



**MAG  
ROADWAY SAFETY  
PROGRAM:**

**POLICIES AND  
PROCEDURES  
2019**



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## BACKGROUND

In 2019, MAG initiated development of the MAG Roadway Safety Program (RSP). This roadway safety funding program was proposed by MAG to supplement the state's Highway Safety Improvement Program (HSIP) program, and assist with providing additional funding in the short term. MAG will facilitate the regional safety program that can directly improve the safety conditions of our roadways in all areas of MAG, whether rural or dense urban. MAG has developed this program to address these critical regional funding needs in the near term.

The MAG region will be updating the Strategic Transportation Safety Plan that will: 1) identify additional short term projects to feed into the RSP through 2024, and 2) provide suggested long-term safety programming to be included in a new Regional Transportation Plan/regional funding plan estimated for approval prior to December 2024. MAG member agencies continue to advocate for transportation system safety through implementation of transportation projects in the region. With this two-phased approach, the region will augment and assist the state in reducing traffic fatalities and serious injuries on all public roads across the region.

To address flexibility and agility to implement these near term safety needs with lower cost solutions, MAG has identified approximately \$2.0 million a year of sub-allocated federal funds available for the FY 2020 to FY 2024 period. MAG will coordinate with ADOT to substitute MAG Sub-allocated Surface Transportation Block Grant program funds, noted as an equal return of MAG 2.6% funding Highway User Revenue Funds (HURF) that could then be used to fund a number of small safety projects throughout the region.

The RSP Policies and Procedures were approved by the Transportation Policy Committee on September 18, 2019 and by the Regional Council on September 25, 2019. Updates to the RSP Policies and Procedures will be generated with input from the MAG Transportation Safety Committee and revisions presented through the MAG Committee Process for approval.

The RSP relies upon two main elements:

1. Policies and Procedures. Policies, which provide direction to decisions and processes, in conjunction with procedures, which specify the steps needed to implement these specified policies; and,
2. Project Requirements. Joint Agency Agreements (JAA), which define the roles and requirements for agencies participating in the implementation of each Project; Project Application, which define the scope of the project and ensure that it aligns with the intent of the RSP goals and objectives; Project Reimbursement Requests (PRR), which define the reimbursements for the project per the program amount and fiscal year.

## I. MAG Roadway Safety Program Management and Administration

### Section 100: Program Goals and Objectives

- A. The primary program goal is to implement low cost safety solutions in the near term that supplement the existing state and local programs in addressing transportation safety needs.
  1. The RSP goals will be consistent with the Regional transportation safety goals of the approved MAG Strategic Transportation Safety Plan and address the strategies therein.
  2. Reduce fatalities and serious injuries in the region by three to seven percent in the next five years, from the base year of 2013.
    - a. Eliminate Death and Serious Injury from Speeding and Aggressive Driving Behavior
    - b. Eliminate Death and Serious Injuries at Intersections
    - c. Eliminate Death and Serious Injuries Involving Vulnerable Users, Bicyclists, Pedestrians and Persons with Disabilities
  3. Support ADOT in reducing safety trends by programming RSP projects that address the Arizona Strategic Highway Safety Plan (SHSP) goals and Emphasis Areas.
- B. The RSP must be documented and has four key objectives:
  1. Effective and Efficient Implementation of Safety Improvements: Facilitate the effective and efficient implementation of safety. In support of this objective, the Program should:
    - a. Ensure Projects are implemented that include proven safety countermeasures that address a historically demonstrated safety issue,
    - b. Ensure Projects are implemented that include proven safety countermeasures that address safety issues identified utilizing an agency adopted predictive safety analysis method, as appropriate and
    - c. Include the means to track safety performance of location(s) where RSP projects are implemented.
  2. Accountability: Provide the means to track and ensure effective and efficient Project implementation. In support of this objective, the Program should:

- a. Employ comprehensive Joint Agency Agreements (JAAs), or other legal instruments, that detail agency roles and responsibilities in the implementation of specific Projects; and
  - b. Provide the means within each JAA, Project Application and Project Reimbursement Request to track Project implementation, performance and successful completion of individual Projects and the Program.
3. Transparency: Provide members of the public, elected officials, stakeholders, participating agencies and others with ready access to information on the Program and on each Project. In support of this objective, the Program should:
- a. Include substantial public and stakeholder consultation as part of the implementation process for each Project; and
  - b. Require that material project changes to Projects in the Program be subject to public and stakeholder involvement through the MAG Committee Process.
4. Compliance: Comply with all applicable federal, state and local requirements in the implementation of Projects.

