

March 3, 2015

TO: Members of the MAG Street Committee

FROM: Maria Angelica Deeb, Mesa, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Tuesday, March 10, 2015 - 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 March meeting, the quorum requirement is 12 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 February 10, 2015 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.

2. For information.

3. Review and approve the minutes from the February 10, 2015 meeting.

4. For information.

5. For information and discussion.

6. MAG Federal Fund Programming Guidelines and Procedures Update - Project Changes

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 April, 2015.

At the March meeting, draft revised Guidelines will be presented for the review and recommendation by the Committee. Please see Attachment 1A and 1B for a copy of the adopted and draft policies.

7. Performance Management Working Group

At the meeting, MAG staff will discuss the formation of a working group to address MAP-21 requirements on performance management and target setting, including the proposed NHS asset management system.

8. Project Initiation Pool (PIP)

To accelerate the initiation of MAG federally funded projects outside the Arterial Life-Cycle Program, MAG, ADOT and FHWA staff have developed a proposal to program a small pool of MAG federal funds on a first-come-first-serve bases to cover the initial set up fees for MAG federally funded projects.

The proposed program, the Project Initiation Pool (PIP), would provide, for a limited period of time each year, approximately \$2,829 per project for member agencies to use to cover ADOT staff fees to initiate projects and begin the development of intergovernmental agreements. For certification accepted agencies, this funding would be used to cover part ADOT staff fees for environmental reviews.

The authorization of these funds would not require an IGA. Instead, project sponsors would sign a one page contract and provide a local

6. For information, discussion, and possible recommendation to approve the draft revised Guidelines MAG Managers Federal Funds Working Group.

7. For information discussion

8. For information and discussion.

match of \$171. Please see Attachment 2 for more information.

9. Intergovernmental Agreements for MAG federally funded projects

At the meeting, ADOT staff will brief the committee on requirements for Intergovernmental Agreements (IGAs) and discuss strategies and approaches to improve the timely and successful completion of IGAs.

10. Results of FY2015 FHWA Closeout Funding

Review the results from the Regional Council Action approving the Closeout of Fiscal Year 2015 Federal Highway Administration Sub-Allocated Funding and the timing of contingency funds for the balance of the FY2015 PM-10 Street Sweepers.

11. Request for Future Agenda Items

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

12. 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.

13. Next Meeting Date

The next regular Street Committee meeting will be scheduled for Tuesday, April 14, 2015 at 1:00 p.m. in the MAG Offices, Ironwood Room.

Adjournment

9. For information and discussion.

10. For information and discussion.

11. For information and discussion.

12. For information and discussion.

13. For information

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
STREET COMMITTEE

Tuesday February 10, 2015 1:00 p.m.
MAG Offices, Suite 300,
302 North First Avenue, Phoenix, Arizona 85003

MEMBERS ATTENDING

Jim Hash for Maria Angelica Deeb, Mesa, Chair	* Bill Fay, City of Maricopa
Chris Hauser, El Mirage, Vice Chair	Laurie A. Santana for Nicolaas Swart, Maricopa County
Eric Boyles for Susan Anderson, ADOT	* James Shano, Paradise Valley
* Emile Schmid, Apache Junction	Jenny Grote, Phoenix
Paul Lopez for Avondale	John Kraft for Scott Bender, Pinal County
* Jose Heredia, Buckeye	Ben Wilson, Peoria
Warren White for Dan Cook, Chandler	# Janet Martin, Queen Creek
@Aryan Lirange, FHWA	Jennifer Jack, Salt River Pima-Maricopa Indian Community
# Morris Taylor for Wayne Costa, Florence	Phil Kercher, Scottsdale
Tim Oliver, Gila River Indian Community	Dana Owsiany, Surprise
# Greg Smith, 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	

* Members neither present nor represented by Proxy

Members attending by phone

@Ex-officio member, non voting member

OTHERS PRESENT

Todd Taylor, Scottsdale	Chaun Hill, MAG
John Bullen, MAG	Teri Kennedy, MAG
Monique De Los Rios Urban, MAG	David Massey, MAG
	Stephen Tate, MAG

1. Call to Order

Vice Chair Chris Hauser called the meeting to order at 1:01 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: Apache Junction, Litchfield Park, Paradise Valley, the City of Maricopa, Queen Creek, Salt River Pima-Maricopa Indian Community and Tolleson.

3 Approval of the January 13, 2015 Meeting Minutes

Ms. Jenny Grote moved to approve the minutes. 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. Transportation Programming Manager's Report

Ms. Teri Kennedy briefed the Committee. She noted that MAG anticipated that the current surface transportation act, MAP-21, is expected to be continued by the Congress beyond its expiration date in May. It is anticipated that funding levels will remain constant.

The Transportation Review Committee (TRC) has taken action on the MAG closeout. Approximately \$6.3 million was available for member agency projects and MAG received approximately \$15.6 in project requests. The TRC opted to provide additional funding to ongoing projects with a maximum of \$600 thousand to be provided to individual projects and a limitation of \$800 thousand to be received by jurisdictions. Remaining funding are to be provided for the purchases of street sweepers. This allows for the purchase of the following additional sweepers: Surprise #3 and #4, Pinal County #1, and Buckeye #1. All member agencies must submit all required project paperwork to ADOT by June 1, 2015.

She went on to note that MAG is wrapping up data collection for MAG model networks and that this effort focused on insuring that all regionally significant projects are included in the MAG model networks. It is anticipated that MAG will provide a listing of regionally significant projects to the public in the first week of April as part of an air quality conformity analysis of the Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP). The Regional Council is expected to act on this analysis in May.

MAG is also preparing for the distribution of a call for projects in the Pinal County portion of the MAG planning area. Applicants will have approximately six weeks to complete applications and it is expected that the review of the applications will use the updated MAG Programming Guidelines that the Committee will consider at today's meeting.

A special meeting of the MAG Safety Committee will be held to address procedures for managing non infrastructure Safe Routes to School safety studies. Options to be considered will be ADOT management of studies and MAG management of studies.

On February 17, 2015, the Arterial Life Cycle Program (ALCP) Working Group will meet. It is anticipated that there will be an ALCP closeout and member agencies are requested to send in outstanding paperwork in anticipation of this closeout.

On February 24, 2014, the Gila River Indian Community will be hosting a workshop and demonstration on innovative bridge design. Members are encourage to attend.

She continued by noting that on February 18, 2015, ADOT would be holding a series of classes and workshops for certification accepted agencies. This series will extend through the middle of April.

She concluded by noting that MAG would be establishing a working group to address the Notice of Public Rule Making on the proposed paving and bridge performance measures for the National Highway System.

6. Arterial Life Cycle Program Project Changes Technical Review: Pima Road at Happy Valley Road

Mr. John Bullen provided a short introduction. He noted that the Arterial Life Cycle Program (ALCP) serves as the financial management tool for the arterial portion of the RTP. The ALCP includes approximately 201 projects from thirteen MAG member agencies. The ALCP Policies and Procedures as approved on May 25, 2014 define the process for amending the ALCP. The Procedures require that major changes to the scope and location of the ALCP projects be sent to the Street Committee for technical review.

Mr. Bullen went on to note that the project under review had been subjected to the project change tool that had been developed as part of the Congestion Management Process. The ALCP Working Group has been working on the tool for several months and Scottsdale volunteered to use the tool.

Mr. Todd Taylor presented the project request for the City of Scottsdale. Mr. Taylor noted that the project is currently programmed to improve an offset intersection at Pima Road and Happy Valley Road. The proposed change is to add the reconstruction of Happy Valley Road from Pima Road to Alma School Road to provide a common cross section, bicycle and pedestrian facilities and a round about at Alma School Road.

The route to be improved is regionally significant as it serves Rio Verde and the backside of Fountain Hills. The roadway currently carries around 17,400 vehicles per day and has significant pedestrian and bicycle usage. It is anticipated that with development in the area and the completion of planned trails and other recreational features that both vehicle and bicycle traffic will increase substantially.

Mr. Taylor noted that Scottsdale input project data into the project change tool. The project tools results showed that compared to the current project, the proposed changes significantly improved performance. He directed members to review the tools results included in the materials developed for the presentation.

In subsequent questioning and discussion, it was noted that the improvement would increase project costs from \$2.5 million to a total of \$12.5 million. Additional funding for the project is to be provided from project savings from Scottsdale's Air Park and Pima Road projects.

Mr. John Kraft moved to recommend the inclusion of the proposed project change in the draft FY 2016 ALCP. and Mr. Purab Adabala seconded the motion. The motion carried unanimously.

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

Mr. Stephen Tate briefed the Committee. The MAG Programming Guidelines were first approved in October 2011. It includes sections on programming principals, project selection, program reporting and the MAG closeout. The Street Committee has been tasked with revising the Guidelines by the MAG Federal Fund Manager's Working Group to improve their readability, incorporate lessons learned since they were first adopted and include new federal funding sources that were created by MAP-21.

To date the Committee has reviewed and improved sections of the draft Guidelines concerning programming principals, project reporting, project selection and the MAG closeout. Last month a revised section on project changes was provided to the Committee for review. This month the revised Guidelines are provided for review. It is anticipated that at the March meeting of the Committee, the Committee will recommend the approval of the draft Guidelines to the MAG Federal Funds Manager's Working Group.

He concluded by requesting that member agencies provide comments in the next two weeks.

Mr. Cato Esquivel asked if the changes in the Guidelines will affect the flexing of funds to transit. Ms. Kennedy indicated that it would not impact policies to flex funding.

8. HPMS Data Collection

Mr. Tate briefed the Committee. He noted that each year MAG assists the Arizona Department of Transportation in its responsibility to maintain the Highway Performance Management System (HPMS). HPMS is the primary federal transportation database. It includes data on all roadways classified as minor collector and above and summary data on roadway mileage. Data items maintained include information on roadway cross sections, pavement and traffic volumes.

HPMS is the primary federal transportation database and is used to provide reports to the Congress and has in the past been used to calculate distributions of federal funding to the States. It is anticipated that in future re-authorizations of the federal surface transportation act this role may be restored.

Throughout the Nation, State Departments of Transportation maintain HPMS. Funding to maintain HPMS is provided by the FHWA. ADOT maintains HPMS in Arizona. MAG helps coordinate HPMS data collection with its member agencies for ADOT.

In December a presentation on HPMS was provided and members were requested to update the MAG traffic web portal in order to provide traffic data to ADOT. After the meeting,

MAG will distribute HPMS segment data for member agencies to update. Member agencies are requested to provide data that is readily available. New data collection is not requested.

9. Request for Future Agenda Items

No member had suggestions for future agenda items.

10. Member Agency Update

It was noted that El Mirage plans to construct a new city hall.

11. Next Meeting Date

The next regular Street Committee meeting will be scheduled for Tuesday, March 10, 2015 at 1:00 p.m. in the MAG Offices, Ironwood Room.

Adjournment

The meeting adjourned at 1:35 p.m.

MAG Federal Fund Programming Guidelines & Procedures
Competitive Project Selection Process for MAG CMAQ Federal Funds

Approved October 26, 2011ⁱ

ⁱ Administrative Modifications completed July 13, 2012 to annotate new surface transportation authorization; MAP-21

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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 FIGURE 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-TE)ⁱⁱ, CMAQ, Highway Safety Improvement Program (HSIP), and Safe Routes to Schoolⁱⁱⁱ, 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.

ⁱⁱ Under MAP-21, Transportation Enhancements will be incorporated into a new program; Transportation Alternatives.

ⁱⁱⁱ Under MAP-21, Safe Routes to School will be incorporated into a new program; Transportation Alternatives.

Attachment 1A

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 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.**
 - a. **Step 1: Project Application Process** - 5 months
 - b. **Step 2: TIP Approval Process** - 6 months

Attachment 1A

- 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.

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.
 - i. If the application is incomplete, the application receipt will note the incomplete fields.

Attachment 1A

- 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.
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.
 - 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.^{iv}
 - 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.
 - 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. Step 3: Local Project Commitment Period

1. Once the project is in a TIP, the next step is for the project sponsor to move forward in securing local funding, setting up the project management staff/team, and any other local resources for the development of the federal project.

2. The project sponsor has 11 months for construction projects, and 23 months for non-construction/procurement projects to secure the funding, and project development schedule.

3. After the Local Project Commitment Period, MAG will move forward with Step 4.

Attachment 1A

4. Advancing Projects: Member agencies can take advantage of this period of time and advance this project by completing Step 3 and Step 4 earlier than normal, and moving forward with Step 5 ahead of schedule.
5. It is required that member agencies contact MAG to initiate this process. Any needed changes to the TIP report will happen during the Dynamic TIP process.

500. Step 4-5: Project Commitment, Development, Status Report, and Dynamic TIP Process

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 FIGURE 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 FIGURE 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 June 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 November - January and April – June, a status report based on the project development milestone schedule will be submitted through the MAG Committee Process for review and action.

Attachment 1A

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 approximately November 9-15th and May 31st 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 FIGURE 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.
 6. The May – July status report will focus on projects to be programmed in the upcoming fiscal year, and progress on project development.

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.

Attachment 1A

- 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 – 10th for the June TRC meeting.
- d. There will be a two step TRC review process for Tier 1 projects.
 - 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 – 10th for the August TRC meeting.

Attachment 1A

- 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.
 - 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 – 10th for August TRC, which will be forwarded to Management Committee and Regional Council in September for action.

600: Project Deferrals and Deletions

1. Federal funds that are deleted from projects are returned to the region to be programmed in the appropriate modal category.
2. 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.
3. Once the project is committed to and moves into Step 5, Project Development, it must show continuous progress toward project obligation.
4. If an agency does not show continuous progress on project development and it is in their control the project sponsor has a one-time deferral option. It is required that:
 - a. Demonstration of financial commitment (e.g. staff time, funds) by the agency to develop the project prior to the deferment decision,
 - b. Identification and explanation of specific problems or issues that have caused the delay (e.g. the actions of outside actors) or failure to achieve a required milestone, and
 - c. A revised schedule and plan that addresses the specific issues identified.

