

# **ATTACHMENT 6A**



302 North 1st Avenue, Suite 300A Phoenix, Arizona 85003  
Phone (602) 254-6300A FAX (602) 254-6490  
Email: mag@mag.maricopa.gov Website: www.mag.maricopa.gov

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TO: Members of the Streets Committee

FROM: Christina Hopes, Transportation Planner II

SUBJECT: ARTERIAL LIFE CYCLE PROGRAM (ALCP) PROJECT CHANGES TECHNICAL REVIEW

The Arterial Life Cycle Program (ALCP) Policies and Procedures approved by the MAG Regional Council on December 9, 2009 require Lead Agencies to present proposed substitute projects or changes in project scope to MAG Street Committee for a technical review and recommendation for approval. Pending the Street Committee approval, proposed changes will be incorporated into the Draft ALCP and presented through the MAG Committee Process for a final approval.

#### BACKGROUND

The ALCP is maintained by MAG and implements arterial street component of the MAG Regional Transportation Plan (RTP), which is funded with regional revenue sources. The RTP identifies that ALCP capacity and intersection improvements that may include:

- (1) Widening of existing arterial streets (some of these projects will focus on intersection improvements);
- (2) Extensive upgrading of facilities;
- (3) Constructing new facilities on new alignments; and/or,
- (4) Improving individual intersections.

Per the ALCP Policies and Procedures (Policies), updates to the Arterial Life Cycle Program or projects (scope, schedule, and budget) are required to go through the MAG Committee process, which typically involves the Transportation Review Committee, Management Committee, Transportation Policy Committee and Regional Council. Section 220 of the ALCP Policies requires the technical recommendation of the Street Committee on proposed substitute projects or project scope changes for ALCP Projects.

#### TECHNICAL REVIEW PROCESS

Before a project change may be included in the Draft ALCP, Lead Agency Staff are required to present the proposed changes to the Street Committee for a technical review. Presentations are limited to 5 minutes per project. However, projects with multiple segments may be permitted additional time. A project change summary sheet for each proposed change is required and has been attached for review. The project change form summarizes current and planned facility features, ALCP project budgets, and project cost estimates. In addition, the form requires Lead Agencies to address:

- (1) the reason for and feasibility of the requested change;
- (2) how the change would improve safety/mobility and reduce congestion; and,
- (3) the benefit to the MAG Region.

ALCP project change requests may not include project segments completed prior to the inclusion of the project in an ALCP approved by the MAG Regional Council. Presentations to the Street Committee will explain:

- (1) Why the original project was deemed not feasible,
- (2) How the change would relieve congestion and improve mobility, and
- (3) The new/revised project cost estimate.

Excerpts from the ALCP Policies and Procedures and project change forms with related materials are attached for review. For further information or questions, please contact me at [chopes@azmag.gov](mailto:chopes@azmag.gov) or at 602.254.6300.

## ARTERIAL LIFE CYCLE PROGRAM POLICIES AND PROCEDURES EXCERPTS

The Arterial Life Cycle Program (ALCP) Policies and Procedures approved by the MAG Regional Council on December 9, 2009 require Lead Agencies to present proposed substitute projects or changes in project scope to MAG Street Committee for a technical review and recommendation before the request will be presented through the MAG Committee Process for approval. Key excerpts from the Policies regarding the program, proposed substitute projects, and changes in project scope are provided below. The complete version of the ALCP Policies and Procedures may be downloaded from the MAG website at: <http://www.azmag.gov/Projects/Project.asp?CMSID2=1065&MID=Transportation>.

### SECTION 100: PROGRAM OBJECTIVES

A. The ALCP has five key objectives:

1. Effective and Efficient Implementation of the RTP: Facilitate the effective and efficient implementation of the arterial component of the RTP. In support of this objective, the Program should:
    - a. Ensure Projects are implemented in a manner consistent with the RTP, including any updates or amendments;
    - b. Include the means to track Project implementation against requirements established in the RTP and the ALCP; and,
    - c. Be administratively simple.
  2. Fiscal Integrity: Ensure the fiscal integrity of the regionally funded arterial component of the RTP. In support of this objective, the Program should:
    - a. Establish comprehensive financial and reporting requirements for each Project; and
    - b. Coordinate with the RTP and the other modal programs on key financial, accounting and reporting policies, procedures and practices.
  3. Accountability: Provide the means to track and ensure effective and efficient Project implementation. In support of this objective, the Program should:
    - a. Employ comprehensive Project Agreements, or other legal instruments, that detail agency roles and responsibilities in the implementation of specific Projects; and
    - b. Provide the means within each Project Agreement, Project Overview and Project Reimbursement Request to track Project implementation, performance and successful completion of individual Projects and the Program.
  4. Transparency: Provide members of the public, elected officials, stakeholders, participating agencies and others with ready access to information on the Program and on each Project. In support of this objective, the Program should:
    - a. Include substantial public and stakeholder consultation as part of the implementation process for each Project; and
    - b. Require that material changes to Projects in the Program be subject to public and stakeholder consultation through the MAG Committee Process as well as any other consultation processes, including within the community or communities affected, as specified in the associated Project Agreements.
  5. Compliance: Comply with all applicable federal, state and local requirements in the implementation of Projects.
- B. Consistency with the RTP generally means that an ALCP Project meets Project the eligibility requirements specified in Section 300, the Project regional reimbursement is fiscally constrained, and the reimbursement is in the original RTP phase.

