

September 3, 2014

TO: Members of the MAG Street Committee

FROM: Dana Owsiany, P.E., Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Tuesday, September 9, 2014 - 1:00 p.m.
MAG Office, Suite 200, Chaparral 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 September 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 August 12, 2014 Meeting Minutes</u></p>	3. Review and approve the minutes from the August 12, 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>Update of the Strategic Transportation Safety Plan</u></p> <p>MAG is developing a comprehensive update to the 2005 Strategic Transportation Safety Plan (STSP) with oversight by the Transportation</p>	6. For information and discussion.

Safety Committee and the Transportation Safety Stakeholders Group (TSSG). The STSP establishes regional vision, goals, objectives, strategies, countermeasures, and performance measures for transportation safety.

Task 5 and 6 in the development of the new STSP explores the incorporation of safety in the MAG Regional Transportation Plan (RTP) and in Road Infrastructure Projects. A subset activity of these two tasks includes formation of a Working Group, in partnership with members of the MAG Transportation Safety, Transit, and Bike and Pedestrian Committees to explore practices to improve the safety of bicyclists and pedestrians on route to and from transit stops and stations. The resulting list produced by the Working Group includes recommended practices which will affect the TIP programming process.

MAG Staff is seeking support from the technical committees who provide oversight into programming projects in the TIP on practices related to TIP programming. MAG Staff will give a brief presentation of the STSP process and the Working Group recommendations for practices to be promoted into STSP.

7. MAG Federal Fund Programming Guidelines and Procedures Update - Review of Sections on Principals, Project Sponsor Responsibilities and Progress Reporting

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.

As a first step, staff has developed a revised and reorganized version for the following:

- Guiding Principals
- Project Sponsor Responsibilities
- Progress Reporting

7. For information, discussion and possible approval of a practice to encourage submission of TIP projects that include safety elements, for improving safer access for all modes, by including safety as an explicit project evaluation criteria for all TIP projects.

The changes are intended to address issues since the Guidelines were approved, bring the Guidelines into better compliance with Federal regulations and improve the readability of the Guidelines. Please see Attachment 1 for a memo describing the changes, a copy of the current Guidelines sections and a copy of the revised Guideline sections.

8. 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.

9. Member Agency Update

This section of the Agenda will provide Committee members with an opportunity to share information regarding a variety of transportation-related issues within their respective communities.

Included with this agenda item is a notice (Attachment 2) received from ADOT announcing a one day training session on the ADOT Local Governments Manual. The Session is to be held on Wednesday, October 1, 2014 from 8:30 a.m. to 4:30 p.m. at the ADOT Phoenix Construction Office at 1801 West Jefferson Street, Phoenix, AZ 85007.

10. Next Meeting Date

The next regular Street Committee meeting will be scheduled for Tuesday October 14, 2014 at 1:00 p.m. in the MAG Office, Ironwood Room.

Adjournment

8. For information and discussion.

9. For information and discussion.

10. For information.

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
STREET COMMITTEE

Tuesday August 12, 2014 1:00 p.m.
MAG Offices, Suite 300,
302 North First Avenue, Phoenix, Arizona 85003

MEMBERS ATTENDING

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

* Members neither present nor represented by Proxy

Members attending by phone

@Ex-officio member, non voting member

OTHERS PRESENT

Paul O'Brien, ADOT.	David Massey, MAG
Catherine Hollow, Tempe.	Marc Pearsall, MAG
Margaret Boone, MAG	Stephen Tate, MAG
Teri Kennedy, MAG	

1. Call to Order

Chair Woman Dana Owsiany 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, Goodyear, Paradise Valley, Pinal County, Tolleson, Youngtown.

3 Approval of the July 22, 2014 Meeting Minutes

Ms. Maria Deeb noted one correction to the minutes, stating that Mesa has only one Federally funded project on Country Club Road, which is the intersection with Southern Avenue, using HSIP, CMAQ, and RTP funds. Mr. Ben Wilson moved to approve the minutes with the proposed changes. Mr. Tim Oliver seconded the motion. The motion carried unanimously.

4 Call to the Audience

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

5. MAP-21 Changes to Categorical Exclusions

Mr. Paul O'Brien briefed the Committee on the changes to categorical exclusions to the NEPA process. He provided an overview of NEPA and the associated Federal regulations regarding the definition of categorical exclusions and the conditions and limitations on qualifying for a categorical exclusion. He then described the specific changes to the list of categorical exclusions as a result of MAP-21 legislation. He also described the additional types of projects which may be prepared without a full categorical exclusion checklist and situations where a checklist may still be needed.

Mr. Andrews inquired regarding what "minor amounts of right of way" means. Mr. O'Brien stated that ADOT does not have a specific amount defined and that it is currently a judgment call. When the update to the programmatic agreement comes out, it is anticipated that there will be a clearer definition as FHWA is looking for more national consistency than currently exists.