Attachment 1A

5. If an agency does not show continuous progress for a second time on project development and it is in their control, the project is deleted.
6. Project development actions that are 'in an agency's control', refers to actions for which a project sponsor has decision making authority, such as the allocation of funding and staff time, project management, scheduling decisions, and the coordination of the project with other projects in the agency's boundaries such as developer or other agency projects.
7. If there is not continuous progress on the project due to external factors that are not within a project sponsor's control, the decision to continue, reschedule, or delete a project will be based on the following factors:
 - a. Identification and explanation of specific problems or issues beyond the control of the agency other than financial issues that have caused the delay (e.g. the actions of outside actors) or failure to achieve a required milestone.
 - b. Demonstration of financial commitment (e.g. staff time, funds) by the agency to develop the project prior to the rescheduling or deletion decision.
 - c. The previous MAG status reports show that the agency has initiated development of the project and has worked continuously to develop the project for obligation.
 - d. A revised schedule and plan that addresses the specific issues identified.
 - e. If a project has been previously deferred, demonstration that the previous cause of delay has been addressed and/or explanation of why the revised approach will address the problem causing the delay.
8. Actions 'not in the control of an agency' include the actions of third parties such as utility companies, railroads, property owners, the courts, other governmental agencies and reviewing agencies who may fail to provide timely reviews/approvals. Actions also not under the control of a sponsor include issues that could not have been reasonably anticipated when the project was initiated such as the discovery archaeological artifacts, hazardous materials, or impacts to endangered or threatened species in areas where none of these issues had been encountered or known to exist previously.

700. Advancing Projects

1. If a member agency would like to advance their project, it is their responsibility to initiate the MAG notification and federal development process earlier.
2. Member agencies can take advantage of Step 3: the Local Commitment Period and advance this project by completing Step 3 and Step 4 earlier than normal, and moving forward with Step 5 ahead of schedule.
3. The member agencies must contact MAG to initiate this process. Any needed changes to the TIP report will happen during the Dynamic TIP process.

800. Project Changes

1. A project sponsor can make requests for a project change twice a year when the project sponsor reports on the status of the project development milestones to MAG as required for the Status Report. This will occur in November – January and April - June.

Attachment 1A

2. As related to these Programming Guidelines and Procedures, project changes are those prior to obligation.
3. Types of project changes allowed:
 - a. Segmenting or combining contiguous projects for ease of project development and implementation,
 - b. Changing Lead Agencies, as long as scope or location is not altered,
 - c. Administrative modifications: example: change in technical description of project, change in amount of local funds
 - d. Changing project schedules (advancing, deferring) are allowed following the rules of the dynamic TIP Programming Process, procedures, and requirements of Section 400 through 700.
 - e. A linear location change request that extends or decreases the project limit by 0.25 miles or less.
 - f. A minor scope change that doesn't deviate from the original project application request.
 - g. These project change requests will go through the committee process, beginning at the appropriate technical advisory committee that originally programmed/ prioritized them. These project change requests will follow the schedule of the status reports.
4. Types of project changes that are not allowed to occur through a project change request:
 - a. Location or scope change:
 - i. A linear location change request that is greater than .25 miles.
 - ii. A change in a point location (intersection).
 - iii. A change in an area location.
 - iv. A change in scope that changes the project from its original intent as outlined in the project application request.
5. If a project is requesting a change that is not allowed, the project sponsor can complete a project application for the new project, and compete for the regional funds.
 - a. The federal funds will be deleted from the project, and the funds are returned to the region.
 - b. The competitive application process will be open for those funds. This will occur during the annual cycle of the competitive project application.
 - c. Any member agency can compete for the available funds by following the rules, process and requirements outlined in Section 200-300.
6. MAG staff will review the eligibility of the project change request to determine if it meets federal guidelines.
7. MAG staff will review the impact of the project change request on conformance with the TIP and RTP.
8. MAG staff will also review, analyze, and summarize how the project change request will impact the CMAQ evaluation and other criteria the TAC has established.
9. Once a project change request has been approved through the MAG Committee Process, the TIP is amended/modified, and the changes are sent forward to ADOT and FHWA to amend/modify the STIP.

900. Appeals Process

1. Action to delete or defer projects pursuant to these Guidelines will be initiated at the Transportation Review Committee, proceed to the MAG Management Committee, and final action by the Regional Council.
2. Should a project sponsor want to appeal a recommendation to delete or defer a project, they may request a separate agenda item to be heard before the Regional Council on the project.
3. Upon receipt of such a request:
 - a. An agenda item will be scheduled for Regional Council action to hear the project sponsor appeal.
 - b. Staff from MAG and the project sponsor will work together to prepare written material to be sent to Regional Council prior to the meeting. At a minimum, this material will respond in detail to all items identified in 500 and 600 of these Guidelines.
4. At the meeting, project sponsor staff will, at a minimum, address in detail all items identified in 600 of these Guidelines.
5. The Regional Council will take action to delete, defer or continue the project as currently programmed.

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.

Attachment 1A

- b. MAG will also verify, and report on any funds returned to the region as reported by the ADOT federal fund ledgers.

FIGURE A

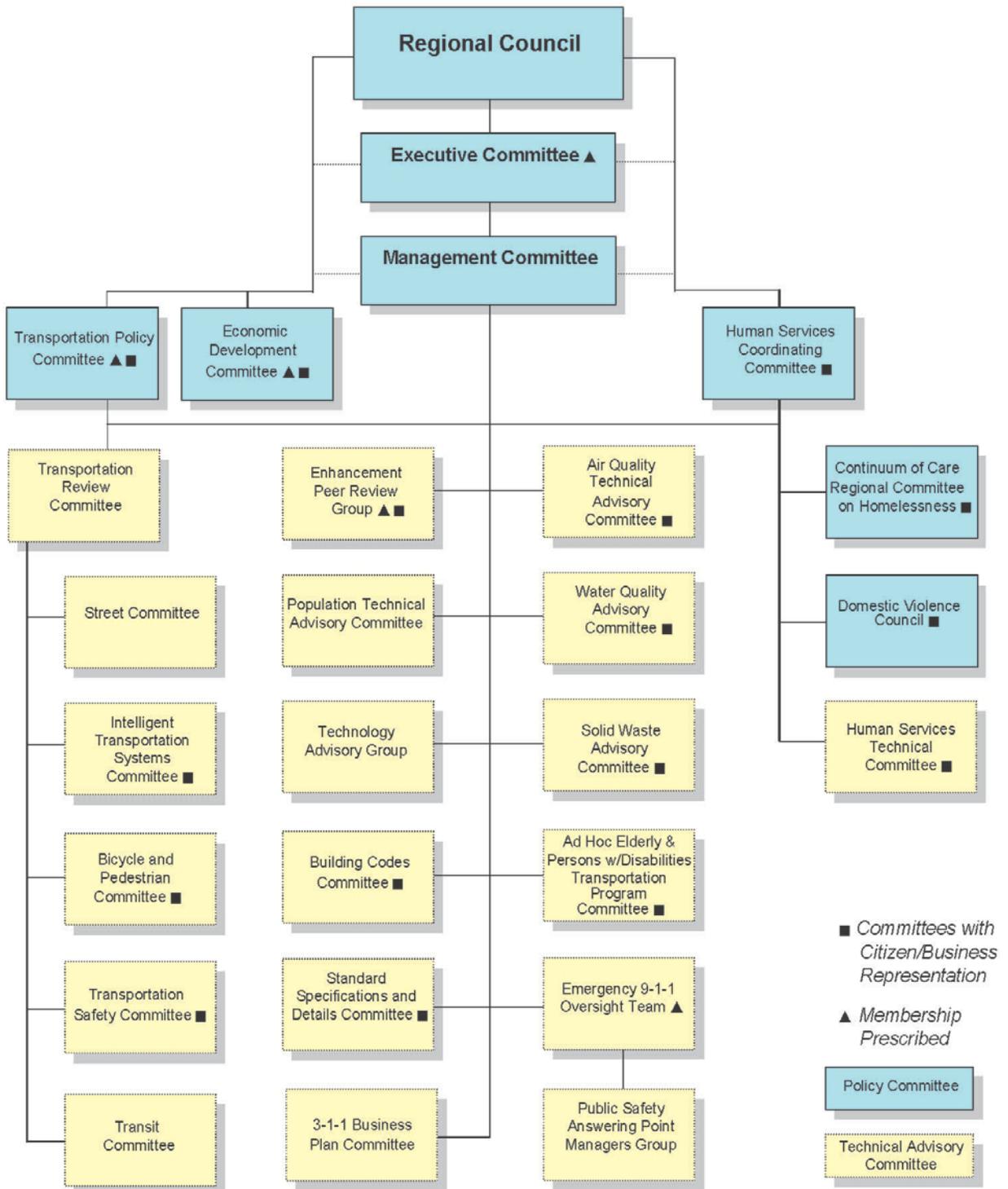


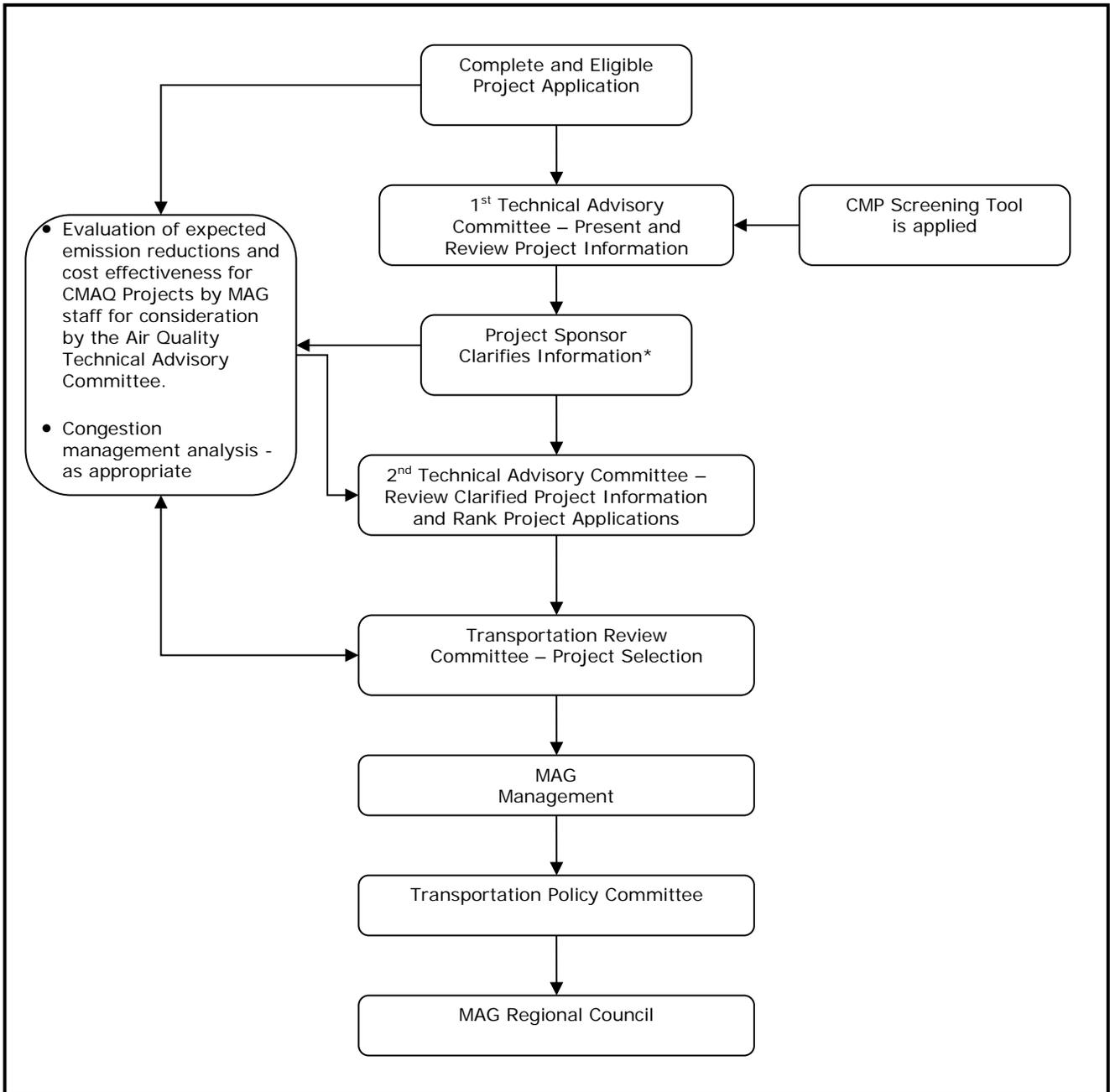
FIGURE B

General Schedule for Competitive Application Process*	
July	Transportation Guidebook is updated.
August	Transportation Guidebook is published documenting funds available per mode in future years, schedules, evaluation criteria, etc.
	1st - 2nd week: Federal Fund Project Applications available
	Mid - Month: Workshop on MAG Transportation Programming and Federal Fund Project Applications
	End of month: Open Working Group - Federal Fund Project Applications
September	Early - Mid Month: Open Working Group - Federal Fund Project Applications
	Mid month: Due Date and Time, signed Project Applications due to MAG. Late Applications will not be accepted.
October	Technical Committees review and Lead Agencies present project applications for Projects Submitted
	AQTAC review and recommends CMAQ evaluations for project submitted
November	2nd Technical Committee Meeting: second review and ranking of project applications
December	TRC review/recommend/approve funding for projects
January	Managers review/recommend/approve funding for projects
	TPC review/recommend/approve funding for projects
	RC review/recommend/approve funding for projects
February	Projects are incorporated in DRAFT TIP or current approved TIP

** PM-10 Paving Dirt Road projects and PM-10 Street Sweeper projects have two technical advisory committees involved in their review process.*

