agency.

**Inactive Obligations**

FHWA has expressed significant concern regarding inactive project obligations. At no time are more than 2% of obligated funds to be inactive. The state, and bay area, are consistently over this maximum threshold. Under federal regulations, FHWA-administered projects must receive an invoice and reimbursement against federal funds at least once every 12 months following obligation. Projects that have not received a reimbursement of federal funds in the previous 12 months are considered inactive with

the remaining un-reimbursed funds subject to de-obligation by FHWA with no guarantee the funds are available to the project sponsor.

Caltrans requires project sponsors to submit invoices at least once every 6 months from the time of obligation (E-76 authorization) to ensure the invoice may be processed and the funds reimbursed in time to meet the federal deadline.

To ensure funds are not lost in the region, regional deadlines have been established in advance of state and federal deadlines. Under the regional project-funding delivery Policy (MTC Resolution 3606) project sponsors must submit a valid invoice to Caltrans Local Assistance at least once every 6 months and receive a reimbursement at least once every 9 months.

Agencies with projects that have not been invoiced against at least once in the previous 6 months or have not received a reimbursement within the previous 9 months have missed the invoicing/reimbursement deadlines and are subject to restrictions placed on future regional discretionary funds and the programming of additional federal funds in the federal TIP until the agency can demonstrate the ability to meet regional, state and federal requirements.

Specifically, project sponsors with continued history of missing the Caltrans and regional 6-month invoice submittal deadline and the region's 9-month reimbursement deadline are subject to OBAG projects being removed from the Annual Obligation plan and reprogrammed to a later year in the federal TIP, and will have low-priority for including their OBAG 2 projects in the next Annual Obligation plan. OBAG 2 funds will only be included if capacity is available after all other requests have been considered, and the agency has demonstrated the ability to meet regional and state delivery deadlines.

Caltrans updates the inactive project obligation status reports weekly on the Local Assistance Inactive Project Information web page.

- **FAST Act Rescission**

There is a nationwide rescission of \$7.6 billion based on unobligated apportionment balances at the end of the FFY 2018-19. To ensure funds are not rescinded within the region, MTC will seek to advance projects from future years to capture any unused apportionment after the January 31 obligation deadline. Sponsors with projects scheduled for delivery in FY 2018-19 should note that unused funds after January 31 may be used up more quickly than prior years. Also, sponsors that commit to delivery in FFY 2018-19, but have not received an obligation, may possibly see their funds rescinded if other projects cannot be advanced to obligate all the remaining apportionment.

- **CTC-allocated state and federal funds**

**In response to CTC concerns regarding delivery of CTC-administered projects, starting in 2018 many of the regional delivery requirements for federal funds will also apply to CTC allocated state and federally-funded projects.**



- **CTC Allocation Plan**

Expanding on the success of the development and implementation of the regional annual obligation plan, MTC, working with the County Transportation Authorities (CTA's) and project sponsors, will develop and maintain a regional "CTC Allocation Plan" identifying the CTC-administered programs and projects, such as STIP, ATP and RRAA (SB1) with CTC-allocation deadlines within the state fiscal year. It is the responsibility of the Single Point of Contact (SPOC) to ensure the Plan includes all projects from their agency that have applicable delivery deadlines within the fiscal year.

- **ATP and SB1 Reporting and Accountability**

Agencies receiving (RRAA) Road Repair and Accountability Act (SB1) and ATP funds are required to report on the status of the projects on a regular basis. To ensure agencies meet the deadline, MTC expects reports to be submitted at least 15 days in advance of the CTC deadline. This helps ensure any errors or omissions can be corrected before the reports are due to the CTC/Caltrans. Agencies that miss the reporting/accountability deadline(s) will have OBAG funds subject to re-programming.

- **CTC Allocations**

Projects with funds requiring a CTC allocation, including STIP, ATP and RRAA (SB1) must receive submit the CTC allocation request by January 31 and receive the CTC allocation by March 31 of the year programmed unless there is a special circumstance (such as coordinating the delivery timeline with other fund sources or project schedules) agreed to by the respective Bay Area County Transportation Agency and MTC staff. Sponsors missing the regional CTC allocation deadline are subject to OBAG projects being removed from the Annual Obligation plan and reprogrammed to a later year in the federal TIP, and will have low-priority for including their OBAG 2 projects in the following annual obligation plan, until the sponsor can demonstrate the ability to meet regional and state delivery deadlines.

- **CTC Extensions**

Sponsors with projects requiring a CTC extension are subject to OBAG projects being removed from the Annual Obligation plan and reprogrammed to a later year in the federal TIP, and will have low-priority for including their OBAG 2 projects in the following annual obligation plan, until the sponsor can demonstrate the ability to meet regional and state delivery deadlines.

- **Local Bridge Seismic Retrofit Program (LBSRP) Delivery Requirements**

The Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006 (Prop 1B) includes \$125 million of state matching funds to complete LBSRP. These funds provide the required local match for right of way and construction phases of the remaining seismic retrofit work on local bridges. Several projects within the program have not yet proceeded to construction – 12 years after voters approved funding for the

program and 24 years after the Northridge Earthquake and 29 years after the Loma Prieta Earthquake.

