

# **Section VIII**

# **Project Selection**

# **Procedures**

## SECTION VIII

# PROJECT SELECTION PROCEDURES

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## Project Selection

The process for receiving federal and state dollars is an arduous journey that begins before funds are awarded to a project and expended. The process begins at the county transportation commission (CTC) level, as called out under AB1246 (PUC § 130059 and § 132800) which created the CTCs and its relationship with SCAG, project. PUC § 130304 provides additional direction in which the CTCs are responsible for developing the County TIPs and submitting it to SCAG. Projects are nominated by local jurisdictions and selected by the CTCs. The CTCs develop criteria consistent with the adopted RTP/SCS to determine which projects best enhance the transportation network and address the region's goals of improving mobility and promoting sustainability. The end result of the CTCs' project selection is the individual county transportation improvement program (TIP) which is the building blocks of SCAG's Federal Transportation Improvement Program (FTIP)

The FTIP follows the same "bottom-up" principle that guides the development of the RTP/SCS and is stated in the 2021 FTIP Guidelines, pages 16-18 (<http://ftipauth/Pages/2021/draft.aspx>). The CTCs along with local jurisdictions are responsible for selecting projects submitted to SCAG for recommended inclusion into the FTIP. AB1246 (PUC § 130059 and § 132800) created the CTCs and its relationship with SCAG. PUC § 130304 provides additional direction in which the CTCs are responsible for developing the County TIPs and submitting it to SCAG.

As stated above, Assembly Bill (AB) 1246 (Public Utilities Commission (PUC) § 130059) created the CTCs and its relationship with SCAG. PUC § 130304 provides additional direction indicating that the CTCs are responsible for developing the county TIPs and submitting it to SCAG,

"The county transportation commission shall submit the short-range transportation improvement program prepared pursuant to subdivision (b) of Section 130303 to the multicounty designated transportation planning agency. The program shall be the county transportation commission's recommendation to the agency regarding that portion of the regional transportation improvement program with respect to short-range **objectives** applicable to the county under the jurisdiction of the county transportation commission."

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<sup>2</sup> Similar to 100% locally funded projects, projects that are fully funded with State funds do not have to be in the FSTIP unless the projects are regionally significant and/or require federal action.

The recommended program shall be submitted to the agency in a timely fashion, and the agency shall review and adopt this portion of the regional transportation improvement program in a timely fashion, giving full explanation for any necessary revision of the county transportation commission's recommended program. (PUC § 130304).

The State of California PUC establishes the procedures that SCAG and the County Transportation Commissions must follow in order to submit the County TIPs for inclusion into the FTIP. Ultimately, federal mandate provides direction on project selection. Under 23 U.S.C. 134, project selection procedures for federally funded projects is stated as follows:

“...Except as otherwise provided in subsection (k)(4) and in addition to the TIP development required under paragraph (1), the selection of Federally funded projects in metropolitan areas shall be carried out, from the approved TIP—(i) by (I) in the case of projects under this title, the State; and (II) in the case of projects under chapter 53 of title 49, the designated recipients of public transportation funding; and (ii) in cooperation with the metropolitan planning organization.” 23 U.S.C 134(j)(5)(A)

### Expedited Project Selection Procedures

An EPSP is a project selection process developed by the MPO, State, and public transportation operators, including transit operators, that provides for the advancement or delay of projects for implementation purposes within the active period of the approved FTIP and FSTIP without the need for immediately processing FTIP/FSTIP amendments, unless the EPSP action results in the project crossing analysis years for air quality conformity determinations. However, the impacts of the EPSP action must be included in future FTIP/FSTIP updates, amendments or administrative modifications.

The current Code of Federal Regulations, 23 CFR Part 450.330, states the following regarding Expedited Project Selection Procedures (EPSP):

“If the State or public transportation operator(s) wishes to proceed with a project in the second, third year, or fourth year of the TIP, the specific project selection procedures stated in paragraphs (b) and (c) of this section must be used unless the MPO, the State and the public transportation operator(s) jointly develop expedited project selection procedures to provide for the advancement of projects from the second, third or fourth year of the TIP.”

In order to address the above regulation, the SCAG region (SCAG, County Transportation Commissions, and transit operators) developed and agree to the following expedited project selection procedures:

Projects programmed within the first four years may be advanced to accommodate project schedules that have proceeded more rapidly than estimated. This advancement allows project sponsors the flexibility to deliver and obligate local, state and/or federal funds in a timely and efficient manner. Nevertheless, non-TCM projects can only advance ahead of TCM projects if they do not cause TCM projects to be delayed.

Step 1 SCAG receives request to use EPSP for project(s) in the FTIP.

Step 2 SCAG analyzes, discusses with the County Transportation Commission, and takes action on the request for the use of EPSP for project(s) in the FTIP.

Projects from the first four years of the 2021 FTIP have been selected using the project selection procedures.

## **SCAG’s Programming Principles for Federal STBG and CMAQ Funded Projects**

Per the 2020 Connect SoCal (2020 RTP/SCS), Highways and Arterials Appendix, SCAG has a current set of principles to guide the development of programming priority for Surface Transportation Block Grant (STBG), formerly Surface Transportation Program (STP), and Congestion Mitigation and Air Quality

(CMAQ) funds. The principles were reviewed through the AB 1246 process and adopted by SCAG's Regional Council. These principles should be used in the development of each county's STBG and CMAQ programs.

