

December 3, 2014

TO: Members of the MAG Street Committee

FROM: Maria Angelica Deeb, Mesa, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

**Tuesday, December 9, 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

COMMITTEE ACTION REQUESTED

1. Call to Order

For the December meeting, the quorum requirement is 13 committee members.

2. Introductions and Attendance

An opportunity for new members to introduce themselves and record member attendance at the meeting will be provided.

3. Approval of the November 12, 2014 Meeting Minutes

4. Call to the Audience

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.

5. Transportation Programming Manager's Report

The MAG Transportation Programming Manager will review recent transportation planning activities and upcoming agenda items for MAG Committees and other related regional transportation activities.

6. Inactive Federal-Aid Projects Update

At the November meeting, inactive projects were on the agenda but not discussed and subsequent to that meeting a listing was distributed to member agencies. At the

2. For information.

3. Review and approve the minutes from the November 12, 2014 meeting.

4. For information.

5. For information and discussion.

6. For information and discussion.

December meeting, an update will be provided by ADOT staff.

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 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. 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 October meeting, draft project selection policies were provided to the Committee for review and discussion. Based discussion at the October and November meetings and comments received from the Committee since these meetings, the draft project selection policies have been changed. Please see Attachment 1 and Attachment 2.

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

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

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

- 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 for the current closeout guidelines and attachment 4 for revised closeout guidelines. Attachment 4 includes revisions based on member comments received since the November meeting.

9. HPMS Data Collection for Calendar Year 2014

At the meeting, a presentation on HPMS data collection requirements will be provided.

10. Informational and Training Opportunities

(a) ADA Resurfacing Guidance Clarification:

MAG has received information clarifying ADA requirements when roadway are resurfaced. A copy of the clarification is attached (See attachment 5).

(b) Applying (or misapplying!) CMFs: The ins and outs of estimating crash reductions:

On December 11, 2014, the FHWA will conduct a webinar from 12:00 to 1:30 p.m. MST on applying crash modification factors (CMFs) from the FHWA clearing house. Please see attachment 6 for a notice of the webinar.

8. For information, discussion and approval of revised project reviews, milestones and closeout policies in the draft MAG Federal Fund Programming Guidelines.

9. For information and discussion.

10. For formation.

11. Street Committee Meeting Schedule for Calendar Year 2015

At the meeting a schedule for Street Committee meetings will be reviewed for the approval of the Committee. Please see attachment 7.

12. 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.

13. 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.

14. Next Meeting Date

The next regular Street Committee meeting will be scheduled for Tuesday, January 13, 2015 at 1:00 p.m. in the MAG Offices, Ironwood Room.

Adjournment

11. For information, discussion and approval of a Street Committee meeting schedule for Calendar Year 2015.

12. For information and discussion.

13. For information and discussion.

14. For information.

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
STREET COMMITTEE

Wednesday November 12, 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                                |
| Chris Hauser, El Mirage, Vice Chair                          | Laurie Santana for Jack M. Lorbeer,<br>Maricopa County      |
| Susan Anderson, ADOT   | * James Shano, Paradise Valley                              |
| # Emile Schmid, Apache Junction                              | Chris Turner-Noteware for Phoenix                           |
| # Charles Andrews, Avondale                                  | # Scott Bender, Pinal County                                |
| * Jose Heredia, Buckeye                                      | Ben Wilson, Peoria  |
| Dan Cook, Chandler   | # Janet Martin, Queen Creek                                 |
| @Aryan Lirange, FHWA   | Jennifer Jack, Salt River Pima-Maricopa<br>Indian Community |
| * Wayne Costa, Florence                                      | * Phil Kercher, Scottsdale                                  |
| Sasha Pachito for Tim Oliver, Gila River<br>Indian Community | Dana Owsiany, Surprise                                      |
| Greg Smith for Tom Condit, Gilbert                           | * Isaac Chivera, Tempe                                      |
| Purab Adabala for Bob Darr, Glendale                         | * Jason Earp, Tolleson                                      |
| Cato Esquivel for Hugh Bigalk, Goodyear                      | # Grant Anderson, Youngtown                                 |
| David Gue, Litchfield Park                                   |   |
| @Catherine Hollow, Tempe (Chair, ITS<br>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 |
| Kristin Myers, Gilbert         | David Massey, MAG |
| Jenny Grote, Phoenix           | Brian Rubin, MAG  |
| John Bullen, MAG               | Stephen Tate, MAG |
| Monique de los Rios-Urban, 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: Buckeye, Florence, Paradise Valley, Scottsdale, Tempe, Tolleson.