Mr. Garg inquired regarding the definition of "operational right of way." Mr. O'Brien responded that if right of way has been purchased in advance but is currently vacant, it is not considered operational right of way. Mr. Garg then inquired regarding a pathway project. Mr. O'Brien responded that MAP-21 expanded categorical exclusions but did not remove any projects such as pathway projects that qualified for a categorical exclusion before MAP-21 would still qualify for one. He added that the best definition for "operational right of way" can be found in the regulations and that AASHTO released a 20-page document containing guidance on MAP-21.

Mr. Garg then inquired regarding a sidewalk project and whether the city would have to hire a consultant to go through the full checklist process for a categorical exclusion. Mr. O'Brien responded that the Group 1 categorical exclusions only need limited documentation. Due diligence is still necessary, but the full checklist process is not needed so there would be cost savings.

6. MAG Federal Fund Programming Guidelines and Procedures Update

Ms. Teri Kennedy briefed the Committee. She noted that the Program Manager's report had been omitted from the agenda in error and that she will be including some items from her report during this presentation.

Ms. Kennedy noted that the previous working group requested that the chair and vice chair of the Bike/Ped, ITS, and Safety Committees be included in the update process and that they would report back to their respective committees on the process and the resulting updates. She noted that the programming guidelines updates would deal with the FHWA funding specifically allocated to the MAG region, including CMAQ, CMAQ-2.5, STP funding for Pinal County member agencies, Transportation Alternatives (TAP), and HSIP. She provided a summary of these funding programs, current allocation levels and programming, and changes as a result of the expanded MAG boundaries and MAP-21 legislation. She added that the policies for the life cycle programs are not included in this update process.

She provided the recommendations given by the Managers Working Group during the last update process and noted the priorities to be addressed by the Committee as a part of its meetings during this update process. She stated a proposed timeline for completion of the Committee's update process by March 2015. She noted that members should provide comments, updates, and suggestions, and talk through the issues to make the program better and ensure that the region is not losing funding. If the process is completed in time with Regional Council approval in June 2015, a call for projects can be issued in August 2015.

Responding to an inquiry, Ms. Kennedy stated that the presentation is available on the MAG website.

Responding to an inquiry, Ms. Boone stated that the call for projects for Transportation Alternatives infrastructure funding will be in August 2015, and that the call for projects for non-infrastructure Safe Routes to School funding will be in January 2015.

7. Bicycle and Pedestrian Pathway/Railroad Crossing Recommendations

Mr. Marc Pearsall briefed the Committee. He stated that the project was brought forward by City of Chandler staff and that it focused on crossings of Union Pacific railroads by pathways paralleling Salt River Project canals. These crossings are designated as private crossings and have no requirements for signage, gates, or lights for pedestrian safety beyond federally-required stop signs. The project was intended to be transferable to other private railroad crossing situations. He noted that the project focused on the East Valley because no similar private crossings were found on BNSF right of way along Grand Avenue.

He noted that Tempe is currently using the recommendations from this project on a grade crossing on Alameda, and that the Town of Gilbert is working with Union Pacific on the Western Canal grade separation.

He provided an overview of pedestrian railroad crossing safety issues and the existing standards for remedying safety issues at public crossings.

He then provided the project recommendations and an overview of the flowchart and checklist provided by the project showing the process, necessary information, and possible recommended treatments for implementation. He then provided an overview of the possible recommended safety improvements, including signage, pavement markings, channelization, passive and active warning, lighting, and automatic gates.

Mr. Fay asked how many pedestrian accidents there have been. Mr. Pearsall responded that there have been very few accidents but there is concern for the future and that railroad engineers, conductors, and police have noted non-reportable incidents and near misses.

Mr. Oliver inquired why these crossings are considered private crossings when they are located on publicly accessible facilities. Mr. Pearsall responded that the trails are granted on easements by Salt River Project, and since the land is privately owned but with public access granted, they are considered private crossings under current regulation.

8. Request for Future Agenda Items

No agencies requested any future agenda items.

9. Member Agency Update

Ms. Kennedy noted that a call for projects for PM-10 Certified Street Sweepers will have the application released the day after Regional Council, August 28, 2014.

She added that the new ex officio members will be attending Committee meetings as part of the Federal fund guideline update process.

She noted that there are no training opportunities at this time.

She stated that data collection for updating the regionally significant roadway projects information in preparation for the next air quality conformity analysis will be beginning soon and that Mr. Tate will be scheduling meetings with each member agency throughout the coming months. Any updates or modifications should be based on a current or draft CIP for your agency.

She stated that President Obama signed into law a funding extension for the Highway Trust Fund through May 2015 on August 8. She noted that there is not a continuing resolution for the transportation authorization act.

There will be two workshops for street sweeper applications on September 9th and 23rd.

The Principal Arterial System and NHS updates will be going to Regional Council next week. Ms. Kennedy noted that the City of Phoenix had requested two changes to the map approved by the Street Committee which were accepted by TRC. She noted that the classification changes will be submitted to ADOT right after Regional Council acts.

Ms. Maria Deeb stated that MAG, Mesa, and Gilbert met with FHWA about NHS requirements for federally funded and non-federally funded projects. She added that a summary of this meeting has been provided to FHWA to look over and can be provided to other agencies if desired. She requested that ADOT or FHWA provide some training on Quality Assurance requirements. Mr. Garg added that he would like this training as well.