Each project in the LBSRP is monitored by Caltrans at the component level for potential scope, cost, and schedule changes to ensure timely delivery of the full scope as approved and adopted. Projects are "locked" by Caltrans for delivery at the beginning of each federal fiscal year (FFY) and **Project delivery milestones are determined by agreement between Caltrans and the local agency.** Local agencies are not allowed to change the schedules **once the agreements are signed.** Projects programmed in the current FFY, for which federal funds are not obligated by the end of the FFY, may be removed from the fundable element of the TIP at the discretion of the Caltrans.

Because of the interest of the California Transportation Commission (CTC) with delivery of the remaining projects in the Local Bridge Seismic Retrofit Program, project sponsors with remaining seismic bridge projects will need to provide MTC and the respective Bay Area County Transportation Agency with updated status reports at least twice a year.

Sponsors with seismic retrofit bridge projects in the current FFY that do not deliver by the end of the FFY **agreement date**, will have low-priority for including their OBAG 2 projects in the next Annual Obligation plan. OBAG 2 funds will only be included if capacity is available after all other requests have been considered, and the agency has demonstrated the ability to meet regional and state delivery deadlines.

**NOTE: Per CTC proposed guidelines, project sponsors of LBSRP projects that miss the milestone delivery deadline identified in the LBRP bridge agreement are ineligible to receive future Highway Bridge Program (HBP) and RRAA (SB1) competitive program funding from the CTC until the offending delivery milestone is met.**

- **Timely Obligations**

The Federal Highway Administration (FHWA) is concerned with projects receiving an authorization (obligation) and not having reimbursable expenses within a year. This trend is impacting the number of inactive obligations. The FHWA is watching this trend and will be examining options to address the situation.

**In response to FHWA's concern regarding timely obligations, MTC Resolution 3606 policies and procedures will be adjusted accordingly on a temporary basis and later incorporated into MTC Resolution 3606 Delivery Guidance.**

- **RFA Submittal Deadline - Suspension**

The Regional Funding delivery policy, MTC Resolution 3606 requires a complete, funding obligation/FTA Transfer Request For Authorization (RFA) package to Caltrans Local Assistance by November 1 of the fiscal year the funds are listed in the TIP.



**Until the Bay Area partnership working group develops procedures to address timely obligations, the November 1 RFA submittal deadline is suspended, to allow submittals of RFAs to be more in alignment with when projects can be awarded and funds encumbered, to allow for expenditures of eligible costs within 6 months of obligation.**

▪ **Construction Advertisement / Award Deadline**

The Regional Funding delivery policy, MTC Resolution 3606 states that for the Construction (CON) phase, the construction/equipment purchase contract must be advertised within 3 months and awarded within 6 months of obligation / E-76 Authorization (or awarded within 6 months of allocation by the CTC for funds administered by the CTC). However, regardless of the award deadline, 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 complete award package immediately after contract award and prior to submitting the first invoice to Caltrans in accordance with Caltrans Local Assistance procedures. Agencies with projects that do not meet these award deadlines will have future programming and OA restricted until their projects are brought into compliance (CTC - administered construction funds lapse if not awarded within 6 months).

**Until the Bay Area partnership working group develops procedures to address timely obligations, the project award provision of MTC Resolution 3606 will be expanded to include the encumbrance of non-construction funds within 6 months, and require the agency to notify the respective County Transportation Agency (CTA) and MTC staff if funds are not awarded/encumbered within 6 months of obligation.**

▪ **Advance Construction Authorization (ACA)**

The regional funding delivery policy, MTC Resolution 3606 states that agencies that cannot meet the regional, state or federal deadlines subsequent to the obligation deadline (such as award and invoicing deadlines) have the option to use Advance Construction Authorization (ACA) rather than seeking an obligation of funds and risk losing the funds due to missing these subsequent deadlines. For example if the expenditure of project development funds or award of a construction contract, or project invoicing cannot easily be met within the required deadlines, the agency may consider using ACA until the project phase is underway and the agency is able to meet the deadlines.

MTC Resolution 3606 also states that Advance Construction Authorization does not satisfy the regional obligation deadline requirement.

**In response to FHWA's concern regarding timely obligations, agencies may want to consider the use of ACA if they are unable to encumber funds within 6 months of obligation. Furthermore, until the Bay Area partnership working group develops procedures to address timely obligations, the use of ACA will satisfy the regional obligation deadline requirement.**

- **Regional Invoicing and Reimbursement Deadlines – Inactive Projects**

The regional funding delivery policy, MTC Resolution 3606 states that project sponsors must submit a valid invoice to Caltrans Local Assistance at least once every 6 months and receive a reimbursement at least once every 9 months, but should not submit an invoice more than quarterly. Agencies with projects that have not been invoiced against at least once in the previous 6 months or have not received a reimbursement within the previous 9 months have missed the invoicing/reimbursement deadlines and are subject to restrictions placed on future regional discretionary funds and the programming of additional federal funds in the federal TIP until the project receives a reimbursement.