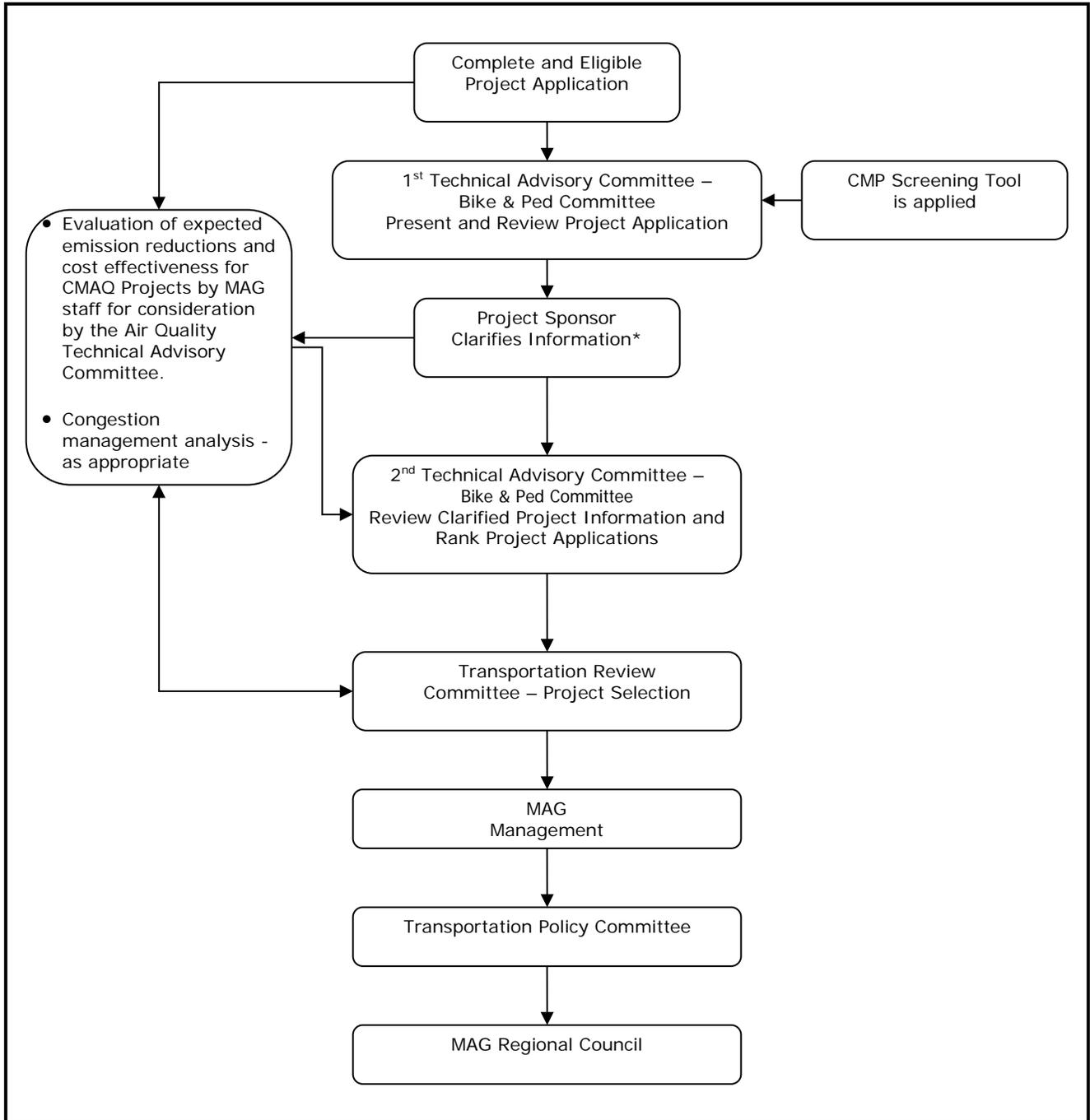
FIGURE C

Flowchart – Competitive Project Selection Process for MAG Federal Funds



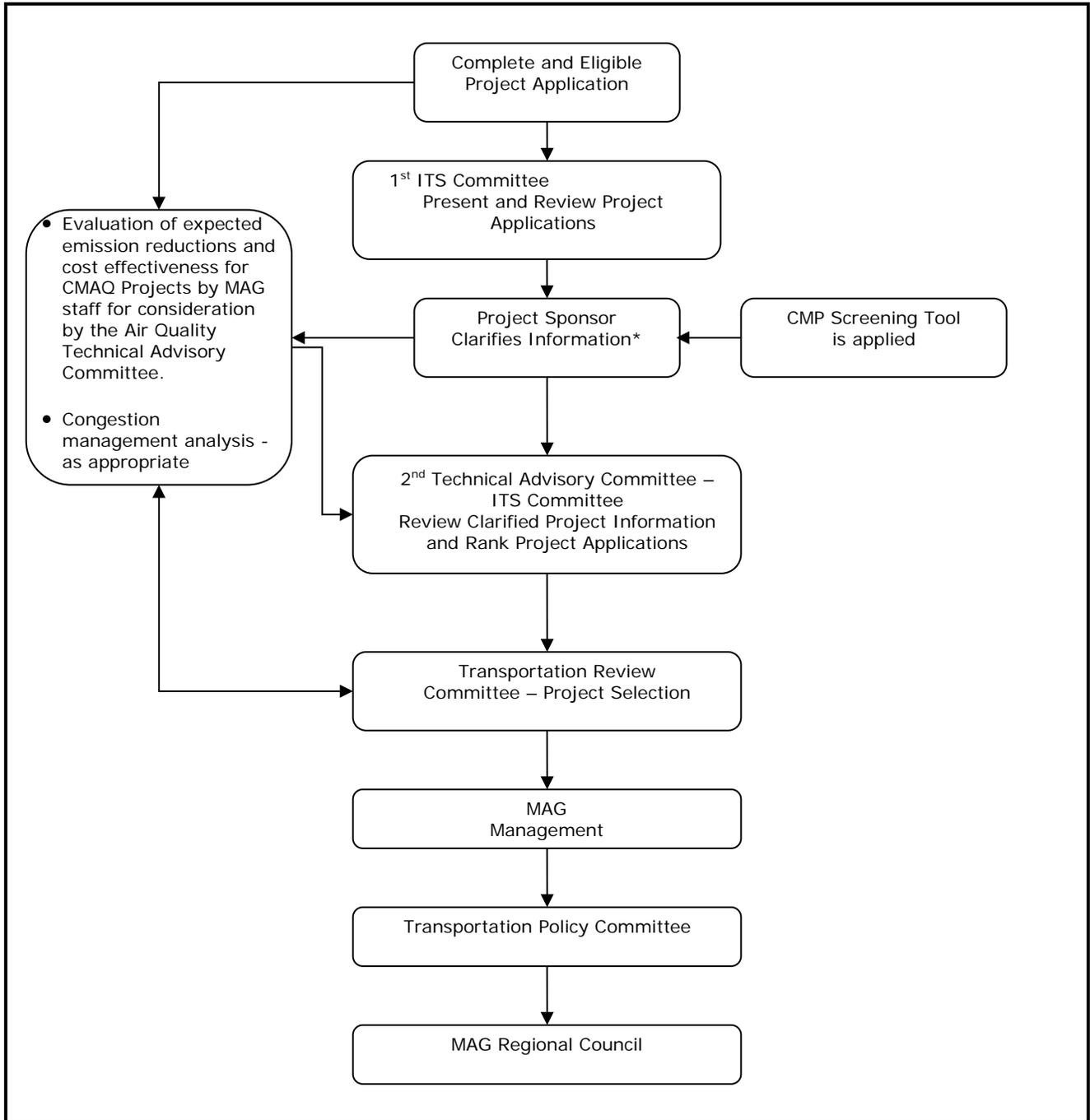
*If needed

Flowchart – Competitive Project Selection Process for MAG BICYCLE AND PEDESTRIAN PROJECTS



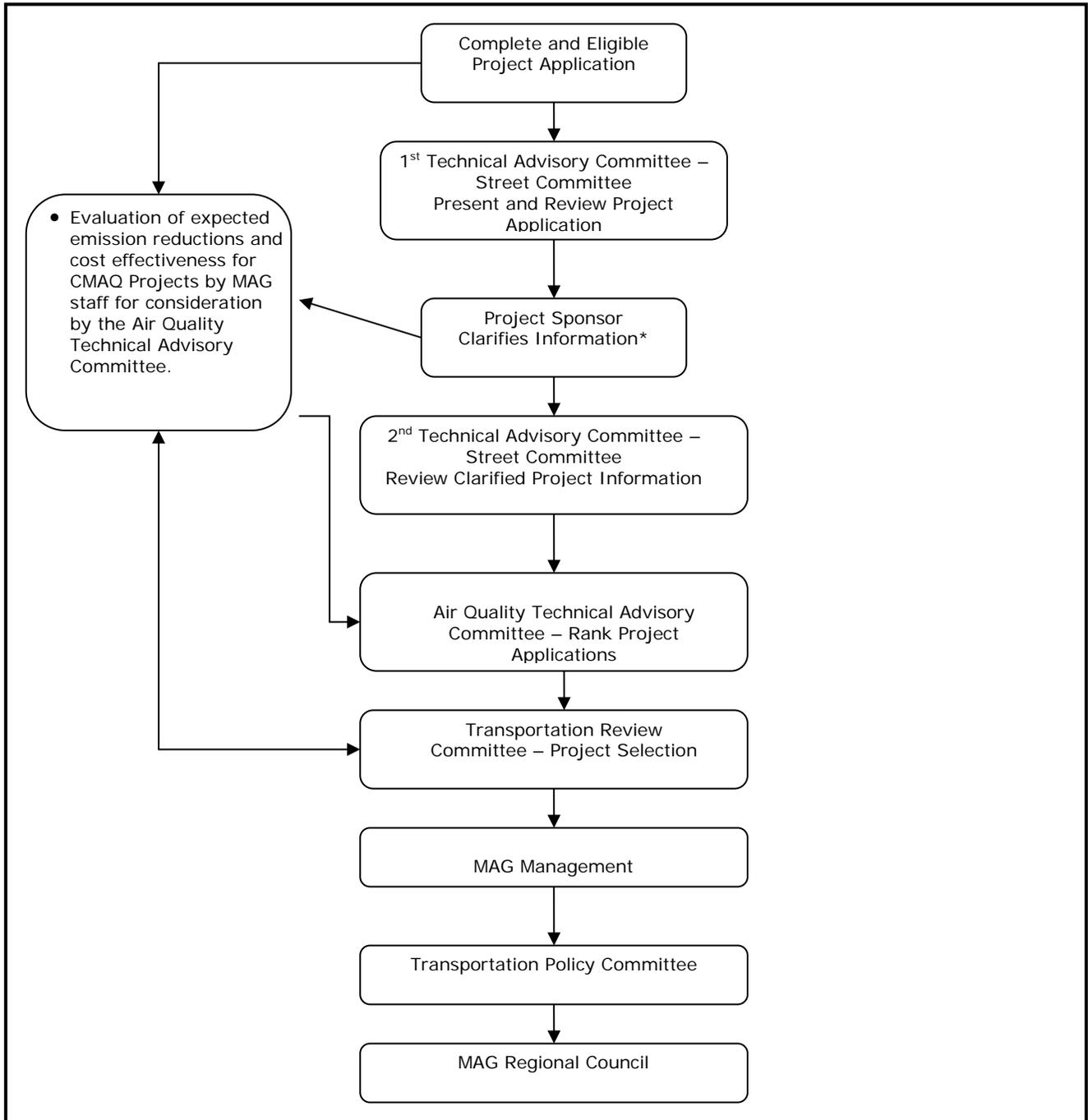
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Flowchart – Competitive Project Selection Process for MAG INTELLIGENT TRANSPORTATION SYSTEM (ITS) PROJECTS



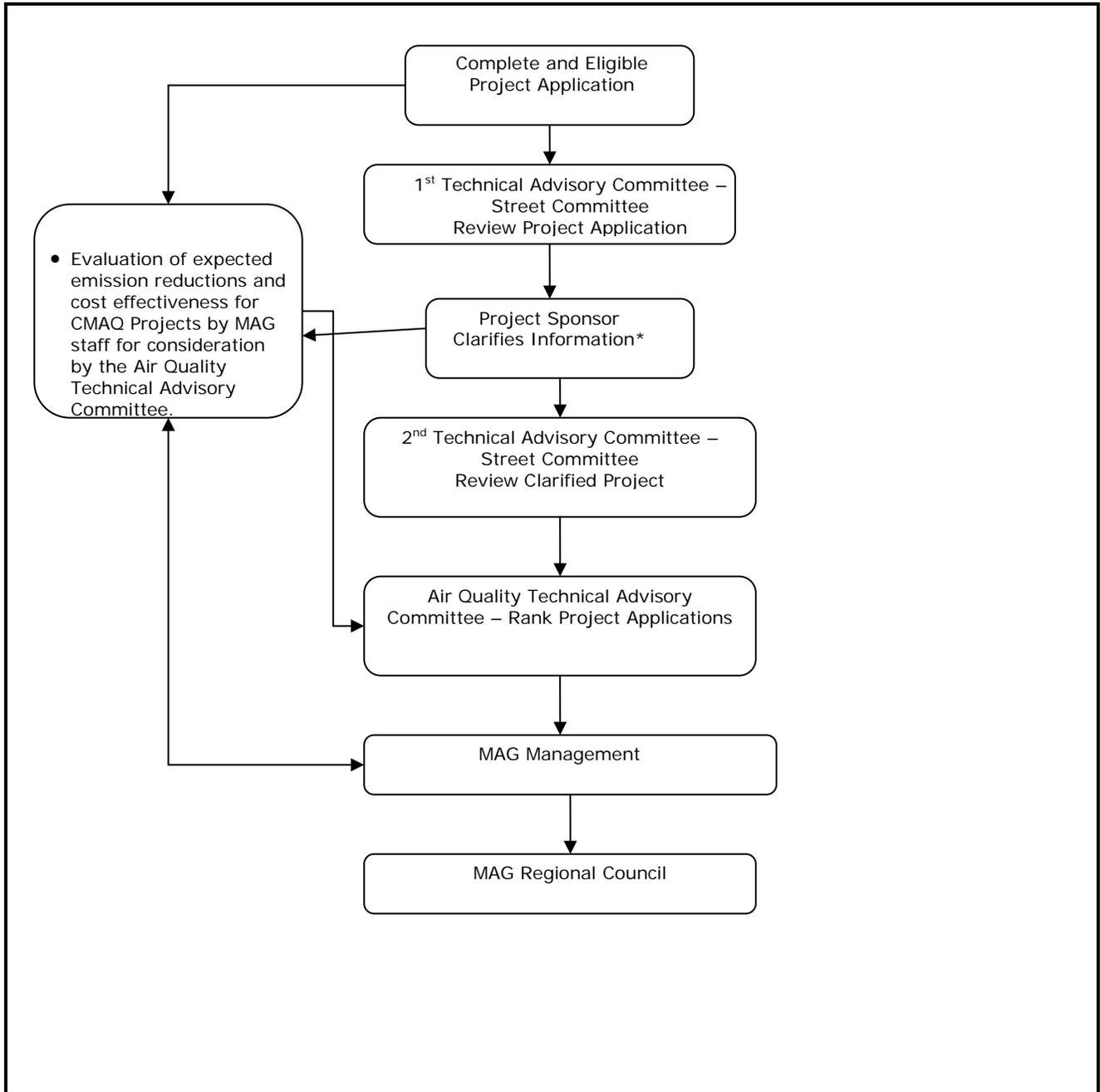
*If needed

Flowchart – Competitive Project Selection Process for MAG Federal Funds PAVE UNPAVED ROAD PROJECTS



*If needed

Flowchart – Competitive Project Selection Process for MAG Federal Funds PM-10 CERTIFIED STREET SWEEPERS



*If needed

FIGURE D

Project Schedule: Please enter anticipated dates for completing the steps in the process for obtaining the FHWA commitment (e.g. obligation) to fund the projects. If the step is not applicable - e.g. right-of-way clearance for an ITS procurement project - please enter "Not Applicable".