Adjournment

The meeting adjourned at 1:44 p.m.

September 2, 2014

FROM: Stephen Tate

TO: Members of the MAG Street Committee

SUBJECT: MAG Federal Fund Programming Guidelines and Procedures Update - Review of Sections on Principals, Project Sponsor Responsibilities and Progress Reporting

The Managers MAG Federal Fund Working Group has charged the MAG Street Committee with augmented representation from the ITS Committee, the Bicycle and Pedestrian Committee and the Safety Committee with responsibility for revising the MAG Federal Fund Programming Guidelines by the end of February 2015. To accomplish this, MAG staff will divide the Guidelines into sections, revise and update them and present the revised sections for the Committee to review and update as needed. It is anticipated that the revised sections will be presented and reviewed in an initial Committee meeting, and at the following meeting, the revised sections as updated by the Committee will be approved for inclusion in the Guidelines.

The Committee is requested to review the revised Guideline sections. The revised sections are as follows:

- Section 100. Guiding Principals
- Section 200. Project Sponsors Responsibilities
- Section 300. Progress Reporting

Background

The MAG Management Committee formed the Managers MAG Federal Fund Working Group to develop and revise the MAG Federal Fund Programming Guidelines and Procedures. The Guidelines were approved by the Regional Council in October 2011 and govern the MAG programming process for the selection and closeout of projects that are funded with federal funding available to MAG.

Since their approval, the Guidelines have not been updated and a number of changes have occurred that warrant their update, including the following:

- Problems with the readability of the Guidelines,
- The imposition of a State mandated deadline for authorizing projects that differs from that used by the Federal Highway Administration, and

- The creation of several new federal funding sources available to MAG.

The Working Group has requested that the Street Committee with representatives from the ITS Committee, the Bicycle and Pedestrian Committee and the Safety Committee review and revise the Guidelines for the approval of the Working Group. To allow the revised Guidelines to be used in the project selection process, the Guidelines update needs to be completed by end of February, 2015

To update the Guidelines, MAG staff will divide the Guidelines into parts, revise them and distribute them to the Street Committee for review and update. It is anticipated that this will be carried out over a two meeting cycle. In the first meeting the Staff developed revisions will be presented for review and revision by the Committee and in the second meeting, the Committee will approve as appropriate the updated parts of the Guidelines. The cycle will be repeated for each part of the Guidelines until the update is completed.

Revisions to Guiding Principles

The approved and revised versions of the Guidelines for the section titled “100. Guiding Principles,” are included with this memo for the review of the Committee. The revised version includes notes detailing the changes. The major changes are as follows:

- The scope of the Guidelines is expanded to include all Federal funding under MAG control to all recipients (e.g. ADOT) and excludes reporting requirements on Federal funding not under MAG control.
- References to redistributed obligation authority are expanded to indicate that MAG seeks to maximize the use of its obligation authority
- Adds a principle encouraging ADOT and FHWA to maximize the authorization of federal funding up to the programmed amount and to allow the transfer of federal funding, where applicable, between project phases (e.g. from design to construction).
- Add a principle referenced in Section 1000 of the Guidelines to indicate that unused project funding be returned to MAG. This is a long standing practice.

Revisions to Project Sponsor Responsibilities & Typical Timeline

The approved and revised versions of the Guidelines for the section titled “200. Project Sponsor Responsibilities & Typical Timeline” are included with this memo for the review of the Committee. The revised version makes the following major changes:

- Removes references to “typical timelines and schedules.” These will be addressed in separate sections that detail the project selection, closeout and TIP amendment processes.
- Consolidates the responsibilities into a single section.

Consolidation and Revision of Progress Reporting

As written the Guidelines are very difficult to read as they are written as a step by step guide for programming and managing a federally project. To address this issue it is proposed to break the

guidelines into separate sections for project selection, the MAG closeout, TIP changes and progress reporting.

The revised section consolidates reporting from the following:

- 500.1-Step 4: Project Information Update & Commitment
- 500.1-Step 5: Project Development & Status Report
- 1000. Post Obligation Policies

The major changes concerning the Commitment Letter and the Status Report are as follows:

- The ADOT mandated deadline for submission of project information is specifically identified as reporting schedules are keyed to it.
- Project scheduling included in the Commitment Letter has been moved to the Status Report. In the approved Guidelines the scheduling information is duplicated in both the Commitment Letter and the Status Report.
- Provision is made for a City Manager, Community Manager, or County Administrator to designate a signee for the Commitment Letter. There has been some confusion about who at an agency is authorized to sign a Commitment Letter and in larger agencies having a City Manager sign a Commitment Letter may prove difficult.
- Clarification of Commitment Letter requirements for projects with multiple work phases or projects that are reprogrammed. The provisions identified in this section are already in practice.
- Clarification of Status Report requirement for projects that are reprogrammed. The provisions identified in this section are already in practice.