**For clarification, within MTC Resolution 3606, reference to reimbursement refers to the reimbursement of federal funds. Federal funds are not considered reimbursed until the expenditure shows up in the federal Fiscal Management Information System (FMIS) and subsequently removed from any inactive obligation listing.**

Draft MTC FFY 2019-20 Annual Obligation Plan													Remaining Balance	Total Programmed
Project List													98%	100%
September 20, 2019													\$264,546,294	\$269,285,339
Alameda County	TIP ID	FMS ID	Unique ID	Program	Fund Source	FPN	Phase	Project Title	Latest Action Status	Latest Action Date	Planned Award	Oblig/Alloc Deadline		
Local Agency													Balance	Total
Sponsor	TIP ID	FMS ID	Unique ID	Program	Fund Source	FPN	Phase	Project Title	Latest Action	Action Date	Planned Award	Deadline		
Alameda County	ALA130018	5794	STP-T5-OBAG2-CO-FAS	OBAG2	STP	-5014()	CON	Alameda Co-Various Streets and Roads Preservation			19-May-2020	31-Jan-2020	\$1,779,000	\$1,779,000
Alameda County	VAR170002	6491	HSIP-T5-8	HSIP8	HSIP	HSIPL-5933(141)	CON	Redwood Road Safety Pullout H8-04-001			19-May-2020	31-Dec-2019	\$156,600	\$156,600
Alameda County	VAR170002	6492	HSIP-T5-8	HSIP8	HSIP	HSIPL-5933(141)	CON	Palomares Road Safety Pullout H8-04-002	PES Signed	16-Aug-2017	19-May-2020	31-Dec-2019	\$156,600	\$156,600
Alameda County	VAR170002	6490	HSIP-T5-8	HSIP8	HSIP	HSIPL-5933(142)	CON	Farimont Drive Guardrails H8-04-003			19-May-2020	31-Dec-2019	\$828,500	\$828,500
Alameda County	VAR170002	6987	HSIP9-04-001	HSIP 9	HSIP	HSIPL-5933(152)	PE	Unsignalized Intersection Improvements	RFA at CT-HQ	31-Jul-2019	1-Feb-2020	30-Sep-2019	\$192,400	\$192,400
Alameda County	VAR170002	6987	HSIP9-04-002	HSIP 9	HSIP	HSIPL-5933(153)	PE	Signalized Intersection Improvements	RFA at CT-HQ	31-Jul-2019	1-Feb-2020	30-Sep-2019	\$200,000	\$200,000
Alameda County	VAR170002	6987	HSIP9-04-003	HSIP 9	HSIP	HSIPL-5933(154)	PE	Rural Roads Safety project	RFA at CT-HQ	9-Jul-2019	1-Feb-2020	30-Sep-2019	\$301,430	\$301,430
Alameda County	VAR170002	6987	HSIP9-07-004	HSIP 9	HSIP	HSIPL-5933(155)	PE	Tesla Road Safety Improvements	RFA at CT-HQ	31-Jul-2019	1-Feb-2020	30-Sep-2019	\$87,000	\$87,000
ACTC	ALA150003	6046	EARMARK-T5-RE	Earmark	Earmark	-5432()	PE	Dublin Blvd. - North Canyons Pkwy Extension			18-Jun-2020	30-Sep-2020	\$540,000	\$540,000
Fremont	VAR170002	6475	HSIP-T5-8	HSIP8	HSIP	HSIPL-5322(057)	CON	Fremont Blvd Intersections Safety Imps H8-04-009			17-Apr-2020	31-Dec-2019	\$1,228,950	\$1,228,950
Livermore	ALA170068	6740	STP-T5-OBAG2-CO	OBAG2	STP	-5053()	CON	Livermore Pavement Rehabilitation-MTS Routes			19-May-2020	31-Jan-2020	\$1,382,000	\$1,382,000
MTC	ALA190018	6963	STP-T5-OBAG2-REG-AOM	OBAG2	STP	-6084()	PE	Freeway Performance Program: Alameda I-580			30-May-2020	31-Jan-2020	\$625,000	\$625,000
Newark	ALA170061	6710	STP-T5-OBAG2-CO	OBAG2	STP	-5317()	CON	Thornton Avenue Pavement Rehabilitation			29-Apr-2020	31-Jan-2020	\$592,000	\$592,000