1. Programming of STBG and CMAQ funds shall be the primary responsibility of the respective CTCs, consistent with federal and state law, the RTP/SCS, and in conformance with applicable SIPs.
2. Implementation of Transportation Control Measures (TCMs) in the applicable SIPs shall be a high priority for allocation of STBG and CMAQ funds.

Cities and Counties are eligible to utilize the STBG and CMAQ funds for transportation demand management / transportation control measures and will be so advised by the appropriate county transportation commission.

# IMPERIAL COUNTY

## IMPERIAL COUNTY TRANSPORTATION COMMISSION CMAQ and STBG PROJECT SELECTION CRITERIA

The **Imperial County Transportation Commission** was established under Senate Bill 607 (SB 607 - Ducheny) which was approved by the California Legislature and Governor Arnold Schwarzenegger in 2009. As a county transportation commission, ICTC member agencies are enabled to exercise basic initiative and leadership in the transportation planning and programming process. The ICTC will act in accordance with all applicable laws and statutes for county transportation commissions. ICTC body will guide the development of the Regional Transportation Plan for the Imperial region and its Regional, State and Federal transportation improvement programs (TIPs) and their updates, including, but not limited to: the distribution and oversight of Local Transportation Fund monies; the preparation and submittal of applications for transportation related funds; approve the allocation of and claims for Transportation Development Act funds; the planning, programming and administration of regional transit services; and, encourage active citizen participation in the development and implementation of various transportation-related plans and programs.

The ICTC governing body guides the development of the Regional Transportation Improvement Program (TIP) to be submitted to SCAG for inclusion into the Federal Transportation Improvement Program (FTIP). Projects in the TIP are funded with federal, state, and local funds. Funding of CMAQ and STBG require that CTCs have a project selection criterion that meets federal requirements associated with the funds:

The **CMAQ Program** is a federally funded program that provides funding for transportation projects and programs to help meet the requirements of the Clean Air Act (CAA) (42 U.S.C. 7401 et seq.). **Each CMAQ funded project must meet three basic criteria: be a transportation project, generate an emissions reduction, and located in or benefit a nonattainment or maintenance area.**

The **STBG Program** is also a federal funded program authorized under the Fixing America's Surface Transportation (FAST) Act (Pub. L. 114-94) signed by the President on December 4, 2015. The program provides funds for transportation projects located **on federal-aid roads system**. Before the ICTC governing board adopts its TIP, it takes into consideration input it receives from policy committees, general public and stakeholders. The Technical Advisory Committee (TAC) approves CMAQ and STBG Guidelines based on federal requirements. After TAC approves, the Management Committee approves the Guidelines and the Guidelines are presented to the ICTC governing board for approval.

The Guidelines consider FHWA's requirement that all interested parties have full, open, and timely access to the CMAQ project selection process. That the projects include precise description of project, size of project, scope, location, and timetable, along with quantified emissions benefits.

With Guidelines in place project selection process begins based on schedule outlined in Guidelines. Projects selected are vetted through the TAC and Management Committee prior to ICTC's governing board approval.



# LOS ANGELES COUNTY

## LOS ANGELES COUNTY METRO CMAQ PROJECT SELECTION PROCEDURES

### I. Authority

The Los Angeles County Metropolitan Transportation Authority (Metro) is the state-chartered County Transportation Commission (CTC) for Los Angeles County. It serves as the transportation planner, coordinator, designer, builder and transit operator for the country's most populous county. Los Angeles County includes large parts of the Los Angeles- Long Beach- Anaheim Urbanized Area (UZA). It also comprises the Lancaster- Palmdale and Santa Clarita UZAs, as well as other urban and rural areas. Metro provides transit services and funds transportation projects and programs critical to mitigating two major challenges where it ranks among the worst in the country: air quality and traffic congestion. In particular, these investments are much needed in: i) the Los Angeles South Coast Air Basin, which the U.S. Environmental Protection Agency (EPA) currently designates as nonattainment for the 8-hour ozone standard (classified as "extreme") and for particulate matter 2.5 microns in diameter (PM<sub>2.5</sub>), and maintenance for carbon monoxide (CO); and ii) the Los Angeles - San Bernardino Counties (West Mojave Desert) Area that the EPA currently designates as nonattainment for the 8-hour ozone standard (classified as "severe").

Metro's Board of Directors guides the agency's transportation-related planning activities, policies and priorities, funding allocations and programming, and selection of projects and programs for funding. Metro is authorized by State of California law to allocate funds for itself and for other public agencies in Los Angeles County. Its members, consisting of 13 voting members and one nonvoting member from the California Department of Transportation (Caltrans), represent diverse stakeholders throughout Los Angeles County. The Metro Board of Directors also takes into consideration input it receives from several of the agency's advisory committees and subcommittees, such as the Technical Advisory Committee (TAC) and Bus Operators Subcommittee (BOS) regarding funding allocations and project selection processes and procedures. Also, the general public and stakeholders have the opportunity through several venues (including Board Committee meetings and Regular Board meetings) to provide comments on funding allocations and project selection processes and procedures. In compliance with state and federal laws and regulations, this ensures a fair and transparent process for selecting projects for funding in Los Angeles County from allocations that Metro receives from apportionments to the State of California from federal formula programs, such as the Congestion Mitigation and Air Quality Improvement (CMAQ) Program.