Phase		Planned Date		Actual Date		Current Status	Notes
		Start	End	Start	End		
Design	Preliminary Project Assessment						
	Design Concept Report						
	30 Percent Plans						
	60 Percent Plans						
	95 Percent Plans						
	PS&E Package						
Environmental Clearance	Hazmat Report						
	Biological Report						
	Cultural Report						
	Environmental Document/Clearance						
Right-of-way Clearance	Initial Actions - Inventory and Appraisals						
	Acquisitons - Offers, Purchases and Condemnations						
	ROW Certification						
Utilites Clearance							
Materials Memo							

IGA/JPA						
Authorize Project						

FIGURE E

Annual Schedule for Dynamic TIP Process for Federal Funded Projects	
2011	
December	Early December - TRC reviews project status report related to Steps 4 and 5, and makes recommendations to advance, defer, and delete projects from the TIP
2012	
January	MC, TPC, RC: reviews project status report related to Steps 4 and 5, and makes recommendations/approval to advance, defer, and delete projects from the TIP
May	April 30th - May 11th: Due date for information related to Step 4 and project status for Step 5 due.
	24th: TRC meets to review information and answer questions related to the upcoming year - Tier 1
June	28th: TRC reviews project status report focusing on the upcoming year - Tier 1 projects and others, and makes recommendations to advance, defer, and delete projects from the TIP
	28th: TRC makes a recommendation for Tier 3 priorities
June 30th	30th: Due Date for information to ADOT for project obligation in current federal fiscal year.
July	MAG sends Step 4: Project Information Update & Commitment notification to Project Sponsor/Local Agencies for projects due to kick off in upcoming January
	MC, TPC, RC: reviews project status report focusing on the upcoming year - Tier 1 projects and others, and makes recommendations/approval to advance, defer, and delete projects from the TIP
	MC, TPC, RC: TRC makes a recommendation for Tier 3 priorities
August	6th-16th: Project information related to Tier 2 and Tier 3 decisions due to MAG
	23rd: TRC review information related to Tier 2 and Tier 3 projects, and makes advancement and project change recommendations.
September	MC, TPC, RC: reviews information related to Tier 2 and Tier 3 projects, and makes advancement and project change recommendations/approval.
October	1 st : Beginning of new Federal Fiscal Year

DEFINITIONS

'Actions In an Agency's Control', - Actions for which a project sponsor has decision making authority, such as the allocation of funding and staff time, project management, scheduling decisions, and the coordination of the project with other projects in the agency's boundaries such as developer or other agency projects

'Actions Not In Control of an Agency' - Actions of third parties such as utility companies, railroads, property owners, the courts, other governmental agencies and reviewing agencies who may fail to provide timely reviews or provide inconsistent, ambiguous or erroneous guidance. Actions also not under the control of a sponsor include issues that could not have been reasonably anticipated when the project was initiated such as the discovery archaeological artifacts, hazardous materials or impacts to endangered or threatened species in areas where none of these features had been encountered or known to exist previously.

Clean Air Act – The Clean Air Act (CAA) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes the Environmental Protection Agency to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emission of hazardous air pollutants. – (Summary of the Clean Air Act, <http://www.epa.gov/lawsregs/laws/caa.html>, Retrieved on May 9, 2008)

Congestion Mitigation and Air Quality (CMAQ) Improvement Program - Congestion Mitigation and Air Quality Program are federal funds that are available for projects that improve congestion and air quality in areas that do not meet clean air standards ("non-attainment" areas). The transportation projects and programs that are eligible under the Congestion Mitigation and Air Quality Improvement Program are: Transportation Control Measures (TCMs), Extreme Low-Temperature Cold Start Programs, Alternative Fuels, Congestion Relief & Traffic Flow Improvements (ITS projects and programs), Transit Improvements, Bicycle and Pedestrian Facilities and Programs, Travel Demand Management, Public Education and Outreach Activities, Transportation Management Associations, Carpooling and Vanpooling, Freight/Intermodal, Diesel Engine Retrofits, Idle Reduction, Training, I/M Programs, and Experimental Pilot Projects. The current federal guidelines related to the available CMAQ funding for the Competitive Project Selection Process for MAG Federal Funds is titled, 'The Congestion Mitigation and Air Quality Program (CMAQ) under the SAFETEA-LU Interim Program Guidance' can be accessed online at: <http://www.fhwa.dot.gov/environment/cmaq06gd.pdf>.

New federal guidelines were 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. It is expected that additional guidance on changes to the CMAQ program will be available during the year.

Contingency Projects - Projects identified during Interim Closeout if the number of projects submitted to use Closeout funds, exceeds the Interim Closeout amount. These projects would then be funded during Final Closeout under the condition that additional funds were identified by changes to a project schedule, to the apportionment or appropriations formulas, and/or notification of redistributed obligation authority (OA) that would increase the funds available.

Designated Representative – A designated representative of a jurisdiction is an employed staff person of the jurisdiction designated by the chief administrator to sign MAG funding request documents on behalf of that jurisdiction.

Eligible Projects/Project Components – Eligible projects/project components are defined by the current federal guidelines related to the type of federal fund that is being considered.

Incomplete Application – An application that does not have required application fields filled-in is defined as incomplete.

'In an Agency's Control', - Actions for which a project sponsor has decision making authority, such as the allocation of funding and staff time, project management, scheduling decisions, and the coordination of the project with other projects in the agency's boundaries such as developer or other agency projects

Joint Project – A joint project is a project that has more than one jurisdiction financially committed to the project.

MAG Approved Plan – MAG approved plans are used in the evaluation of Regional Projects. The list of MAG approved plans that can be used are the most recently approved Regional Transportation Plan, MAG ITS Strategic Plan – April 2001, MAG Strategic Transportation Safety Plan – October 2005, MAG Regional Bikeway Master Plan – 2007, Pedestrian Plan – 2000, MAG Regional Action Plan on Aging and Mobility, MAG Regional Off-Street System Plan – February 2001, and the Arizona Strategic Highway Safety Plan – August 2007

MAG Committee Process – For purposes related to this document and process: Transportation Review Committee, the Management Committee, the Transportation Policy Committee, and the Regional Council. Please see FIGURE A

MAG Federal Fund Program – The MAG Federal Fund Program consists of projects in the MAG Transportation Improvement Program (TIP) that are funded with federal funds, both highway and transit projects. A component of this Program are the projects that are local sponsored, competitively selected and programmed through the MAG Process with Federal Funds. The categories that are available for local agencies to apply for federal funds through the MAG Process are: Arterial-ITS Projects – CMAQ funded, Arterial Projects – STP-MAG funded, Bicycle and Pedestrian Projects – CMAQ funded, and Air Quality Projects – CMAQ funded.

MAP-21 – On July 6, 2012, President Barak Obama signed the Moving Ahead for Progress in the Twenty First Century Act. MAP-21 authorizes the Federal surface transportation programs for highways, highway safety, and transit for the 2-year period 2013-2015. <http://www.fhwa.dot.gov/map21/>

Project Sponsor – The project sponsor is the local agency that is responsible for all steps of the process related to all aspects of the federal project development process including: the MAG Competitive application process, 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 certified accepted (CA) agency. If federal funding is not programmed for design, engineering, and clearance work, the project sponsor is responsible for the costs. The federal 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.

Regional Project – A transportation project that is sponsored and funded by one or more MAG member agency that impacts other jurisdictions besides those sponsoring the project. The project concept has to be consistent with an approved MAG Plan.

Attachment 1A

SAFETEA-LU - On August 10, 2005, President George W. Bush signed the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). SAFETEA-LU authorizes the Federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009.^v

Surface Transportation Program (STP) funds – Surface Transportation Program funds are federal funds designated to be used on highways, transit or street projects.

The Transportation Programming Guidebook – The Guidebook is published on a yearly basis and its purpose is to provide MAG member agencies background information, instructions, and deadlines on the different transportation programs and requirements for the RTP, the MAG TIP, and the MAG Federal Fund Program for the upcoming fiscal year.

Technical Advisory Committees (TAC) – The MAG Technical Advisory Committees that are related to Competitive Project Selection Process for MAG Federal Funds are the MAG Street Committee, MAG Intelligent Transportation System (ITS) Committee, Air Quality Technical Advisory Committee, and the Bicycle and Pedestrian Committee. Please see FIGURE A

^v SAFETEA-LU Home Page. *US Department of Transportation, Federal Highway Administration*. Retrieved on July 9, 2008 from <http://www.fhwa.dot.gov/safetealu/index.htm>.

MAG Federal Fund Programming Guidelines & Procedures
Competitive Project Selection Process for MAG Federal Funds

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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. Adopted policy direction is included in the Appendix.
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 Sub Allocated Ledger maintained by Arizona Department of Transportation (ADOT). These projects compose the MAG Federal Fund Program. As of March 2015, these include Congestion Mitigation Air Quality (CMAQ) and Surface Transportation Program (STP)-MAG, STP-Pinal County, Highway Safety Improvement Program (HSIP), and the Transportation Alternatives Program (TAP-MAG).
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, CMAQ or other federal funding
 - Projects funded through the MAG Unified Planning Work Program
6. When first selected through the competitive programming process, all projects work phases to receive federal funding 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 – the legal authority to commit federal funding for the reimbursement of eligible costs - and thereby the ability to fully use or loan 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 and/or loss of 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). Changes to work phases should include TIP change(s).
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 is used, and to guide decisions on project obligation, de-obligation, deletion, deferment and advancement within the program.
11. Through the MAG Federal Fund Status Report, 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 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.
15. Safety will be explicitly considered when selecting and programming projects with MAG Federal funds.

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.

The project sponsor is responsible for the following:

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, construction or any other activity necessary to complete the project under applicable State and Federal law.
4. Providing reports and letters to MAG as detailed in Section 300, 500 and 600.
5. Requesting TIP changes.

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 to 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 1st of the year the project work phase 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 without an extension granted by ADOT, will result in loss of funding for the project and for the Region.

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
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.

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 2 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 responsible nonelected official from the agency or his designated representative as defined in Bullet 2 of this section.
 - c. The letter is to include the TIP number of the project work phase, location and work description as listed in the TIP.
 - 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 designated signee must have control over budget and staff. The designation letter will be in force as long as the sponsoring agency representative is a member of the MAG Management Committee or until a new designation alternative signee 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 bullet 1 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 bullet 1 are met for each work phase.
5. **Reprogramming.** If a Commitment Letter has been received and the project is 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, MAG is authorized to delete the project from the TIP.

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 to include, at a minimum, 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.

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 accordance with the MPO's public involvement process.
2. **Report Scope.** The Annual Listing of Obligated projects will apply to all MAG Federal Fund projects.
3. **Report schedule.** In October of each year, MAG will distribute a listing of projects to sponsoring agencies to review and update. The sponsoring agencies will provide 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

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 include:
 - 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.

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 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:
 - 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 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. A signature is NOT required for electronic versions of applications, however, the electronic version must match the signed hardcopy.

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 accept faxed and PDF versions of signed printed documents, but requires that the printed version of the application be received in the MAG offices within five working days of the application deadline. If a completed application is not received in five working days, the application will be rejected.
10. **Application Receipts.** All MAG applications will include a checklist of required items. When an application is received from a member agency, MAG staff will review the application to confirm that all checklist items are complete and will generate a receipt. The receipt will be sent to the member agency by e-mail. If the application is incomplete, the receipt will identify the 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. **Presentation and Q&A Session.** An opportunity will be provided for each application to be presented, 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.
 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.
 - iii. **Revisions.** If there are outstanding questions concerning the project, MAG may require the sponsoring to revise its application to address the questions. If an

updated application is required, the sponsoring agency has one work to provide an updated application. 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 review cost effectiveness scores; and committees will be presented with these scores prior to the ranking of projects.
 - b. **Congestion Management Process (CMP).** All projects types (e.g. bicycle-pedestrian, ITS, etc.) that are covered by the CMP will be analyzed by technical committees. This analysis will include a review of the reasonableness and data used for CMP and development, and consideration of CMP scoring in the ranking of projects.
 - c. **Safety.** The safety benefits and impacts of proposed projects will be considered by 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.
 - 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:
 - i. Change the project scope,
 - ii. Change the project schedule,
 - iii. 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.

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.

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).

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. These plans need not have been submitted to ADOT as of this date.
 - 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
 - d. **Right-of-way inventory.** Consistent with federal regulations, the project sponsor must complete an in-house inventory or assessment of right-of-way needs for the project.
4. **Procurement project milestones.** Prior to entering the current fiscal year, design and procurement projects must have achieved the following milestones:
 - a. **Project initiation.** The project sponsor must initiate the project with ADOT by obtaining ADOT and Federal identification numbers.
 - b. **In-house specifications and Estimates.** The project sponsor must have completed in-house specifications and estimates of purchases.
 - c. **Studies and design project milestones.** The project sponsor must initiate the project with ADOT by obtaining ADOT and Federal identification numbers.

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. To initiate each assessment MAG will provide notice to project sponsor representatives as identified 300.4 of the Guidelines for Commitment Letters. This notice will provide notice of requirements and deadlines.

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 (i.e. Closeout)

The ability to commit federal funding to reimburse eligible costs expires at the end of the federal fiscal year – September 30th – and unused federal funding balance may be subject to Congressional rescissions. To avoid the loss of federal funding, MAG will, contingent on the funding availability, redistribute federal funding to member agency projects. If excess federal funding is not available, MAG will not redistribute federal funding (i.e. hold closeout).

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 August 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.
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.
6. **Notice of redistribution.** Following Regional Council approval MAG staff will provide notice to MAG member agencies that will receive redistributed funding. This notice will be distributed to project sponsor representatives as identified 300.4 of the Guidelines for Commitment Letters.

500.5. Failure to Use Redistributed Funding

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.

600. TIP Amendments, Administrative Modifications and Clerical Corrections

This section addresses policies to amend and administratively modify projects in the TIP. For the purposes of this section the following actions to modify the TIP are defined as follows:

1. **TIP amendment.** A TIP amendment is any TIP change that requires Regional Council action. These include changes to the project sponsor, year programmed, the location, work description, increases in the amount of Federal or Regional funding or any action that would impact the air quality conformity analysis of the TIP or Regional Transportation Plan.
2. **Administrative modification.** An administrative modification is defined as any change to the TIP that is typically sent to the Regional Council for approval, but is not explicitly required to be approved by the Regional Council. These include decreases in Federal and Regional funds, changes to the type of federal funding on projects, changes to the amount of funding consistent with Federal matching requirements, and the splitting or combining of projects.
3. **Clerical corrections.** Clerical corrections refer to changes that do not require Regional Council action. These include corrections of spelling and grammar errors and changes to informational elements in TIP listings that do not affect the work scope, location, year programmed, identify of the agency sponsoring the project, funding amounts or project information in the TIP listing. Clerical corrections may not impact the air quality conformity analysis of the TIP or Regional Transportation Plan.