Oakland	VAR170012	5221	33C0215	HBP-Seismi	Bridge	STPLZ-5012(124)	ROW	Leimert Blvd over Sausal Creek			1-Feb-2020	1-Sep-2019	\$250,000	\$250,000
Oakland	ALA150043	6240	HSIP7-04-016	HSIP 7	HSIP	HSIPL-5012(140)	CON	Oakland: Shattuck and Claremont Bike/Ped	RFA at CT-HQ	11-Jul-2019	1-Feb-2020	30-Jun-2019	\$1,223,190	\$1,223,190
Oakland	VAR170002	6239	HSIP7-04-015	HSIP 7	HSIP	HSIPL-5012(141)	CON	HSIP7-04-015 Market Street	RFA at CT-District	9-Sep-2019	1-Feb-2020	30-Jun-2019	\$1,242,270	\$1,242,270
Oakland	ALA150042	6238	HSIP7-04-014	HSIP 7	HSIP	HSIPL-5012(142)	CON	Oakland: Telegraph Ave Bike/Ped Imps and Road Diet	RFA at CT-HQ	21-Aug-2019	1-Feb-2020	30-Jun-2019	\$1,145,250	\$1,145,250
Oakland	VAR170002	6483	HSIP-T5-8	HSIP8	HSIP	HSIPL-5012(147)	CON	Bancroft Ave H8-04-013			19-May-2020	31-Dec-2019	\$2,892,926	\$2,892,926
Oakland	VAR170002	6489	HSIP-T5-8	HSIP8	HSIP	HSIPL-5012(148)	CON	Oakland Hills Guardrails H8-04-018			19-May-2020	31-Dec-2019	\$825,213	\$825,213
Oakland	ALA170052	6485	HSIP-T5-8	HSIP8	HSIP	HSIPL-5012(149)	CON	Oakland Fruitvale Ave Bike/Ped Imprmnts H8-04-014			19-May-2020	31-Dec-2019	\$848,202	\$848,202
Oakland	VAR170002	6488	HSIP-T5-8	HSIP8	HSIP	HSIPL-5012(151)	CON	Downtown Oakland H8-04-017			19-May-2020	31-Dec-2019	\$433,257	\$433,257
Oakland	VAR170002	6487	HSIP-T5-8	HSIP8	HSIP	HSIPL-5012(152)	CON	High St H8-04-016			19-May-2020	31-Dec-2019	\$1,215,064	\$1,215,064
Oakland	ALA150047	6276	ATP-REG-T4-2-FED	ATP-REG	ATP-FED	ATPL-5012(143)	CON	Telegraph Ave Complete Streets			16-Jan-2021	30-Sep-2020	\$3,677,000	\$3,677,000
Oakland	ALA150044	6277	ATP-ST-T4-2-FED	ATP-ST	ATP-FED	ATPL-5012(144)	CON	19th St BART to Lake Merritt Urban Greenway			17-Sep-2020	30-Jun-2020	\$3,883,000	\$3,883,000
Oakland	ALA170043	6531	ATP-ST-T5-3-FED	ATP-ST	ATP-FED	ATPL-5012(154)	PSE	14th Street: Safe Routes in the City			28-Feb-2020	30-Jun-2020	\$1,235,000	\$1,235,000
Oakland	ALA170043	6531	ATP-ST-T5-3-FED	ATP-ST	ATP-FED	ATPL-5012()	CON	14th Street: Safe Routes in the City			20-May-2022	31-Jan-2020	\$9,343,000	\$9,343,000
Oakland	VAR170002	6976	HSIP9-04-021	HSIP 9	HSIP	HSIPL-5012(159)	PE	Foothill Blvd & MacArthur Blvd Pedestrian Safety	RFA at CT-HQ	29-Aug-2019	11-Jan-2020	30-Sep-2019	\$189,000	\$189,000
ACTC	ALA170086	6844	EARMARK-T5-RE	Earmark	Earmark	-()	CON	7th Street Grade Separation West			8-Apr-2021	30-Sep-2020	\$20,975	\$20,975
San Leandro	VAR170002	6259	HSIP7-04-003	HSIP 7	HSIP	HSIPL-5041(045)	CON	Davis St/Carpentier St Intersection Imps	RFA at CT-HQ	19-Sep-2019	1-Feb-2020	30-Jun-2019	\$216,750	\$216,750
San Leandro	VAR170002	6495	HSIP-T5-8	HSIP8	HSIP	HSIPL-5041(146)	CON	E. 14th St./Joaquin Ave. Signal Improvements	9/1/2020		30-Sep-2020	31-Dec-2019	\$275,400	\$275,400
San Leandro	VAR170002	6493	HSIP-T5-8	HSIP8	HSIP	HSIPL-5041(047)	CON	E. 14th St/144th Ave. Signal Improvements	Duplicate Project	27-Aug-2019	17-Apr-2020	31-Dec-2019	\$151,380	\$151,380
Union City	ALA170071	6750	STP-T5-OBAG2-CO	OBAG2	STP	-5354()	CON	Union City-Dyer Street Pavement Rehabilitation			1-Feb-2020	31-Jan-2020	\$872,000	\$872,000