### II. Compliance with State of California and Federal Laws and Regulations

As the recipient of funding from many State of California and federal programs (including CMAQ), Metro must comply with applicable state and federal laws and regulations while addressing the transportation-related problems, needs, strategies and priorities for Los Angeles County documented in planning documents required by the State of California and federal law, including: i) the Long Range Transportation Plan (LRTP), the Short-Range Transportation Plan (SRTTP), and the Transportation Improvement Program (TIP) that Metro develops for Los Angeles County; ii) the Federal Transportation Improvement Program (FTIP) and the Regional Transportation Plan/Sustainable Communities Strategies (RTP/SCS) that the Southern California Association of Governments (SCAG) develops for the six-county region that includes Los Angeles County; and iii) the Federal Statewide Transportation Improvement Program (FSTIP) that

Caltrans prepares and the United States Department of Transportation approves through its surface transportation modal agencies. Metro also develops the Regional Transportation Improvement Program (RTIP) for Los Angeles County, which it submits to the California Transportation Commission (CTC) for inclusion in the State Transportation Improvement Program (STIP) requesting funding for highway and transit projects in Los Angeles County through the next five years.

In compliance with State of California and federal requirements, Metro allocates some of the funding it receives by either formula or following a competitive process to project sponsors from: local governments (i.e., those from the 88 cities in Los Angeles County and the County of Los Angeles), municipal and other transit operators in Los Angeles County, and other public agencies (such as Caltrans, the Port of Los Angeles, Port of Long Beach, Metrolink) and joint powers authorities). Furthermore, in compliance with ordinances approved by voters in Los Angeles County, Metro administers the revenue from four transportation sales tax increases dedicated for transportation, each one providing substantial transportation funding for local jurisdictions. The ordinances for Measure R (approved in 2008) and Measure M (approved in 2016) each includes an Expenditure Plan that identifies the projects and programs to be funded, the estimated revenue from the sales tax increase to be allocated for each project and program, the estimated total cost for each project and program, and the estimated funding gap to be covered with state and federal funds to start implementing the projects and programs within the specified timeframe. Metro also allocates CMAQ funds to cover some of the funding gap for these projects and programs that were identified through an extensive stakeholder and public engagement process (including performance assessment) that resulted in their inclusion in the ordinances for Measure R and Measure M and approval by over two-thirds of the voters in Los Angeles County. Metro follows State of California and federal laws and regulations when determining eligibility and selecting highway and transit projects for CMAQ funding allocations and programming in Los Angeles County.

### III. CMAQ Program Overview

The purpose of the CMAQ Program is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone, CO, and particulate matter (both PM10 and PM2.5). To be eligible for CMAQ funding, the project, program, or activity must result in an air quality benefit and likely contribute to the attainment or maintenance of a NAAQS. Thus, it must be transportation related, it must generate an emissions reduction, and it must be located in or benefit a nonattainment or maintenance area. In addition to these basic eligibility criteria, the project, program or activity also must meet the following requirements to be eligible for CMAQ funding: i) be included in the current RTP and TIP (or STIP, as applicable); ii) comply with the conformity provisions contained in section 176(c) of the Clean Air Act (CAA) and the transportation conformity regulations, therefore ensuring consistency (except alternative fuel fleet conversions) with an approved State Implementation Plan (SIP) or maintenance plan; iii) complete National Environmental Policy Act (NEPA) requirements; and iv) satisfy the basic eligibility requirements under Title 23 (Highways) and Title 49 (Transportation, including Public Transportation under Chapter 53) of the United States Code (U.S.C.). Policy and guidance from the Federal Highway Administration (FHWA) for the CMAQ Program, which is updated from time to time, can be accessed at [https://www.fhwa.dot.gov/environment/air\\_quality/cmaq/policy\\_and\\_guidance/](https://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/). CMAQ project and funding eligibility is mainly covered under four categories:

- *Capital Investment*: Aimed to establish new or expanded transportation

projects or programs that reduce emissions, including transportation infrastructure, congestion relief efforts, vehicle acquisitions, diesel engine retrofits, among other capital projects.

- *Operating Assistance:* Limited to new transit, commuter and intercity passenger rail services (and the incremental cost for expanding these services), intermodal facilities, and travel demand management strategies (including traffic operation centers and inspection and maintenance programs). Operating assistance includes all costs of providing new transportation services, including, but not limited to, labor, fuel, administrative costs, and maintenance. It is limited to a maximum of 5 sequential years from the start of revenue service, with the third-year amount (not to exceed the greater for year 1 or year 2) to cover an additional 2 years (i.e. years 4 and 5).

- *Emission Reduction:* Must reduce CO, ozone precursors (NOx and VOCs), PM2.5, PM10, or PM precursor (e.g., NOx) emissions from transportation and contribute to the area's overall clean air strategy. Ancillary benefits of eligible CMAQ projects (e.g., greenhouse gas reductions, congestion relief, mobility, safety, etc.) may be considered when selecting projects and programming CMAQ funds, though such benefits do not alone establish eligibility.

- *Planning and Project Development:* Include all phases of eligible CMAQ projects, not just construction, such as studies that are part of the project development pipeline (e.g., preliminary engineering) under NEPA. Typical CMAQ eligible projects include transit improvements, Transportation Control Measures (TCMs), travel demand management, congestion reduction and traffic flow improvements, bicycle and pedestrian facilities and programs, intermodal/freight rolling stock or ground infrastructure, emission inspection and maintenance programs (including facilities and equipment), alternative fuel vehicles and infrastructure, diesel engine retrofits (including construction vehicles and equipment, as well as non-road mobile sources), carpooling and vanpooling, carsharing, and innovative/pilot projects and public-private partnerships considering activities showing promise for air quality emission reductions. The construction of high-occupancy vehicle (HOV) lanes and high-occupancy toll (HOT) lanes are eligible for CMAQ funds. No funds may be provided for a project which will result in the construction of new capacity available to single occupant vehicles (SOV) unless the project consists of a HOV facility available to single occupant vehicles only at other than peak travel times.