600.1 Federal Funds in Excess of Needs or from Abandonments

1. All federal funding programmed pursuant to these policies is the responsibility of MAG to administer. Excess federal funding left over after the project is completed or if the project is abandoned will be returned to MAG for use in the competitive selection process. The excess funding may not be transferred to another project or used to expand an existing project beyond the scope of the project identified in the TIP.

600.2 Project Abandonments and Failures to Authorize in Year Programmed

1. **Type of action.** Project abandonments are TIP amendments.
2. **Abandonment requests.** To abandon a project, the project sponsor is required to send MAG programming staff an e-mail or other written notice of the intention of the agency to abandon the project.
3. **Failures to authorize.** Should a project fail to authorize in the year programmed without the project sponsor requesting the of deferral of the project, the project will be considered abandoned and action to delete the project from the TIP will be initiated unless the project sponsor contacts MAG within 90 days of the end of the Federal Fiscal Year and requests its re-establishment in the TIP. If the project was advanced from a previous year in the TIP, the project will be held harmless and return to its previously programmed year minus any additional funding it received in the MAG closeout and without loss of its one time deferral option. If the project was not advanced in closeout, it may be considered for deferral to a future year minus any additional funding it received in the MAG closeout (Please see the section on deferrals for additional information).

4. **Approval actions.** The approval of an abandonment request will begin at the Transportation Review Committee and include the Management Committee, the Transportation Policy Committee and the Regional Council.

600.3 Project Deferrals

1. **Type of action.** Project deferrals are TIP amendments.
2. **First time deferrals.** Agencies may defer a project one time without justification. The year to be deferred to will be determined in coordination with MAG staff and will be based on the availability of federal funding in the year to be programmed, the status of the project and the minimum time needed to complete the project. Typically this will not exceed two years.

If the project has already submitted a commitment letter and project schedule, an updated commitment letter and project schedule will be required in order to defer a project.

3. **Approval actions for first time deferrals.** The Approval of a first time deferral will begin at the Transportation Review Committee and will include the Management Committee, the Transportation Policy Committee and the Regional Council.
4. **Additional deferrals.** Additional deferrals require the successful completion of the approval process identified in Section 600.7.

600.4 Project Advancements

1. **Type of action.** Project advancements are TIP amendments.
2. **Advancement requests.** To request advancement of a project, the project sponsor is required to send MAG staff an e-mail or other written notice of the intention of the agency to advance the project. This request should provide sufficient information to indicate that the project can be authorized in the year requested. Approval of the request will be dependent on the availability of federal funding.

If the project has already submitted a commitment letter and project schedule or the request for advancement is within two years of its programmed year of authorization, an updated commitment letter and project schedule may be required in order to advance the project.

3. **Advancement during closeout.** Projects that are advanced in closeout are held harmless should they fail to authorize as programmed and will not lose their one time option to defer without justification.
4. **Approval Actions.** Projects that are advanced in the Closeout process will proceed through the normal approval process beginning at the Transportation Review Committee. The approval of advancement outside the closeout process is required to begin with the approval by the modal technical committee (e.g. Street, Bicycle-Pedestrian, ITS, Safety) from which the project was first

programmed and then proceed through an approval process that includes the Transportation Review Committee, the Management Committee, the Transportation Policy Committee and the Regional Council .

600.5 Project Modifications (Other than changes to year programmed)

1. **Type of action.** Project changes are TIP amendment, administrative modifications or clerical corrections.
2. **Permitted modifications.** The following types of changes are permitted under Section 600.5:
 - i. Segmenting or combining contiguous projects for ease of project development and implementation,
 - ii. Combining or splitting work phase. For example, dividing projects into design, right-of way and construction phases,
 - iii. Changes to the amount and type of local funding for a project consistent with federal matching requirements,
 - iv. Change in the sponsoring agency,
 - v. Minor changes to the work descriptions of projects that do not deviate from the original application. For example, removing lighting or parking from a bicycle lane construction project.
 - vi. Minor changes to the location of a project that do not deviate from the original location of a project.
 - vii. Increasing or decreasing the limits of a project by 0.25 miles or less.
 - viii. Clerical changes that correct the of spelling and grammar errors and changes to informational elements in TIP listings that do not affect the work scope, location, year programmed, identification of the agency sponsoring the project, funding types and amounts or project information in the TIP listing that would impact the air quality conformity analysis of the TIP or Regional Transportation Plan.
3. **Modifications not permitted.** The following types of changes not permitted in Section 600.5:
 - i. Increasing or adding federal funding to a project. These are addressed in the project selection and MAG closeout,
 - ii. Major changes to the work scope or location of a project beyond those identified above,
 - iii. Deferral (see 600.3), advancement (see 600.4) and abandonment of projects (see 600.2).
4. **Modification requests.** To request a project change, the project sponsor is required to send MAG staff an e-mail or other written notice of the intention of the agency to change the project description.
5. **Approval Actions.** Projects that are classified as TIP amendments that modify the work scope of a project, must be first approved by the modal technical committee (e.g. Street, Bicycle-Pedestrian, ITS, Safety) from which the project was first programmed and then proceed through an approval process that includes the Transportation Review Committee, the Management Committee, the Transportation Policy Committee and the Regional Council. All other TIP amendments and Administrative Modifications will begin the approval process at the Transportation Review Committee and include the policy committees as listed above Project changes that are classified as clerical corrections do not require additional approval actions.

600.6 Project Deletions

1. **Type of action.** Project deletions are TIP amendments.
2. **Initiation of action.** Actions to delete projects will be initiated by MAG staff pursuant to the requirements of the project reporting and project management sections of these policies guidelines and to remove unauthorized projects from previous federal fiscal years. These include requirements to provide commitment letters and project schedules, comply with required project milestones and authorize projects in the year programmed.
3. **Notice of anticipated action to delete projects.** Prior to initiating action at the Transportation Review Committee, MAG staff will provide notice to project sponsors that their projects will be requested for deletion.
4. **Agency actions to halt deletions.** Project sponsors may halt deletion actions by requesting as appropriate to defer the project to a later year, continue the project in the year it is programmed or reinstate the project in the year it was advanced in the closeout. If the project request is to reinstate or defer the project, the approval of the request is subject to the provisions of Section 600.4 and 600.3, respectively. If the request is to continue the project in the current year programmed, the project sponsor will need to avail themselves of the appeals process defined in section 600.7.
5. **Approval Actions.** The approval of project deletions will begin at the Transportation Review Committee and will include the Management Committee, Transportation Policy Committee and the Regional Council.

600.7 Project Appeals Process

1. **Purpose.** The purpose of the appeals process is to provide project sponsors with the opportunity to halt the deletion of projects or in cases where the project has previously been deferred, to request a second deferral for the project.
2. **Appeals request.** To request an appeal, the project sponsor must send an e-mail or provide other written notice to MAG staff.
3. **Appeals Schedule.** Beginning at the modal technical committee from which the project originated and proceeding through the Transportation Review Committee, the Management Committee and the Regional Council, the project sponsor will provide a presentation and written documentation supporting their appeals request. The hearing committees will then engage in a question and answer session with the project sponsor and take action on whether to approve or disapprove the request. A written record on the question and answer session, as well as the action of the committee, will be provided to all subsequent committees hearing the appeal.
4. **Presentation Requirements.** The presentation will be provided by the member agency staff and will accomplish the following:

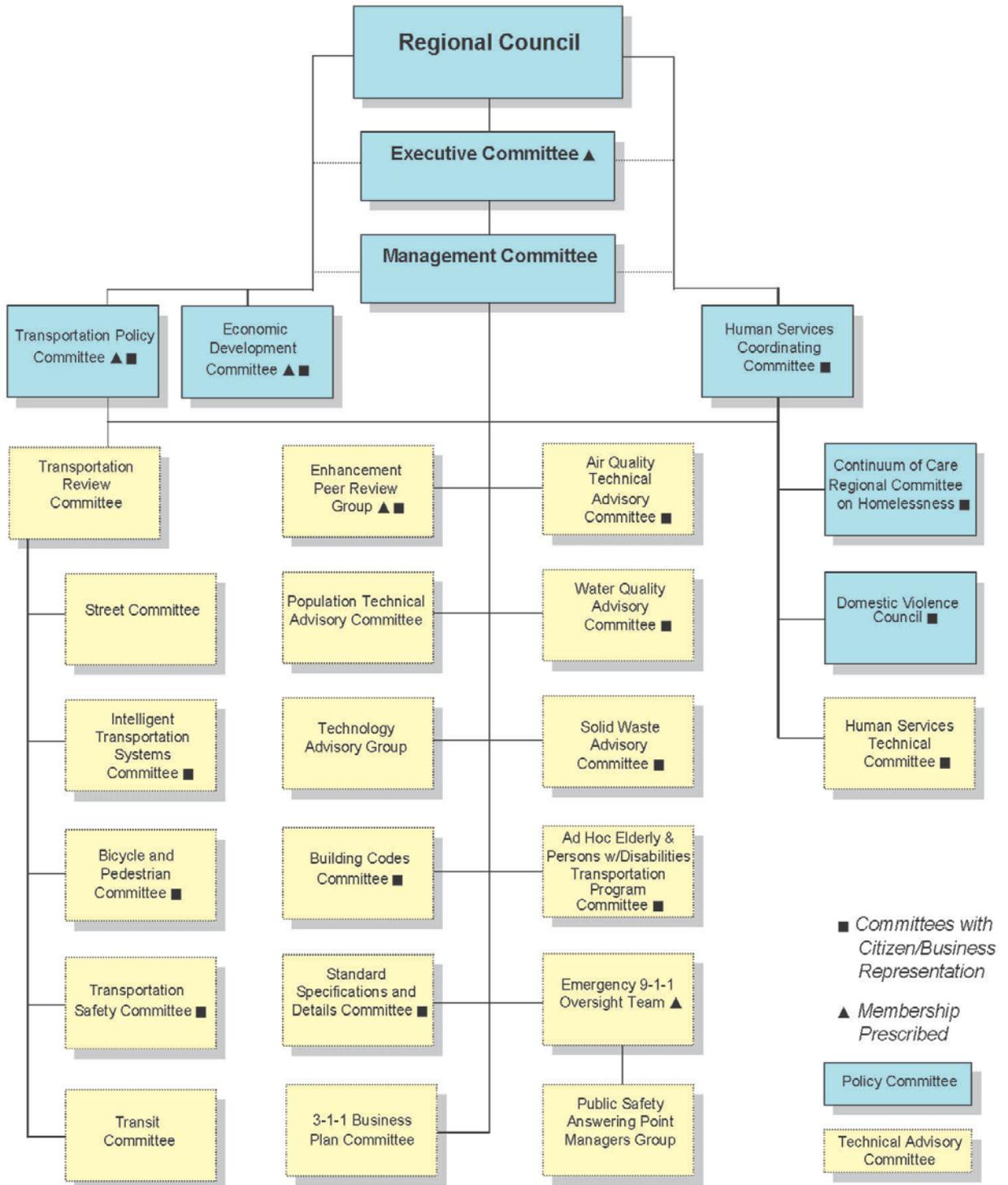
- a. Identification and explanation of specific problems or issues beyond the control of the agency other than financial issues that have caused the delay (e.g. the actions of outside actors), failure to achieve a required milestone or need to defer the project.
 - b. Demonstration of financial commitment (e.g. staff time, funds) by the agency to develop the project prior to the rescheduling or deletion decision.
 - c. A revised schedule and plan that addresses the specific issues identified.
 - d. If a project has been previously deferred, demonstration that the previous cause of delay has been addressed and/or explanation of why the revised approach will address the problem causing the delay.
5. **“Beyond the control of the agency”**. For the purpose of the hearing the phrase “beyond the control of the agency” refers to actions for which a project sponsor does not have decision making authority – e.g. the actions of third parties such as utility companies, railroads, property owners, the courts, other governmental agencies; and reviewing agencies who may fail to provide timely reviews and approvals. Actions also not under the control of a sponsor also include issues that could not have been reasonably anticipated when the project was initiated such as the discovery archaeological artifacts, hazardous materials, or impacts to endangered or threatened species in areas where none of these issues had been encountered or known to exist previously.

Actions within the control of a sponsoring agency may not be used to justify an appeal. These include the allocation of funding and staff time, project management, scheduling decisions, and the coordination of the project with other projects in the agency’s boundaries such as developer or other agency projects.

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FIGURE A - MAG Committees



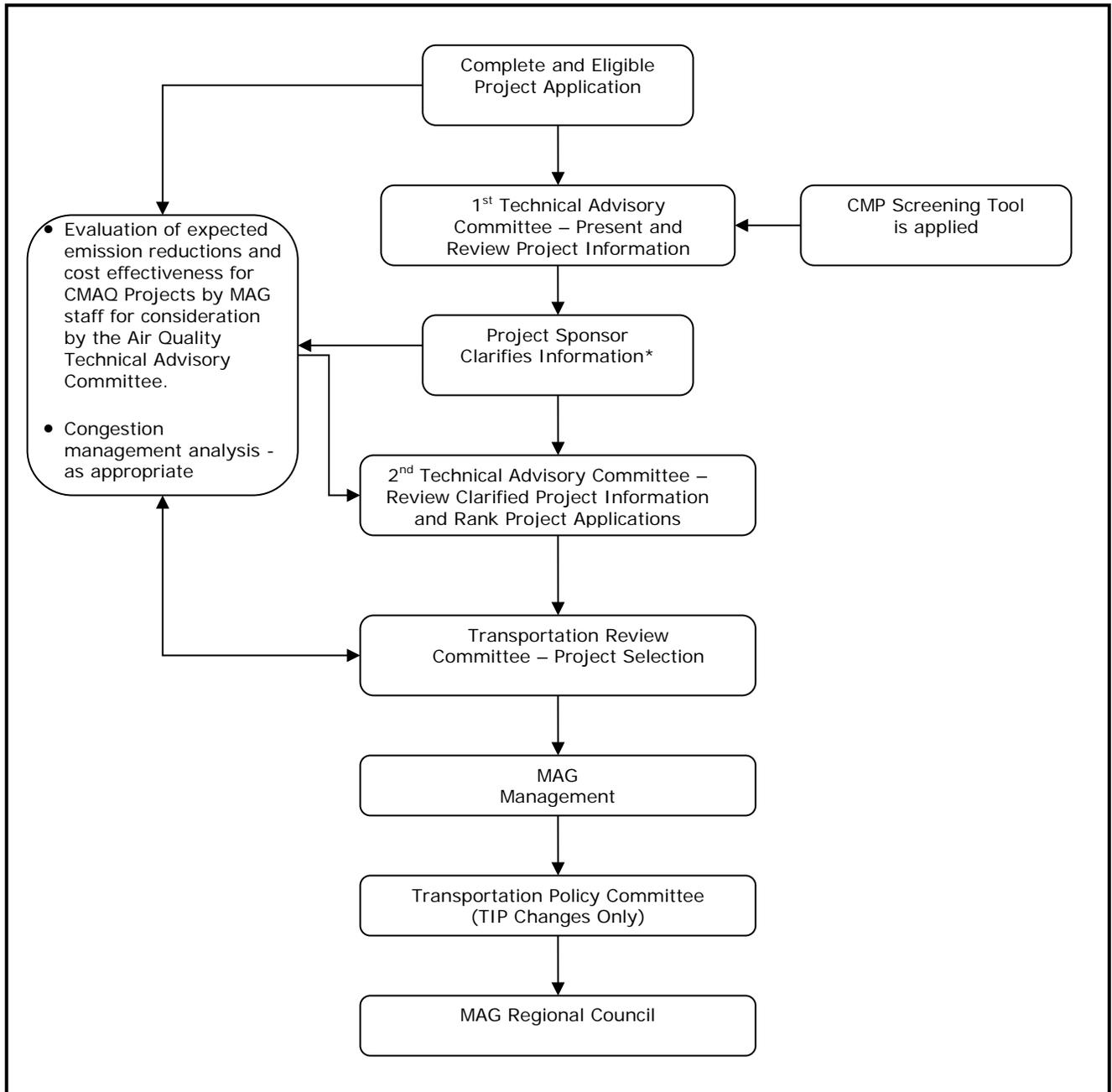
- Committees with Citizen/Business Representation
- ▲ Membership Prescribed
- Policy Committee
- Technical Advisory Committee

