

November 5, 2014

TO: Members of the MAG Street Committee

FROM: Maria Angelica Deeb, Mesa, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

**Wednesday, November 12, 2014 - 1:00 p.m.**  
MAG Office, Suite 200, Ironwood Room  
302 North First Avenue, Phoenix

The next meeting of the MAG Street Committee will be held at the time and place noted above. Committee members or their proxies may attend in person, via video-conference or by telephone conference call. Those attending by video conference must notify the MAG site three business days prior to the meeting. Those attending by telephone conference please contact MAG offices for conference call instructions.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Jason Stephens at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

The next meeting of the MAG Street Committee will be held at the time and place noted above. If you have any questions or need additional information, please contact Teri Kennedy or Steve Tate at (602) 254-6300.

TENTATIVE AGENDA

	<u>COMMITTEE ACTION REQUESTED</u>
<p>1. <u>Call to Order</u></p> <p>For the November meeting, the quorum requirement is 13 committee members.</p>	
<p>2. <u>Introductions and Attendance</u></p> <p>An opportunity for new members to introduce themselves and record member attendance at the meeting will be provided.</p>	2. For information.
<p>3. <u>Approval of the October 14, 2014 Meeting Minutes</u></p>	3. Review and approve the minutes from the October 14, 2014 meeting.
<p>4. <u>Call to the Audience</u></p> <p>An opportunity will be provided to members of the public to address the Street Committee on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Members of the public will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Street Committee requests an exception to this limit. Please note that those wishing to comment on action agenda items will be given an opportunity at the time the item is heard.</p>	4. For information.
<p>5. <u>Transportation Programming Manager's Report</u></p> <p>The MAG Transportation Programming Manager will review recent transportation planning activities and upcoming agenda items for MAG Committees and other related regional transportation activities.</p>	5. For information and discussion.
<p>6. <u>Inactive Federal-Aid Projects</u></p> <p>Inactive projects are those with unexpended federal-aid funding obligation against which no expenditures have been charged (to the federal funds) within certain time frames. Title 23 CFR 630.106(a)(5) classifies inactive projects in one</p>	6. For information and discussion.

of three tiers based on the following criteria:

- Projects inactive for the past 12 months with unexpended balances more than \$500,000
- Projects inactive for the past 24 months with unexpended balances of \$50,000 to \$500,000
- Projects inactive for the past 36 months with unexpended balances less than \$50,000

ADOT is required by federal law to release any unneeded funding from a project within 90 days of the date of award, project completion. One of the most frequent factors leading to projects becoming inactive is the lack of invoicing and closeout notification from the sponsoring agency.

7. MAG Federal Fund Programming Guidelines and Procedures Update - Project Selection

At the direction of the Managers Federal Fund Working Group, the Street Committee with representatives from other MAG technical committees is revising and updating the MAG Federal Fund Programming Guidelines. This update is scheduled to be completed by February, 2015.

At the previous meeting, draft project selection policies were provided to the Committee for review and discussion. Based on the this discussion and comments received from the Committee since the meeting the draft project selection policies have been changed. Please see Attachment 1 and Attachment 2.

8. MAG Federal Fund Programming Guidelines and Procedures Update - Project Reviews, Milestones and Closeout

At the meeting, draft sections of the Guidelines that address project reviews, milestones and the MAG close out will be discussed. Among other things the draft sections include the following changes:

7. For information, discussion and approval of revised project selection policies in the draft MAG Federal Fund Programming Guidelines.

8. For information and discussion.

- A new milestone requiring that projects be initiated at ADOT
- Grouping of the milestones into four project categories: construction, right-of-way, procurement and studies and design.
- Minor revision of closeout policies to improve readability.

Please see Attachment 3 and 4 for more details.

9. Technical Review of the Pinal County STP Program Evaluation Criteria

On May 9, 2013 Governor Brewer approved the MAG metropolitan area boundary expansion into Pinal County. The new boundaries include the Town of Florence, City of Maricopa, portions of Pinal County, and the balance of the City of Apache Junction, Gila River Indian Community, and Town of Queen Creek. With the addition of this area into to MAG came a sub-allocation of federal Surface Transportation Program (STP) funds, which are distributed based on population. MAG is responsible for programming these funds.

A working group comprised of city, county, town, and tribal managers was tasked with generating regional goals and evaluative criteria to program the sub-allocated STP. The working group met a total of four times between June 2014 and September 2014

The goals and evaluative criteria developed by the work group will be presented to the committee for technical review and discussion.

10. Request for Future Agenda Items

Topics or issues of interest that the Transportation Review Committee would like to have considered for discussion at a future meeting will be requested.

11. Member Agency Update

This section of the Agenda will provide Committee members with an opportunity to

9. For information and discussion.

10. For formation and discussion.

11. For formation and discussion.

share information regarding a variety of transportation-related issues within their respective communities.

12. Next Meeting Date

The next regular Street Committee meeting will be scheduled for Tuesday, December 9, 2014 at 1:00 p.m. in the MAG Offices, Ironwood Room.

Adjournment

12. For information.

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
STREET COMMITTEE

Tuesday October 14, 2014 1:00 p.m.  
MAG Offices, Suite 300,  
302 North First Avenue, Phoenix, Arizona 85003

MEMBERS ATTENDING

Maria Deeb, Mesa, Chair	* Bill Fay, City of Maricopa
Susan Anderson, ADOT	Laurie Santana for Jack M. Lorbeer, Maricopa County
# Emile Schmid, Apache Junction	* James Shano, Paradise Valley
Charles Andrews, Avondale	Chris Turner-Noteware for Phoenix
Jose Heredia, Buckeye	* Scott Bender, Pinal County
Dan Cook, Chandler	Dan Nissen for Ben Wilson, Peoria
Chris Hauser, El Mirage	Janet Martin, Queen Creek
@Aryan Lirange, FHWA	# Jennifer Jack, Salt River Pima-Maricopa Indian Community
* Wayne Costa, Florence	# Todd Taylor for Phil Kercher, Scottsdale Dana Owsiany, Surprise
Tim Oliver, Gila River Indian Community	* Isaac Chivera, Tempe
Tom Condit, Gilbert	* Jason Earp, Tolleson
Purab Adabala for Bob Darr, Glendale	# Grant Anderson, Youngtown
Luke Albert for Hugh Bigalk, Goodyear	
David Gue for Litchfield Park	
@Catherine Hollow, Tempe (Chair, ITS Committee)	

\* Members neither present nor represented by Proxy

# Members attending by phone

@Ex-officio member, non voting member

OTHERS PRESENT

Warren White, Chandler	Teri Kennedy, MAG
Art Brooks, Strand Associates	David Massey, MAG
John Bullen, MAG	Stephen Tate, MAG
Dean Giles, MAG	

1. Call to Order

Chair Maria Deeb called the meeting to order at 1:00 p.m.