The FHWA considers it essential that all interested parties have full, open, and timely access to the CMAQ project selection process. Proposals for CMAQ funding should include a precise description of the project, providing information on its size, scope, location, and timetable. Quantified emissions benefits (i.e., emissions reductions) and disbenefits (i.e., emissions increases) should be included in all project proposals, except where it is not possible to quantify emissions benefits, prior to project selection to better inform the selection of projects for CMAQ funding. Federal law, per Section 149 of Title 23 of the U.S.C.: i) encourages State Departments of Transportation (DOTs) and Metropolitan Planning Organization (MPOs) to consult with state and local air quality agencies in nonattainment and maintenance areas about the estimated emission reductions from CMAQ proposals; and ii) requires states and MPOs to consider information on cost-effectiveness when selecting projects to be funded by the CMAQ Program.

Per the FHWA, project selection should reflect positive cost-effectiveness relationships. In addition to priority on cost-effectiveness, Section 176(c) of the CAA requires that the FHWA and Federal Transit Administration (FTA) ensure

timely implementation of TCMs in applicable SIPs. Per the FHWA, these and other CMAQ-eligible projects identified in approved SIPs should receive funding priority. The FHWA also recommends the development of transportation/air quality programs using complementary measures that provide alternatives to SOV travel while improving traffic flow through operational strategies and balancing supply and demand through pricing, parking management, regulations, or other means. In areas designated as nonattainment or maintenance for PM2.5, priority is for a project, program, or activity that is proven to reduce PM2.5.

#### **IV. Metro's CMAQ Funded Project Selection Procedures**

Metro is required by federal (Section 134 of Title 23 of the U.S.C.) and State of California (Section 130303 of the Public Utilities Code) statutes to prepare a TIP for Los Angeles County. Per State of California law (Section 182 of the Streets and Highways Code), Metro is allocated Los Angeles County's share of CMAQ funds apportioned to the state through a formula that is currently based on the population living in nonattainment and maintenance areas designated in the state by the EPA for ozone and carbon monoxide weighted by the severity of pollution (i.e., classification for ozone and whether the area is maintenance or nonattainment for both ozone and carbon monoxide). Los Angeles County's share of CMAQ funds is from the weighted population of the South Coast Area and Mojave Desert Area attributed to residents of the county who live in these two areas. Metro is required to program the CMAQ funds, among other revenues it receives, in the TIP across all transportation modes based on the planning requirements included in enabling legislation that authorize programs and funding for transportation, such as the Fixing America's Surface Transportation (FAST) Act. Metro accomplishes this mandate as applicable to CMAQ funds through: i) planning and programming actions on a multimodal and multi-year basis; and ii) competitive Call for Projects.

##### **Planning and Programming Actions**

Planning and programming actions for CMAQ funded projects and programs are guided by Metro Board-adopted LRTP, SRTP, TIP and Short Range Financial Forecast (SRFF). The LRTP details how Metro plans, builds, operates, maintains and partners for improved mobility in the next 30 years. Following the passage of Measure R and Measure M, and in alignment with SCAG's process for updating the RTP/SCS, Metro's LRTP demonstrates how transportation projects and programs in Los Angeles County conform to State of California and federal air quality mandates for funding eligibility. It identifies strategies to reduce regional greenhouse gas (GHG) and criteria air pollutant emissions (including ozone, CO, and PM2.5). The LRTP identifies and reserves CMAQ funds for this purpose. The LRTP also identifies CMAQ funds for operations for new bus and rail service, as well as for accelerated opening dates for several rail projects identified in the Measure M Expenditure Plan. It also identifies CMAQ funds for projects and programs selected for funding through Metro's Call for Projects in prior years, as well as proposes to reserve additional CMAQ funds for new Call for Projects.

The SRTP is a 10-year action plan for the investments, policies, and system improvements needed to advance the LRTP vision. The SRTP addresses regional economic growth, while improving regional mobility, air quality, economic resilience and access to opportunity. It also investigates the potential for a strategic project list that supports achieving these outcomes through the transparent development of a fiscally responsible action plan that recognizes the near-term system improvements necessary to ensure maximum return on transportation investments in Los Angeles County.

The TIP lists the projects, programs and activities that will be funded during the

next 4 years after receiving federal approval. It includes those selected for CMAQ funding through the Metro Call for Projects, as well as those approved by the Metro Board of Directors for specific projects, programs and activities. Metro must adopt a financially constrained TIP and LRTP in order to remain eligible to receive federal and state funding.

The SRFF identifies the estimated revenue and use of CMAQ and other funds over the next 15 years from the adoption of the LRTP by the Metro Board of Directors. It includes funding for projects, programs and activities selected through Metro's Call for Projects in prior years, as well as proposes to reserve additional CMAQ and other funds for new Call for Projects.