3 Approval of the October 14, 2014 Meeting Minutes

Mr. Purab Adabala moved to approve the minutes. Ms. Chris Turner-Noteware 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.

Ms. Kennedy provided a report on projects and funding. She noted that we are still operating under a continuing resolution through December 11th and there has been no changes or Congressional action.

She noted that TIP changes will be taken to TRC in December for Regional Council approval in January and requested agencies provide any needed TIP changes. She requested project workbooks be returned as soon as possible so that MAG staff can determine whether or not project closeout will be held.

She noted that there will be a call for projects for Transportation Alternatives Non-Infrastructure projects in January 2015, and that there will be a call for projects for Pinal County STP funding as soon as the policies and procedures are approved.

The ALCP working group will be meeting on Tuesday, November 18 from 10:30 AM to 12 Noon in the Cottonwood room.

ADOT is holding a bicycle facility design workshop at the MAG office on Wednesday, November 19 from 9:30 AM to 11:30 AM in the Cholla room.

The Avondale/Goodyear UZA transit funding working group will be programming funding for the remaining TIP years. The next working group meeting is Tuesday, December 9th at 9:30 AM in the Cottonwood room.

The Air Quality Technical Advisory Committee has evaluated the PM-10 Street Sweeper projects. The applications for both Phoenix sweepers, Peoria, Goodyear, and Surprise 1 and 2 are fully funded. Surprise 3 is partially funded. This will be moving through the committee process for approval with expected Regional Council action in January. If closeout funding is available, unfunded street sweepers may be considered for funding.

The FHWA Arizona office has approved the functional classification changes on November 4th. The requested changes to the National Highway System have not been approved yet.

6. Inactive Federal-Aid Projects

Chair Deeb noted that Mr. Eric Boyles from ADOT was not available to present at the meeting and that this item would be deferred to the next meeting of the Committee.

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

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 project selection guidelines presented at the previous meeting and updates to the changes since the previous meeting. He noted that additional text was added in response to comments received at the previous meeting regarding the vagueness of policies about safety being considered during project selection.

Mr. Dan Cook inquired regarding the safety criteria and their development by technical committees. Mr. Tate responded that "technical committees" refers to the modal committees, including the Street Committee. The Street Committee would develop criteria for selection of street projects in cooperation with the Safety Committee. Mr. Cook suggested listing the actual committee names in the policies.

Mr. Charles Andrews inquired which committees are referred to by "technical committees." Mr. Tate responded that they are the Street, Bike/Ped, ITS, and Safety Committees and that each committee will be responsible for creating safety criteria for the projects that they select. Projects will be selected by the modal committees based on criteria that they selected and then sent to the Transportation Review Committee for review and approval. The Street Committee would only be making safety determinations for street projects. Ms. Kennedy noted that the Safety Committee is responsible for the overall safety plan with goals and objectives for each mode. The Safety Committee may make recommendations for how to correct safety issues, and the modal committees are responsible for choosing which recommendations to follow as part of the project selection process. Mr. Cook stated that he thought that the text implied that the Safety Committee would be making decisions for criteria whereas the modal committees will be making the final project selection decisions incorporating safety criteria based on the goals and objectives developed by the Safety Committee.