C. The Program must be responsive to near terms needs.

#### Section 110: Applicability of the MAG Roadway Safety Program Policies and Procedures

- A. To make changes to the RSP Policies and Procedures:
1. MAG staff will suggest new provisions, additions, and revisions to the RSP Policies and Procedures, when necessary.
  2. The MAG Transportation Safety Committee will provide oversight to any changes suggested to the RSP Policies and Procedures.
  3. Member agencies may submit suggested changes to MAG.
    - a. MAG will review the suggested changes and generate an agenda item for the MAG Transportation Safety Committee to consider the changes for possible recommendation through the MAG Committee Process referred to in Section 130.

#### Section 120: Program Reporting

- A. Prior to the beginning of each state fiscal year, the Roadway Safety Program will be reviewed by the MAG Transportation Safety Committee unless otherwise prohibited due to outstanding issues.
- B. The adopted MAG Roadway Safety Program will:
  - 1. Provide the status of the Projects: Project additions, Project deletions, changes to Project schedules, Program and Project financing and other necessary components.
  - 2. Verify the revenues and regional reimbursement costs in the RSP.
- C. The RSP Status Report will provide the MAG committee members an update on all Project requirements and RSP financial information. Information provided in the status report will include the number of Project Applications, Joint Agency Agreements, and Project Reimbursement Requests submitted and processed by MAG Staff.
  - 1. All participating agencies will provide information to meet the minimum requirements for the audit report by way of the Project Application and Project Reimbursement Request.

#### Section 130: MAG Committee Process

- A. The MAG Committee Process included in Appendix A – Glossary and Acronyms.
- B. Final decisions regarding the RSP rest with the MAG Regional Council with recommendations from the Transportation Safety Committee (TSC), Transportation Review Committee (TRC), MAG Management Committee (MC) and the Transportation Policy Committee (TPC).
  - 1. The MAG Committee Process will apply for the:
    - a. Approval of amendments to the RSP Policies and Procedures;
    - b. Adoption of the MAG Roadway Safety Program;
    - c. Approval of amendments to the RSP and TIP.

## II. Programming the MAG Roadway Safety Program

### Section 200: Programming the RSP

- A. MAG establishes regional funding limits, reimbursement phases, scopes, and priorities for all RSP Projects with oversight by the MAG Transportation Review Committee.
  1. The regional funding for the RSP is based on the Federal Highway Administration, Sub-allocated Surface Transportation Block Grant (STBG) program funding, for an equal return of MAG Highway User Revenue Funds (HURF) noted as 2.6% funds by ADOT Financial Management Services.
  2. The HURF funding distribution to the RSP is based on the Funding Substitution Table established by MAG in coordination with ADOT. The Funding Substitution Table may be updated on an annual basis, or as needed, to adjust for ledger balances of the identified STBG funds. The table may be published in the MAG Programming Guidebook, annually.
  3. Project sponsors must adhere to guidelines and requirements of HURF funding.\*
  4. \*For agencies not eligible to receive HURF funding, FHWA sub-allocated Surface Transportation Block Grant Funds will be available. Project sponsors receiving FHWA funding, must adhere to federal guidelines and requirements.
  5. Updates as needed will be included in the Transportation Programming Guidebook published annually.
- B. MAG will issue a call for projects annually in August for the following fiscal year. As an example, on August 3, 2020 (FY2021) issue notice of Call for FY2022 Projects. Deferments are not allowed under any circumstances. If a Lead Agency determines at any time during the project development that the project is not feasible, MAG must be notified in writing within the first six months of authorization.
- C. All RSP Projects must be programmed in the local government agencies Capital Improvement Program (CIP) and the approved MAG Transportation Improvement Program (TIP) before they may be reimbursed. Notation of sub-allocated funding with the CIP may be accepted.
- D. A commitment letter from the City/County/Town Manager or designee will be the basis of programming decisions for work and/or reimbursement in the first two years of the RSP.