#### Call for Projects

Metro also accomplishes State of California and federal mandates applicable to the selection of projects, programs and activities funded by the CMAQ Program through the Call for Projects (CFP). The CFP presents an opportunity for Metro to coordinate with public agencies and other stakeholders to improve air quality and health conditions, increase mobility options, and strengthen the economy by funding and implementing transportation improvements in Los Angeles County. It is a process that evolves to address new agency initiatives, recently-passed legislation, and Metro Board directives. The focus of the CFP is on attracting, evaluating, and prioritizing the most competitive projects without regard to funding sources. After projects are approved for funding by the Metro Board of Directors, Metro staff assigns specific funds (including CMAQ) to each project based on fund source eligibility requirements to leverage the maximum amount of federal, state and local funds that Metro staff estimates would become available. Funds are allocated for five years and are subject to Metro's Lapsing Policy (including annual deobligation and recertification process).

The CFP is a competitive process through which Metro awards various federal, state, and local transportation funds for regionally significant projects that best address the evaluation criteria and other requirements, as detailed in the Application Package that is approved by the Metro Board of Directors. Applicants can submit proposals for capital projects that fall into one or more of the modal categories identified in the Application Package. Proposed projects must contain a construction component. Funding for design or right-of-way purchase is eligible if proposed in conjunction with construction for an eligible project. This requirement does not apply to bus vehicle purchases or to projects submitted to the Transportation Demand Management modal category. Eligible applicants are limited to public agencies that provide transportation services and/or construct, operate and/or maintain transportation facilities in Los Angeles County. These include: cities, the County of Los Angeles, Caltrans, and transit agencies that are eligible to receive federal funds. Transportation-related public joint powers authorities (JPAs) can also apply for funding, but must be sponsored by at least one of the public agencies that are identified as eligible applicants.

Metro strongly encourages applicants to review the federal CMAQ guidelines to determine if the proposed project satisfies these requirements prior to submitting a proposal for consideration. Applicants are also made aware of the specific CMAQ eligibility rules ([http://www.fhwa.dot.gov/environment/air\\_quality/cmaq/](http://www.fhwa.dot.gov/environment/air_quality/cmaq/)). Proposed projects that do not meet the CMAQ guidelines and applicants not able to meet federal CMAQ funding requirements are considered ineligible to receive CMAQ grant awards. Also, ineligible are applicants that do not meet the minimum 20 percent local match requirement. In addition to the detailed information on eligibility and the evaluation criteria included in the Application Package, Metro also conducts a regional Project Applicant Training Workshop (and subregional workshops upon request). The Application Package and workshop(s) clearly



explain how projects are rated and recommended for funding.

Metro staff drafts and reviews the CFP application requirements and evaluation criteria for each modal category with Metro's 35-member countywide multimodal TAC and its subcommittees: Bus Operation Subcommittee, Local Transit Systems Subcommittee, Streets & Freeways Subcommittee, and Transportation Demand Management/Air Quality Subcommittee. The application and evaluation criteria for each modal category are tailored to enhance the evaluation process. Each project competes within a modal category and is evaluated against other projects in that modal category. Each modal category has specific questions with points assigned to the applicable evaluation criteria to assess the degree to which the proposed project: i) addresses mobility, reduces traffic congestion and improves air quality ii) is cost-effective in relationship to the total project cost; and iii) supports the recommendations and goals for each transportation modal category and those stated in Metro's last adopted LRTP. Project readiness is considered as a pass/fail requirement for continuing the evaluation process. The Metro Board of Directors approves the Application Package.

Metro staff evaluates, scores, and ranks eligible projects and presents the results to Metro's TAC and its subcommittees for review and comments. The Metro Board of Directors then reviews the Preliminary Staff Recommendations. Special TAC (including subcommittees) meetings are also scheduled to review the Preliminary Staff Recommendations. These recommendations are for funding a program of projects for each modal category. The preliminary funding recommendations, which are posted on Metro's website, undergo a 13-week review period before they are considered for adoption by the Metro Board of Directors. During this period, Metro's TAC also hears presentations from applicants who wish to appeal their project ranking and the listing of projects recommended for funding is transmitted to SCAG. Upon approval by the Metro Board of Directors, the TIP is developed and formally transmitted to the regional and state transportation planning agencies (i.e., SCAG and Caltrans) for the programming of funds and for air quality modeling purposes. The TIP then becomes part of the five-year program of projects developed through the CFP that is scheduled for implementation in Los Angeles County. Projects selected for funding are also incorporated in the region's Air Quality Management Plan.

# ORANGE COUNTY



## OVERVIEW

Since its formation in 1991, the Orange County Transportation Authority (OCTA) has kept residents and commuters moving throughout the 34 cities and unincorporated areas of Orange County. OCTA's responsibilities, programs and services impact every aspect of transportation within the state's third largest county.

OCTA keeps people moving by reducing freeway congestion, improving safety and efficiency on our local roads, providing bus service and regional multimodal connections, helping people find ways to leave their cars home, and providing safe, convenient transportation to those with special needs.

### Call for Projects

Through various calls for projects, the OCTA makes state, federal and local funding available to the 34 incorporated cities and the County of Orange. Depending on eligibility, local agencies and organizations are also welcomed to apply, but must go through one of the 34 incorporated cities or county. OCTA's Call for Projects allocates available funds through a competitive process to improve all modes of surface transportation. Further information on OCTA's project selection procedures can be found in the following links:

<https://www.octa.net/Projects-and-Programs/Funding-Programs/Federal-Funding/Overview/> .