Chair Deeb stated that the specific criteria will be developed by the technical committees based on overall goals provided by the Safety Committee. She noted that the criteria for project selection will have to be in place prior to the next call for projects. Ms. Kennedy added that calls for projects are based on the most up-to-date information at the time. Changes can occur during open calls for projects in the case of new guidance from the Federal Highway Administration. New guidance regarding safety has been received and ADOT is addressing the state safety plan as a result of this guidance. The available guidance and resulting plan updates should be available in time for the planned call for projects in August 2015.

Mr. Cook inquired whether MAG staff could send out new proposed changes to the guidelines based on the current discussion for review and action at the next Street Committee meeting. Mr. Tate responded that he would make the changes and send them to Committee members for review and anticipated action.

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

Mr. Stephen Tate briefed the Committee. He provided an overview of changes to program management, project readiness requirements, and redistribution of funding through the closeout process.

Chair Deeb stated that the 24 month period seems a little excessive for projects that are only procurement or studies. Ms. Kennedy stated that the first two years of the TIP must be financially constrained and that the project commitment letter states that local agencies have the funding and resources to match the Federal funding programmed for the project. She noted that the project commitment letters are how fiscal constraint is demonstrated and that it is important to have a commitment letter 24 months in advance of project authorization to ensure the TIP is fiscally constrained. She added that this practice has been accepted by ADOT and FHWA.

Chair Deeb responded that the 24 month requirement still seems excessive. Ms. Kennedy noted that many procurement and safety projects have not been meeting the 24 month deadline due to delays in receiving eligibility determinations from ADOT and FHWA. She added that calls for projects being done to program 3 years of funding gives agencies a year to submit commitment letters for the next round of funding. Mr. Cook asked regarding project advancements. Ms. Kennedy responded that if a project is advanced a commitment letter is still needed as soon as possible to document the agency's ability to use the money.

Chair Deeb stated that one of the milestones was a determination by ADOT of a Group I categorical exclusion for the environmental process in lieu of submitting technical documents and that she was concerned about being held to a milestone that local agencies have no control over. Mr. Tate noted that the guidelines had stated that submitting draft technical documents for a Group II categorical exclusion had been a milestone which does not apply to Group I categorical exclusions and that MAP-21 expanded the use of Group I categorical exclusions. For projects which fall under a Group I categorical exclusion, all that would be required is an e-mail from ADOT stating that the project qualifies for a Group I categorical exclusion. Mr. Cook noted that for closeout redistribution of funding, a project should have its Group I categorical exclusion already determined. Mr. Tate requested comments for improved language. Ms. Kennedy stated that written comments may be submitted to Mr. Tate for next month's review and approval.

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

Ms. Teri Kennedy and Mr. John Bullen briefed the Committee.

Ms. Kennedy provided an overview of the Regional Transportation Plan, Proposition 400 funding allocations, and changes to Federal funding coming to the region as a result of the MAP-21 legislation and the expanded planning area boundaries including a larger portion

of Pinal County. She noted that regional sales tax money may only be used in Maricopa County. With the expanded boundaries and new Pinal County members, ADOT calculated a new suballocation of STP funding to the MAG planning area including additional funding to be used to fund projects in the Pinal County portion of the MAG planning area. She noted that these funding allocations and proposed guidelines were created after four meetings of a managers' working group including representatives from Pinal County, Queen Creek, Apache Junction, Gila River Indian Community, City of Maricopa, and Florence. She noted that the Pinal County portion of the STP funding had been loaned to the Arterial Life Cycle Program and will be paid back once project evaluation criteria have been approved and a funding program has been established.

Mr. Bullen provided an overview of the development of guidelines. He noted that the development of the program involved creating an entirely new process as all of the STP funding for the MAG region had been dedicated to the ALCP projects determined in 2004 prior to the expansion of the MAG planning area boundaries. He then provided a summary of the proposed funding guidelines and the evaluation and approval process. He noted that projects will be programmed for fiscal years 2017 through 2020 during the first call for projects.