- E. Before a project may be programmed for work and/or reimbursement in the first two (2) years of the current or draft RSP (as an example FY 2020 being the current and FY 2021 being the next FY of the TIP), the Lead Agency must:
  - 1. Demonstrate sufficient local funding for the project is programmed in the Lead Agency's CIP or TIP
    - a. For multi-jurisdictional projects, the Lead Agency is responsible for collecting CIP and other budgetary documents from the project partners that demonstrate the availability of local funds.
  - 2. Submit a commitment letter signed by the City/County/Town manager or designee and copies of the current draft of the agency's CIP that demonstrate local funding for the project.
    - a. The lead agency's City/County/Town Manager or designee must sign the commitment letter. The designee must be department director level or higher.
    - b. A commitment letter template will be provided by MAG.
    - c. The commitment letter shall certify that that local funds, staff time, and resources are committed to develop, obligate, implement, and complete the project as requested.
- F. During the annual RSP update, Project Reimbursements will be programmed in accordance with the following guidelines:
  - 1. Eligible Projects:
    - a. Design must be programmed in the local government agency's Capital Improvement Program (CIP), or noted as a general suballocation area, before any regional reimbursement may be programmed within the twenty-four (24) months. Regional Council approval of the RSP list of projects begins the 24-month time period.
  - 2. Exceptions to the programming guidelines may be approved through the MAG committee process.
    - a. Requests should go to the MAG Transportation Safety Committee for a technical review and recommendation.
    - b. Geometric changes may need to be included in a conformity analysis prior to inclusion in the State Transportation Improvement Program (e.g. reducing vehicle lanes).

- G. Programming of Projects funded by the RSP must be consistent with the RSP and the RSP Policies and Procedures. The Maricopa Association of Governments (MAG) is the agency designated to implement the MAG Roadway Safety Program ensuring the estimated cost of the program improvements does not exceed the total amount of available revenues.
1. All RSP Projects will be reviewed annually, and the RSP will be programmed and produced at the beginning of each fiscal year.
    - a. The Lead Agency for each RSP Project will be responsible for Project updates.
    - b. MAG Staff will produce a programming schedule each fiscal year.
    - c. If a program surplus occurs, the following action will be taken:
      - i. Determine the amount available.
      - ii. MAG staff will provide members of the MAG Transportation Review Committee a detailed overview of the available revenues.
      - iii. Notification of funding will be made via an addition to the next Call for Projects, or as directed by the Transportation Review Committee.
  2. Certain projects that reduce or expand thru traffic lanes may be contingent on a new finding of air quality conformity
    - a. Additional completion time may be allocated to the project if Regional Council action is delayed by three (3) or more months.

#### Section 210: Updating Projects in the RSP

- A. All RSP Projects will be updated annually (refer to Section 200(F) 2).
- B. Any necessary changes to an RSP Project must be submitted by a written request stating the new updated schedule and budget and any other necessary justifications.
  1. Requests will be approved through the MAG Committee Process by the approval of the RSP.
  2. Update forms will be provided by MAG.
  3. Deferrals are not allowed under any circumstances.

- C. MAG, the Lead Agency, and other agency(ies)/jurisdiction(s) listed in the Joint Agency Agreement must agree to the proposed changes or updates.

#### Section 220: Types of RSP Project Updates

- A. If an original RSP Project is deemed not feasible:
  - 1. The Lead Agency must submit a written request to MAG. The written request must include:
    - a. Justification, such as a feasibility study, level of service justification, or other documents explaining why the Project is deemed not feasible, and the description of steps to overcome any issues related to deleting the original Project from the RSP and TIP.
    - b. Upon acceptance of the justification, MAG may terminate the original Joint Agency Agreement.
    - c. The Lead Agency may cancel the project at any time and provide a brief statement.

#### Section 230: Program or Project Amendments and Administrative Adjustments

- A. If a necessary Program or Project update (Section 220) falls outside of the RSP or, TIP update schedule, then an amendment to the RSP, and the TIP, will be required, as appropriate.
  - 1. Proposed amendments that in whole or in part negatively impact Projects in the TIP and/or RSP may not be approved.
  - 2. Amendments are subject to approval through the MAG Committee Process on a case-by-case basis.
  - 3. The Lead Agency and other agency(ies)/jurisdiction(s) listed in the Joint Agency Agreement must agree to the proposed changes.
- B. The Lead Agency listed in the Joint Agency Agreement, typically initiates the amendment process by making a written request to MAG.
  - 1. If an amendment is approved by MAG, corresponding amendments are required for the appropriate programs and or agreements.
- C. MAG Staff will review each request for:

1. Funding changes identified from the original Project allocation, the contingency allowance, the overall revised budget and other key aspects of the funding, change in lead agency or partners, reimbursement or reallocation.
2. Consistency with the approved RSP Policies and Procedures.

#### Section 240: Availability of Program Funds

- A. If there is a balance of program funds in a given year, existing Projects may be accelerated. Any acceleration will occur according to priority order of the RSP.
  1. For Projects to be accelerated, design costs must be committed as local funds in lieu of local match.
    - a. At least 60% Design must be complete.
- B. If there are surplus funds available upon the full completion of the RSP, the MAG Transportation Review Committee will discuss options regarding additional Projects.