FIGURE B - General Schedule for Competitive Application Process

General Schedule for Competitive Application Process*	
July	Transportation Guidebook is updated.
August	Transportation Guidebook is published documenting funds available per mode in future years, schedules, evaluation criteria, etc.
	1st - 2nd week: Federal Fund Project Applications available
	Mid - Month: Workshop on MAG Transportation Programming and Federal Fund Project Applications
	End of month: Open Working Group, if needed - Federal Fund Project Applications
September	Early - Mid Month: Open Working Group, if needed - Federal Fund Project Applications
	Mid month: Due Date and Time, signed Project Applications due to MAG. <u>Late Applications will not be accepted.</u>
October	Technical Committees review and Lead Agencies present project applications for Projects Submitted
	AQTAC review and recommends CMAQ evaluations for project submitted
November	2nd Technical Committee Meeting: second review and ranking of project applications
December	TRC review/recommend/approve funding for projects
January	Managers review/recommend/approve funding for projects
	TPC review/recommend/approve funding for projects
	RC review/recommend/approve funding for projects
February	Projects are incorporated in DRAFT TIP or current approved TIP

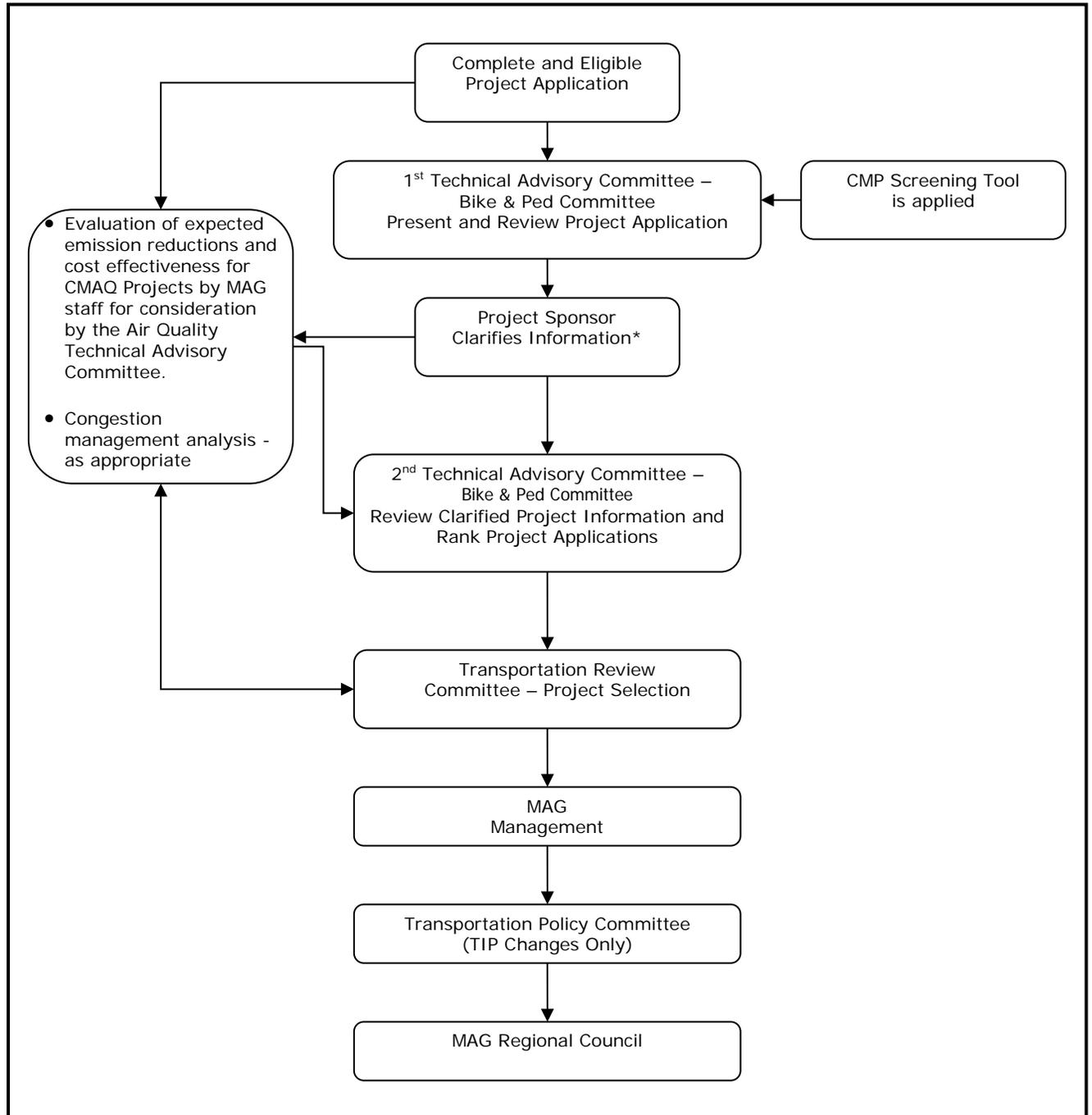
** PM-10 Paving Dirt Road projects and PM-10 Street Sweeper projects have two technical advisory committees involved in their review process.*

FIGURE C - Generic Flowchart of the Competitive Selection Process



*If needed

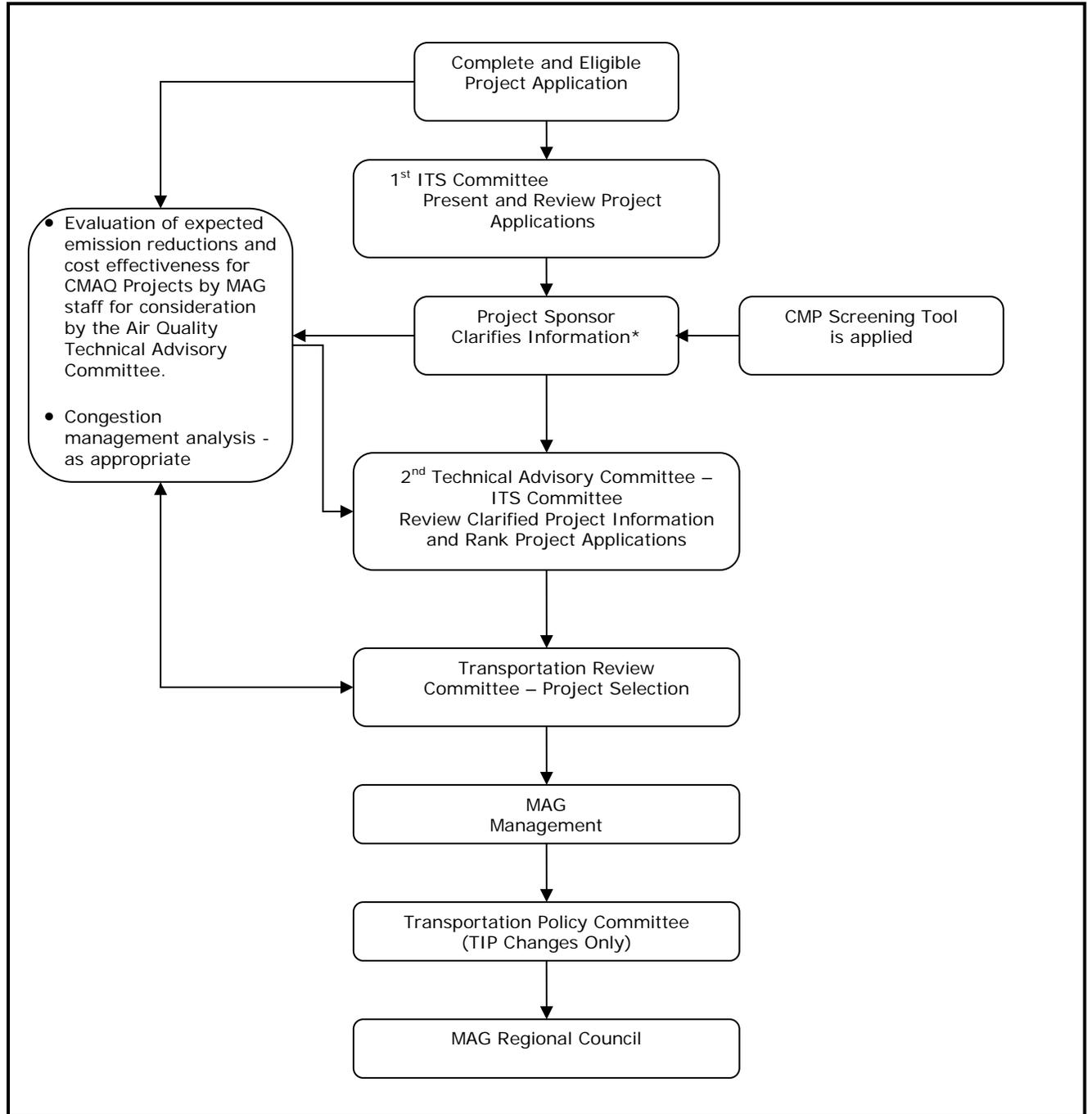
FIGURE D - Competitive Selection Process for Bike/Ped Modes



*If needed

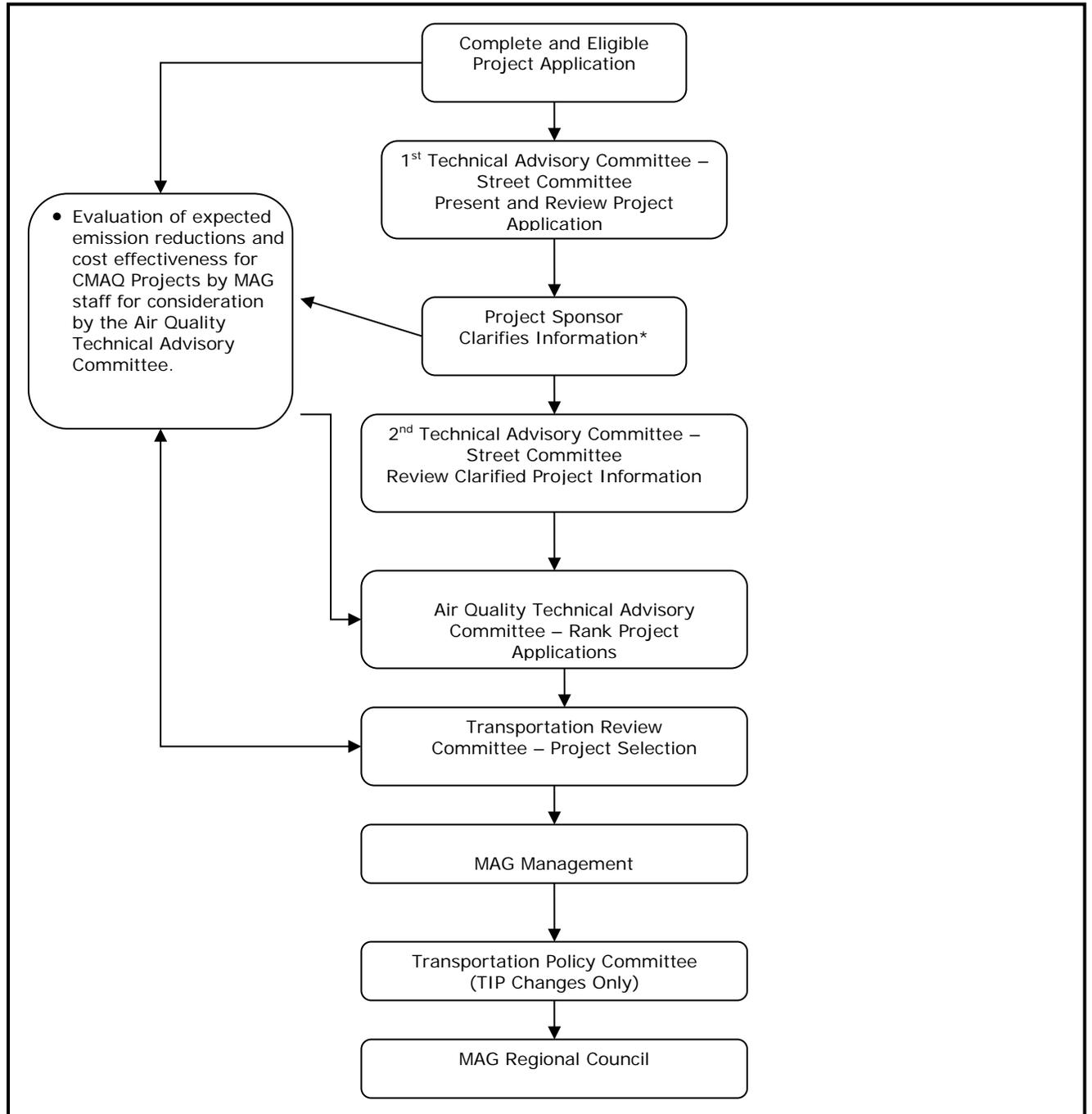
Note: Applies only to bicycle and pedestrian projects.