Mr. Bullen then provided an overview of the goals and objectives of the program and then the evaluative measures chosen by the working group. Mr. Bullen requested technical feedback from the Street Committee regarding challenges and issues that may not have been addressed at a management level. Mr. Bullen noted that a challenge with this program is that it may fund a variety of projects which will be evaluated together and that the working group attempted to create goals and objectives that reflect the broader nature of the program.

Mr. Cook inquired regarding the criteria for injuries and crashes. Mr. Bullen responded that the criteria are simply asking for the number of crashes and injures that have occurred and it is not predictive. Mr. Cook noted that the Highway Safety Improvement Program provides estimated safety improvements based on type of improvement and that the existing proposed criteria would give a high ranking to projects which may not improve safety, such as a mill and overlay, just because there may be a high crash rate on the corridor. Mr. Bullen thanked Mr. Cook and responded that this is the technical feedback he was looking for from the Committee.

Chair Deeb inquired regarding the quantitative criterion for capacity and whether it is existing or future capacity. Mr. Bullen responded that the working group had initially considered existing conditions but that they could look at future conditions. Chair Deeb stated that projects should be evaluated based on expected improvements. Mr. Cook stated his agreement. Chair Deeb noted that the City of Mesa has associated its projects with crash modification factors and that this programming process should use a similar analysis instead of a simple evaluation of crash rates.

Mr. Bullen then provided an overview of the qualitative criteria being evaluated. Chair Deeb noted that projects in Mesa are sometimes chosen based on planned activity centers and suggested using proximity to either existing or planned development instead of only existing activity centers. Mr. Greg Smith noted that he lived in Pinal County before moving to Gilbert and stated that many of the projects being considered may be in a rural environment and that

appropriate criteria for evaluating those projects may be different from criteria used for projects in an urban environment.

Mr. Aryan Lirange noted that ADOT's Planning to Programming initiative has a lot of information and lessons learned that may be useful for developing this program.

Mr. Grant Anderson stated that many communities in the MAG region have more commonalities with rural areas than with urban areas and that the criteria should be applicable to both rural and urban areas. Mr. Bullen responded that there was a lot of discussion about the need for criteria applicable to both rural and urban areas and how each criterion should be weighted.

Mr. Cato Esquivel asked if the funding for this program is separate from the Maricopa County portion of the STP funding. Mr. Bullen responded that the funding associated with this program is restricted to MAG members in Pinal County.

Ms. Monique de los Rios-Urban thanked the Street Committee for reviewing the evaluation criteria. She noted that MAG has been working closely with the ADOT Multimodal Planning Division and their consultants on the development of the Planning to Programming initiative. Regarding the earlier comments about predictive data for future conditions, she noted that caution should be taken since the programming tools are standardized for multiple kinds of projects and the tool will be more generic at first. The proposal is to have all observed data to start with to keep all projects on a level base for analysis. She stated that existing conditions and observed data is the best way to start evaluating these projects. She added that in addition to the evaluative criteria presented, the tool allows flexibility for additional considerations or points, given where the applicant can present the regional or other benefits of the project. Potentially, selected predictive data may be used for supplementary points in the evaluative process.

Chair Deeb requested that the presentation and potential criteria be sent out to Committee members for further comment. Mr. Bullen responded that he would send them out. He noted that the program needed to move quickly due to the upcoming air quality conformity analysis deadline. He noted that the Pinal County members requested six weeks to prepare their applications and that the programming process needed to be approved by Regional Council. Ms. Kennedy requested comments be sent in the next week so that they can be incorporated before the Transportation Review Committee reviews the proposed programming process.

Mr. Esquivel inquired regarding the boundaries for the eligible area. Ms. Kennedy responded that the western and northern boundary is the Maricopa/Pinal County boundary and the southern and eastern boundaries are based on air quality nonconformity areas. Mr. Esquivel asked if a portion of the eligible area is within the nonattainment area. Ms. Kennedy responded that portions of the area are within the West Central Pinal PM-10 nonattainment area and the PM-2.5 nonattainment area.