2. Introductions and Attendance

A roll call of members attending the meeting was conducted. The following member agencies were not represented at the meeting: Florence, Maricopa, Paradise Valley, Pinal County, Tempe, Tolleson.

3 Approval of the September 9, 2014 Meeting Minutes

Mr. Purab Adabala moved to approve the minutes. Mr. Tom Condit seconded the motion. The motion carried unanimously.

4 Call to the Audience

No members of the audience requested to speak before the Committee.

5. Transportation Programming Manager's Report

Ms. Teri Kennedy briefed the Committee. She noted that funding under MAP-21 is under a continuing resolution which provides funds through December 11, 2014. When the MAG October suballocated ledger is published, MAG staff will determine whether or not there will be closeout for CMAQ funding. Right now, CMAQ funding is overprogrammed and it is unlikely that there will be closeout.

The City of Peoria's application for a PM-10 certified street sweeper has a cost correction and an updated handout is provided.

The Fiscal Year 2015 Transportation Programming Guidebook is available on the TIP website. At least two copies have been mailed to each agency. Additional copies will be made available upon request.

She noted that the TIP Excel spreadsheet are published on the TIP website and requested that Committee members look at their fiscal year 2015 TIP listings and submit change forms if there are any inaccuracies or needed changes.

There will be a call for projects for the Transportation Alternatives non-infrastructure program in early January for activities formerly eligible for Safe Routes to School.

She noted that Ms. Dana Owsiany resigned from Phoenix and moved to the city of Surprise. Ms. Owsiany is now the Street Committee representative for Surprise. As a result, she has vacated the chair position and Ms. Maria Deeb will now be serving as chair.

Project workbooks have been released for all CMAQ, HSIP, TA, and non-ALCP STP funded projects and are due back to MAG no later than November 21st. If enough projects are deferring, there is the possibility for closeout.

FHWA and ADOT are sponsoring a training on construction of ADA facilities in the public right-of-way.

The Avondale-Goodyear Urbanized Area Transit Working Group is working on updating their Program of Projects and identifying what will be done with the additional transit funding that has yet to be programmed.

The Principal Arterial Network and National Highway System changes were reviewed by ADOT and submitted to FHWA.

Chair Deeb inquired regarding funding for a sweeper for Mesa's shared-use paths using CMAQ funding. Ms. Kennedy responded that MAG staff will look into eligibility with the Air Quality staff and FHWA.

Mr. Grant Anderson asked about the change in cost for the Peoria PM-10 street sweeper application. Ms. Kennedy responded that the City of Peoria sweeper federal cost is \$231,215 and the local cost is \$23,476 with the total cost remaining unchanged. The total federal funding requested is now \$3,796,714 with \$334,036 local match.

6. MAG Federal Funding Applications

Ms. Teri Kennedy briefed the Committee. She noted that the Committee needs to provide a technical review of the applications for street sweepers. She requested Committee members review the applications for reasonability of the sweeping plan, cost, additional items requested for the sweepers, and previous experience in the community with street sweepers.

The Committee reviewed each of the applications in alphabetical order by submitting agency.

Regarding the application from Buckeye, Mr. Jose Heredia noted that no additional roads would be swept as part of this application. He added that the current street sweeper is old and the maintenance on the street sweeper has had a substantial cost.

Mr. Anderson inquired regarding a maximum amount for Federal allocation. Ms. Kennedy noted that the available funding is \$1.4 million which is noted at the bottom of the summary table. She added that the total requested funding is about 270% of the available funding. She noted that the first step of the review process is being done by the Committee and the second step would be done after technical analysis, scoring, and review by the Air Quality Technical Advisory Committee. The scores would determine which applications would be funded. If there is closeout funding available, sweepers are generally funded first as they provide an immediate benefit to the region's air quality.

While reviewing the applications from Chandler, Mr. Anderson inquired regarding agencies with multiple applications and agency preference. Ms. Kennedy responded that preferences were not asked for on the applications. Mr. Anderson added that it would be nice to know the priorities of applications. Mr. Dean Giles responded that in the past when multiple applications have been submitted by agencies, the AQTAC has looked at cost-effectiveness of sweepers and the proximity of the swept area to PM-10 monitors and that agency priority had not been considered. Mr. Anderson responded that he understands that most of the score is based on the technical analysis. He added that if one agency submitted applications for four sweepers and another for one sweeper that maybe both agencies should be considered in the event of a tiebreaker.

Ms. Kennedy noted that a tiebreaker could be addressed at the Management Committee's review of the applications. Rank order is not generally shown to the Transportation Review Committee except for applications for closeout funding. Mr. Anderson asked what technical expertise is used by Management Committee to break a tie. Ms. Kennedy responded that they rely on MAG staff for the technical analysis and will take political will into consideration.

Regarding the application from Goodyear, Ms. Kennedy noted that the cost requested was a bit lower than other applications. Mr. Anderson noted that the quote included an additional discount. Mr. Luke Albert noted that similar to the previous applications, Goodyear is requesting a replacement for a sweeper with high downtime and maintenance costs.

Regarding the applications from Maricopa, Chair Deeb inquired regarding the area description which simply stated "City of Maricopa." She asked whether this included all roads within the city. Ms. Kennedy noted that no representative from Maricopa was present. Mr. Chris Hauser noted that there is a summation error on the funding requests and that the reimbursement requests are incorrect. Mr. Giles noted that the sweeping plan included all roads citywide.

Ms. Kennedy noted the cost correction on the application from Peoria showing a decrease in Federal cost and increase in local cost.

Regarding the applications from Phoenix, Chair Deeb inquired whether both sweepers would be sweeping the same area as stated in the applications. Ms. Turner-Noteware responded that they would be and that the area being swept is in proximity to eight PM-10 monitoring locations.

Ms. Kennedy noted that the Pinal County applications were for new sweeping areas. Mr. Anderson inquired regarding a sweeper application for an area outside the MAG region. Ms. Kennedy responded that sweepers can be used anywhere in the PM-10 nonattainment area and as a member agency they can apply for MAG funding. Mr. Cook asked how many miles of streets were in the areas and how many of them were paved. Mr. Anderson noted that the traffic on the roads was low. Mr. Cook noted that the proposed sweeping length on the first application is not very long. Mr. Anderson added that he was not sure the southern Pinal County application would rank well for air quality due to the low number of miles being swept and distance from PM-10 monitors.

Ms. Jennifer Jack added that it may be problematic for Pinal County to move one sweeper to another area because they have such a large land area. She also noted that the first and third applications were for more populated areas.

