

Eastgate Funding Policy Guidelines

Revised October 2015

Eastgate Regional Council of Governments

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Project Selection & Policy Guidelines

The Eastgate Regional Council of Governments has established a set of Funding Policy Guidelines to be used in selecting projects using federal funding directly attributable to the Eastgate area for the TIP. The purpose of this section is to describe these policy guidelines. They are grouped into three categories: Program Administration, General Project Eligibility, and Funding Programs.

Program Administration

The Technical Advisory Committee (TAC) is responsible for monitoring the federal funding programs attributable to Eastgate and making recommendations to the General Policy Board (GPB).

- I. Project Review Meetings
Quarterly project review meetings are scheduled to monitor the status of programmed projects. Project sponsors are required to attend.
- II. Reservoir Projects
A project that is scheduled in the fourth quarter (April to June) of a fiscal year may be assigned as a reservoir project. This means that any project may sell in either the current fiscal year or the first quarter (July to September) of the next fiscal year and not incur any adverse penalty. Regardless of which fiscal year the project sells in, the project's Plans, Specifications, and Estimate (PS&E package) must be submitted in the current fiscal year.
- III. Funding Management
 - a. If a significant funding balance remains at the end of the current fiscal year; one or more of several options will be pursued to avoid a shortfall of funds. These options include, but are not limited to: moving reservoir projects as needed or trade/transfer funds with ODOT, County Engineers Association of Ohio, or another MPO.
 - b. If another shortfall in funds in one funding program is a concern, the funding source of one or more projects may be switched or split into two funding sources for items that are eligible for those funds.
 - c. Eastgate receives sub allocated funds at the discretion of ODOT and US DOT. If ODOT's or US DOT's current funding policy changes in regards to amount of funds sub allocated or the elimination of a funding program, Eastgate assumes no liability in funding projects that have been affected by these changes.
- IV. Fair Share Distribution
Consideration should be given to maximize distribution of funds.

General Project Eligibility

- I. Long Range Transportation Plan
All projects implemented with federal funds must be included in, or consistent with, the approved Eastgate transportation plans.
- II. Application Legislation
Local commitment, in the form of specific legislation, is required of sponsors and co-sponsor(s) seeking STP, CMAQ, or TAP funding. This ensures that Councils and Boards recognize that the project is being submitted for federal funding and that a local match is required. Legislation must include the following: project name, description and cost, an acknowledgment that the sponsor and co-sponsor(s) have read and understand Eastgate's Funding Policy Guidelines, and that the sponsor and co-sponsor(s) are aware that a local match is required. Sample legislation is available. Failure to submit legislation will result in cancellation of project application.
- III. Eligible Items
Preliminary engineering and plan development costs, including the development and purchase of right-of-way and construction plans, of the project are eligible for Eastgate funds (except for TAP projects).
- IV. Logical Termini and Independent Unity
Projects submitted for federal funds must have logical termini and independent unity. This means a project must have rational end points and stand alone when completed. For example, a project may be one phase in a multi-phase project, but each phase must have immediate benefit and use to the public in case additional phases are never funded.
- V. Contiguous Projects
Project sponsors that have contiguous projects, such as phase one and two, may combine their projects after the original approval for funding by Eastgate. Combining of projects is subject to the availability of funds and approval of Eastgate.
- VI. Project Programming Package
Project Sponsors must submit a Programming Package to ODOT within 45 days of notification of General Policy Board's action to approve funding for the project. Failure to do so may result in cancellation of the project.
- VII. Planning Studies
Applications that are submitted for planning studies will be evaluated on a case-by-case scenario.

VIII. Toll Credit

Toll credit does not increase available money to be provided through programs. Not intended for use except in the instance of lapsing of funds (excess funds available that cannot be carried over).

IX. Cap Increase

Any cap increase falls on the local match of a project. Sponsor can request funds through Eastgate if desired (pending approval of TAC and GPB).

X. Fiscal Lockdown

Fiscal lockdown occurs each December with the upcoming fiscal year being locked down by date and the subsequent fiscal year being locked down by quarter. For instance, fiscal lockdown occurring December of 2015 will lock down projects by award date for FY 2017, but only by quarter for FY 2018.

XI. Local Match

In the past, Eastgate has participated with sponsors by providing 80% of the sponsor's 20% share. This has been used as a way to spend unused Surface Transportation Program funds for a given fiscal year. Eastgate typically does not look at providing this type of funding until closer to the sale date.

Surface Transportation Program

Description

The Surface Transportation Program (STP) provides flexible funding for a wide variety of projects including highways and bicycle/pedestrian facilities. Funding for STP projects is assigned to MPO areas by Congress and, in addition, ODOT sub allocates a portion of their statewide STP funding to Ohio MPOs.