Mr. Esquivel asked if there was an opportunity to swap CMAQ and STP funding. Ms. Kennedy responded that projects which do not expand capacity may be eligible to swap funding. She added that since the STP funding for the Maricopa County portion was entirely dedicated to the ALCP, a separate program was needed to program the funding allocated to Pinal County.

Mr. Esquivel inquired regarding the loan process. Ms. Kennedy responded that the loans had already been made internally and that it was necessary to program funding quickly so that the loaned funding that would be paid back to the program does not expire. She noted that when the boundaries were expanded, there were no existing projects programmed to utilize all the funds which put the funds at risk. As a result, the funding was loaned to the ALCP program while this programming process was being developed. Mr. Esquivel inquired whether the loan program included all agencies including Valley Metro. Ms. Kennedy responded that there were no loans made to Valley Metro but that there will be discussion about a possible loan this year.

10. Request for Future Agenda Items

Mr. Cook inquired regarding the availability of the ADOT inactive projects list. Ms. Kennedy responded that ADOT was in the process of updating it. She stated that Mr. Eric Boyles will be able to provide the status of the list along with his presentation at the next Street Committee meeting. Ms. Kennedy noted that as old projects are closed out, any cost savings go back to the MAG sub-allocated Federal funds ledger and may be available as closeout funding. Mr. Cook stated that in the previous year Chandler had projects that should not have been on the list, and he would like to resolve any issues quickly this year. Ms. Kennedy responded that she will ask about the availability of the list prior to next meeting.

11. Member Agency Update

Ms. Susan Anderson stated that the inactive projects list would be available next month.

Mr. Greg Smith noted that the Town of Gilbert passed its transportation master plan at the last council meeting.

Adjournment

The meeting adjourned at 2:15 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.
-

## Attachment 1 – Approved Guidelines – Project Selection

- 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 **back** to MAG.
3. **Pre-application workshops.** One or more pre-application workshop/meeting will be held for MAG member agencies to **obtain information on 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

**Comment [ST3]:** Modified since the November meeting to indicate that the workshops are purely informational

## Attachment 2

- 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~~with each application.
  - d. **Electronic versions required.** An electronic version of the application in the format provided by MAG (e.g. Excel) on the MAG website is required to be transmitted to the designated MAG staff member who is collecting completed applications. This will typically be a Microsoft Excel file. A signature is NOT required for electronic versions of applications.
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

**Comment [ST4]:** Revised based on comments following the November Street Committee meeting.

## Attachment 2

member agency by e-mail. If the application is incomplete, the receipt will identify the 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 modal 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 modal 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. **Modal Technical committee information review and ranking.** All applications will be reviewed and evaluated by a MAG modal 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 modal technical committee will review the application information provided by the sponsoring agency for its reasonableness and accuracy. At the meeting:
    - i. **Hearing Presentation and Q&A Session.** An opportunity will be provided for each application to be presented, heard, for committee members to ask questions, and for the sponsoring agency to respond to questions. Presentations will provide information needed for the five determinations listed below (2.ii), have a length of ten minutes and be followed by a ten minute question and answer session with the committee.
    - 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.

**Comment [ST5]:** Revised based on comments received after the November Street Committee meeting.

Attachment 2

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.
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 [ST6]:** 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.

**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.

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b.

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**Comment [ST7]:** New. Added to address a desire to include safety considerations in project selection.

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b. **Safety.** The safety benefits and impacts of proposed projects will be considered by modal technical committees – Street, Bicycle-Pedestrian, ITS, Safety– based on the MAG Regional safety mission and goals, and evaluated on criteria and processes developed by the modal technical committees. The review will apply to the specific mode and specific federal funding source(s) funding the selected project. The criteria and evaluation process will be detailed in the application or made available with the applications. in the review and recommendation of projects.

c.

[Attachment 2](#)

- 4.d. **Limitations on the scope of modal 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-e. Change the project scope,
  - b-f. Change the project schedule,
  - e-g. 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 [ST8]:** 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.

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

- 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

Attachment 4

- 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. Comment [ST5]: This is new
  - 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 [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 provided by either the sponsoring agency project manager 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.