<https://www.octa.net/Projects-and-Programs/Plans-and-Studies/Funding-Programs/Call-for-Projects/BCIP-Call-For-Projects/>

# RIVERSIDE COUNTY

The **Riverside County Transportation Commission (RCTC)** is your get-things-done, go-to place for transportation solutions that connect your life. We are the fiscally-responsible steward of your **Measure A** sales tax dollars, which fund transportation improvements that Riverside County voters have approved by more than a two-thirds vote.

RCTC is governed by your **elected representatives**: one from each city council and all five County Supervisors within Riverside County, plus a representative of Caltrans. RCTC is operated by a small team of public servants, who are charged with delivering on Measure A's promises to the taxpayers of Riverside County.

We harness the efficiency and innovation of the private sector to deliver many of the projects, plans and programs that you see on the road.

RCTC plans and implements transportation and transit improvements, assists local governments with money for local streets and roads, helps smooth the way for commuters and goods movement, and ensures that everyone in Riverside County has access to transportation.

RCTC's project selection process can be found in the following link:

<https://www.rctc.org/funding-and-planning/>

# SAN BERNARDINO COUNTY

The purpose of the San Bernardino Council of Governments is to speak with a collective voice on important issues that affect its member agencies. Representatives from 24 cities and the San Bernardino County Board of Supervisors have a seat on the SBCOG (SANBAG) Board of Directors. This governing board sets policy for the organization.

Recognizing that many issues and concerns are not constrained by political boundaries, SBCOG focuses on regional matters. SBCOG provides a forum to reduce duplication of effort and to share information. Working together we are better advocates for our communities and strengthen San Bernardino County's standing in the region and State.

SBCTA's projects selection process is outlined below which discusses project selection, specifically CMAQ, in sections G and H. Essentially, the funds if eligible, and applied to projects based on the Boards determined regional priorities.

This is also discussed (though briefly) on our website...

Federal Funds page:

<https://www.gosbcta.com/funding/federal/#:~:text=CMAQ%20funds%20are%20authorized%20to,Caltrans%2C%20and%20air%20quality%20districts.>

10 Year Delivery Plan:

<https://www.gosbcta.com/wp-content/uploads/2019/09/2019-10-year-All-final-1.pdf>

## I. PURPOSE

The purpose of this policy is to establish the requirements for overall administration of the programs included in the San Bernardino Valley Expenditure Plan as part of Measure I 2010-2040. The Valley Subarea policies establish the process for identification of need, fund apportionment, fund allocation, and expenditure requirements for all programs in the Valley, including Freeway, Freeway Interchange, Major Street, Local Street, Metrolink/Rail, Express Bus/Bus Rapid Transit, Senior and Disabled Transit, and Traffic Management Systems. This policy also provides direction on the use of State and federal funds in the San Bernardino Valley Subarea, as well as the provisions governing cost-buy down for projects with a development share contribution.

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## II. REFERENCES

Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan

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## III. DEFINITIONS

**Apportionment:** An action by the Board to assign specific amounts of Measure I 2010-2040 fund to Measure I programs for a given fiscal year. The apportionment decision is made annually by the Board of Directors by February of each year.

**Allocation:** An action by the Board to assign a specific amount of Measure I funds from a Measure I program to a project. The allocation decision is made annually by the Board by March of each year.

**Capital Project Needs Analysis (CPNA):** A five-year plan of capital project needs for each program included in the San Bernardino Valley Expenditure Plan. The CPNA includes estimates of project costs to be incurred by funding type, fiscal year, and phase for the five-year period following the beginning of the subsequent State fiscal year.

**Jurisdiction Master Agreement:** An agreement between SBCTA and a local jurisdiction documenting the allocation of Measure I 2010-2040 funds to the jurisdiction under the Arterial Sub-program of the Major Street Program in the Valley Subarea for the specified fiscal year.

**Project Funding Agreement:** An agreement between SBCTA and a local jurisdiction documenting the allocation of Measure I 2010-2040 funds to the jurisdiction for a project under the Valley Freeway Interchange Program or the Rail-Highway Grade Separation Sub-program of the Major Street Program and specifies the conditions of performance by SBCTA and the local jurisdiction associated with that project.

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## **IV. POLICIES FOR THE SAN BERNARDINO VALLEY SUBAREA**

### **A. Program Equity**

Policy VS-1: SBCTA shall ensure that all San Bernardino Valley Programs receive their percentage allocation of Measure I revenue in accordance with the Measure I 2010-2040 Expenditure Plan. The calculation of percentage allocation shall include adjustments for the time-value of money based on time of apportionment of Measure I funds in all programs, as specified in Policy VS-3.

Policy VS-2: The Board shall have full discretion over the apportionment of Measure I 2010-2040 revenue between Valley Programs on an annual basis, subject to Policy VS-1.

Policy VS-3: Adjustments for the time-value of money referenced in Policy VS-1 shall be based on comparisons of the net present value of apportionments by Valley program calculated using a discount rate based on the annual change in the Consumer Price Index for Southern California, as maintained by the California Department of Finance.

### **B. Identification of Needs**

Policy VS-4: SBCTA staff and local jurisdictions shall submit a five-year Capital Project Needs Analysis (CPNA) for all programs included in the Valley Expenditure Plan by September 30 of each year. Responsibility for preparation of the CPNAs for specific programs are established in Policies VS-5 and VS-6.

Policy VS-5: SBCTA staff shall be responsible for preparation of the CPNAs for the Valley Freeway, Metrolink/Rail, Express Bus/Bus Rapid Transit, Senior Disabled Transit and Traffic Management Systems Programs.