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## FY 2019-20 CTC Allocation Plan

MTC FY 2019-20 CTC Allocation Plan Project List October 1, 2019															Remaining Balance	Total Allocations	Total Programmed
Alameda County Sponsor	Program	Fund Source	PPNO	FPN	Phase	Project Title	Upcoming Deadline	Latest Action	Latest Action Date	CTC Allocation Date	Planned Alloc Date	Allocation Deadline	Planned Award Date	Deadline	Balance	Alloc Amount	Total
AC Transit	LPP-C	LPP-ST	2320B	-()	CON	Purchase Zero Emission Buses	Allocation	Amend & CTC Ext. to FY20	6/27/2019		6/25/2020	1/31/2020			\$15,000,000	\$0	\$15,000,000
ACPW	ATP-REG	ATP-ST	2332	-()	CON-NI	Active and Safe Oakland	Allocation				1/31/2020	1/31/2020			\$999,000	\$0	\$999,000
ACTC	TCEP	TCEP-ST	2103D	-()	CON	7th St. Grade Separation (East)	Allocation				1/30/2020	1/31/2020			\$175,000,000	\$0	\$175,000,000
ACTC	ATP-REG	ATP-ST	2333	-()	CON-NI	Alameda County School Travel Opportunities Program	Award	Allocated	6/27/2019	6/27/2019	6/27/2019	1/31/2020		12/31/2019	\$3,761,000	\$0	\$3,761,000
ACTC	ATP-REG	ATP-ST	2323	ATPL-6480( )	CON	I-80 Gilman I/C Bike/Ped Over-crossing & Access Imps	Allocation					8/31/2020			\$4,152,000	\$0	\$4,152,000
ACTC	RTIP	RTIP-ST	0080D	-()	CON	Rte 84 Widening, south of Ruby Hill Dr to I- 680	Allocation	Alloc. Extension pending			8/13/2020	1/31/2020			\$11,114,000	\$0	\$11,114,000
Alameda	ATP-ST		2300	ATPL-5014( )	ENV	Central Avenue Complete Street Project	Expenditure	Allocation		8/15/2019	-	-		N/A	\$180,000	\$0	\$180,000
Albany	ATP-REG	ATP-ST	2334	-()	CON	Ohlone Greenway Trail Safety Improvements	Allocation				1/30/2020	1/31/2020			\$410,000	\$0	\$410,000
Berkeley	ATP-ST	ATP-ST	2322	ATPL-5057()	CON	Berkeley - Sacramento St Complete Streets Imps	Allocation				1/30/2020	1/31/2020			\$1,357,000	\$0	\$1,357,000
EBRPD	ATP-ST	ATP-ST	2320	ATPL-6075( )	CON	Doolittle Drive Bay Trail, Martin Luther King Jr. Shoreline, Oakland	Allocation					2/28/2021			\$4,000,000	\$0	\$4,000,000
Emeryville	ATP-REG	ATP-ST	2306	ATPL-5106( )	CON	Bike/Ped Greenway Safety & Connectivity Imp. Project	Award	Allocation		1/31/2019	-	-		7/31/2019	\$265,000	\$0	\$265,000
Emeryville	TCEP	TCEP-ST	T0004	-()	CON	Quiet Zone Safety Engineering Measures	Allocation	CTC Ext. to FY20			3/26/2020	1/31/2020		N/A	\$4,200,000	\$0	\$4,200,000
Oakland	ATP-ST	ATP-FED	2307	ATPL-5012()	CON	14th Street: Safe Routes in the City	Allocation	Alloc. Extension pending			6/30/2021	1/31/2020			\$9,343,000	\$0	\$9,343,000
Oakland	ATP-ST	ATP-FED	2307	ATPL-5012(154)	PSE	14th Street: Safe Routes in the City	Allocation	CTC Ext. to FY20	5/16/2019		10/10/2019	1/31/2020		N/A	\$1,235,000	\$0	\$1,235,000
Oakland	ATP-ST	ATP-FED	2190R	ATPL-5012(144)	CON	19th St BART to Lake Merritt Urban Greenway	Allocation	CTC Ext. to FY20	5/16/2019		6/30/2020	1/31/2020			\$3,883,000	\$0	\$3,883,000
Oakland	ATP-ST	ATP-ST	2308	ATPL-5012(153)	CON	Fruitvale Alive Gap Closure Project	Allocation			-		2/28/2021			\$5,000,000	\$0	\$5,000,000
Oakland	ATP-ST	ATP-ST	2324	ATPL-5012()	CON	Oakland Crossing to Safety	Allocation				1/30/2020	1/31/2020			\$1,564,000	\$0	\$1,564,000
Oakland	ATP-REG	ATP-FED	2190V	ATPL-5012(143)	CON	Telegraph Ave Complete Streets	Allocation					9/30/2020	-	-	\$3,677,000	\$0	\$3,677,000

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SPOC Certification  
October 2, 2019