The section on post obligation policies - "1000 Post Obligation Policies" – has been replaced by a report intended to partially meet Federal requirements on reporting on obligated projects and to improve financial information needed for the MAG closeout. The Code of Federal Regulations includes a requirement that an annual report be produced on federally funded projects that obligated in the prior program year. This report is to be published in accord with MPO's (e.g. MAG's) public participation criteria for the TIP and to include at a minimum the following information for each project:

- The party responsible for the project,
- Sufficient information to identify the project,
- The amount of funding programmed in the TIP,
- The funding that was obligated during the previous program year for the project, and
- The remaining funding available for the project.

As this information is to be provided through a cooperative process between the State Highway Agency – ADOT - and the MPO, MAG will prepare the report based on ADOT information and only request that member agencies review and update the information as needed.

The previous report focused on inactive projects per criteria used by the Federal Highway Administration. As this report is not a requirement of MAG, MAG will address the issue by facilitating

ADOT efforts to contact member agencies with projects that are deemed to inactive and encourage the agencies to address the issue with ADOT.

100. Guiding Principles

1. The MAG Federal Fund Programming Principles for the Region shall comply with federal laws. The Principles will be reviewed and updated for compliance as new state, and federal laws are adopted.
2. The MAG Federal Fund Programming Principles will incorporate policy direction, as appropriate from Regional Council approved MAG Transportation Plans.
3. The MAG Federal Fund Programming Principles and changes to the Principles will be approved through the MAG Committee Process including the Transportation Review Committee, the Management Committee, the Transportation Policy Committee, and the Regional Council. Please see Appendix A for the MAG Committee Structure chart.
4. The MAG Federal Fund Programming Principles are applicable to Congestion Mitigation Air Quality (CMAQ) funded projects that are competitively selected and programmed through the MAG process. These projects compose part of the MAG Federal Fund Program.
5. The sliding scale for federal funding in Arizona sets the maximum share for federal highway funding at 94.3 percent of the total programmed cost of the project. Notwithstanding the current continuing resolution for the surface transportation act, all CMAQ funded projects programmed for FY 2015 or later will be programmed at a 94.3 percent federal match, with a local contribution of 5.7 percent. ITS, Bike and Pedestrian projects programmed in 2012-2014, were programmed at a 70% federal and a 30% local match, while paving projects programmed 2012-2014 were programmed at 94.3% federal and a 5.7% local match. Due to a shift in the economy, all projects programmed beginning in 2015 with CMAQ funds will be programmed at the maximum federal match level of 94.3% federal with a 5.7% local contribution as the costs are explained in the application.
6. The MAG Federal Fund Status Report will report on projects funded with Surface Transportation Program (STP), transportation enhancement funds (STP-TEA), CMAQ, Highway Safety Improvement Program (HSIP), and Safe Routes to School, however, the Federal Fund Programming Principles are only applicable to CMAQ funded projects.
7. Federal Obligation Authority (OA) is the total amount of federal funds that may be obligated in a given fiscal year. It expires at the end of each federal fiscal year. MAG attempts to utilize all OA, made available to the region to avoid the loss of federal funding and to ensure the competitiveness of the region in obtaining federal funding from statewide sources.
8. The development of federal funded projects will be monitored and reported on to ensure that OA is fully used, to increase prospects of receiving a share of redistributed obligation authority received by Arizona, to improve the timely completion of federal projects, and to provide feedback to MAG member agencies on implementation and the programming process.

Attachment 1 – Approved Guidelines

Recipients of federal funding will be expected to provide MAG with updated project scope, schedule and budget documents twice a year. The Project Status Reports serve as the basis for programming decisions concerning the project, including obligation, deferment, advancement, deletion, and de-obligation.

9. A commitment will be made to use CMAQ funds at the same rate as Surface Transportation Program (STP) funds. STP funds will not be obligated at a higher rate than CMAQ funds, which means the obligation authority percentage for CMAQ funds will be approximately the rate for STP funds.
10. *The Transportation Programming Guidebook (Guidebook)* will be published annually, prior to the start of the application process. The *Guidebook* will describe and provide the programming schedule and deadlines for the MAG Federal Fund Program, application forms, federal fund estimates, programming process information per modal type, and contact information.
11. In accordance with the Clean Air Act, projects that are committed measures in the MAG air quality plans are legally binding for implementation. Examples include: Paving Unpaved Road Projects, PM-10 Certified Street Sweepers, and Paving Unpaved Road Shoulders. In addition, these types of projects are essential for demonstrating air quality conformity for the Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP).

200. Project Sponsor Responsibilities & Typical Timeline

Please review Table 1 and Table 2 for Typical Timelines for construction and non-construction/procurement projects.