Ms. Janet Martin inquired whether the applications for replacement of sweepers purchased in 2008 would be eligible for funding as they are not eight years old. Ms. Kennedy responded that they would be right on the cusp based on how Regional Council acts and when the sweepers would be procured. She added that Regional Council approval could be postponed for a month if those applications score well.

Regarding the application from Scottsdale, Chair Deeb asked regarding the quote and cost, noting that the cost was the lowest of any applicant. Mr. Taylor responded that he thought that the quote was from a contract that the city currently has but he will check into it further. Ms. Kennedy stated that if Scottsdale would like to modify their application to do so today. Mr. Taylor responded that he would not and that the quote was provided by Timco which provides Scottsdale's sweepers.

Mr. Cook asked what would happen if the bid comes in higher than the total cost and whether the Federal cost would be fixed. Ms. Kennedy responded that the street sweeper

funding is different from other CMAQ programs as it falls under the Unified Planning Work Program. The costs are submitted to ADOT and FHWA as a lump sum project. Once the project authorizes, the cost is fixed and engineering cost increases are not allowed. If the costs come back higher than the estimate, the difference would have to be covered by the local agency. If additional sweepers are funded through closeout, a separate submittal would be provided to ADOT and FHWA and those costs would also be fixed.

Mr. Anderson stated that street sweepers should be somewhat alike from community to community and asked whether or not it would be possible to purchase sweepers for the entire region through a state contract and realize cost savings. Chair Deeb responded that from Mesa's perspective, their fleet services and transportation field operations like to have their own model of sweepers and that it may be different between cities. Also, different cities like different items included in their sweepers which are not always Federally eligible for reimbursement. Mr. Anderson responded that we should look at how different the sweepers are and perhaps we can bid all of the sweepers at the same time with alternates for the local procurement needs.

Ms. Kennedy responded that was something to talk to ADOT about, noting that the City of Nogales is now purchasing sweepers for their PM-2.5 nonattainment area. She stated that MAG staff will look into for the next year's sweeper applications as an option for agencies. Mr. Cook added that Chandler likes some extras that are not Federally eligible and that some of the other applications have a higher local cost. He added that should be dealt with on a regional basis, but the idea of a joint procurement through ADOT is good and should provide cost savings. Ms. Kennedy stated that if there are few popular models of sweepers the Committee can agree on, a contract for procurement may be possible.

Ms. Turner-Noteware added that from a maintenance perspective, Phoenix does maintenance internally and that it is important for them to have the models they have parts for. Mr. Anderson stated that it may take some research to determine what a generalized contract would look like but it may be worth it in the end.

Regarding the applications from Surprise, Ms. Owsiany stated that the sweepers were old and had many miles of use. Mr. Anderson inquired whether all four sweepers were for the whole city. Ms. Owsiany responded that they are. Mr. Anderson then asked whether the applications would score better if the sweeping areas were split up in parts of the city. Ms. Owsiany stated that she would have to look into the locations of PM-10 monitors. Ms. Kennedy and Mr. Giles noted that the applications would all receive the same score.

Chair Deeb noted that the applications will be submitted to the Air Quality Technical Advisory Committee for scoring and review and then be returned to the Street Committee. No agencies wished to change their applications.

#### 7. Nominations for the Vice Chair Position

Ms. Kennedy stated that MAG sent out a letter for the vacant vice-chair position. She stated that one application was received nominating Mr. Chris Hauser from El Mirage. The Regional Council Executive Committee will consider the nomination at their next meeting.

Ms. Kennedy noted that since Ms. Owsiany departed from Phoenix, Chair Deeb will serve the balance of Ms. Owsiany's two-year term and then a new chair and vice-chair will be selected.

8. MAG Federal Fund Programming Guidelines and Procedures Update

Mr. Stephen Tate briefed the Committee. He provided a background overview of the Federal fund programming guidelines and procedures and a description of the Street Committee's ongoing work in reviewing the update to the guidelines and procedures, noting that each month a section would be presented for review and approval at the next Street Committee meeting. He then provided an overview of the proposed changes to the principles, roles, and reporting requirements presented at the previous meeting and corrections to the changes since the previous meeting.

He then provided an overview of the proposed changes to the section on project selection policies to be reviewed by the Committee for approval at the next meeting.

Ms. Kennedy noted that the update was a lot of work and reading for the Committee members and that she appreciates the comments that MAG staff have received. She noted that MAG tries to make notices of Federal funding availability as accessible as possible and that the updates are generally meant to document existing practices.

Mr. Anderson noted that at the last Transit Committee meeting the Committee tabled the idea of including safety in project rankings and ratings. He noted in the overview that it was stated that safety would be considered in project selection. He commented that it was good that there was not a specific number stated in the guideline updates as different projects have different considerations for safety. Mr. Tate responded that the guidelines have been left vague and that the specific considerations will be left to the Safety Committee and the modal committees. Ms. Kennedy added that as part of the CMP, the criteria have been outlined and safety is a component of every modal committee's project selection that the CMP is used for. She added that the Bike/Ped, ITS, Safety, and Pinal County STP project selections will have a weighting for safety built into the CMP tool.

Mr. Cook stated that there needs to be more definition of what part of safety is being considered as part of the project selection guidelines. He said he was not sure how subjective rankings of projects on safety considerations would be possible without a large amount of data. Mr. Tate stated that his sense was that projects should conform to the safety plans that have been developed. Mr. Cook said that if that will be a guideline, the safety plan should be incorporated or referenced. He added that safety judgements become subjective because no engineer will sign off on a set of plans that he does not believe is safe. He stated he would like to see some more specificity regarding what safety elements are being considered and whether it is more than just conforming to AASHTO standards and the MUTCD. Ms. Kennedy noted that the Committee could review the CMP guidelines for each of the modes and that a presentation could be given to the Committee revisiting the criteria each of the modal committees will be using for ranking.

Chair Deeb noted that she discussed with the City of Mesa's bicycle and pedestrian coordinator regarding including safety as a consideration and suggested that having the scope

of street projects incorporate safety of non-automobile users could be one possible criterion for consideration.

Mr. Cook moved to approve the revisions to the guiding principles, project sponsor responsibilities and progress reporting. Mr. Hauser seconded the motion. The motion carried unanimously.

Chair Deeb noted that comments on the guidelines concerning project selection, review, and applications to Mr. Tate should be submitted by October 31st.

9. Arterial Life Cycle Program Status Report May 2014 – November 2014

Mr. John Bullen briefed the Committee. He provided a background overview of the Arterial Life Cycle Program and noted that there was a \$2.5 million increase in sales tax collection from FY 2013 to FY 2014, which represents a 7.0% increase. Further, he noted that \$6.5 million has been collected in FY 2015 through August, which represents a slight increase over the projected collections. He noted that agency staff have done a tremendous job of submitting project overviews, project agreements, and reimbursement requests. He requested that agencies submit their reimbursement requests and noted that reimbursements can be issued immediately.