Policy VS-6: Local jurisdictions shall be responsible for preparation of the CPNAs for the Valley Freeway Interchange and Major Streets Programs, except that staff may prepare CPNAs for interchange projects required to enable construction of a freeway mainline project. All CPNAs submitted by local jurisdictions shall be approved by the City Council/Board of Supervisors and shall be coordinated with the Five Year Capital Improvement Plan required as part of the Valley Local Streets Program policies (see Policy 40003)

Policy VS-7: All CPNAs shall identify the requested amount of Measure I and any additional federal, State, or private funding by phase and year for the five-year period following the beginning of the subsequent State fiscal year.

### **C. Cash-Flow Analysis**

Policy VS-8: SBCTA staff shall prepare an estimate of projected Measure I, State, federal and private funding for the subsequent fiscal year by September 30 of each year.

Policy VS-9: SBCTA staff shall prepare a cash flow analysis of all Measure I 2010-2040 Valley Programs based on information submitted by local jurisdictions, the funding needs of the SBCTA administered programs, and the assessment of Measure I, State, federal and private funding.

Policy VS-10: At a minimum, the Cash Flow Analysis shall include the following considerations:

- All Measure I 2010-2040 San Bernardino Valley program needs identified in CPNAs
- Needs pursuant to Project Advancement and Advance Expenditure Agreements
- Needs related to Bond or other debt repayment
- Revenue committed to projects or programs in previous cycles
- Ability to leverage additional State, federal and private funding sources.

Policy VS-11: The Cash Flow Analysis shall be completed for presentation to policy committees by January each year.

Policy VS-12: The Cash Flow Analysis shall provide input to any SBCTA agency bonding decisions.

### **D. Fund Apportionment**

Policy VS-13: The Board shall use the Cash Flow Analysis as a basis for apportioning funds among the Measure I Valley Programs.

Policy VS-14: The Board shall apportion funds by its February meeting, so that budget documents can be prepared for the subsequent fiscal year.

#### **E. Fund Allocation**

Policy VS-15: The Board shall approve an allocation of funding to specific San Bernardino Valley Measure I projects by March of each year. The fund allocation shall include a list of projects and funding amounts.

Policy VS-16: The fund allocation approved by the Board, as stated in Policy VS-15, shall constitute the agency's annual project delivery plan.

#### **F. Fund Expenditure**

Policy VS-17: SBCTA administered projects may begin expenditure of funds following the standard approvals by the Board.

Policy VS-18: A local jurisdiction may begin expenditure of funds following the execution of a Project Funding Agreement or a Jurisdiction Master Agreement by both SBCTA and the jurisdiction, as appropriate to the project type and pursuant to Policies 40005 and 40006.

Policy VS-19: The Project Funding Agreement shall be based on the Board-approved fund allocation and shall document the scope of the project, its cost, and the terms by which reimbursement shall occur.

Policy VS-20: The Jurisdiction Master Agreement shall be based on the Board-approved allocation of funds to projects in the Arterial Sub-program (see Policy VS-15) of the Major Streets Program, and shall document the scopes of the projects, their costs, and the terms by which reimbursement shall occur. One Jurisdiction Master Agreement may include multiple projects in the Arterial Sub-program.

#### **G. Use of State and Federal Funds for Measure I 2010-2040 Projects - General**

Policy VS-21: The Board shall assure reasonable equity in the shares of projected State and federal transportation funds allocated and expended within geographic areas of the county, subject to the eligibility of funds for the specified programs within those geographic areas.

Policy VS-22: The Board has discretion to program State and federal funds to projects based on needs and priorities that exist at the time the decisions are made, subject to the eligibility of projects for each funding source and approvals by appropriate State and federal authorities.

Policy VS-23: SBCTA shall implement strategies that maximize the use of State and federal funds when projects are planned and delivered. This may include borrowing against future revenues streams, such as with Grant Anticipation Revenue Vehicles (GARVEE bonds) for federal funds.

Policy VS-24: SBCTA will aggressively advocate for its share of State and federal dollars to deliver Measure I projects.

#### **H. Use of State and Federal Funds for Measure I 2010-2040 Projects – Specific Sources**

Policy VS-25: CMAQ funds (or funds in any successor program to CMAQ) necessary to continue previously approved regional programs, including Freeway Service Patrol (FSP), rideshare activities, and Valley-wide Signal Synchronization shall be set aside for those purposes.

Policy VS-26: CMAQ funds (or funds in any successor program to CMAQ) shall be considered as a significant source to fund transit capital projects and start-up operating expenses in accordance with CMAQ criteria. Allocation of CMAQ funding to transit capital projects is to be made by SBCTA in a manner consistent with plans developed by the transit operators and approved by the Board.

Policy VS-27: Remaining CMAQ funds may be allocated to High Occupancy Vehicle facility components of the Valley Freeway projects listed in the Measure I Expenditure Plan, subject to eligibility criteria.

Policy VS-28: All of the STP funds apportioned to the urbanized areas of the San Bernardino Valley shall be allocated to the Valley Freeway Program projects listed in the Measure I Expenditure Plan.

Policy VS-29: SBCTA shall work closely with Caltrans to identify projects that are eligible to receive State Inter-regional Improvement Program (IIP) funds to assist in timely delivery of those projects. This may include projects within as well as outside urbanized areas.