Eligibility

STP funds are the most versatile and may be used for any project that is recommended in or consistent with the Eastgate Long Range Transportation Plan. STP funds can be used on any federal-aid roadway classified above a local road or a percentage of rural minor collector, and bridge projects on any public road.

STP projects can include highway projects and bridge improvements (construction, reconstruction, rehabilitation, resurfacing, restoration, and operational), transportation system management, bikeways, pedestrian facilities, and planning studies.

When seeking funds for projects that fall under the Congestion Mitigation / Air Quality Program or Transportation Alternatives Program, a sponsor must apply for funding through that program before seeking STP funding.

Program Policies

- I. Federal Participation
 - a. The maximum federal share for projects under the STP program is 80% of the total eligible project costs (including 100% local items). Federal funds are capped at the approved amount shown in the Eastgate General Policy Board Resolution.
 - b. Federal funding for STP projects is either the federal participation rate approved for the project or the total federal funds approved for the project, whichever is less.
- II. Local Participation
 - a. The minimum local share is 20% of total eligible project costs
 - b. The local share for STP projects is required to be in cash and from non-federal sources. Planning and engineering costs (including the development of right-of-way and construction plans) are not considered as local share.
- III. Project Delays

Projects that are delayed or cancelled will be re-evaluated based on:

 - a. If a project is delayed due to the lack of programmed federal funds, the project will be rescheduled as soon as funds become available.

- b. If a project is delayed due to the project sponsor, the project may be cancelled or rescheduled at a later time (as not to impact or jeopardize other projects that have met their schedules).

IV. Project Cost Increases

- a. Project phases scheduled in the next fiscal year will be updated in Eastgate's funding program to reflect the latest estimates. Project sponsors must submit revised project cost estimates for the phase that is scheduled in the next fiscal year.
- b. If the revised project cost estimate is lower than the original estimate, Eastgate's federal share will be adjusted accordingly to reflect 80% of the revised estimate. The project cost shown in the TIP will not be changed and the project is still eligible to receive federal funding up to 80% of the original estimate.
- c. If the revised project cost estimate, based on the original scope, is higher than the original estimate, Eastgate's federal share may be increased up to 80% of the revised estimate. The Eastgate staff has the authority to make funding decisions for project cost increases based on the availability of funds. Situations not specified herein will be reviewed by the TAC.

V. Major Changes to Project Funding

Projects sponsors that reapply for additional funding for an existing project programmed with Eastgate funds will be reviewed by the TAC and GPB.

Congestion Mitigation / Air Quality

Description

The Congestion Mitigation/Air Quality Program (CMAQ) provides funding for projects and programs in air quality non-attainment and maintenance areas for ozone, carbon monoxide, and particulate matter (PM 10, PM 2.5) which reduce transportation related emissions. The Eastgate area is designated as a non-attainment area for ozone and PM 2.5 and is, therefore, eligible to receive CMAQ funding. ODOT sub allocates a portion of their statewide CMAQ funding to Ohio MPOs that are in non-attainment.

Eligibility

In determining project eligibility, only projects that have documented ozone emissions and PM 2.5 reductions can be considered. These projects may include signalization and operational highway improvements including: roundabouts, replacement or retrofit of older diesel buses, alternative fuel programs, rideshare projects, and park-and-ride projects. CMAQ funds cannot be used for projects such as addition of through lanes or a new highway.

Program Policies

- I. Federal Participation
 - a. The maximum federal share for projects under the CMAQ program is 80% of total eligible project costs (excluding 100% of local items). Federal funds are also capped at the approved amount shown in the current TIP.
 - b. Federal funding participation for CMAQ projects is either the federal participation rate approved for the project, or the total federal funds approved for the project, whichever is less.
- II. Local Participation
 - a. The minimum local share is 20% of total eligible project costs (excluding 100% local items).
 - b. The local share for CMAQ projects is required to be in cash and from non-federal sources. Planning and engineering costs (including the development of right-of-way and construction plans) are not considered as local share.
- III. Project Delays

Projects that are delayed or cancelled will be re-evaluated based on:

 - a. If a project is delayed due to the lack of programmed federal funds, the project will be rescheduled as soon as funds become available.
 - b. If a project is delayed due to the project sponsor, the project may be cancelled or rescheduled at a later time (as not to impact or jeopardize other projects that have met their schedules).