He noted that 46 projects are scheduled for work or reimbursement in fiscal year 2015 and that 15 of those projects should be completed and open for traffic by the end of fiscal year 2015.

He noted that the ALCP working group met that morning and will meet again on November 6th to consider changes to the ALCP policies and procedures. He added that workbooks will be sent out for the fiscal year 2016 ALCP in January and that agencies should consider that while updating their CIP.

Chair Deeb asked what documentation is needed when an ALCP project is closed. Mr. Bullen responded that the reporting requirements have been simplified and that only a progress report is needed when a project phase is completed, including construction. He added that he will be in contact with agencies when projects are scheduled to be completed to make sure that project completion is recorded when it happens.

10. Request for Future Agenda Items

Chair Deeb requested MAG staff provide information regarding eligibility of CMAQ funding for PM-10 certified street sweepers for shared-use paths.

11. Member Agency Update

Mr. Oliver noted that in January or February there will be a bridge replacement project near Sacaton using a bridge slide technique for construction and that more information will be available sooner to construction.

Adjournment

The meeting adjourned at 2:17 p.m.

## 300. Regional Project Selection: Step 1 - 2

### 300.1 - Step 1: Application Process:

1. MAG will request member agencies to submit new project applications for consideration in the MAG Federal Fund Program dependent on the needs established by the *Guidebook*.
  - a. Project applications submitted from prior years will not be retained or used.
2. A general schedule for the competitive application process is shown in FIGURE B.
3. A pre-application workshop/meeting will be held for MAG member agencies to review available funding, applications, schedules, and due dates for the competitive project selection process for MAG Federal funds.
4. A project can be sponsored and funded by one agency; be a joint project with multiple funding partners; or be considered a regional project.
  - a. A Joint Project has more than one agency financially contributing to the project. It is required that the application:
    - i. Be submitted by the sponsoring agency that will be responsible for implementing the project and reporting to MAG;
    - ii. List the main contacts for all agencies involved;
    - iii. Document how the local cost component will be shared between the partnering agencies; and
    - iv. Include signatures from each jurisdiction's Manager(s)/Administrator(s) or designated representative.
  - b. A Regional Project is a transportation project that is sponsored and funded by one or more MAG member agencies that impacts other jurisdictions besides those sponsoring the project and the project concept is consistent with an approved MAG Plan.
5. The application forms will annotate and define the required information.
  - a. Each application will have a checklist of application components to be completed by the sponsoring agency. The information that is required will be identified on the checklist.
  - b. Each application will be signed by the Manager/Administrator of the jurisdiction or designated representative.
6. It is required that completed applications are submitted before or on the due date and time identified on the application form. Late applications will not be accepted.
  - a. Completed applications will be printed, signed by the jurisdiction Manager/Administrator or designated representative, and submitted via at least one of the following means: fax, e-mail (scan of signed application), mail, or in person.
  - b. If a completed application is faxed or e-mailed with the required signature, it is accepted at that time, but it is required that within one week of the application due date, the original signed copy will follow either in the mail or be delivered in person.
  - c. Upon receiving the application, MAG staff will review the submitted application for required information. MAG staff will complete an application receipt indicating the date and time it was received, and whether the application was complete or incomplete.

## Attachment 1 – Approved Guidelines – Project Selection

- i. If the application is incomplete, the application receipt will note the incomplete fields.
    - ii. The sponsoring agency will have two working days to complete the incomplete fields. The due date and time to submit incomplete field information will be noted on the application receipt.
    - iii. If the sponsoring agency fails to provide the incomplete information and to re-submit the application by the due date and time, the application will be rejected.
  - d. The application will also be submitted electronically for ease of data entry.
7. MAG staff will review the application to verify the eligibility of the project, and project components in the context of the current federal regulations following the receipt of the project applications.
  - a. MAG staff will work with the Federal Highway Administration (FHWA) to determine eligibility for the requested project.
  - b. The current federal guidelines related to the CMAQ funding, which is available from, 'The Congestion Mitigation and Air Quality Improvement Program (CMAQ) under the SAFETEA-LU Interim Program Guidance' can be accessed online at: <http://www.fhwa.dot.gov/environment/cmaq06gd.pdf>. Copies are also available at MAG.
  - c. The new federal guidelines signed on July 2, 2012, Moving ahead for Progress in the Twenty-first Century (MAP-21) are effective on October 1, 2012 will be integrated into an update of this policy. Additional information will be available at: <http://www.fhwa.dot.gov/map21/>
  - d. If a project is not eligible under the current federal regulations, a notification will be sent to the project contact within two weeks.
  - e. If certain project components are not eligible under the current federal regulations, MAG staff will work with the jurisdiction to modify the project budget components for eligibility purposes. MAG staff and the sponsoring agency representatives will present and explain the original and modified application at the appropriate technical advisory committee.

### **300.2 - Step 2: Project Selection & Inclusion in TIP Process:**

1. MAG has an established project application, programming schedule, project evaluation process, and project selection process that are explained and published in *The Transportation Programming Guidebook*.
2. Complete and eligible project applications submitted for consideration in the MAG Federal Fund Program are processed through the MAG Committee Process for project evaluation and selection. This process includes an evaluation of the expected emissions reductions and cost effectiveness, a project evaluation process at the Technical Advisory Committees (TAC), and project selection through the MAG Committee Process: Transportation Review Committee (TRC), Management Committee, and Transportation Policy Committee (TPC) for review and recommendation, and then Regional Council for approval.