#### Section 250: Reallocation of Project Savings

- A. Project Savings from the RSP will not be determined by MAG to be eligible for reallocation, unless and until:
  1. Construction has been completed and the work satisfies the original intent and scope of the Project, as included in the Joint Agency Agreement and Project Application, and there are remaining regional funds allocated to the Project if earlier than the 24-month time limit as described in Section 200.f.1.a ; OR,
    - a. A high degree of certainty is obtained that construction for the original RSP Project will be completed consistent with the Joint Agency Agreement and Project Application specified scope and schedule if earlier than the 24-month time limit.
    - b. OR, the 24-month time limit has expired.
  2. The project has been reimbursed or the Final PRR documenting all project costs has been accepted by MAG.

## III. Project Details

### Section 300: Lead Agencies

- A. A Lead Agency must be identified for each RSP Project.
  - 1. The Lead Agency is required to be a MAG member agency.
  - 2. One Lead Agency per Project will be accepted. For segmented Projects, please refer to Section 300(D).
  - 3. The designation of a Lead Agency for each Project will be accomplished through the signed Joint Agency Agreement with MAG.
- B. The Lead Agency is responsible for all aspects of project implementation, including, but not limited to, Project management, financing, risk management, public involvement, design, right-of-way acquisition, and construction.
  - 1. The Lead Agency and MAG will be signatories to the Joint Agency Agreement.
  - 2. The Lead Agency and the agency(ies)/jurisdiction(s) listed in the Joint Agency Agreement are expected generally to use accepted financial and project management policies, practices, and procedures in the use of funds received from the RSP and in the implementation of the RSP Project.
- C. Projects in One Jurisdiction
  - 1. If a Project falls entirely within one jurisdiction, then that jurisdiction is expected to be the Lead Agency.
    - a. If there is change in jurisdictions due to annexation that affects a Project, the Lead Agency designated at the time of Project implementation will continue to serve as the Lead Agency.
  - 2. An alternative agency may be specified as the Lead Agency if the local jurisdiction in which the Project is located agrees.
    - a. An agreement between the local jurisdiction and the Lead Agency must be documented in writing between the respective Town/City Managers, County/Community Administrator or designees.
    - b. A copy of that written agreement must be provided to MAG.

#### D. Projects in Multiple Jurisdictions

1. In cases where the RSP Project is located in more than one jurisdiction, the Project may be implemented as either:
  - a. One Project with a single Lead Agency as agreed to by the agency(ies)/jurisdiction(s) listed in the Joint Agency Agreement.
    - i. The agreement to this effect between the local jurisdictions and the Lead Agency must be documented in writing between the respective Town/City Managers, County/Community Administrator or designees in a Memorandum of Understanding (MOU) and/or an Joint Agency Agreement (JAA).
    - ii. The agreement will be used to explain multi-jurisdictional roles, responsibilities, local and regional funding, the reimbursement process between the project partners, and other terms of the Project, which will be referenced in the Joint Agency Agreement signed by the Lead Agency.
    - iii. A copy of this agreement must be provided to MAG, who must agree to the proposed Lead Agency designation.
  - b. The Project may be segmented and implemented as separate Projects by local jurisdictions, if agreed to by all agencies/jurisdictions listed in the Joint Agency Agreement, and following the Project Update process specified in Section 220.

#### E. Lead Agency responsibilities may be transferred from one agency to another MAG Member Agency.

1. The currently approved Lead Agency must submit a formal request to MAG.
  - a. The request must address the project segment name, location, and funding amount to be transferred.
  - b. The request must be signed by the Transportation/Public Works Director or City/Town Manager from each partnering agency on the segment.
2. Lead Agency change requests must be approved through the MAG Committee process before the change will be incorporated into an approved RSP.

- A. The RSP-MAG funding for each Project as specified establishes the maximum amount payable from RSP-MAG funds for that Project.
  - 1. Every payment obligation of MAG under the RSP and any Joint Agency Agreement or related legal agreement is conditional upon the availability of funds appropriated or allocated for the payment of such obligation.
  - 2. The RSP budget and timeline may change to account for surplus Program funds.
- B. The budget for each RSP Project:
  - 1. The Lead Agency is responsible for all of the Project costs over the regional contribution and, if applicable, will need to work with the other agency(ies)/jurisdiction(s) listed in the Joint Agency Agreement to cover those costs consistent with any Memorandum of Understanding (MOU) or Joint Agency Agreement (JAA) that may be in place; and
  - 2. Will be included in the TIP.