- C. The Program must be flexible and allow adjustments as needed in support of meeting the key objectives.

#### **SECTION 200: PROGRAMMING THE ALCP**

- A. The RTP establishes regional funding limits, reimbursement phases, as well as general scopes and priorities for all ALCP Projects.
- C. Programming of Projects funded by the ALCP must be consistent with the ALCP Program and the ALCP Policies and Procedures. The Maricopa Association of Governments (MAG) is the agency designated by law to implement the Arterial Life Cycle Program ensuring the estimated cost of the program improvements does not exceed the total amount of available revenues.
  - 1. Initially, Projects will be programmed based on the regional funding specified in the RTP plus local match contributions, as well as scopes and termini as described in the RTP.
    - a. In order to support the development of Project Agreements that include a scope and schedule for each Project, programming of each ALCP Project shall include a separate scoping or design phase that precedes right-of-way acquisition and construction, unless otherwise agreed to by MAG. Environmental clearances may be funded as part of the scoping or design phase.

#### **SECTION 210: UPDATING ALCP PROJECTS IN THE ALCP**

- A. All ALCP Projects will be updated annually (refer to Section 200C.2).
- B. Any necessary changes to an ALCP Project must be submitted by a written request stating the new updated schedule and budget and any other necessary justifications.
  - 1. Requests will be approved through the MAG Committee Process by the approval of the ALCP.
  - 2. Update forms will be provided by MAG.

#### **SECTION 220: TYPES OF ALCP PROJECT UPDATES**

- E. If an original ALCP Project is deemed not feasible, a substitute Project may be proposed for substitution in the same jurisdiction as the original Project.
  - 1. The Lead Agency may propose a substitute Project that would use the regional funds allocated to the original Project. The substitute Project shall relieve congestion and improve mobility in the same general area addressed by the original Project, if possible.
  - 2. Substitute projects may not be completed prior to inclusion in the Arterial Life Cycle Program.
  - 3. The Lead Agency must submit a written request to MAG. The written request must include:
    - a. Justification, such as a feasibility study, level of service justification, or other documents explaining why the Project is deemed not feasible, and the description of steps to overcome any issues related to deleting the original Project from the ALCP and RTP.
    - b. How the proposed project would relieve congestion and improve mobility;
    - c. The proposed substitute project budget and schedule; and,
    - d. MAG Staff will work with jurisdictions on a case-by-case basis to ensure proper justification.
- F. An original ALCP Project can change its original Project scope due to environmental issues, public concerns, costs and other factors.
  - 1. The Lead Agency must submit a written request to MAG. The written request must include justification, such as a feasibility study, level of service justification, revised budget and/or other documents explaining why the change to the original Project is required, and the description of steps to overcome any issues related to changing the original scope of the ALCP Project.
    - a. MAG Staff will work with jurisdictions on a case-by-case basis to ensure proper justification.
  - 2. The scope change should relieve congestion and improvement mobility in the same area addressed by the original planned Project, if possible.

3. Project scope changes may not include completed portions of a project or project segment, which are not included in an Arterial Life Cycle Program approved through the MAG Committee process.
- G. All requests to change original ALCP project scope or a substitute a project in the ALCP must meet all requirements established in Sections 200, Section 210, and Section 220.
1. Before being approved through the standard MAG Committee Process, the requests will be presented by an employee of the Lead Agency to the MAG Street Committee for a technical review and recommendation. The presentation will address:
    - a. The reason(s) the original project was deemed not feasible;
    - b. Explain how the change the original ALCP project scope or substitute project would relieve congestion and improve mobility;
    - c. The new/ revised project cost estimate; and,
    - d. And other information as requested by the MAG Street Committee.
  2. After the Streets Committee technical review and recommendation on the proposed changes, the project(s) will be approved through the MAG Committee Process.
  3. Requests to change original ALCP project scope or substitute a project must be made by the deadline established in the ALCP Schedule published annually in the MAG Transportation Programming Guidebook.
  4. Reimbursements for substitute projects will:
    - a. Be programmed in the same fiscal year(s) as the original project
    - b. Be programmed with the same funding amount and type as the original project.