200.1: Project Sponsor Responsibilities

1. The project sponsor is responsible for all aspects of the federal project development process including:
 - a. the MAG Competitive application process,
 - b. Engineering and design of the project to the federal standards, and completion of federal required clearances. This review process is administered by the Arizona Department of Transportation (ADOT) or a certification acceptance (CA) agency,
 - c. If federal funding is not programmed for design, engineering, and clearance work, the project sponsor is responsible for the costs.
 - d. The required local match and additional funds that are needed to complete the project, including any project cost increases. The amount of MAG federal funds available for a project is the programmed amount listed in an approved TIP.
2. A typical timeline for federal projects, from the application process to federal obligation/authorization, is outlined below. This generally takes 5 years. Please note this does not include construction or procurement which occurs after federal obligation/authorization.
 - **Please see Table 1 and Table 2 for typical timelines for federal projects. There are two tables, one for construction projects, and one for non-construction/procurement projects.**

Attachment 1 – Approved Guidelines

- a. **Step 1: Project Application Process** - 5 months
 - b. **Step 2: TIP Approval Process** - 6 months
 - c. **Step 3: Local Project Commitment Period** - 11 months for construction projects, and 23 months for non-construction/procurement projects
 - d. **Step 4: Project Information Update & Commitment** - 6 months
 - e. **Step 5: Federal Project Development Process** - 31 months for construction projects, and 13 months for non-construction/procurement projects. Upon completion, the project can be authorized by the Federal Highway Administration (FHWA).
3. Normally, MAG opens the competitive application process four years prior to the year that funds are available.
 - a. If the competitive application process is following an abnormal schedule, ex: the competitive application process is open two or three years prior to available funds, Step 3: Local Project Commitment Period is reduced in order to allow enough time for Federal Development Process.
 4. The project and local funds for the work phases of the project must be documented in an approved local Capital Improvement Program (CIP)/budget document.
 - a. Once MAG Regional Council approves a construction project to be included in the MAG TIP, the sponsor agency normally has 11-17 months prior to project kick off to secure local funding for the project and have it included in an approved local Capital Improvement Program (CIP)/budget document.
 - b. Once MAG Regional Council approves a procurement/non-construction project to be included in the MAG TIP, the sponsor agency normally has 30 months prior to project kick off to secure local funding for the project and have it included in an approved local Capital Improvement Program (CIP)/budget document.
 5. Once project kick off has occurred, the project sponsor must show continuous progress towards obligation and completion of the project. Failure to work continuously on project development will result in deferral or deletion of the project.
 6. During the project development, the project sponsor is responsible to submit to MAG twice a year, the status of the project development milestones, requests for projects changes, and any major technical conflicts.

500.1 – Step 4: Project Information Update & Commitment

1. In July of each year, six months prior to project kick off, MAG will send the Sponsor Agency notification of the due date for obligation, and by December, the project sponsor must provide MAG with the following information:
 - a. An updated project development schedule as found in Appendix D.
 - b. An updated scope for the project compatible with the programming of the project.
 - c. An updated project budget for the project including any costs not listed in the TIP such as design and right-of-way costs borne by the agency.
 - d. A commitment letter signed by the Manager/Designated Representative that local funds, staff time, and resources are committed to develop, obligate, implement, and complete the project as noted in the project development schedule.
 - e. A copy of an approved local Capital Improvement Program (CIP)/budget document that documents the project work phases and local funds committed to complete the project.
2. This information will be presented in the December – January Status Report.
3. The project will be deleted from the TIP if the project sponsor does not commit to the project and submit the required information for Step 4.
 - a. Funds from deleted projects will go back to the region to be reprogrammed.

500.2 - Project Development Schedule & Status Report

1. The project development schedule is the basis of the project tracking system and the dynamic TIP process. Please see Appendix D for the project development milestone schedule.
2. ADOT has set a deadline for both certified accepted (CA) agencies and local governments to submit authorization/obligation requests by July 30th of the year they are programmed in the MAG TIP. This Dynamic TIP Process is based on meeting the July 30th obligation deadline of each year.
3. The project development schedule will be:
 - a. Initially developed in the project application;
 - b. Revised and committed to during Step 3-4, which happens prior to project kick-off, (30 months prior to scheduled obligation for construction projects or 18 months prior to scheduled obligation for non-construction projects); and
 - c. Reported on every six months during project development to obligation.
4. Every December - January and May – July, a status report based on the project development milestone schedule will be submitted through the MAG Committee Process for review and action. This report will serve as the basis for necessary actions for the dynamic TIP programming process related to moving, adding, or deleting projects in Tier 1, Tier 2 and Tier 3.
 - a. Due dates for project sponsor to provide project status information are December 1st and May 1st of each year.
 - b. Each year, MAG will provide a schedule when information is due, which will be published in the MAG Transportation Programming Report.
 - c. Please see Appendix E for a general schedule of due dates and process related to the dynamic TIP Process.
5. The December – January status report will focus on projects in 3rd year meeting Step 4: Information Update & Project Commitment and tracking progress on project development.

Attachment 1 – Approved Guidelines

6. The May – July status report will focus on projects to be programmed in the upcoming fiscal year, and progress on project development.