## Attachment 1 – Approved Guidelines – Project Selection

3. In accordance with federal CMAQ guidance, an evaluation of the expected emissions reductions and cost effectiveness is conducted for all proposed CMAQ funded projects by MAG staff for consideration by the Air Quality Technical Advisory Committee (AQTAC). The role of the AQTAC is to forward the evaluation of proposed CMAQ funded projects to the Transportation Review Committee (TRC) and the Technical Advisory Committees for use in prioritizing projects.
4. A Congestion Management Process (CMP) analysis will be conducted, as appropriate, during the project evaluation process. MAG has developed a CMP evaluation tool that will be integrated into the ranking process for Bicycle, Pedestrian, and Intelligent Transportation System (ITS) Projects.
5. The transportation project types and responsible technical advisory committees (TAC) are:
  - a. Bicycle & Pedestrian Projects that will be presented, reviewed, ranked at the Bicycle and Pedestrian Committee, and then forwarded to the TRC.
  - b. Intelligent Transportation System (ITS) Projects that will be presented, reviewed, and ranked at the ITS Committee, and then forwarded to the TRC.
  - c. Paving Unpaved Road Projects will be presented, reviewed, and ranked at the Street Committee, ranked at the Air Quality TAC, and then forwarded to the TRC.
  - d. PM-10 Certified Street Sweeper Projects will be reviewed at the Street Committee, ranked at the Air Quality TAC, and then forwarded to the MAG Management Committee.
  - e. In addition, the AQTAC will forward a ranking of Air Quality Projects to the Transportation Review Committee.
6. The TAC's role is to develop and administer a project evaluation process that involves a technical evaluation, project criteria analysis, and a qualitative assessment that is guided by the goals and objectives of the MAG Regional Transportation Plan (RTP), and Federal guidelines.
  - a. Each modal TAC will assess the application data provided to determine its reasonableness and accuracy for use in air quality effectiveness analysis.
  - b. The TAC is responsible to implement its project evaluation process and produce a ranked order list of project applications to be considered for Federal funding. The rank ordered list is then forwarded to the TRC.
  - c. Technical Advisory Committees cannot change the project scope, schedule, budget, or requested federal funds during the evaluation process. The TAC's purpose is to rank order projects as submitted in the application through a project evaluation process.
7. Project information from the complete applications will be sent to the technical advisory committee (TAC) for a tiered review process. Please see FIGURE C for flow charts.
  - a. At the first TAC meeting, the sponsoring agency will present the project and the TAC will review the application information.
  - b. If the committee would like further clarification on project information contained in the application, the project sponsor can answer clarification questions at the first meeting, and the project sponsor also has the opportunity to clarify information on the application for the second TAC meeting. The Committee cannot change scope, schedule, nor budget for requested funds.
    - The MAG Staff person for that TAC will provide the date for revised application information to be submitted to MAG in preparation for the second TAC meeting.

## Attachment 1 – Approved Guidelines – Project Selection

- c. The expected emissions reductions and cost effectiveness for all proposed CMAQ funded projects are evaluated by MAG staff for consideration by the AQTAC. A congestion management analysis will be conducted, as appropriate, during the project evaluation process.
    - d. At the second TAC meeting, any clarified project information is presented, and the project ranking can move forward based on the TAC approved process including the technical evaluation, project criteria analysis, and the qualitative assessment.
    - e. The ranked list of projects and evaluation summary is then forwarded from the TAC to the Transportation Review Committee for project selection, and then continues through the MAG Committee Process.
    - f. The PM-10 Certified Street Sweeper ranked list of projects and evaluation summary is forwarded directly from the AQTAC to the Management Committee for project selection, and then to the MAG Regional Council.
  8. The Transportation Review Committee's (TRC) role is to review the evaluation and analysis completed by the TACs, and recommend projects to be selected and programmed with federal funds based on guidelines established for project selection.
    - a. The TRC can make recommendations to change the project scope, schedule, or budget during the project selection process.
    - b. If the amount of federal funds for a project is recommended to be lower than initially requested in the project application, or the scope of the project is recommended to be changed, the project application with the proposed changes will be sent back to the Manager/Administrator of the jurisdiction or designated representative for acceptance of new funding amounts or scope change.
      - At the same time, MAG staff will determine if the CMAQ evaluation is affected.
      - The programming process is delayed accordingly.
    - c. The recommended projects selected for federal funds and a summary of the TRC selection process will then be forwarded to the MAG Management Committee, TPC, and Regional Council for approval.
  9. Step 2: Projects selected and approved by MAG Regional Council to be programmed with federal funds will be included in the MAG Transportation Improvement Program (TIP).
    - a. Title 23 of the U.S. Code, Section 134 (j) specifies that the TIP shall include projects only if full funding can be reasonably anticipated to be available within the time period contemplated for completion of the project. In nonattainment and maintenance areas, projects included in the first two years of the TIP shall be limited to those for which funds are available and committed.<sup>1</sup>
    - b. This requirement is for all funding sources including the local match funds for projects programmed with federal funds.
  10. For construction projects that are selected to be programmed with federal funds into the MAG Transportation Improvement Program (TIP), a design/clearance phase will be programmed based on the initial project application and the project development schedule.
    - a. The amount of MAG federal funds available for a project is the programmed amount listed in an approved TIP. Member agencies are responsible for any project cost increases.
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- b. The application will allow members to ask for federal funding for all phases of the project. Yet, if funding is approved only for construction, the project sponsor must use local funds for the project development – design, clearances, right of way – in the years prior to construction. This will be reflected in the project phases as programmed in the TIP.

## 400. Regional Project Selection

### 400.1. Transportation Programming Guidebook

1. **Transportation Programming Guidebook.** Each year MAG will make available on its website, a *Guidebook* to help member agencies apply for Federal funding. For each call for projects the *Guidebook* will:
  - a. **Schedule.** Identify the date applications are to be released for member agency use and the deadline that applications are due to MAG.
  - b. **Funding.** Identify the anticipated amount and type of federal funding available.
  - c. **Scope.** Detail the scope (e.g. eligibility requirements, etc.) of the planned call for projects.
  - d. **Review and ranking process.** Detail what technical committee(s) will review and rank projects. In some cases an ad hoc committee may be formed for some calls for projects and in some cases the review and ranking of projects may be split between technical committees (e.g. paving projects are split between the Street Committee and TRC).
2. **Addendums.** If during the year substantial new or revised information on calls for projects becomes available. Addendums to the *Guidebook* will be made available on the MAG website and notice of changes will be transmitted to all MAG member agencies.

**Comment [ST1]:** Added to strengthens the role of the Transportation Programming Guidebook

### 400.2 - Release and Submission of Applications

1. **Notice of availability.** When applications are released, MAG will notify all member agencies of the release of applications, the location of the applications on the MAG website and the deadline for application submission. At a minimum this notice will be sent to all MAG Intergovernmental coordinators, members of the MAG Management Committee and members of modal technical committees that will review the applications.
2. **Application availability.** When notice is conveyed to MAG member agencies, applications will be made available on the MAG website for MAG member agencies to complete and transmit to MAG.
3. **Pre-application workshops.** One or more pre-application workshop/meeting will be held for MAG member agencies to review available funding, applications, schedules, and due dates for the competitive project selection process for MAG Federal funds.
4. **Submission of single agency applications.** A new, complete application is required for each call for projects submittal. For each application submission the following are required:

**Comment [ST2]:** Added to provides for timely notice of call for projects

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- a. **A new application for the call for projects.** Recycled or edited versions of old applications will not be accepted. The new form must be used.
  - b. **Completion of all required fields as identified in the application.** Each application will include a checklist of required items.
  - c. **Original signed copy required.** A printed hardcopy copy of the application signed by the Member Agency's chief executive officer (e.g. a City Manager or County Administrator or Community Manager) or his/her designee is required for each application.
  - d. **Electronic versions required.** An electronic version of the application in the format provided by MAG on the MAG website is required. This will typically be a Microsoft Excel file.
5. **Submission of multiagency applications.** Projects with funding from multiple participating agencies may be submitted, but must meet all of the requirements for single agency submissions plus meet the following additional requirements:
- a. Be submitted by the agency that will be responsible for implementing and reporting on the project. (Lead Agency)
  - b. Provide contact information for each participating agency.
  - c. Document the local cost contribution of each participating agency.
  - d. Include signatures of the chief executive officer of each participating agency or their designees.
6. **Designation of regional projects.** A project may only be designated as a regional project where it is consistent with the MAG Regional Transportation Plan, it affects multiple member agencies and multiple member agencies have submitted letters on behalf of the project as being a "regional project."
7. **Submission deadline.** Either an electronic or printed copy of an application must be received by the deadline for the application. **Late applications will be rejected.**
8. **Incomplete applications.** If a submitted application is not complete, MAG will provide the member agency with a receipt identifying the area(s) where the application is not complete. The member agency then has two working days to resubmit a complete application. If a completed application is not received in two working days, the application will be rejected.
9. **Submission of Faxes or PDF files in lieu of printed copies.** MAG will accepted faxed and pdf versions of signed printed documents, but requires that the printed version of the application be received in the MAG offices within five working days of the application deadline. If a completed application is not received in five working days, the application will be rejected.
10. **Application Receipts.** All MAG applications will include a checklist of required items. When an application is received from a member agency, MAG staff will review the application to confirm that all checklist items are complete and will generate a receipt. The receipt will be sent to the member agency by e-mail. If the application is incomplete, the receipt will identify the

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deficiencies and provide a deadline for the resubmission of the application as detailed above (see bullets 4 and 5).

### 400.3 – Technical Committee Application Review and Project Ranking

1. **Eligibility review.** Once a completed application is received, MAG will review the application to ensure that the proposed project and its components are generally eligible to receive federal funding. If it is determined that the proposed project or components of the project are not eligible for federal funding, the member agency will be notified within two weeks of the determination and MAG will work with the member agency to revise the application to address the eligibility issue. If the member agency decides to move forward with the revised application, both the original and revised application will be presented to the reviewing technical committee and an explanation will be provided by MAG and the member agency of the reason for the revision(s). Members of ADOT and FHWA may comment on and provide additional eligibility determination at the technical committee meetings. Certain types of applications may require Federal and/or State eligibility determinations after committee review, prior to being included in the TIP and STIP.
2. **Technical committee information review and ranking.** All applications will be reviewed and evaluated by a MAG technical committee as identified in the *Transportation Programming Guidebook*. This review and technical analysis will be completed in two meetings:
  - a. **First meeting – information review.** At the first meeting, the technical committee will review the application information provided by the sponsoring agency for its reasonableness and accuracy. At the meeting:
    - i. **Hearing.** An opportunity will be provided for each application to be heard, for committee members to ask questions, and for the sponsoring agency to respond to questions.
    - ii. **Committee determinations.** For each application, the committee will determine the following:
      1. **Project definitional adequacy.** The committee will determine that the project is defined in sufficient detail to allow technical review.
      2. **Project feasibility.** The committee will determine that the project is free from fatal flaws (e.g. major utilities and drainage issues) that would prevent it from being implemented.
      3. **Schedule adequacy.** The committee will determine that the schedule laid out for the project, including locally funded work phases is reasonable and adequate for the year the project is requested to be authorized.

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4. **Cost estimate adequacy.** The committee will determine that cost estimates for the project are reasonable, accurate and account for all work phases (e.g. preliminary engineering, right-of-way, construction, etc.) and fees (e.g. ADOT review fees) necessary to complete the project.
5. **Performance data adequacy.** The committee will determine that performance data (e.g. ADT, miles of sweeping) or surrogate measures used to determine performance (e.g. number of trip generators along a bicycle route) is reasonable and well documented.

**Comment [ST3]:** Added to strengthen technical review of projects

iii. **Revisions.** If there are outstanding questions concerning the project, the sponsoring may revise its application to address the questions. The revisions will be presented at the second meeting of the Committee.

b. **Second meeting.** At the second meeting the committee will review and address outstanding issues from the previous meeting and recommend a ranked listing of projects for review by the Transportation Review Committee. This ranked list will include all projects presented to the Committee along with the committee's determinations and the results of required analyses as identified below.

3. **Required analysis for committee review and ranking.** In reviewing and ranking projects, review committees will do the following:

a. **Air Quality Cost Effectiveness Analysis.** If Congestion Mitigation Air Quality (CMAQ) funding is sought, air quality effectiveness analysis is required. Technical review committees will review the reasonableness and accuracy of data provided for the calculation of air quality cost effectiveness scores; the Air Quality Technical Advisory Committee will calculate cost effectiveness scores; and committees will be presented with these scores prior to the ranking of projects.

b. **Congestion Management Process (CMP).** All projects types (e.g. bicycle-pedestrian, ITS, etc.) that are covered by the CMP will be analyzed by technical committees. This analysis will include a review of the reasonableness and data used for CMP analysis and development, and consideration of CMP scoring in the ranking of projects.

c. **Safety.** The safety benefits and impacts of proposed projects will be considered by technical committees in the review and recommendation of projects. This review will be based on criteria and processes developed by technical committees in cooperation with the MAG Safety Committee and will be applied as appropriate for the Federal funding source(s) to be used to finance projects selected.

**Comment [ST4]:** New. Added to address a desire to include safety considerations in project selection.

**Comment [ST5]:** Added to address comments at the 10/14/14 Street Committee

4. **Limitations on the scope of technical committee review and ranking.** The scope of technical review committees is limited to a review of the information provided and the development of a recommended ordering of projects. Technical review committees may not:

- a. Change the project scope,
- b. Change the project schedule,

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- c. Change the project budget or amount of requested federal funds

#### 400.4 – Transportation Review Committee and Policy Committee Project Selection

1. **Transportation Review Committee (TRC).** Unless specifically identified in the Transportation Programming Guidebook, project recommendations from all technical committees will be transmitted to the Transportation Review Committee for initial project selection. The results of the Committee's action will be transmitted to the MAG Management Committee as a recommendation for action.
2. **Management Committee.** The Management Committee as appropriate will take action on the TRC recommendation and transmit their action to the Regional Council for action.
3. **Regional Council.** As appropriate the Regional Council will take action on the Management Committee recommendation. Actions by the Regional Council are final. Limitations may only occur if a project or portions of a project is deemed ineligible by Federal Highway Administration or their designee.
4. **Sponsoring agency acceptance of changes.** If changes are made during the selection process to the scope, schedule, budget, or federal funding requested, the sponsoring agency will be requested to resubmit a revised application that reflects the changes, including applicable agency manager(s) signature(s). If a revised application is not received prior to date of the next scheduled committee action or within two weeks after Regional Council action on the project, the project will be considered to have been withdrawn by the project sponsor and will not be included in the TIP.
5. **Air Quality Effectiveness Scores.** If a project is to be funded with CMAQ, a cost effectiveness score will be developed for the project based on the latest application data and presented to the TRC or policy committees prior to project selection.