Not Certified
No Federal FHWA funds
Certified

County	Jurisdiction	Effective	Certified	SPOC First	SPOC Last	SPOC Email
Alameda	Alameda	1/10/2019	Yes	Gail	Payne	<a href="mailto:gpayne@alamedaca.gov">gpayne@alamedaca.gov</a>
Alameda	Alameda County	9/22/2017	Yes	James	Chu	<a href="mailto:james@acpwa.org">james@acpwa.org</a>
Alameda	Alameda CTC	9/20/2017	Yes	Vivek	Bhat	<a href="mailto:vbhat@alamedactc.org">vbhat@alamedactc.org</a>
Alameda	Albany	7/19/2018	Yes	Robert	Gonzales	<a href="mailto:rgonzales@albanyca.org">rgonzales@albanyca.org</a>
Alameda	Berkeley	9/22/2017	Yes	Beth	Thomas	<a href="mailto:bathomas@ci.berkeley.ca.us">bathomas@ci.berkeley.ca.us</a>
Alameda	Dublin	9/21/2017	Yes	Obaid	Khan	<a href="mailto:obaid.khan@dublin.ca.gov">obaid.khan@dublin.ca.gov</a>
Alameda	Emeryville	9/22/2017	Yes	Amber	Evans	<a href="mailto:aevans@emeryville.org">aevans@emeryville.org</a>
Alameda	Fremont	9/18/2017	Yes	Connie	Wong	<a href="mailto:cwong@fremont.gov">cwong@fremont.gov</a>
Alameda	Hayward	10/12/2017	Yes	Fred	Kelley	<a href="mailto:fred.kelley@hayward-ca.gov">fred.kelley@hayward-ca.gov</a>
Alameda	Livermore	10/5/2017	Yes	Roberto	Escobar	<a href="mailto:rjescobar@cityoflivermore.net">rjescobar@cityoflivermore.net</a>
Alameda	Newark	9/26/2017	Yes	Jayson	Imai	<a href="mailto:jayson.imai@newark.org">jayson.imai@newark.org</a>
Alameda	Oakland	9/18/2017	Yes	Bruce	Williams	<a href="mailto:bwilliams@oaklandca.gov">bwilliams@oaklandca.gov</a>
Alameda	Piedmont	9/25/2017	Yes	John	Wanger	<a href="mailto:jwanger@piedmont.ca.gov">jwanger@piedmont.ca.gov</a>
Alameda	Pleasanton	10/16/2017	Yes	Mike	Tassano	<a href="mailto:mtassano@cityofpleasantonca.gov">mtassano@cityofpleasantonca.gov</a>
Alameda	Port of Oakland	3/7/2018	Yes	Radiah	Victor	<a href="mailto:rvictor@portoakland.com">rvictor@portoakland.com</a>
Alameda	San Leandro	9/22/2017	Yes	Kirsten "Kurry"	Foley	<a href="mailto:kfoley@sanleandro.org">kfoley@sanleandro.org</a>
Alameda	Union City	9/21/2017	Yes	Michael	Renk	<a href="mailto:mrenk@unioncity.org">mrenk@unioncity.org</a>

Note: Updated report is posted monthly to:

<https://mtc.ca.gov/our-work/fund-invest/federal-funding/project-delivery>

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# 2019 Single Point of Contact Training

## Bay Area Regional Workshop

5.3F

MTC requires every local public agency receiving FHWA-administered funds identify and maintain a staff position that serves as the “**single point of contact**” for the implementation of all FHWA-administered funds within that agency.

Come learn what your roles and responsibilities are as a SPOC.

Join MTC, Caltrans, and CTA staff for the biennial SPOC Delivery Workshop **Monday, November 4, 2019**

*Topics include:*

- SPOC Role & Responsibilities
- Caltrans Local Assistance Expectations
- MTC Programming Requirements
- SB1 - Project Delivery Procedures
- Overview of Federal-Aid Processes
- Invoicing

### Date, Time, and Location

#### Caltrans District 4

**Monday, November 4, 2019**

**10:00 am – 2:00 pm**

111 Grand Avenue, Auditorium  
Oakland, CA 94612



METROPOLITAN  
TRANSPORTATION  
COMMISSION



#### Registration Information

Registration is free, please register by **October 21, 2019** via Eventbrite:

[www.eventbrite.com/e/2019-single-point-of-contact-training-tickets-73470188311](http://www.eventbrite.com/e/2019-single-point-of-contact-training-tickets-73470188311)

The workshop is **required** for all SPOCs. Content will be tailored for current SPOCs in the morning and for new SPOCs all day. Information will be presented by MTC, Caltrans Local Assistance, and Caltrans Headquarters staff.

For more information relating to SPOC requirements, please visit:  
[mtc.ca.gov/our-work/fund-invest/federal-funding/project-delivery](http://mtc.ca.gov/our-work/fund-invest/federal-funding/project-delivery)

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# Memorandum

5.4

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**DATE:** October 3, 2019

**TO:** Alameda County Technical Advisory Committee

**FROM:** Vivek Bhat, Director of Programming and Project Controls  
Jacki Taylor, Senior Program Analyst

**SUBJECT:** Alameda County Federal Inactive Projects

## Recommendation

ACTAC members are requested to review the current Caltrans inactive projects list (Attachment A), which identifies federal funding at risk for deobligation and the actions required to preserve the funding. This item is for information only.

## Summary

Federal regulations require local agencies receiving federal funds to invoice against each federal obligation at least once every six months. Caltrans maintains a list of inactive obligations and projects are added to the list when there has been no invoice activity for six months. If Caltrans does not receive an invoice during the subsequent six-month period the project's federal funds will be at risk for deobligation by the Federal Highway Administration (FHWA). ACTAC members are requested to review the latest inactive projects list (Attachment A), which identifies the federal funds at risk and the actions required to avoid deobligation. Local agencies are expected to regularly submit invoices and close out projects in a timely manner. Project sponsors with inactive projects identified in the attached report are to work directly with their Caltrans District Local Assistance Engineer (DLAE) to clear the inactive invoicing status and provide periodic status updates to Alameda CTC programming staff until the project is removed from the Caltrans report.