1000. Post Obligation Policies

1. All local sponsored federally funded projects that have obligated (e.g. received FHWA authorization) need to show financial activity within 6 months of obligation and on a routine basis until the completion of the project. If for a 12 month consecutive period, an obligated project has not show financial actively, it may in some cases be deemed by FHWA as inactive and may be subject to deobligation by the Federal Highway Administration.
2. Once a project is obligated, member agencies must provide the following information to MAG in September, February and May for inclusion in the MAG project development status report:
 - a. Date of Obligation from FHWA
 - b. Date of anticipated/Actual bid of the project
 - c. Date of anticipated/Actual award of the contract for the project
 - d. Amount billed to ADOT for reimbursement to the date of the report
 - e. Date of anticipated/actual close-out/final voucher of the project through FHWA/ADOT
3. If on three consecutive status reports, no financial activity is shown, the sponsoring agency will submit a written explanation of why no financial activity has occurred on the project and may be required to provide a presentation to the TRC on the issue.
4. If a federal fund project does not use the full amount of its programmed and obligated federal funds, the remaining balance of unused federal funds, will be returned to the region to be reprogrammed if the obligation authority is still available.
 - a. The member agency shall notify MAG of the amount of unused federal funds once construction and invoicing is completed with ADOT.
 - b. MAG will also verify, and report on any funds returned to the region as reported by the ADOT federal fund ledgers.

Attachment 1 – Approved Guidelines

100. Guiding Principles

1. The MAG Federal Fund Programming Principles for the Region shall comply with federal laws. The Principles will be reviewed and updated for compliance as new state, and federal laws are adopted.
2. The MAG Federal Fund Programming Principles will incorporate policy direction, as appropriate from Regional Council approved MAG Transportation Plans.
3. The MAG Federal Fund Programming Principles and changes to the Principles will be approved through the MAG Committee Process including the Transportation Review Committee, the Management Committee, the Transportation Policy Committee, and the Regional Council. Please see Appendix A for the MAG Committee Structure chart.
4. Except where excluded, the MAG Federal Fund Programming Principles are applicable regardless of project sponsor to all projects programmed with Federal funds that are accounted for in the MAG Ledger maintained by Arizona Department of Transportation (ADOT). These projects compose the MAG Federal Fund Program.
5. The following are excluded from the MAG Federal Fund Program and are not covered by the MAG Federal Fund Programming Principals:
 - Transit projects funded with flex funding – Congestion Mitigation Air Quality (CMAQ) and Surface Transportation Program (STP) funding
 - Freeway Grant Anticipation Note payments funded with urbanized area sub allocated STP
 - Arterial Life-Cycle Program projects funded with urbanized area sub allocated STP
 - Projects funded through the MAG Unified Planning Work Program
6. When first selected through the competitive programming process, all projects in the MAG Federal Fund Program will be programmed at the maximum Federal share of the total project cost eligible for federal reimbursement.
7. It is MAG policy to obligate CMAQ and sub allocated urbanized area STP at the same rate to avoid building fund balances that may be subjected to Congressional rescissions.
8. To avoid the loss of Federal Obligation Authority and thereby the ability to fully use Federal funding and minimize funding losses from Congressional rescissions, it is MAG policy to fully use the total amount of annual Obligation Authority allocated to MAG prior to its expiration or State mandated date for project approval.
9. To avoid the waste federal funding, MAG encourages the Federal Highway Administration and ADOT to authorize projects or project phases at the maximum federal share up to the programmed amount and to allow the transfer of unused authorized federal funding between project phases (e.g. transfer unused federal funding from a design phase to construction phase).

Comment [ST1]: These are modified to generalize scope of the Principals to include MAP-21 additions and new sources that may be created in the future. They also extend the principals to ADOT sponsored CMAQ projects.

Comment [ST2]: Reduces the detail provided in Principal 5 in the current Principals

Comment [ST3]: Moved and shortened Principal 9

Comment [ST4]: Replaces reference to redistributed OA and expands the principle to include the full use of OA.

Comment [ST5]: Added to address recent issues concerning authorizing and transferring funding between project phases

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10. The MAG Federal Fund Status Report will closely monitor the development of projects in the MAG Federal Fund Program to ensure that Obligation Authority to guide decisions on project obligation, de-obligation, deletion, deferment and advance.
11. Sponsors of projects (including ADOT) in the MAG Federal Fund Program are required to report twice a year on the project scope, budget and schedule of projects.
12. *The Transportation Programming Guidebook (Guidebook)* will be published annually, prior to the start of the application process. The *Guidebook* will describe and provide the programming schedule and deadlines for the MAG Federal Fund Program, application forms, federal fund estimates, programming process information per modal type, and contact information.
13. In accordance with the Clean Air Act, projects that are committed measures in the MAG air quality plans are legally binding for implementation. Examples include: Paving Unpaved Road Projects, PM-10 Certified Street Sweepers, and Paving Unpaved Road Shoulders. In addition, these types of projects are essential for demonstrating air quality conformity for the Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP).
14. If a federal fund project does not use the full amount of its programmed and obligated federal funds, the remaining balance of unused federal funds, will be returned to the region to be reprogrammed.

Comment [ST6]: Eliminates the requirement to report on ADOT funds provided to member agencies outside the ADOT Ledger and divides Principal 8 in the current Guidelines into two principals.