#### Section 320: Project Eligibility

- A. To be funded or constructed under the RSP Program, Projects must:
  - 1. Be based on recommendations included in a Road Safety Assessment, Project Assessment or other Lead Agency study to identify roadway safety improvements, including an agency adopted predictive safety analysis method, as appropriate.
  - 2. Have a scope, budget (including amounts of RSP funding (construction) and local match (design contributions) and a schedule consistent with the Project as included in RSP and the MAG TIP. In addition, Projects must be consistent with federal requirements, where applicable.
- B. Facilities eligible for improvements under the RSP include:
  - 1. All public roadways maintained by the Lead Agency or partner agency that meet HURF eligibility requirements (collector and above).
- C. All Projects must be designed to the standards agreed to by the designated local jurisdictions and the Lead Agency established in the Joint Agency Agreement.
  - 1. The agreed standards, which may be higher than the standards used in the local jurisdiction(s), must be specified or referenced in the Joint Agency Agreement.

2. Standards for multi-jurisdictional Projects should be consistent to the extent feasible.
- D. The Project Application for each Project must identify all Project components for which reimbursement of the regional share is sought from the RSP, including the components of the Project that will be funded locally or by third parties.
  - E. Each RSP Project shall have a reimbursement timeline specified in the Joint Agency Agreement and Project Application.
    1. Reimbursement timelines may shift due to project schedule changes and/or the availability of program funds.
  - F. The MAG Committee Process has the final determination on the eligibility of any Project or Project component for reimbursement from the RSP.

### Section 330: Reimbursable Expenditures

- A. Eligible items include, but are not limited to:
  1. Construction and construction administration of safety improvement projects.
  2. Projects or components directly related safety improvements.
- B. No reimbursements will be made:
  1. Prior to the execution of an Joint Agency Agreement.
  2. Prior to the approval of a Project Reimbursement Request endorsed by MAG and the ADOT Finance Division.
  3. For projects or project work phases not listed in an approved Transportation Improvement Program.
  4. Prior to the year in which the funds for that RSP Project are programmed or would normally be received following the schedule in the TIP or there are surplus program funds, Section 270.
- B. The Lead Agency shall send the Project Reimbursement Requests to MAG for payment from the Arizona Department of Transportation (ADOT). The Lead Agency is responsible for:
  1. All Project expenditures.
  2. Providing all Project Reimbursement Requests to MAG for reimbursement.

3. Distributing RSP reimbursements to project partners per the signed and effective Joint Agency Agreement.
- C. Reimbursements will be made for expenditures paid with tax or public revenue only, including development and impact fees collected by a jurisdiction.
1. Reimbursements will not be made for Project elements donated or funded via cash or cash equivalent donations, right-of-way donations, exactions and/or other third party or non-tax funding sources.
  2. Reimbursements from the RSP will not be made for expenditures that have already been reimbursed from other sources, either in cash or cash equivalents or through third party contributions including, but not limited to, the provision of a transportation improvement Project such as a design or related study, right-of-way acquisition or donation or construction.

#### Section 340: Local Match and Ineligible Expenditures

- A. Design costs encumbered by the Lead Agency or 10% of total project costs will constitute the Local Match.
- B. Notwithstanding findings or recommendations from the Project Assessment or a similar study, Projects, Project components or other costs that are not reimbursable from the RSP include:
1. Enhancement Projects or enhancement components of Projects.
    - a. If a Lead Agency and other agency(ies)/jurisdiction(s) listed in the Joint Agency Agreement request an enhancement to a Project funded in the RSP, the local jurisdiction and/or Lead Agency shall pay all costs associated with the enhancement (costs in excess of reasonable limits/the local jurisdiction's typical practice).
  2. Any Project or Project element that exceeds the reasonable limits or typical practice for the local jurisdiction in which the Project or Projects are located.
  3. Administrative overhead costs by the Lead Agency and other agency(ies)/jurisdiction(s) listed in the Joint Agency Agreement that are not attributed to the Project.
  4. Other expenses, such as bad debts and lump-sum incentives, as determined by MAG.
  5. Expenditures that occur after a project or project segment is completed. This includes salaries, applied overhead, record keeping and facility maintenance.