## Background

In response to FHWA's requirements for processing inactive obligations, Caltrans Local Assistance proactively manages federal obligations, as follows:

- If Caltrans has not received an invoice for obligated funds in over six months, the project will be deemed inactive and added to the list of Federal Inactive Obligations. The list is posted on the Caltrans website and updated weekly:  
<https://dot.ca.gov/programs/local-assistance/projects/inactive-projects>.

- Caltrans will notify local agencies the first time a project becomes inactive.
- If Caltrans does not receive an invoice within the following six months (12 months without invoicing), Caltrans will deobligate the unexpended balances. The deobligation process is further detailed in [FHWA's Obligation Funds Management Guide](#), which states that project costs incurred after deobligation are not considered allowable costs for federal participation and are therefore ineligible for future federal reimbursement.

It is the responsibility of local agencies to work in collaboration with their DLAE to ensure projects are removed from the inactive list and avoid deobligation.

### **Regional Requirements**

The Metropolitan Transportation Commission (MTC) Regional Project Delivery Policy, MTC Resolution 3606, states that *"Agencies with projects that have not been invoiced against at least once in the previous six months or have not received a reimbursement within the previous nine months have missed the invoicing /reimbursement deadlines and are subject to restrictions placed on future regional discretionary funds and the programming of additional federal funds in the federal TIP until the project receives a reimbursement."* Additionally, MTC may delay the obligation of currently programmed regional discretionary funding to a future year. Thus, agencies with inactive projects must resolve their inactive status promptly to avoid restrictions on future federal funds. MTC actively monitors inactive obligations and periodically contacts project sponsors for status updates.

### **Next Steps**

ACTAC members are requested to ensure timely invoicing against each federal obligation and work directly with their Caltrans District Local Assistance Engineer (DLAE) to clear inactive projects. For any inactive projects, provide periodic status updates to Alameda CTC until the project is removed from the Caltrans report. Email status updates to Jacki Taylor, [JTaylor@alamedactc.org](mailto:JTaylor@alamedactc.org).

**Fiscal Impact:** There is no fiscal impact associated with the item.

### **Attachment:**

- A. Alameda County Federal Inactive Projects List, dated 9/27/19.

## Alameda County Inactive Obligations

Updated by Caltrans, 9/27/19

Updated on 09/27/2019

Project Number	Status	Agency Action Required	Agency	Project Description	Potential Deobligation Date	Latest Date	Earliest Authorization Date	Latest Payment Date	Last Action Date	Total Cost Amount	Obligations Amount	Expenditure Amount	Unexpended Balance
5933109	Inactive	Invoice returned to agency. Contact DLAE.	Alameda County	VARIOUS LOCATIONS PURCHASE OF ELECTRIC VEHICLES	08/24/2019	08/24/2018	07/05/2011	08/24/2018	08/24/2018	\$ 4,766,131	\$ 2,707,472	\$ 2,565,960	\$ 141,512
5057042	Inactive	Invoice returned to agency. Contact DLAE.	Berkeley	IN BERKELEY: PEDESTRIAN ACCESS THROUGHOUT THE BERKELEY MARINA. CONSTRUCT CLASS I MULTI-USE TRAIL	01/24/2019	01/24/2018	01/24/2018		01/24/2018	\$ 599,698	\$ 483,925	\$ -	\$ 483,925
5012125	Inactive	Carry over project. Provide status update to DLAE immediately.	Oakland	CITYWIDE STREETS - SEE STATE COMMENT SCREEN FOR ELIGIBLE LOCATIONS, ROAD REHAB & DIETING, BIKE LANES, AND ADA UPGRADES	08/25/2018	08/25/2017	06/08/2014	08/25/2017	08/25/2017	\$ 5,568,845	\$ 4,422,000	\$ 4,077,358	\$ 344,642
5012119	Inactive	Final invoice under review by Caltrans. Monitor for progress.	Oakland	MARKET ST BETWEEN 45TH AVE. & ARLINGTON AVE., TRAFFIC SIGNALS, RESTRIPIPING & RECONFIGURE INTERSEC	12/21/2018	12/21/2017	10/22/2013	12/21/2017	12/21/2017	\$ 1,089,347	\$ 643,700	\$ 566,203	\$ 77,497
5057051	Future	Submit invoice to District by 11/20/2019	Berkeley	DANA STREET FROM DWIGHT WAY TO BANCROFT WAY; BANCROFT WAY FROM MILVIA STREET TO PIEMONCE AVENUE; FULTON STREET FROM CHANNING WAY TO BANCROFT WAY, AND TELEGRAPH AVENUE FROM CHANNING WAY TO BANCROFT WAY BERKELEY: VARIOUS LOCATIONS SOUTH OF UC BERKELEY: CONSTRUCT TWO-WAY CYCLE TRACKS, SIGNAL MODS, TRANSIT IMPS AND TSP, LOADING ZONE IMPS, PEDESTRIAN	11/28/2019	11/28/2018	11/28/2018		11/28/2018	\$ 1,129,561	\$ 1,000,000	\$ -	\$ 1,000,000
5322019	Future	Invoice returned to agency. Resubmit to District by 11/20/2019	Fremont	NILES BLVD. OVERHEAD(BART/UPRR), BR#33C0128 BRIDGE REPLACEMENT (TC)	12/28/2019	12/28/2018	03/01/2001	12/28/2018	12/28/2018	\$ 13,181,297	\$ 12,108,441	\$ 11,606,537	\$ 501,904
5012155	Future	Submit invoice to District by 11/20/2019	Oakland	IN OAKLAND: ON HARRISON STREET FROM 20TH STREET TO 27TH STREET, GRAND AVENUE FROM W/O HARRISON STREET TO E/O BAY PLACE. INSTALL CYCLE TRACK, PARKING PROTECT BIKEWAYS AND INTERSECTIONS, ROAD DIET	11/07/2019	11/07/2018	11/07/2018		11/07/2018	\$ 453,000	\$ 400,000	\$ -	\$ 400,000
5354039	Future	Submit invoice to District by 11/20/2019	Union City	WHIPPLE ROAD/CENTRAL AVENUE AND DECOTO ROAD/PERRY ROAD UPGRADE TRAFFIC SIGNALS; INSTALL LIGHTING	10/10/2019	10/10/2018	10/21/2016	10/10/2018	04/12/2019	\$ 552,716	\$ 437,700	\$ 45,116	\$ 392,584