IV. Project Cost Increases

- a. Project phases scheduled in the next fiscal year will be updated in Eastgate's funding program to reflect the latest estimates. Project sponsors must submit revised project cost estimates for the phase that is scheduled in the next fiscal year.
- b. If the revised project cost estimate is lower than the original estimate, Eastgate's federal share will be adjusted accordingly to reflect 80% of the revised estimate. The project cost shown in the TIP will not be changed and the project is still eligible to receive federal funding up to 80% of the original estimate.
- c. If the revised project cost estimate, based on the original scope, is higher than the original estimate, Eastgate's federal share may be increased up to 80% of the revised estimate. The Eastgate staff has the authority to make funding decisions for project cost increases based on the availability of funds. Situations not specified herein will be reviewed by the TAC.

V. Major Changes to Project Funding

Projects sponsors that reapply for additional funding for an existing project programmed with Eastgate funds will have their application reviewed by the TAC and GPB.

Transportation Alternatives Program

Description

Transportation Alternatives projects must demonstrate a direct relationship to the surface transportation system. The TAP program is intended to encourage transportation related activities that go beyond the customary cultural or environmental mitigation required when developing a transportation improvement project. The intent of the program is to creatively integrate transportation improvement facilities into their surrounding communities and the natural environment, thus “enhancing” the traditional transportation system.

Eligibility

The list of qualifying TAP activities provided in 23 U.S.C. 101(a) (35) is intended to be exclusive, not illustrative. Only those projects that are listed in one of the 12 categories are eligible for transportation alternative funds.

- I. Federal Participation
 - a. The maximum federal share for projects under the TAP Program is 80% of total eligible project costs (excluding 100% local items). Federal funds are also capped at the approved amount shown in the current TIP.
 - b. Federal funding participation for TAP projects is either the federal participation rate approved for the project, or the total federal funds approved for the project, whichever is less.
- II. Local Participation
 - a. The minimum local share is 20% of total eligible project costs (excluding 100% local items).
 - b. The local share for TAP projects is required to be in cash and from non-federal sources. These projects are not eligible for soft match credit or 100% federal funding participation, regardless of federal or state eligibility. Planning and engineering costs (including the development of right-of-way and construction plans) and state funding are not considered as local share.
- III. Preliminary Engineering

The preliminary engineering funding is not eligible.
- IV. Right-of-Way

Right-of-way acquisition may be included only as a part of the cost for the entire project, not as a stand-alone project.

V. Construction/Capital Purchases

The construction funding may be adjusted from the original amount approved for funding as long as the project's total cap is not increased.

VI. Project Delays

Projects that are delayed or cancelled will be re-evaluated based on:

- a. If a project is delayed due to the lack of programmed federal funds, the project will be rescheduled as soon as funds become available.
- b. If a project is delayed due to the project sponsor, the project may be cancelled or rescheduled at a later time, as not to impact or jeopardize other projects that have met their schedules.

VII. Major Changes to Project Funding

Project sponsors that reapply for additional funding for an existing project programmed with Eastgate funds will have their application reviewed by the TAC and GPB.

TIP Project Selection and Implementation Process

Final selection of STP, CMAQ, and TAP projects is the responsibility of the Eastgate General Policy Board. The Eastgate General Policy Board has assigned specific duties to the Technical Advisory Committee and the Citizen Advisory Board. In this section, the assigned duties of the TAC and the CAB are listed.

Duties of the Technical Advisory Committee

The GPB has assigned to the Technical Advisory Committee the following duties in the development and monitoring of the STP, CMAQ, and TAP programs:

- I. Review project schedules, project costs, and funding programs and provide periodic TIP Status Report to the GPB.
- II. Monitor TIP funding and project activity.
- III. Provide recommendations to the GPB in the form of a resolution for the purpose of adding, deleting or altering TIP projects. In developing its recommendations, the TAC will consider the results of an evaluation of project applications; recommendations; the goals and objectives of the Eastgate Long Range Transportation Plan; project development schedules; funding availability of Eastgate attributable, federal funds; and an equitable distribution of funding among communities or agencies.

Duties of the Citizens Advisory Board

The GPB has assigned to the Citizens Advisory Board the following duties in the development and monitoring of the STP, CMAQ, and TAP programs:

- I. Review project schedules, project costs and funding programs and provide periodic TIP Status Report to the GPB and serve as part of the public participation process.
- II. Monitor TIP funding and project activity.
- III. Provide recommendations to the GPB in the form of a resolution for the purpose of adding, deleting or altering TIP projects. In developing its recommendations, the CAB will consider the results of an evaluation of project applications; recommendations; the goals and objectives of the Eastgate Long Range Transportation Plan; project development schedules; funding availability of Eastgate attributable, federal funds; and an equitable distribution of funding among communities or agencies.