FIGURE E - Competitive Selection Process for ITS Projects



*If needed

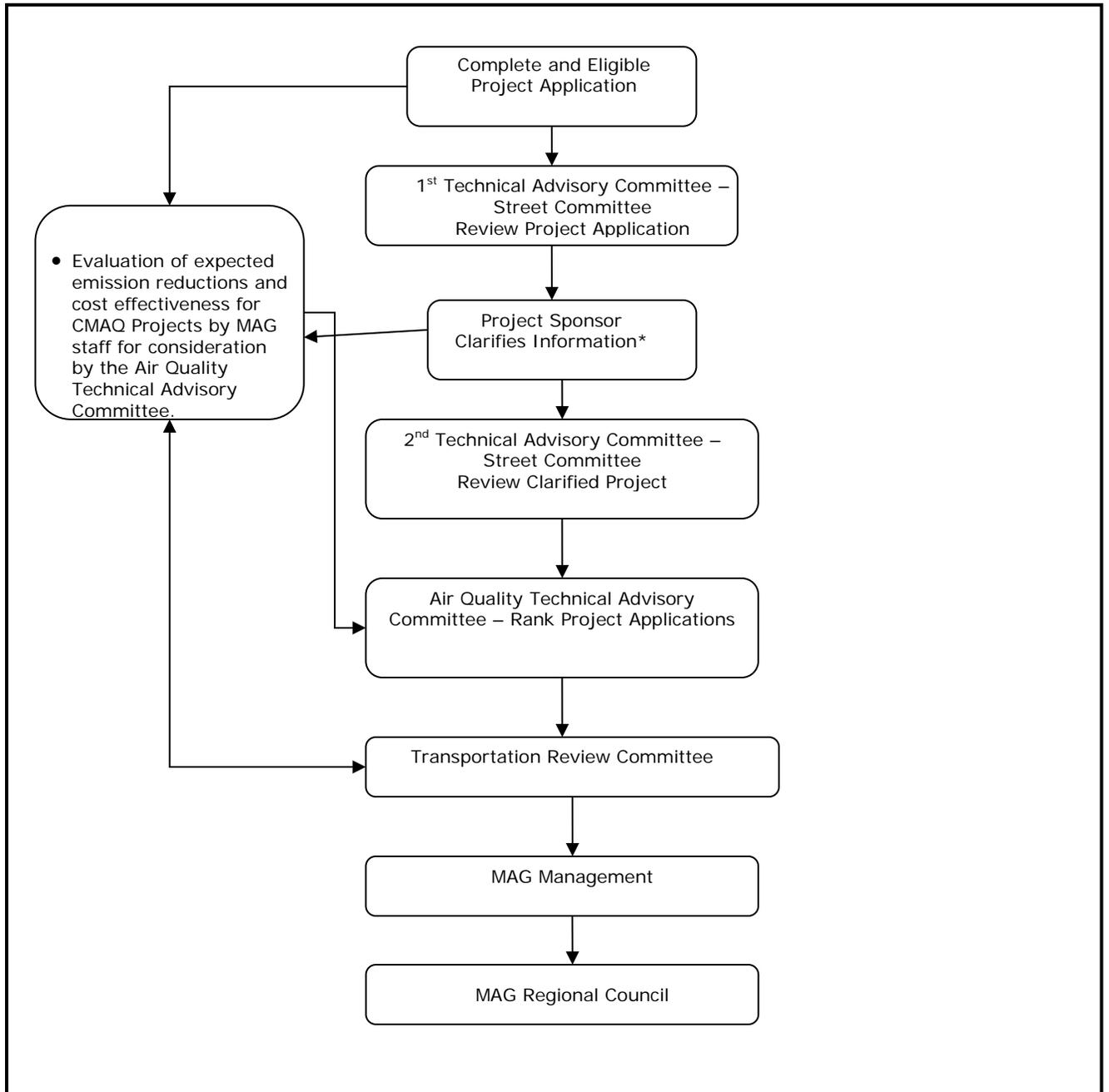
FIGURE F - Flowchart of the Competitive Selection Process Paving Projects



*If needed

Note: Applies only to the paving of unpaved roadways for dust mitigation purposes.

FIGURE G - Competitive Selection Process for Street Sweepers



*If needed

Note: Applies only to the purchase of PM-10 and PM-2.15 Certified Street Sweepers

FIGURE H – Example Project Schedule Page

Phase		Planned Date		Current Status	Notes
		Start	End		
Design	Preliminary Project Assessment				
	Design Concept Report				
	30 Percent Plans				
	60 Percent Plans				
	95 Percent Plans				
	PS&E Package				
Environmental Clearance	Hazmat Report				
	Biological Report				
	Cultural Report				
	Environmental Document/Clearance				
Right-of-way Clearance	Initial Actions - Inventory and Appraisals				
	Acquisitions - Offers, Purchases and Condemnations				
	ROW Certification				
Utilities Clearance					
Materials Memo					
IGA/JPA					
Authorize Project					

FIGURE I – General Schedule for Project Assessments and Closeout

April - July	<p>Project Assessment and Readiness List</p> <ol style="list-style-type: none"> 1. Agencies submit project workbooks (and commitment letters if needed) 2. TRC develops list of projects ready to obligate in the coming fiscal year; projects programmed for the coming fiscal year not on the list are required to be deferred or abandoned 3. TRC hears appeals from agencies that will be required to defer or abandon projects 4. The list and related TIP amendments are approved by the Management Committee, Transportation Review Committee and the Regional Council.
August/ September	<p>Funding Estimate</p> <ol style="list-style-type: none"> 1. MAG Staff releases estimate of anticipated federal funding for authorization
October - December	<p>Projects Assessment and Programming Requests</p> <ol style="list-style-type: none"> 1. Agencies submit project workbooks and commitment letters 2. Program revisions and requests: <ol style="list-style-type: none"> a. Projects on the Readiness List that cannot obligate in the current fiscal year are required to be deferred or abandoned b. Request to advance projects into the current fiscal year are submitted with as appropriate commitment letters and workbooks c. Request to update cost estimates for current year projects are submitted.
January	<p>Redistribution of Funding (i.e. Closeout)</p> <ol style="list-style-type: none"> 1. Priorities for redistributing excess current year funding will be established and approved by the TRC, Management Committee, the Transportation Review Committee and the Regional Council 2. MAG will send notice to agencies that they have received redistributed funding

DEFINITIONS

‘Actions In an Agency’s Control’, - Actions for which a project sponsor has decision making authority, such as the allocation of funding and staff time, project management, scheduling decisions, and the coordination of the project with other projects in the agency’s boundaries such as developer or other agency projects

‘Actions Not In Control of an Agency’ - Actions of third parties such as utility companies, railroads, property owners, the courts, other governmental agencies and reviewing agencies who may fail to provide timely reviews or provide inconsistent, ambiguous or erroneous guidance. Actions also not under the control of a sponsor include issues that could not have been reasonably anticipated when the project was initiated such as the discovery archaeological artifacts, hazardous materials or impacts to endangered or threatened species in areas where none of these features had been encountered or known to exist previously.

Clean Air Act – The Clean Air Act (CAA) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes the Environmental Protection Agency to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emission of hazardous air pollutants. – (Summary of the Clean Air Act, <http://www.epa.gov/lawsregs/laws/caa.html>, Retrieved on May 9, 2008)

Congestion Mitigation and Air Quality (CMAQ) Improvement Program - Congestion Mitigation and Air Quality Program are federal funds that are available for projects that improve congestion and air quality in areas that do not meet clean air standards (“non-attainment” areas). The transportation projects and programs that are eligible under the Congestion Mitigation and Air Quality Improvement Program are: Transportation Control Measures (TCMs), Extreme Low-Temperature Cold Start Programs, Alternative Fuels, Congestion Relief & Traffic Flow Improvements (ITS projects and programs), Transit Improvements, Bicycle and Pedestrian Facilities and Programs, Travel Demand Management, Public Education and Outreach Activities, Transportation Management Associations, Carpooling and Vanpooling, Freight/Intermodal, Diesel Engine Retrofits, Idle Reduction, Training, I/M Programs, and Experimental Pilot Projects. The current federal guidelines related to the available CMAQ funding for the Competitive Project Selection Process for MAG Federal Funds is titled, ‘The Congestion Mitigation and Air Quality Program (CMAQ) under the SAFETEA–LU Interim Program Guidance’ can be accessed online at: <http://www.fhwa.dot.gov/environment/cmaq06gd.pdf>.

New federal guidelines were 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. It is expected that additional guidance on changes to the CMAQ program will be available during the year.

Contingency Projects - Projects identified during Interim Closeout if the number of projects submitted to use Closeout funds, exceeds the Interim Closeout amount. These projects would then be funded during Final Closeout under the condition that additional funds were identified by changes to a project schedule, to the apportionment or appropriations formulas, and/or notification of redistributed obligation authority (OA) that would increase the funds available.

Designated Representative – A designated representative of a jurisdiction is an employed staff person of the jurisdiction designated by the chief administrator to sign MAG funding request documents on behalf of that jurisdiction.

Eligible Projects/Project Components – Eligible projects/project components are defined by the current federal guidelines related to the type of federal fund that is being considered.

Incomplete Application – An application that does not have required application fields filled-in is defined as incomplete.

'In an Agency's Control', - Actions for which a project sponsor has decision making authority, such as the allocation of funding and staff time, project management, scheduling decisions, and the coordination of the project with other projects in the agency's boundaries such as developer or other agency projects

Joint Project – A joint project is a project that has more than one jurisdiction financially committed to the project.

MAG Approved Plan – MAG approved plans are used in the evaluation of Regional Projects. The list of MAG approved plans that can be used are the most recently approved Regional Transportation Plan, MAG ITS Strategic Plan – April 2001, MAG Strategic Transportation Safety Plan – October 2005, MAG Regional Bikeway Master Plan – 2007, Pedestrian Plan – 2000, MAG Regional Action Plan on Aging and Mobility, MAG Regional Off-Street System Plan – February 2001, and the Arizona Strategic Highway Safety Plan – August 2007

MAG Committee Process – For purposes related to this document and process: Transportation Review Committee, the Management Committee, the Transportation Policy Committee, and the Regional Council. Please see FIGURE A

MAG Federal Fund Program – The MAG Federal Fund Program consists of projects in the MAG Transportation Improvement Program (TIP) that are funded with federal funds, both highway and transit projects. A component of this Program are the projects that are local sponsored, competitively selected and programmed through the MAG Process with Federal Funds. The categories that are available for local agencies to apply for federal funds through the MAG Process are: Arterial-ITS Projects – CMAQ funded, Arterial Projects – STP-MAG funded, Bicycle and Pedestrian Projects – CMAQ funded, and Air Quality Projects – CMAQ funded.

MAP-21 – On July 6, 2012, President Barak Obama signed the Moving Ahead for Progress in the Twenty First Century Act. MAP-21 authorizes the Federal surface transportation programs for highways, highway safety, and transit for the 2-year period 2013-2014 (<http://www.fhwa.dot.gov/map21/>) and as continued by the Congress.

Project Sponsor – The project sponsor is the local agency that is responsible for all steps of the process related to all aspects of the federal project development process including: the MAG Competitive application process, 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 certified accepted (CA) agency. If federal funding is not programmed for design, engineering, and clearance work, the project sponsor is responsible for the costs. The federal

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.

Regional Project – A transportation project that is sponsored and funded by one or more MAG member agency that impacts other jurisdictions besides those sponsoring the project. The project concept has to be consistent with an approved MAG Plan.

SAFETEA-LU - On August 10, 2005, President George W. Bush signed the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). SAFETEA-LU authorizes the Federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009.¹

Surface Transportation Program (STP) funds – Surface Transportation Program funds are federal funds designated to be used on highways, transit or street projects.

The Transportation Programming Guidebook – The Guidebook is published on a yearly basis and its purpose is to provide MAG member agencies background information, instructions, and deadlines on the different transportation programs and requirements for the RTP, the MAG TIP, and the MAG Federal Fund Program for the upcoming fiscal year.

Technical Advisory Committees (TAC) – The MAG Technical Advisory Committees that are related to Competitive Project Selection Process for MAG Federal Funds are the MAG Street Committee, MAG Intelligent Transportation System (ITS) Committee, Air Quality Technical Advisory Committee, and the Bicycle and Pedestrian Committee. Please see FIGURE A

¹ SAFETEA-LU Home Page. *US Department of Transportation, Federal Highway Administration*. Retrieved on July 9, 2008 from <http://www.fhwa.dot.gov/safetealu/index.htm>.

Appendix A - Transportation Alternative Program (TA)

Transportation Alternatives Program (TA) Goals and Objectives, and Process Approved by Regional Council on August 26, 2013

Goals:

1. Improve pedestrian and bicyclist accessibility and connectivity on the transportation network.
2. Assist in providing a safe environment for the bicyclists and pedestrians on both the on-street and the off-street transportation networks.
3. Make bicycling and walking to public K-8 schools a safer and more desirable transportation alternative to motorized vehicles.

Definitions

- **Accessibility:** The ability of transportation infrastructure improvements to provide better access to transit stops, destinations, schools, homes/subdivisions, and employment for people that are walking or biking for all ages and abilities.
- **Connectivity:** The ability of transportation infrastructure improvements to link the proposed project to other bike/pedestrian facilities, completing a gap in a bike/pedestrian facility, or a city/town.
- **Safety:** Projects that make a street safer by addressing a perceived or observed safety problem, including (but not limited to): high vehicle speed, crashes, striping, intersection crossings, or mid-block crossings.

Objectives:

- Fund eligible Transportation Enhancement and Safe Routes to School (SRTS) projects through the federal MAP-21 Transportation Alternatives fund.
- Fund bike and pedestrian improvement projects that provide a safe transportation route or improve a transportation route for (K-8) students to schools.
- Fund bike and pedestrian improvement projects that address a perceived or observed problem/safety issue, including (but not limited to) unsafe street crossings; missing, narrow or poorly maintained sidewalks; adding/improving bike lanes (restriping, widening, colored pavement); or disconnected/inaccessible bike or pedestrian facilities, while connecting residents to transit stops/centers or other destinations.
- Fund Safe Routes to School (SRTS) non-infrastructure projects that educate and encourage K-8 students, parents, and school resources officers/staff on bicycle and walking options.
 - GUIDELINE - Funding will be set aside at 9% of total Transportation Alternatives funding, with a maximum yearly total of \$400,000. If the total value of projects awarded for Safe Routes to School non-infrastructure projects is less than the total programmed set-aside, remaining funds will be applied toward eligible infrastructure projects.

- GUIDELINE – These projects will need to evaluate on a quarterly basis as required by the federal government, and address enforcement and encouragement.
- Utilize evaluative tools based on quantitative and qualitative performance measures to inform project rankings in the application process.