**Comment [ST8]:** New  
Revised to reflect comments since the November meeting

Attachment 4

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.

**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.

## BRIEFING MEMO

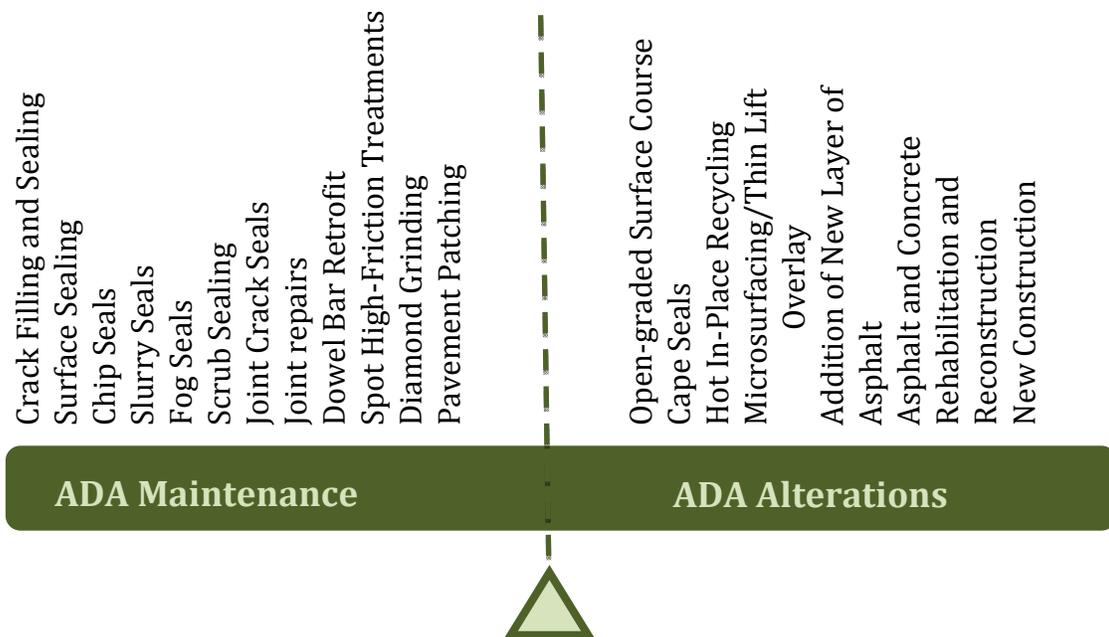
**SUBJECT:** Department of Justice/Department of Transportation Joint Technical Assistance on Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing

**ISSUE:** Throughout the nation, there are different interpretations and inconsistencies in enforcement of when curb ramps are required.

**BACKGROUND:** The Americans with Disabilities Act of 1990 (ADA) is a civil rights statute prohibiting discrimination against persons with disabilities in all aspects of life, including transportation, based on regulations promulgated by the United States Department of Justice (DOJ). DOJ's regulations require accessible planning, design, and construction to integrate people with disabilities into mainstream society. Further, these laws require that public entities responsible for operating and maintaining the public rights-of-way do not discriminate in their programs and activities against persons with disabilities. FHWA's ADA program implements the DOJ regulations through delegated authority to ensure that pedestrians with disabilities have the opportunity to use the transportation system's pedestrian facilities in an accessible and safe manner.

FHWA and DOJ met in March 2012 and March 2013 to clarify guidance on the ADA's requirements for constructing curb ramps on resurfacing projects. Projects deemed to be alterations must include curb ramps within the scope of the project.

**SUMMARY OF PROPOSED GUIDANCE CLARIFICATION:** This clarification provides a single Federal policy that identifies specific asphalt and concrete-pavement repair treatments that are considered to be alterations—requiring installation of curb ramps within the scope of the project—and those that are considered to be maintenance, which do not require curb ramps at the time of the improvement.