**Comment [ST6]:** Added to insure that changes to projects are acceptable to sponsoring agencies.

### 500.3 - Step 5: Federal Project Development Process & Dynamic TIP Process

The MAG TIP is required to be fiscally constrained each year and for the overall program. FHWA has made this a focus area when programming the initial TIP, and showing fiscal constraint for all amendments and administrative modifications to the TIP. MAG cannot simply add a new project or increase funding for a project as it is required to show a deletion or a decrease of funding from another project to demonstrate fiscal constraint.

Engaging in a dynamic process will allow MAG to make timely programming decisions to balance cost increases (e.g. new and expanded projects) against cost decreases (e.g. project cost decreases and deletions) and project deferrals against project advancements.

Once a project development schedule has been finalized, the project sponsor has to show continuous progress towards obligation and completion of the project. Depending on the maintenance of effort in the development of projects, projects will move into the TIP, between years in the TIP, and out of the TIP depending on the status report, the project development schedule, and Regional Council action.

1. During the dynamic TIP process, the deferred projects and non-obligated federal funds will be considered within each mode as determined by the Regional Transportation Plan (RTP).

To make the dynamic process work, MAG will establish three tiers of projects based on project development schedules and regional policies as follows:

- **Tier 1** – CMAQ projects programmed and anticipated to obligate in the upcoming fiscal year. These projects will have the highest priority for obligation.
  - a. For all construction projects to be programmed in Tier 1 for the upcoming fiscal year, it is required that three milestones are met:
    - i. Environmental clearance approved if the design is federally funded, otherwise the environmental clearance must have been submitted.
    - ii. In-house completed 60% Design/Engineering plans
  - b. For right of way purchases, properties are inventoried and appraisals are complete. For procurement projects to be programmed in Tier 1 for the upcoming fiscal year, it is required that the environmental, right-of-way and project scoping documents needed to obtain the related clearance have been submitted.
  - c. The project sponsor is required to submit a letter signed by the sponsor agency engineer of record for construction projects that design plans are at 60%, the date that the environmental clearance was approved or submitted depending on the funding used to design the project and a letter that certifies that the right of way (if applicable) is underway with properties inventoried and appraisals completed. For procurement projects the certified letter is to identify the dates that submittals were made for the scoping document, the environmental clearance document and the right-of-way clearances document. This information is due to MAG by June 1 – 10<sup>th</sup> for the June TRC meeting.
  - d. There will be a two step TRC review process for Tier 1 projects.

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- i. At the June TRC meeting, project milestone information will be presented, discussed, and reviewed. If the committee would like further clarification on the information, the project sponsor can answer clarification questions at the first meeting, and the project sponsor also has the opportunity to clarify information for the second TRC meeting
    1. MAG Staff will provide the date for clarified information to be submitted to MAG in preparation for the second TRC meeting.
  - ii. At the July TRC meeting any revised information presented and action on projects for Tier 1 in the upcoming federal fiscal year of the TIP is recommended.
  - iii. Recommendations from TRC move forward to Management Committee and Regional Council in August
- **Tier 2** – CMAQ projects programmed in the TIP that are not in the upcoming fiscal year but could be advanced to obligate in the upcoming fiscal year. Projects in this category have second priority overall. Priority in the category will be based on completed milestones.
    - a. For Tier 2 construction projects to be advanced into the upcoming fiscal year, it is required that three milestones are met
      - i. Environmental clearance approved if the project is federally funded, otherwise the environmental clearance have been submitted.
      - ii. In-house completed 60% Design/Engineering plans
      - iii. For right of way purchases, properties are inventoried and appraisals are completed
    - b. For procurement projects to be included in Tier 2, it is required that the environmental, right-of-way and project scoping documents needed to obtain the related clearance have been submitted.
    - c. The project sponsor is required to submit a letter signed by the sponsor agency engineer for construction projects that design plans are at 60%, the date that the environmental clearance was approved or submitted depending on the funding used to design the project, and a letter that certifies that the right of way (if applicable) is underway with properties inventoried and appraisals completed. For procurement projects the certified letter is to identify the dates that submittals were made for the scoping document, the environmental clearance document and the right-of-way clearances document. This information is due to MAG by August 1 – 10<sup>th</sup> for the August TRC meeting.
      - i. At the August TRC meeting, project milestone information will be presented, discussed, and recommendation to move Tier 2 projects into the upcoming federal fiscal year of the TIP.
      - ii. Recommendations from TRC move forward to Management Committee and Regional Council in September
  - **Tier 3** – Increased funding and projects is dependent on unprogrammed, deleted, available funds in the upcoming federal fiscal year. Policy will be set prior to any action related to specific projects.

### Attachment 3 - Approved MAG Programming Guidelines – MAG Closeout

- a. Tier 3 priorities will be determined during the June and July committee process, beginning at TRC. Tier 3 projects are dependent on unprogrammed, deleted, available funds in the upcoming federal fiscal year. Tier 3 priorities can be, but are not limited to the following options:
  - i. Increase in federal funds to projects due to obligate in the upcoming FFY
  - ii. Establish a list of projects to be funded with CMAQ. These projects have to be CMAQ eligible and ready to obligate in the upcoming FFY.
    - i. Design projects, procurement, advance constructed or designed local projects, etc.
    - ii. If there is a new construction project, it has to meet the milestone completion timelines identified in Tier 1 and Tier 2
  - iii. Work with the Arizona Department of Transportation (ADOT) to advance ADOT projects and allow carry forward of MAG CMAQ funds in order to protect project funding and alleviate the need to delete projects.
- b. Once the priority is decided, the projects related to the Tier 3 priorities will be advanced through the committee process in the August and September committee process.
- c. Any related project information related to the Tier 3 priority is due to MAG by August 1 – 10<sup>th</sup> for August TRC, which will be forwarded to Management Committee and Regional Council in September for action.