Proposed Evaluation – Infrastructure - Transportation Alternatives (TA) applications are reviewed, presented, evaluated, and ranked by the MAG Bicycle and Pedestrian Committee. Prior to the TA application being released, the MAG Transportation Safety Committee will review, edit, and develop questions to address safety issues and aspects of the proposed project. The MAG Transportation Safety Committee will also provide guidance on how to evaluate and score the TA application questions related to safety.

One representative from each of the MAG Transportation Safety Committee and the MAG Street Committee will participate in the TA application review, presentation, evaluation, and ranking process at the Bicycle and Pedestrian Committee. The representative will be identified by Safety and Streets Committee before the process begins.

Proposed Evaluation- SRTS Non-Infrastructure

The SRTS Non-Infrastructure projects would be evaluated by the MAG Transportation Safety Committee.

Appendix B – MAG Pinal County Surface Transportation Program (STP)

MAG Pinal County Surface Transportation Program (STP) Programming and Evaluation Policy As Approved by the Regional Council on February 25, 2015

I. Program Goals and Objectives

A. The MAG Pinal County STP Program has six key goals and objectives:

1. Expand capacity on existing roadways or intersections of high demand
2. Maintain and preserve the region's transportation system
3. Address safety concerns in existing roadway/intersection conditions
4. Promote connectivity between high demand/capacity roadways and activity centers to advance economic vitality
5. Maintain consistency with stated jurisdiction policy
6. Achieve a significant reduction in congestion on the region's transportation system

II. Eligibility

A. Only projects within the Pinal County area of MAG are eligible for funding under the program.

B. Roadways eligible for funding under the program include:

1. Parkways
2. Principal arterials
3. Minor arterials
4. Major collectors

C. Activities eligible for funding under the program include:

1. Capacity expansion
2. Rehabilitation of existing infrastructure – roadways
3. Rehabilitation of existing infrastructure – bridges
4. Intersection improvements
5. Drainage improvements

D. Phases eligible for funding under the program include the ADOT design-review fee, design, and construction.

E. Funding for the program may not be flexed to the Federal Transit Administration.

1. Projects can include transit-oriented improvements such as bus pullouts if they are part of a larger project (ancillary activities)

III. Funding Limits

- A. The MAG Pinal County sub-allocated STP contribution for a project's construction phase may not exceed \$2.00 million for a single-jurisdiction project and \$3.00 million for a joint or regional project.
1. A joint project has more than one agency financially contributing to the project. It is required that the application:
 - a. Be submitted by the sponsoring agency that will be responsible for implementing the project and reporting to MAG
 - b. List the main contacts for all agencies involved
 - c. Document how the local cost component will be shared between the partnering agencies
 - d. Include signatures from each jurisdiction's manager(s), administrator(s), or designated representatives.
 2. 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.

IV. Application Process

- A. Project applications will be evaluated by the MAG Street Committee and a list of recommended projects will be forwarded through the committee process for review and approval.
1. Projects will be presented, reviewed, and ranked at the Streets Committee and then forwarded to TRC.
 - a. The Streets Committee will assess the application and data provided to determine its reasonableness and accuracy relative to the evaluation criteria
 - b. The Streets Committee cannot change the project scope, schedule, budget, or requested federal funds during the evaluation process. The Street Committee's purpose will be to rank order the projects as submitted in the application through an evaluation process.
 - c. The Transportation Review Committee will review the evaluation and analysis completed by the Streets Committee and recommend projects to be selected and programmed with federal funds based on the guidelines established for project selection.
 - d. The TRC can make recommendations to change the project scope, schedule, or budget during the project selection process.

- B. Projects shall be evaluated by the Street Committee using the following measures and weights:
 - 1. Quantitative
 - a. Annual average daily traffic (AADT) – 13%
 - b. Pavement/bridge condition – 13%
 - c. Peak period speed – 13%
 - d. Segment/intersection capacity (VPLPH) – 13%
 - e. Crash rate – 9%
 - f. Number of injuries/fatalities – 9%
 - 2. Qualitative
 - a. Connectivity (regional) – 5%
 - b. Proximity to activity centers – 5%
 - c. Intersection improvement throughput – 5%
 - d. Intersection improvement safety – 5%
 - e. Jurisdictional policy – 5%
 - f. Community involvement – 5%
- C. MAG will try to provide at least 5 weeks for agencies to prepare applications during each call for projects.

V. **Other**

- A. The Pinal County STP Program shall adhere to all of MAG's Federal Fund Programming Guidelines and Procedures

March 3, 2015

TO: Members of the Street Committee

FROM: Stephen Tate, Transportation Planner

SUBJECT: Proposal to Establish a Federally Funded Project Initiation Pool (PIP)

MAG has been working closely with the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) to consider approaches to improve the delivery of locally sponsored federally funded projects. Based on this work, it is proposed that MAG set aside each year for a limited time, a pool of federal funding that could be used by its member agencies to fund the cost of initiating projects in the ADOT administered federal project development and review process.

The pool of funding would be open to all member agencies with MAG federal funded projects outside the freeways, arterial, and transit life cycle programs. The will provide \$2,829 federal funding per project to set up the project at ADOT, obtain federal and State project numbers and fund ADOT staff support to facilitate the development of Intergovernmental Agreements (IGAs) and other ADOT activities to begin or review projects. The use of this funding would not require an IGA with ADOT. If all applicable projects were cover it is estimated that the total size of the pool would average to approximately \$137,000 per year in MAG federal funds¹.

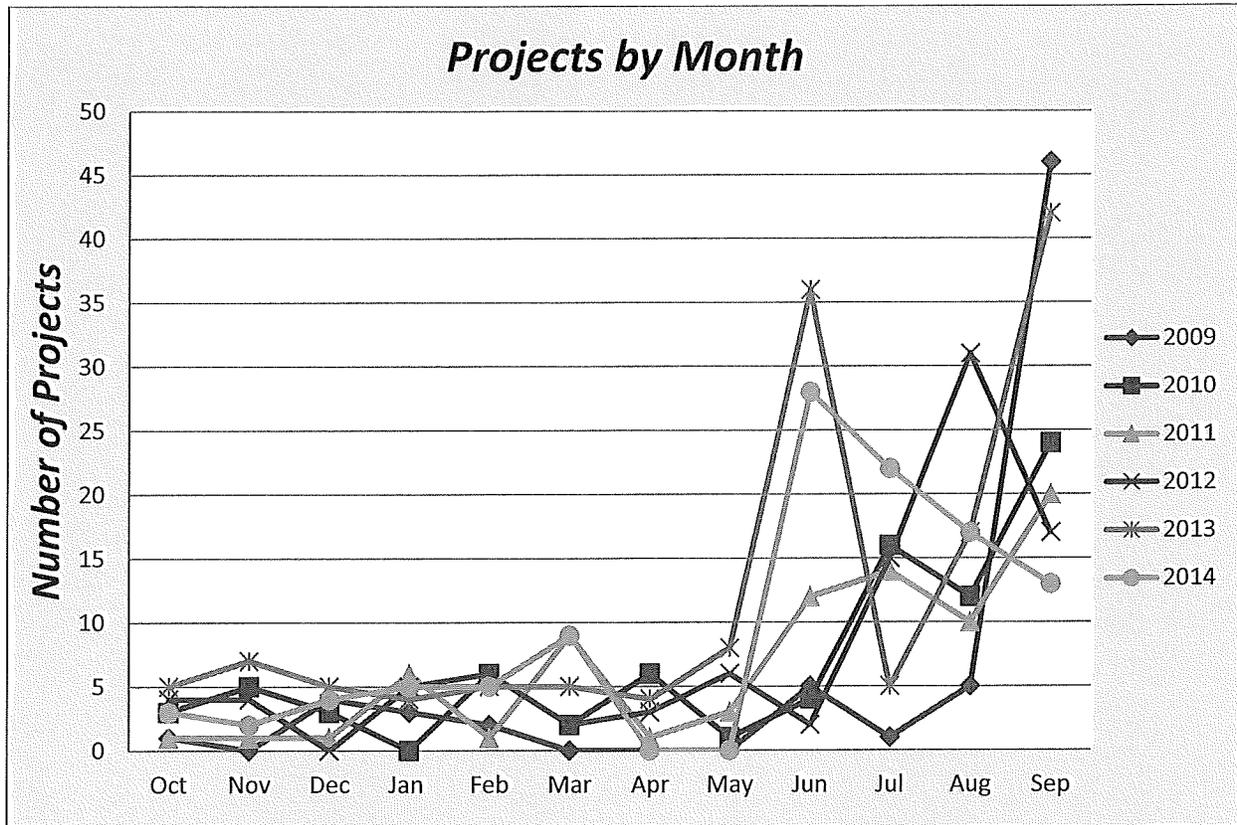
For additional information or questions, please contact Stephen Tate (state@azmag.gov) or Teri Kennedy (tkennedy@azmag.gov) at (602) 254-6300.

Background

The FY 2014-2018 MAG Transportation Improvement Program (TIP) over the FY 2014-2017 period includes per year, approximately 48 locally sponsored, MAG federally funded projects outside the life cycle programs. These projects must be authorized in the year programmed or lose obligation authority. The process to authorize a project is often quite long and involves numerous steps which require back and forth interactions between the local sponsor and ADOT staff.

A major consequence of this process and the number of project to be authorized is a marked tendency for projects to authorize at or near the deadline for authorization. The following chart shows the number of authorization by month for the period from 2009 through 2014.

¹ This estimate is based on the average number of MAG federally funded projects in the first four years of the FY 2014-2018 MAG Transportation Improvement Program.



In the period from 2009 to 2012, the deadline for submitting project was the beginning of August; thereafter the deadline was shifted to June. In both cases, the overwhelming majority of the projects authorize near or at the deadline. This exposes MAG to the risk of loss obligation authority and floods ADOT and FHWA with work at the end of the fiscal year.

This tendency to authorize near or at deadline is exacerbated by the shift of ADOT funding for the review of project to be based exclusively on fees from member agencies. This change has resulted in a requirement that agencies that are not certified accepted, complete an IGA prior to project initiation and the completion of an IGA often requires ADOT staff input.

To address this problem, it is proposed to set up a pool of MAG federal funds that would be used to pay ADOT fees to initiate projects outside the life cycle programs. The funds would be used for the following:

- The setting up of the project in the ADOT database management system and the assignment of ADOT and federal project identification numbers,
- A kickoff meeting with ADOT staff to inform the member agency of the process needed to authorize projects and allow ADOT staff a preliminary view of the project and
- Begin early work on the development of an Intergovernmental Agreement or a Job Project Agreement.
- Any unused funds from these activities would be used to pay for other ADOT fees associated with the project.

For certification accepted agencies – Phoenix, Scottsdale, Mesa, Chandler, Tempe and Maricopa County – the funding could be used to cover ADOT fees for environmental reviews.

The federal funding available per project would be \$2,829. The sponsoring agency would need to provide \$171 in local match for the federal funding when the project authorized. To authorize the federal funding, the project sponsor would need to sign a letter contract with ADOT (Please see the example at the enclosed with this memo).

To provide member agencies with incentive to initiate their projects early, the size of the funding pool would be set to less than that needed by the to the number of projects eligible to use funding from the pool and would be available for only a limited time. For example, thirty-one MAG federal funded projects are programmed for FY 2017. To provide initiation funding for these projects, the Project Initiation Pool (PIP), could be set up to provide federal funding to initiate seventy-five percent of these projects in FY 2016 or approximately \$66,000 in MAG federal funds. Member agencies would then come into ADOT and authorize funds on a first come first served basis from the PIP until it reached a balance of zero or an expiration date occurred – the end of December. Obligation authority not authorized from the PIP would be included in FHWA Sub-allocation closeout or loaned to the Arterial Life Cycle Program and returned the following year for use in the PIP.

The total amount and expiration date of the PIP would be established each year by the MAG Regional Council in September or earlier for the coming federal fiscal year. This action would also identify projects eligible to receive the funding. Eligibility would need to be limited to projects that have not been initiated at ADOT and be based on the type of project (i.e. design, right-of-way, construction and procurement) and the year programmed (i.e. future year projects).

For additional information or questions, please contact Stephen Tate (state@azmag.gov) or Teri Kennedy (tkennedy@azmag.gov) at (602) 254-6300.

(Example)
ADOT/MAG Project Initiation Pool
Letter Agreement

Agency:
Project:
Date:

The purpose of this letter of agreement is to provide The Arizona Department of Transportation (ADOT) funding for reviewing member agency, federally funded projects is based solely on fees paid by member agencies. Work by ADOT cannot begin on projects until these fees are received.

Scope:

[AGENCY NAME] agrees to the following:

1. Initiate the above referenced project through the LPA Section.
2. Provide federal funding through the Maricopa Association of Governments' Project Initiation Pool funding allocation.
3. Provide the 5.7% required local match.

ADOT agrees to the following:

1. The setting up of the project in the ADOT database management system, the assignment of ADOT and federal project identification numbers, assign an ADOT Project Manager, and submit the above referenced project for federal authorization.
2. Hold a kickoff meeting with ADOT staff to inform the member agency of the process needed to authorize projects and allow ADOT staff a preliminary view of the project.
3. Begin early work on the development of an Intergovernmental Agreement or a Joint Project Agreement.

Fee:

The total amount of funding for the above referenced project is \$3,000. The federal share would be \$2,829 and the local matching amount would be \$171. The federal share of this total would be subject to federal payback requirements only if the project advanced beyond predesign (approximately 15% design).

The estimated fee outlined above includes the costs to initiate the project in the ADOT system and complete preliminary project review tasks by the ADOT PM in cooperation with [AGENCY NAME].

Any unused amounts in excess of these activities would be used to cover other ADOT review activities as needed during the design and/or construction phases.

Schedule:

Once [AGENCY NAME] delivers this executed agreement along with the project initiation request letter and payment for the required local match, the following tasks will be executed in the estimated timeframes:

1. Project initiation and PM Assignment: 2 weeks
2. Project Authorization: 2-4 weeks

- 3. Hold a Kick-off Meeting: 1-2 weeks
- 4. Initiation of the IGA/JPA: 1-2 weeks (Concurrent with item #3)

Terms of Payment:

[AGENCY NAME] will submit a check for the required 5.7% local match in the amount of \$171.00, made payable to the Arizona Department of Transportation. This check must be submitted along with the signed letter agreement and the project initiation request.

By signing this letter agreement the [AGENCY NAME] is acknowledging and accepting all terms and conditions referenced herein. Once completed, send it the signed letter agreement, project initiation request letter, and a check for the required local match to:

Arizona Department of Transportation
Local Public Agency Section
Attention: Knut Gruffson
1615 W. Jackson St., Mail Drop EM11
Phoenix, Arizona 85007

ACCEPTANCE:

Signature

Name & Agency

Date