Comment [ST7]: New. Formerly included in the post obligation section of the Guidelines and makes explicit long standing policy and practice

Comment [ST8]: Removes references to timelines and schedules. These will be addressed in other parts of the Guidelines

200. Project Sponsor Responsibilities

The term “project sponsor” refers to the agency responsible for developing a project for Federal funding as identified in the Transportation Improvement Program (TIP) listing of the project or if the project is not listed in the TIP, agency identified in the project application for federal funding through MAG.

Comment [ST9]: Defines project sponsor

The project sponsor is responsible for the following:

Comment [ST10]: Summarizes the requirements as defined in 200.1 in the approved guidelines.

1. All project costs not covered by federal funding as identified in the TIP, including the local match, review fees, cost increases and any work phases necessary to complete the project that are not identified in the TIP or are not listed as having federal funding.
2. Developing the project application and providing the applicable MAG review committees with accurate and timely information on the project and where requested by MAG, updating the project application to reflect changes to the TIP.
3. Initiating contact with ADOT to start the development process, exercising project oversight, participating in project meeting and reviews and where applicable, exercising full responsibility for completing the development process including preliminary engineering, acquisition of rights-of-way acquisition, construction or any other activity necessary to complete the project under applicable State and Federal law.

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4. Providing reports and letters to MAG as detailed in Section 300

300. Progress Reporting

300.1. Scope and Purpose

1. **Scope.** A Commitment Letter and Status Report is required for each MAG Federal Fund Program project work phase (e.g. design, right-of-way, construction, procurement, etc.) identified in the TIP that is federally funded and is programmed for work twenty-four months from the State Mandated Deadline.
2. **Purpose.** The Commitment Letter and Status Report is intended to meet the following needs:
 - a. Verification that the sponsoring agency has committed sufficient staff and other resources necessary to complete the project as programmed and that it has budgeted adequate funding to cover the local funding share of the project.
 - b. Demonstration of continuous effort by the project sponsor to complete the project as programmed. Demonstration of continuous effort is a requirement for a second or later deferral.
 - c. Verification that the project or project work phase will meet the State Mandated Deadline. This verification is necessary for the project to continue in the TIP in the year it is programmed for authorization and for the project to receive funding in the MAG Closeout.
 - d. Providing financial information necessary for MAG to implement the MAG Closeout and reprogram MAG Federal Fund Projects. The funding amounts used will be based on information provided by the Status Report and the Transportation Improvement Program.

300.2. State Mandated Deadline

The critical deadline for the project development process is **June 30th of the year project is programmed** in the TIP as the State has mandated that all paperwork necessary to obtain federal authorization to proceed with work that is reimbursable with federal funding must be completed by that date. Failure to meet this deadline will result in loss of funding for the project and for the Region.

Comment [ST11]: This is new and included as report scheduling and development is keyed to this deadline

300.3. Notice Letter

Six months prior to the date the Commitment Letter and the first Status Report is due to MAG, MAG will provide the project sponsor with a notice containing the following information:

1. The date the Commitment Letter and Status Report is (See Section 300.2) due

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2. A listing of Commitment Letter requirements, and
3. The date that the project must complete the design and review process – the State Mandated Deadline.
4. A spreadsheet template or form necessary to complete a Status Report (See Section 300.4) for each federally funded work phase in the project.

Comment [ST12]: Please note this gives the sponsor 6 months to complete the first Status Report

300.4. Commitment Letter

Project sponsors are required to provide MAG with a letter and documentation of financial commitment twenty-four months prior to the State Mandated Deadline.

1. **Commitment Letter requirements.** The Commitment Letter is required to include all of the following:
 - a. The letter is to appear on the sponsoring agency’s letter head.
 - b. The letter is to be signed by the sponsoring agency representative on the MAG Management Committee or a designated representative as identified in Bullet 5 of this section. If the agency does not have a representative on the Management Committee, the letter is to be signed by the highest ranking nonelected official from the agency responsible or his designated representative as defined in Bullet 5 of this section.
 - c. The letter is to include the TIP number of the project,
 - d. The letter is to affirm that the sponsoring agency:
 - i. is aware of the State Mandated Deadline, and
 - ii. has allocated sufficient staff resources to comply with the State Mandated Deadline.
 - e. Includes a copy of an approved local Capital Improvement Program (CIP)/budget document that identifies the project and budgets agency funds to complete the project.
2. **Designation of alternative signee.** The sponsoring agency representative on the Management Committee may designate an alternative signee for the Commitment Letter by providing MAG a letter on the Agency’s letterhead identifying the alternative signee of the Commitment Letter. The designation letter will be in force as long as the sponsoring agency representative is a member of the MAG Management Committee or a replacement designation letter is received.
3. **Inclusion of multiple projects in a single letter.** Project sponsors may include multiple projects in a single letter provided that the requirements as identified in bullets 2c, 2d and 2e are met for each project.
4. **Inclusion of multiple work phases in a single letter.** Project sponsors may include multiple work phases (e.g. design, right-of-way, construction) for a project in a single letter provided that the work phases are contiguous and the requirements as identified in bullets 2c, 2d and 2e are met for each work phase.