6. Salaries and other administrative expenditures pertaining to the completion of RSP Project Requirements.
  7. Expenditures related to special events and related materials, such as t-shirt, hats, pens, food/beverages, etc.
  8. Non-project specific expenditures, such as computers, data storage devices, etc.
- C. Right-of-way acquisition and/or work is not eligible for reimbursement.
- D. Funds awards to a member agency by the Arizona Department of Transportation will be considered "above the line" earmark unless deemed otherwise by the MAG Transportation Improvement Program Manager or the MAG Transportation Director. "Above the line" funding awards include:
1. State Highway Safety Improvement Program (HSIP) funds
  2. State Transportation Alternatives (TA) funds
  3. Stimulus funding approved by the US Congress
- E. Eligible local match contributions include:
1. Locally funded expenditures on eligible Projects or elements as listed in Section 330; or
  2. Third party contributions with supporting documentation that have been donated. Third party contributions will be taken at market value at the time of the donation and mutually agreed upon between the Lead Agency and other agency(ies)/jurisdiction(s) listed in the Joint Agency Agreement and MAG.
  3. "Above the line" funding awards from ADOT
- F. Determining the value of third party contributions:
1. The jurisdiction's real estate department will value and appraise any right-of-way given to a Project by a developer.
  2. Costs related to the construction of a road must be documented and certified for the value of the road by the authorized representative of the jurisdiction. To do so, a jurisdiction shall do the following in priority order:
    - a. First, work with the developer(s) to turn in cost documentation related to the road improvement as soon as a jurisdiction is aware the improvement is being made to an

RSP Project, even if the RSP Project is not scheduled for construction or reimbursement until a later date. If this cannot be done, then;

- b. Second, generate cost figures from known developer fees, final construction documents, as-built documents, et cetera. If this cannot be done, then;
  - c. Third, use cost figures from the actual RSP Project construction bid for a cost per unit figure, which then could be applied the developer contribution to generate a total cost. If this cannot be done, then;
  - d. Fourth, use cost figures from a similar Project in location, size, and scope, which then could be applied to the developer contribution to generate a total cost.
3. MAG Staff will review the valuation method and documentation for quality assurance purposes.
  4. All documents used to determine the value of third party contributions shall be kept in accordance with Section 340(G).

## IV. RSP Project Requirements

### Section 400: Project Application

- A. For each RSP Project, the Lead Agency must submit a complete RSP Project Application to MAG before an Joint Agency Agreement will be initiated or signed.
- B. The Lead Agency must use the latest RSP Project Application form or MAG supplied form(s).
  1. The form will be posted on the MAG RSP website.
  2. All fields in all sheets of the Excel based application form must be completed and any necessary paperwork must be included at the time of submission.
  3. MAG Staff may require a new or revised RSP Project Application in the event of a material project change or the termination of an Joint Agency Agreement per Section 410(D).

### Section 410: Project Joint Agency Agreement

- A. An Joint Agency Agreement between MAG and the designated Lead Agency is required for each Project before the reimbursement of expenditures will be initiated.

1. If a Project is completed and eligible for reimbursement following the stipulations in Section 330, an Joint Agency Agreement must be in place before Project Reimbursement Requests are submitted for reimbursement.
- B. Signed and effective Joint Agency Agreements may need to be amended or terminated due to material project changes or failing to submit a material or substantial Project Reimbursement Request, as outlined below.
1. A signed and effective Joint Agency Agreement may require an amendment due to project amendments or administrative modifications in the TIP or RSP, which.
    - a. Change the project limits.
    - b. Require a revised Project Application due to a material or significant change in the project scope.
  2. An effective Joint Agency Agreement may be terminated if:
    - a. The Project undergoes a material project change. Examples of material project changes include:
      - i. The Project improvement type (arterial or intersection) listed in the agreement changes;
      - ii. The Project change affects more than one project or project segment.
      - iii. The Project change affects more than one effective Joint Agency Agreement; or
      - iv. The Lead Agency of a Project changes.
    - b. A Project Reimbursement Request has not been accepted by MAG within 6 months of authorization.
- C. Each Joint Agency Agreement will be based on a standard agreement provided by MAG and customized for each Project.
- D. The Joint Agency Agreement will address at a minimum:
1. Project scope, type of work, schedule of work and reimbursement.
  2. Lead Agency and other agency(ies)/jurisdiction(s) involved in the Project;
  3. Applicable Design Standards;

4. Responsibilities of the Parties;
  5. Risk and indemnification;
  6. Records and audit rights;
  7. Term and termination;
  8. Availability of Funds; and,
  9. Conflicts of Interest.
- E. Upon approval of the MAG Roadway Safety Program, an update will be provided to the MAG Transportation Safety Committee regarding the status of Projects, including active Joint Agency Agreements and new Joint Agency Agreements that will be executed during that fiscal year.
- F. TIP amendments will still be required to go through the MAG Committee Process for any changes involving cost, scope or schedule changes to the Project.
- G. The Lead Agency and MAG must be signatories to the Joint Agency Agreement:
1. To indicate their agreement to the Lead Agency designation and the terms of the agreement, the authorized representative must be the signing authority for that jurisdiction.
  2. To indicate roles and responsibilities in Project implementation.