## 500 Program Management

### 500.1 – Rationale and Basic Characteristics

MAG exercises overall oversight of the program to insure that adequate federal funding is available to member agency projects that are selected in Section 400 and to avoid the loss of federal funding that could be used by member agencies. To accomplish this it is important to recognize that member agencies need to retain control of the development of projects and as a result, policies designed to manage the program focus on encouraging member agencies to make decisions that preserve federal funding for both their own and other agencies uses.

**Comment [ST1]:** The main changes are the requirement that the project be initiated at ADOT, a change to reflect the increased use of Group 1 categorical exclusions as made possible by MAP-21, and a breaking of criteria into project categories.

### 500.2 – Project Progression Requirements

Typically MAG programs projects three to four years in advance of the year they are to authorize. As projects proceed to their authorization year, their project sponsors must establish the readiness of the project to authorize as follows:

1. **Commitment letters.** Twenty-four months prior to the State Mandated Deadline for authorization, member agencies must submit a Commitment Letter for the project (Please see Section 300 for Commitment Letter requirements). If a project is first programmed or added to the program within the twenty-four month period prior to the State Mandated Deadline, a Commitment Letter must be submitted prior to the project being submitted for inclusion to the State Transportation Improvement Program (STIP) as federal regulations require that the first two years of the TIP and STIP be financially constrained.
2. **Project reporting.** Beginning at least twenty-four months prior to the State Mandated Deadline for authorizations, member agencies are to submit project status reports as detailed in Section 300 of these Guidelines.
3. **Construction and right-of-way project milestones.** Prior to entering the current federal year or being added to the current federal year, construction project must have achieved the following milestones:
  - a. **Project initiation.** The project sponsor must initiate the project with ADOT by obtaining ADOT and Federal identification numbers.
  - b. **Draft in-house 60 percent plans.** The project sponsor must have completed draft in-house 60 percent plans.
  - c. **Technical documents for environmental clearance.** The project sponsor must either have submitted technical documents necessary for a Group 2 environmental clearance or have had a determination by ADOT that the project requires only a Group 1 environmental clearance.

**Comment [ST2]:** This is new

**Comment [ST3]:** This is new

**Comment [ST4]:** This is added to reflect MAP-21

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- d. **Right-of-way inventory.** Consistent with federal regulations, the project sponsor must complete an in-house inventory or assessment of right-of-way needs for the project.
- 4. **Procurement project milestones.** Prior to entering the current fiscal year, design and procurement projects must have achieved the following milestones:
  - a. **Project initiation.** The project sponsor must initiate the project with ADOT by obtaining ADOT and Federal identification numbers.
  - b. **In-house specifications and Estimates.** The project sponsor must have completed in-house specifications and estimates of what he is planning to purchases.
  - c. **Studies and design project milestones.** The project sponsor must initiate the project with ADOT by obtaining ADOT and Federal identification numbers.

Comment [ST5]: This is new

Comment [ST6]: This is new

### 500.3 –Project Assessments

Twice a year MAG will assess the readiness of projects to authorize by the State Mandated Deadline and to determine the amount of unused funding available for redistribution. The first assessment will occur in June/July and the second in December/January. Projects assessed as being able to authorize by the deadline will be added to a list called the “**Ready List.**” Projects programmed for the current fiscal year that are assessed as not being able to authorize by the deadline will either be deferred to a later year or be removed from the program.

The assessment of projects will be conducted in two meetings as follows:

1. **First meeting.** At the first meeting, the Transportation Review Committee (TRC) will review all projects programmed for the upcoming fiscal year plus all projects requested for advancement into the upcoming year to determine whether they have a reasonable chance to authorize by the State Mandated Deadline. Those projects that are deemed likely to authorize will be placed on a list – the Ready List – and are eligible for redistribution of unused federal funding. Projects not on the list programmed for the current fiscal year will need either to be deferred to a later year in the TIP or be removed from the TIP.
2. **Second meeting.** At the second meeting, the TRC will hear appeals from agencies with projects that are excluded from the Ready List and as appropriate update the Ready List.
3. **Review and approvals.** Following the second TRC meeting, the action of the TRC will be reviewed, revised and as appropriate approved by the MAG Management Committee and Regional Council.

#### 500.4 – Redistribution of Unused Funding (Closeout)

Comment [ST7]: This section has been rewritten mainly to reflect current practice

The ability to commit federal funding to reimburse eligible costs expires at the end of the federal fiscal year – September 30<sup>th</sup> – and unused federal funding balance may be subject to Congressional rescissions. To avoid the loss of federal funding, MAG will redistribute federal funding when adequate information is available. All projects that receive redistributed federal funding must be able to authorize in the current federal fiscal year.

The steps in this redistribution process are as follows:

1. **Funding estimate.** In October of each year, MAG staff will release an estimate of funding available for redistribution for the current federal fiscal year. Typically this estimate is calculated as the difference between the anticipated sum of federal funding from appropriations, closed out projects and project deferrals and the sum of projects anticipated to authorize. This estimate will be updated if warranted by new information.
2. **Cost estimates for redistribution.** Cost estimates to be used in the redistribution of federal funding to current year and advancing projects must meet the following criteria:
  - a. **TIP cost estimates.** Only costs as reported in the TIP or in pending TIP amendments will be used for the redistribution of federal funding. MAG members may update costs estimates for projects whenever MAG processes changes to the TIP. Member agencies are strongly encouraged to update the TIP for changes in project costs as they occur in the development process and when MAG distributes project workbooks.
  - b. **Engineering cost estimates required.** Up to date engineering cost estimates are required for all projects that are to receive redistributed federal funding. These estimates must be signed by either the agency or ADOT project manager. The costs listed must be sufficient to use the redistributed federal funding.
3. **Advancing projects.** MAG member agencies may at any time request to advance projects to take advantage of the anticipated redistribution of federal funding. At a minimum, projects that are requested to be advanced must meet all requirements for inclusion in the current year as identified in Section 500.2. Actions to approve project advancements will occur at the same time as the decision to redistribute federal funding.
4. **Redistribution meeting.** Early in the calendar year, the Transportation Review Committee will consider priorities for the redistribution of federal funding. As a default, advancing projects will be given first priority, increased funding for currently programmed projects will have second priority and loans to projects or programs will have third priority.
5. **Review and approvals.** Following the redistribution meeting, the action of the TRC will be reviewed, revised and as appropriate approved by the MAG Management Committee and Regional Council.

Comment [ST8]: New

**500.5– Failure to Use Redistributed Funding**

**Comment [ST9]:** This reflects current practice.

Redistributed federal funding must be used in the year it is programmed. If a project receives redistributed federal funding and is deferred to a future year, the redistributed federal funding will be removed from the project. If the deferred project that lost its redistributed federal funding was advanced from a future year, it will return to the year it was advanced from and its deferment will not use up its one time opportunity to defer without justification.