**SECTION 320: PROJECT ELIGIBILITY**

- A. To be funded or constructed under the ALCP Program, Projects must:
1. Have a scope, budget (including amounts of regional funding and local match contributions) and a schedule consistent with the Project as included in the RTP, ALCP, and as appropriate, the TIP. In addition, Projects must be consistent with federal requirements, where applicable.
  2. Be considered new in keeping with voter expectations, and as such:
    - a. Cannot include costs for any pre-existing, programmed or planned element or improvement that is not part of the specific improvement Project described or included in the RTP as of November 25, 2003 or later.
    - b. Cannot have started design, acquired right-of-way or started construction before the date specified in Section 340 or the date of the Project addition to the RTP.
- B. Facilities eligible for improvements under the ALCP include:
1. Major arterials as defined in Appendix A. Major arterials include:
    - a. Roadway facilities on the regional arterial or mile arterial grid system;
    - b. Roadway facilities that connect freeways, highways or other controlled access facilities; and,
    - c. Other key arterial corridors.
  2. Intersections of eligible major arterials.
- C. All Projects must be designed to the standards agreed to by the designated local jurisdictions and the Lead Agency established in the Project Agreement.
1. The agreed standards, which may be higher than the standards used in the local jurisdiction(s), must be specified or referenced in the Project Agreement.
  2. Standards for multi-jurisdictional Projects should be consistent to the extent feasible.

D. Reimbursable items for regionally funded Projects are limited to:

1. Design, right-of-way and construction, as required in ARS: 28-6304(C)(5) and ARS: 28-6305(A). Design Concept Reports, planning studies and related studies, such as environmental and other studies, are also eligible.
2. Capacity Improvement Projects.
3. Safety Improvement Projects.
4. Projects or components directly related to capacity and safety improvements, including:
  - a. Intelligent Transportation Systems (ITS);
  - b. Signals;
  - c. Lighting;
  - d. Transit stops and pullouts, as well as queue jumper lanes, for example, for bus rapid transit;
  - e. Bicycle/pedestrian facilities integral to the roadway, including wide sidewalks separated from curbs;
  - f. Utility relocations, including under grounding of utility lines where required for safety or other reasons relating to function, and not purely for aesthetic reasons, and not otherwise considered an enhancement;
  - g. Drainage improvements for the Project (with limitations), such as retention basins required for the Project that would not normally be handled through County or other drainage funds, within reasonable limits (and generally not exceeding typical practice for the local jurisdiction);
  - h. Landscaped medians, shoulders, and other improvements within reasonable limits (and generally not exceeding typical practice for the local jurisdiction);
  - i. Reconstruction Projects, as identified in or supported by the RTP and as specified in Project Agreements, for eligible Project elements;
  - j. Access management;
  - k. Rubberized asphalt and concrete paving;
  - l. Staff time directly attributable to Project; and,
  - m. Noise, privacy and screen wall, and other buffers, if found to be necessary to meet applicable local, state or federal standards.

E. Notwithstanding findings or recommendations from the Design Concept Report or a similar study, Projects, Project components or other costs that are not reimbursable from the ALCP include:

1. Enhancement Projects or enhancement components of Projects.
2. Right-of-way not used by the ALCP Project, with potential exceptions on a case-by-case basis for land that is identified by the Lead Agency and/or the local jurisdiction or jurisdictions as not marketable for sale.
3. Any Project or Project element that exceeds the reasonable limits or typical practice for the local jurisdiction in which the Project or Projects are located.
4. Administrative overhead costs by the Lead Agency and other agency(ies)/jurisdiction(s) listed in the Project Agreement that are not attributed to the Project.
5. Other expenses, such as bad debts and lump-sum incentives, as determined by MAG.
6. Expenditures that occur after a project or project segment is completed. This includes salaries, applied overhead, record keeping and facility maintenance.

- 7. Salaries and other administrative expenditures pertaining to the completion of ALCP Project Requirements.
- F. The use of federal funds or other funding sources may involve further restrictions on the use of funds or eligible matching contributions.
- K. The MAG Committee Process has the final determination on the eligibility of any Project or Project component for reimbursement from the ALCP Program.

**APPENDIX A. GLOSSARY AND ACRONYMS**

Major Arterial                    “an interconnected thoroughfare whose primary function is to link areas in the region and to distribute traffic to and from controlled access highways, generally of region wide significance and of varying capacity depending on the travel demand for the specific direction and adjacent land uses.” (ARS 28-6304(c)(5))