#### Section 420: Project Reimbursement Requests

- A. Any request for payment must use the latest MAG Project Reimbursement Request form.
1. The form will be posted on the MAG RSP website.
  2. All fields must be completed and any necessary paperwork must be included at the time of submission.
- B. A full Project Reimbursement Request, including request for reimbursement and invoice is due at the time of Project completion.
- C. Project Reimbursement Requests may not be submitted more than once per month, unless it is the final request for reimbursement.

- D. All Project Reimbursement Requests shall be submitted to MAG for authorization for payment.
- E. Participating agencies/jurisdictions may invoice the Lead Agency for any item including, but not limited to, work conducted or capital assets acquired for the Project or as part of the Project, subject to other terms in this agreement.
- F. The work conducted and/or received must meet all the requirements of the MAG RSP Policies and Procedures as well as any other applicable state, regional and local requirements.
- G. The Lead Agency must retain, certify, and make available all vendor receipts, invoices and as needed, any related Project records.
  - 1. Vendor receipts or invoices must be available for five (5) years after final payment is made; auditors, MAG or its designees may make possible requests.
  - 2. Receipts and invoices for Projects advanced by a jurisdiction may have a longer retention period.
- H. Project Reimbursement Requests must be signed by the Lead Agency's Transportation/Engineering Director or designee.
- I. Matching contributions, as required in the RSP Policies and Procedures must be fully documented, invoiced and/or received, and cannot be in arrears.
- J. The request for payment shall be approved and signed by the duly authorized representative from the Lead Agency. Then, the request will be processed and approved at MAG and forwarded to ADOT for payment to the Lead Agency.
- K. If an item for reimbursement has more than one backup invoice, a summary table must be provided with each reimbursement request that:
  - 1. Lists each invoice/backup documentation number and/or a describes the item(s) being considered for reimbursement;
  - 2. Includes the total dollar amount of all invoices, per each item for reimbursement. This total dollar amount should match the invoice;
  - 3. Includes the inflation rate and inflated amount, where applicable;
  - 4. Lists the associated work phase; and,
  - 5. Includes a subtotal of costs by work phase.

6. MAG will provide summary table examples and templates.
- L. Upon MAG approval, the Project Reimbursement Request will be forwarded to ADOT for payment.
  1. MAG will work with ADOT to expedite payment dependent on availability of funds.
  2. Checks will be distributed from ADOT and sent to Lead Agency.
- M. Lead Agencies shall not submit reimbursement requests directly to the Arizona Department of Transportation. Submitting requests directly to ADOT may result in the termination of an executed Joint Agency Agreement.

#### Section 430: Progress Reports

- A. Lead Agencies with Projects programmed for work and/or reimbursement in the first two years of the current RSP must submit an RSP Progress Report to MAG.
- B. Lead Agencies must use the latest Progress Report form.
  1. The form will be posted on the MAG RSP website.
  2. All fields must be completed and any necessary paperwork must be included at the time of submission.

#### Section 440: Project Completion

- A. Lead agency staff will provide a presentation to the Transportation Safety Committee at the first regularly scheduled July meeting after the safety improvement construction is complete. The safety improvement project presentation will include:
  1. Project description
  2. Before and After photos
  3. Description of lessons learned
  4. Question and Answer period
- B. Annual updates on safety performance of the location or corridor for years one through three after date placed in service.
  - a. MAG will include the safety performance updates in the annual report.



## APPENDIX A. GLOSSARY AND ACRONYMS

<b>Acceleration</b>	Acceleration means that all of the remaining Projects, including the reimbursements for advanced Projects, in the MAG Roadway Safety Program are moved forward in priority order.
<b>ADOT</b>	Arizona Department of Transportation
<b>Administrative Adjustment</b>	The RSP and Project budgets will be adjusted annually to reflect the final Project reimbursement in the fiscal year. This falls after the adoption of the RSP and will not require a program amendment.
<b>CIP</b>	Capital Improvement Program
<b>FHWA</b>	Federal Highway Administration
<b>Fiscal Year</b>	July 1 – June 30 (i.e. July 1, 2005 – June 30, 2006)
<b>HSIP</b>	Highway Safety Improvement Program (ADOT)
<b>Incentives</b>	Any expenditure, which involves a monetary reward for the inducement of behavior, as related to a project in the RSP (i.e. Giving a contractor/consultant a bonus for completing a project ahead of schedule).
<b>Joint Agency Agreement (JAA)</b>	A legally binding contract or agreement between MAG and the Lead Agency established for the RSP Project.