#### **I. Cost Buy-down for Projects with a Development Share Contribution**



Policy VS-30: State, federal, or private funds may be used to buy down either the total cost of a project, the public share of the project cost, or the development share of the project cost based on the following criteria:

1. Funds that buy down the total cost of the project (after which the development fair share percentage is applied) include railroad contributions, State grants and Federal Congressional earmarks (through appropriations process, competition, etc.) from transportation sources that are not allocated or approved by SBCTA (e.g., IM, Demo, Caltrans ATP); TCRP, PNRS, or TIGER with local agency listed as lead recipient; PUC; and HBP).
2. Funds considered part of the public share of the project cost include apportionments or allocations of State or federal transportation funds to SBCTA for funding of projects, whether managed by SBCTA or local agency (e.g., TCRP and PNRS with SBCTA listed as lead recipient, CMIA, TCIF, SLPP(non-competitive)), and State allocation and Federal apportionment by SBCTA (e.g., STIP, CMAQ, STP, TEA (SBCTA Allocation), TDA).
3. Funds that buy down the development share of the project cost include other state or federal appropriations of funding to a project from a non-transportation source (e.g., HUD, BIA, DOD) or SLPP competitive program (due to its DIF match requirement).

Fund definitions:

- ATP = Caltrans Active Transportation Program
- BIA = Bureau of Indian Affairs or individual tribal contributions
- CMAQ = federal Congestion Mitigation and Air Quality
- CMIA = Corridor Mobility Improvement Account (Proposition 1B)
- Demo = Demonstration project or similar project earmarked for a local jurisdiction in federal appropriations
- DOD = Department of Defense
- HBP = federal Highway Bridge Program
- HUD = federal Housing and Urban Development
- IM = federal Interstate Maintenance
- PNRS = federal Projects of National and Regional Significance
- PUC = California Public Utilities Commission
- SLPP = State/Local Partnership Program (Proposition 1B)
- STIP = State Transportation Improvement Program
- STP = federal Surface Transportation Program
- TCIF = Trade Corridor Improvement Funds (Proposition 1B)
- TCRP = Caltrans Traffic Congestion Relief Program
- TDA = state Transportation Development Act
- TEA = Transportation Enhancement Activities (supplanted by ATP)
- TIGER = federal Transportation Investment Generating Economic Recovery

#### J. Measure I Reserve

Policy VS-31: SBCTA shall budget for a reserve for the Valley subarea equivalent to 20% of the annual Measure I revenue from the following programs: Freeway, Freeway Interchange, Major Street, Traffic Management Systems, Metrolink/Rail, and Express Bus/BRT programs.

Policy VS-32: The 20% reserve shall be established with the first year of Measure I 2010-2040 apportionment and escalated annually to remain proportional to the growth in annual Measure I revenue.

Policy VS-33: The reserve may be used to:

- Advance federal or state funds that require reimbursement.
- Manage cash flow for non-pass-through programs.
- Cover cost overruns for SBCTA projects or to cover unforeseen expenses associated with projects that received an allocation of Measure I 2010-2040 funds.

- Leverage other state or federal funds to which SBCTA might otherwise lose access.

Policy VS-34: Should Measure I reserves be used, revenue accrual within the year or revenue from the subsequent year's apportionment will be used to replenish the reserve.

#### V. REVISION HISTORY

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors.	04/01/2009
1	Amended to include policies VS-31 through VS-34 establishing and maintaining a Measure I reserve.	07/07/2010
2	Amended to clarify funds that buy down total project cost versus funds that are applied to the public share and development share of costs in VS-30	03/04/15
3	Revised to be consistent with SB1305. Change approved by the Board on January 4, 2107, Agenda Item 6.	01/04/17

# VENTURA COUNTY

Ventura County Transportation Commission (VCTC) is committed to continually improving Ventura County's transportation system so that our residents have easy access to jobs, schools, shopping, and essential services. To that end, the Commission – working with each of the cities and the county – plans for, funds, and manages a wide array of activities designed to keep Ventura moving. While enhanced mobility is the Commission's goal, preserving the quality of life enjoyed by Ventura County residents underscores all that we do.

Throughout the pages of the Commission's website you'll find information on how to get around Ventura County, programs and projects currently being funded, and the Commission's activities. Below is a brief description on the project selection process VCTC currently has in place for selecting federal funded projects.

The CMAQ Call-for-Projects process is formal and includes Commission Approval of the Guidelines and the Schedule for the Call-for-Projects. The Commission also approves the Recommended Prioritized List of Projects for funding. The process includes input by the Transit Operators Committee, Transportation Technical Advisory Committee and the Citizens Advisory Committee. Notice of the upcoming Call-for-Projects is posted in the newspaper, posted on the Commission Website, and notice is provided to the interested parties list. Finally, the Commission holds a Public Hearing for the Selection of Projects. We only post the Guidelines and Selection Schedule during an active Call-for-Projects, but each dollar of CMAQ funding is reviewed and approved by the Commission and a record of their approval can be found as part of our meeting archives. For example, the last Call which was in 2017, the VCTC Agenda Item for October 2017 Item #10 can be found on the VCTC website at: <http://162.243.137.184/wp-content/uploads/2018/06/October-2017-VCTC-Agenda.pdf>. There are of course updates to the list and dollar amounts that occur in between formal calls-for-projects, and they follow a similar approval process. Items are brought to TRANSCOM or TTAC for review and approval and then to the Commission for final approval. Records of those Commission Actions can also be found in the meeting archives on the VCTC website.