Comment [ST13]: This section has been revised to move the project schedule to the project report

Comment [ST14]: This is new and is intended to address some of the concerns of larger cities

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5. **Reprogramming.** If after the Commitment Letter has been received and the project is either deferred, advanced, split into multiple work phases or combined into one or more work phases in the TIP, MAG may require the project sponsor to resubmit an updated Commitment Letter.
6. **Advancing and adding new projects in the commitment period.** If a new MAG Federal Fund project is added to the TIP for completion within twenty-four months period prior to the State Mandated Deadline or a MAG Federal Fund projects is advanced for completion within twenty-four months period prior to the State Mandated Deadline, MAG may require the project sponsor to submit a Commitment Letter
7. **Failure to provide or update a Commitment Letter.** If a Commitment Letter is not received by the due date or an updated letter is not provided when requested by MAG under bullets 8 and 9, MAG is authorized to delete the project from the TIP.

Comment [ST15]: This is new, but documents current practice

300.5. Status Report

To provide MAG with information necessary to manage the MAG Closeout Process, to revise the programming of MAG Federal Fund Program projects and to aid in full filling various federal reporting requirements, a Status Report is required periodically until projects are completed.

1. **Reporting schedule.** Beginning with the date in the MAG Notice, Status Reports will be provided every six months until the project work phase is authorized or the project work phase is deleted from the TIP.
2. **Report contents.** The Status Report will be designed by MAG and include at a minimum will include a schedule for tracking key milestones in the ADOT administered design review and clearance process.
3. **Reprogramming applications.** A project sponsor is required to provide a Status Report prior to the approval of the addition, advancement or deferral of a project or project work phase out of the twenty-four month period prior to the State Mandated Deadline.
4. **Failure to provide or update a Status Report.** If a completed Status Report is not received by the due date, MAG is authorized to delete the project from the TIP.

Comment [ST16]: This is new, but documents current practice

300.6. Annual Listing of Obligated Projects

1. **Purpose.** This section is intended to comply with Federal regulations for reporting on federally funded projects that authorized in the prior program year. These regulations were put into place in 2007 and require that an annual listing of federally funded projects that either authorized in the prior program year or for which authorizations were revised in the prior program year be produced by a Metropolitan Planning Organization (e.g. MAG) within 90 days after the end of the program year and in accord with the MPO's public involvement process.

Comment [ST17]: This section replaces section 1000 with a report intended to comply with federal requirements and improve the accuracy of financial reporting.

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2. **Report Scope.** The Annual Listing of Obligated projects will apply to all MAG Federal Fund projects.
3. **Report schedule.** In October of each MAG will distribute a listing of projects to sponsoring agencies to review and update. The sponsoring agencies will provide as appropriate updates and corrections as needed within two weeks of the distribution of the report. The report will be released to the public in November.
4. **Report Update and content.** The project sponsors will update the listing to provide the following information for each project:
 - a. Project Federal identification number
 - b. TRACS number
 - c. TIP identification number
 - d. TIP location description
 - e. TIP work description
 - f. The type of federal funding (e.g. CMAQ, HSIP, etc.) authorized
 - g. The amount of federal funding authorized
 - h. The amount of federal funding remaining for the project

Comment [ST18]: This is minimum information identified in the Code of Federal Regulations for the project

Dear Professionals:

Do you work with local public agencies that use federal dollars for transportation projects? Are you preparing to assist with the development/delivery of a federal-aid transportation project or just want to know more about the process? Are you aware of the recently released *Local Public Agency Projects Manual*? If you answered yes to any of the questions - we have a solution, just for you. Please plan to attend the one day Local Public Agency Projects Manual training held from 8:30AM to 4:30PM on October 1, 2014.

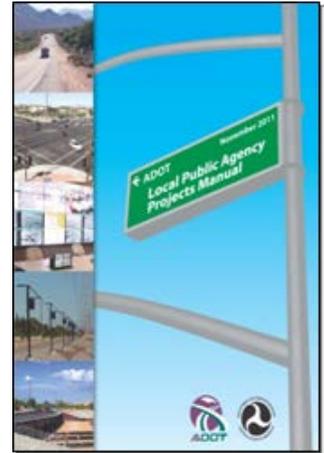
The *Local Public Agency Projects Manual* is released and accessible on the ADOT web site.

www.azdot.gov/business/programs-and-partnerships/LocalPublicAgency

So far well over 400 people have attended the multiple training venues.

The training will:

- assist you with foundational level information.
- provide handouts for on-going use.
- be interactive and allow opportunity for questions.
- be free of charge at this time.



The details for the October 1, 2014, training:

DATE	LOCATION	MAP
Wednesday, October 1, 2014 8:30AM to 4:30PM	ADOT Phoenix Construction Office – Turquoise Room *see parking note	PHX Construction District Offices 1801 W Jefferson St Phoenix, AZ 85007 Show on Google Maps

Seating is available but limited.

To reserve a seat: Email Mary Navarrette at mnavarrette@azdot.gov with the name, agency and contact information for each attendee.

*Parking is available on the south side of the building in the lot across Madison Street.

This notification may be forwarded. Should you have staff that is interested, they can contact me for more information.

Thank you,
Mary

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