<b>MAG</b>	Maricopa Association of Governments
<b>MAG Committee Process</b>	Items are placed for action on the agendas of the MAG Transportation Review Committee (TRC), Management Committee, Transportation Policy Committee (TPC), as appropriate, and Regional Council
<b>MC</b>	MAG Management Committee
<b>Project Reimbursement Request</b>	A Project Reimbursement Request that has been accepted by MAG Staff as complete. Including all required information, signatures, and backup documentation.
<b>Memorandum of Understanding (MOU)</b>	A type of agreement used as a bridge to an Joint Agency Agreement. For example, in the development of Project cost estimates and allocations across multiple jurisdictions, which then may be agreed to and incorporated into a more formal Joint Agency Agreement to be executed before further Project implementation.
<b>Program</b>	RSP or TIP, depending on context.
<b>Project</b>	RSP Project, as described in the RTP and Project-related documents. The Project description includes funding, schedule, Project termini and number of lanes added and other Project features.
<b>Project Component</b>	RSP Projects may include several Project components or major elements, such as geometric modifications, ITS applications, bike and pedestrian facilities, etc. The components together comprise the overall RSP Project.

**Project Application** A managerial document Lead Agencies must complete for each RSP Project prior to signing an Joint Agency Agreement. The Project Application includes the Lead Agency information, summary of the safety issue(s) addressed and associated crash modification factors (CMF) Cost calculation, Crash data, cost estimates, summary of work and local and regional total costs.

**Project Completion** For the purposes of the material change policy, Project completion means all lanes of the roadway segment or intersection are open to traffic.

For purposes of Joint Agency Agreements or other Project-related legal agreements, Project completion means when all requirements of the Agreements have been completed to the satisfaction of MAG (i.e. it is contract or agreement completion).

An Joint Agency Agreement may establish dates for Project completion considering administrative requirements or other requirements or needs, as determined by MAG to be necessary.

**Project Reimbursement Request (PRR)** The guidelines and forms (request for payment, invoice and progress reports) a Lead Agency must complete when requesting reimbursement for an RSP Project.

**Project Savings** RSP regional funds found by MAG to be surplus to an RSP Project, and for which certain criteria as established in the RSP Policies and Procedures is met, may be noted as Project Savings and reallocated to an RSP Project in that jurisdiction depending on the availability of Program funds.

**Reallocation** Re-assignment or re-programming of funds unexpended or not expected to be needed from one RSP Project to another RSP Project.

<b>Reimbursement</b>	Payment or compensation for costs incurred.
<b>ROW</b>	Right-of-Way
<b>RSP</b>	MAG Roadway Safety Program, or the "Program"
<b>RSP Regional Funds</b>	RSP Regional Funds are generated from a transpose of STBG funds for HURF funds
<b>SHSP</b>	Arizona Strategic Highway Safety Plan
<b>Status Report</b>	Periodic report produced, at least annually, for the RSP to provide an update on the status of the Program, current revenue and cost projections. The report will provide supporting information for the RTP Annual Report
<b>STIP</b>	State Transportation Improvement Program
<b>STBGP or STBGP-MAG</b>	Surface Transportation Block Grant Program. A federal-aid highway funding program that funds a broad range of surface transportation capital needs, including many roads, transit, sea and airport access, vanpool, bike, and pedestrian facilities. Funds may be used by States and localities for projects on any Federal-aid highway, including the NHS, bridge projects on any public road, transit capital projects, and intra-city and intercity bus terminals and facilities
<b>STSP</b>	MAG Strategic Transportation Safety Plan

<b>STSP-ADOT</b>	ADOT Strategic Traffic Safety Plan (2019 pending), formerly known as the State Highway Safety Plan (SHSP)
<b>Substantial Project Reimbursement Request</b>	A Project Reimbursement Request (PRR) that invoices for at least \$100,000 or 10 percent of the programmed reimbursement for the fiscal year of the invoice, whichever is less.
<b>Third Party Contribution</b>	Contribution made to an RSP Project other than cash or cash equivalent funding, typically involving the donation of right-of-way, but may also include other aspects of Project implementation, such as design and construction.
<b>TIP</b>	The MAG Transportation Improvement Program. The TIP must be in conformance for air quality purposes, approved by the MAG Regional Council, and approved by the Governor for inclusion in the STIP. The TIP may be amended from time to time. Any references to the TIP mean the currently approved version unless indicated otherwise.
<b>TPC</b>	MAG Transportation Policy Committee
<b>TRC</b>	MAG Transportation Review Committee
<b>TSC</b>	MAG Transportation Safety Committee