# Alameda County Inactive Obligations

Updated by Caltrans, 9/27/19

Updated 09/27/2019

Projects with an unexpended balance under \$50,000

Project Number	Status	Agency Action Required	Agency	Project Description	Potential Deobligation Date	Latest Date	Earliest Authorization Date	Latest Payment Date	Last Action Date	Total Cost Amount	Obligations Amount	Expenditure Amount	Unexpended Balance
5012117	Inactive	Carry over project. Provide status update to DLAE immediately.	Oakland	ON W. MACARTHUR BLVD. BETWEEN MARKET ST. & TELEGRAPH AVE., MODIFY TRAFFIC SIGNALS	4/26/2018	04/26/2017	10/22/2013	04/26/2017	04/26/2017	\$ 1,012,927	\$ 699,400	\$ 659,400	\$ 40,000
5014042	Inactive	Invoice returned to agency. Contact DLAE.	Alameda	JEAN SWEENEY OPEN SPACE BETWEEN WEBSTER ST AND SHERMAN ST AND ALONG ATLANTIC AVENUE BETWEEN CONSTITUTION WAY AND WEBSTER AVENUE CROSS ALAMEDA TRAIL: CONSTRUCT CLASS I/III BIKE AND PEDESTRIAN TRAIL	7/3/2019	07/03/2018	03/15/2017	07/03/2018	07/03/2018	\$ 2,414,730	\$ 1,882,000	\$ 1,842,000	\$ 40,000
5012122	Inactive	Invoice overdue. Contact DLAE.	Oakland	IN OAKLAND: ADJACENT TO LAKE MERITT PROJECT AREA BORDERED BY HARRISON ST, GRAND AVE., LAKESHORE AVE., AND LAKESIDE DRIVE. RECONFIGURE ROADWAYS AND CONSTRUCT PATH AT THE PLAY AREA, INSTALL WALLS STRUCTURES, LIGHTING, PARKING AND LANDSCAPING, NO ADDED CAPACITY.	7/3/2019	07/03/2018	05/23/2016	07/03/2018	07/03/2018	\$ 1,547,945	\$ 827,758	\$ 787,758	\$ 40,000
5014040	Inactive	Carry over project. Provide status update to DLAE immediately.	Alameda	INTERSECTIONS OF PARK ST/LINCOLN AVE AND PARK ST/BUENA VISTA AVE, PEDESTRIAN SAFETY TRANSPORTATION IMPROVEMENTS	3/7/2018	03/07/2017	03/22/2013	03/07/2017	03/07/2017	\$ 319,633	\$ 282,885	\$ 253,486	\$ 29,399
5012118	Future	Submit invoice to District by 11/20/2019	Oakland	ON 98TH AVE. BETWEEN MACARTHUR BLVD. & EDES AVE., TRAFFIC SIGNALS, PED. CROSSING	11/30/2019	11/30/2018	10/22/2013	11/30/2018	11/30/2018	\$ 827,745	\$ 656,900	\$ 621,091	\$ 35,809

## Color Key

	Project is inactive for more than 12 months and is carried over from last quarter inactive project list.
	Invoice / Final invoice is under review
	Project is in final voucher process. District can contact Final voucher unit to verify and get an update.
	Invoice is returned and agency needs to contact DLAE to resubmit the invoice.
	Invoice Overdue. Agency needs to provide justification to DLAE.