This approach clearly identifies the types of structural treatments that both DOJ and FHWA agree require curb ramps (when there is a pedestrian walkway with a prepared surface for pedestrian use and a curb, elevation, or other barrier between the street and the walkway) and furthers the goal of the ADA to provide increased accessibility to the public right-of-way for persons with disabilities. This single Federal policy will provide for increased consistency and improved enforcement.

**MOVING FORWARD:**

Divisions are expected to initiate discussions with their Partnering Agency / State to:

- 1) Disseminate this clarification with regard to when curb ramps are required
  - a. States are expected to inform/assist local agencies
- 2) Establish a plan to implement this single Federal policy as soon as practical
  - a. FHWA Headquarters is not providing a set deadline for all projects to comply with this policy.
  - b. Projects that are ready for Construction Advertisement or are under contract may proceed.
  - c. The Division should evaluate the projects in the state pavement preservation/resurfacing program and agree on projects to comply with this policy.
  - d. The Division should work with its Partnering Agencies / States to evaluate and modify, if necessary, their existing resurfacing ADA policies to comply with this policy.

# Applying (or misapplying!) CMFs: The ins and outs of estimating crash reductions

[Register here](#)

**Thursday, Dec. 11  
2:00-3:30 p.m. Eastern**

Join transportation engineers, designers and planners from across the country to learn about recent updates to the Federal Highway Administration's CMF Clearinghouse, and how to better apply -- and how to avoid misapplying -- crash modification factors!

Daniel Carter, researcher at the UNC Highway Safety Research Center and manager of the CMF Clearinghouse, will begin with a brief overview of new Clearinghouse features, with a focus on how to select the CMF most appropriate to a specific scenario.

Frank Gross, highway safety engineer at Vanasse Hangen Brustlin, Inc., will discuss common errors in applying CMFs and how misapplication of CMFs can lead to overestimating or underestimating the potential benefits of a countermeasure.

Finally, John Milton and Jennene Ring from Washington State DOT will share how they developed a CMF "short list" for their state and will present an example or two of how they use CMFs to evaluate and prioritize projects.

Do you have questions about applying CMFs? Be sure to stay for the end of the session for a brief Q&A session!

Questions about the webinar? Contact Daniel Carter at [daniel\\_carter@unc.edu](mailto:daniel_carter@unc.edu) for more information.

*Continuing education: Attendees will be eligible to receive a certificate of completion for 1.5 hours that can be applied toward Professional Development Hours (PDH) credit, per State requirements. This event will also be submitted for American Institute of Certified Planners (AICP) credits.*

**Note:**

*If you have questions, please contact Kelly Larosa at FHWA. Her e-mail address is [Kelly.Larosa@dot.gov](mailto:Kelly.Larosa@dot.gov)*

*For those needing to type in the URL, the registration website URL is as follows:*

<https://attendee.gotowebinar.com/register/10000000064984529>

December 3, 2014

TO: *Members of the Transportation Review Committee*

FROM: *Teri Kennedy, Transportation Improvement Program Manager, MAG*

SUBJECT: **DRAFT 2015 MAG STREET COMMITTEE MEETING SCHEDULE**

*Noted below is the DRAFT 2015 meeting schedule for the MAG Street Committee. Unless otherwise noted, meetings will be held at 1:00 p.m. at the MAG Office Building, Ironwood Room, 302 North 1<sup>st</sup> Avenue, Suite 200.*

*Tuesday, January 13, 2015*

*Tuesday, February 10, 2015*

*Tuesday, March 10, 2015*

*Tuesday, April 14, 2015*

*Tuesday, May 12, 2015*

*Tuesday, June 9, 2015*

*Tuesday, July 14, 2015*

*Tuesday, August 11, 2015*

*Tuesday, September 8, 2015*

*Tuesday, October 13, 2015*

*Tuesday, November 10, 2015*

*Tuesday, December 8, 2015*

*For further information or questions, please contact Steve Tate by phone at 602.254.6300 or by email at [state@azmag.gov](mailto:state@azmag.gov).*