

COMPREHENSIVE TRANSPORTATION FUNDING PROGRAMS GUIDELINES

2019 CALL FOR PROJECTS

Orange County Transportation Authority



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I. Overview

On November 6, 1990, Orange County voters approved Measure M, a 20-year half-cent local transportation sales tax. All major transportation improvement projects and programs included in the original Measure M have been completed or are currently underway.

Expected growth demands in Orange County over the next 30 years will require agencies to continue to invest in transportation infrastructure projects. A collaborative effort between County leaders and the Orange County Transportation Authority (OCTA) identified additional projects to fund through an extension of the Measure M program. Voters approved Measure M2 (M2) on November 7, 2006. Ordinance No. 3 (Ordinance) outlines all programs.

Background

A robust freeway network, high occupancy vehicle & toll lanes, a master plan of arterial highways, extensive fixed route and demand response bus service, commuter rail, and bicycle/pedestrian facilities comprise Orange County's transportation system. Future planning efforts are considering high speed rail service as part of a statewide system. Separate agencies manage and maintain each transportation component with a common purpose: mobility.

OCTA is responsible for planning and coordination of county regional transportation components. Local agencies generally oversee construction and maintenance of roadway improvements using a combination of regional and local funding sources derived from grants and formula distributions.

The Comprehensive Transportation Funding Programs (CTFP) represents a collection of competitive grant programs offered to local agencies. OCTA administers a variety of additional funding sources including M2, state/federal gas taxes, and Transportation Development Act (TDA) revenues.

Guidelines Overview

This document provides guidelines and procedures necessary for Orange County agencies to apply for funding of transportation projects contained within the CTFP through a simplified and consistent process. Each program has a specific objective, funding source and set of selection criteria detailed in separate chapters contained within these guidelines.

Guidelines are updated on a periodic basis in coordination with local agencies working through the Technical Steering Committee (TSC) and Technical Advisory Committee (TAC). Modifications to the guidelines are discussed in detail with the local agency

representatives during the TSC and TAC meetings held to review and approve the updated guidelines.

Additionally, OCTA may add, modify, or delete non-M2 programs over time to reflect legislative action and funding availability.

II . Funding Sources

Renewed Measure M

M2 is a 30-year, multibillion-dollar program extension of the original Measure M (approved in 1990) with a new slate of planned projects and programs. These include improvements to the County freeway system, streets and roads network, expansion of the Metrolink system, more transit services for seniors and the disabled as well as funding for the cleanup of roadway storm water runoff.

OCTA shall select projects through a competitive process for the Regional Capacity Program (Project O), the Regional Traffic Signal Synchronization (Project P), the various transit programs (Projects S, T, V and W), and the Environmental Cleanup Program (Project X). Each program has a specific focus and evaluation criteria as outlined in the guidelines.

OCTA shall distribute Local Fair Share (LFS) Program (Project Q) funds on a formula basis to eligible local agencies. The program receives 18 percent of Net Revenues. The formula is based upon three components:

- Fifty percent based upon population
- Twenty-five percent based upon centerline miles on the existing Master Plan of Arterial Highways (MPAH)
- Twenty-five percent based upon local agency's share of countywide taxable sales

Projects that are wholly funded by M2 LFS revenues and/or local sources are not subject to a competitive process. However, program expenditures must maintain certain criteria as outlined in the Ordinance and M2 Eligibility Guidelines. Local agencies must conform to annual eligibility requirements in order to receive LFSLFS funding and participate in the CTFP funding process. Key requirements include:

- Timely use of funds (expend within three years of receipt)
- Meet maintenance of effort requirements
- Use of funding on transportation activities consistent with Article XIX of State Constitution (Article XIX)
- Include project in seven-year capital improvement plan (CIP)
- Consistency with MPAH, Pavement Management Program, and Signal Synchronization Master Plan

As indicated above, M2 LFS revenues are subject to timely use of funds provisions (must be expended within three years of receipt). If an agency is unable to meet this provision, an extension of up to 24 months can be granted. Requests for extension on the timely use of M2 Fair Share revenues will be made as part of the semi-annual review process.

In addition to a written request, the agency will also submit an expenditure plan of how the funds will be expended.

State/Federal Programs

OCTA participates in state and federal transportation funding programs based on competitive and formula distributions. OCTA typically earmarks this funding for major regional transportation projects. From time to time, OCTA may set aside funding, where permitted, for use by local agencies through a competitive selection process.

Call for Projects

OCTA issues calls for projects annually or on an as needed basis. Secure revenue sources, such as M2, will provide funding opportunities on an annual basis. OCTA will update program guidelines and selection criteria periodically. OCTA may offer limited opportunity funding, such as a state-wide bond issuance or federal grants, consistent with funding source requirements. OCTA may conduct concurrent calls for projects when necessary. Detailed funding estimates, application submittal processes and due dates will be updated for each call for projects and will be included in section V of these guidelines.

III. Definitions

1. The term "agency," "agencies," "local agency" or any form thereof shall be described in Precept 2.
2. "Competitive funds" refers to funding grants received through the Comprehensive Transportation Funding Programs (CTFP).
3. The term "complete project" is inclusive of acquiring environmental documents, preliminary engineering, right-of-way acquisition, construction, and construction engineering.
4. The term "cost overrun" in reference to projects awarded through the CTFP shall refer to any and all costs beyond the original estimate that are necessary to complete the approved project scope.
5. The term "encumbrance" or any variation thereof shall mean the execution of a contract or other action (e.g. city council award of a primary contract or issuance of a purchase order and notice to proceed) to be funded by Net Revenues.
6. The term "escalation" or "escalate" is the inflationary adjustment, as determined by the Engineering News Record (ENR) Construction Cost Index (CCI) 20-city average, added to the application funding request (current year basis) for right-of-way and construction phases (see Precept 13).
7. The term "environmental mitigation" is referred to as environmental clean-up/preservation measures made as part of that projects environmental clearance.
8. The term "excess right-of-way" is right-of-way acquired for projects and deemed excess to the proposed transportation use. Excess right-of-way designation shall be acknowledged by applicant during the grant application process.
9. The term "Fast Track" shall refer to projects that apply for both planning and implementation phase funding in a single competitive application/call for projects.
10. The term "Fully Burdened Labor Rates" include Work Force Labor Rate (WFLR) plus overhead (see Chapter 99)
11. The term "funding grant," "grant," "project funding," "competitive funds," "project programming" shall refer to the total amount of funds approved by the Board through the CTFP competitive process.
12. The term "Gap Closure" shall refer to the construction of a roadway to its full MPAH build-out for the purpose of connecting two existing ends of that roadway by filling in a missing segment or for completing the terminus of an MPAH roadway. This applies to increased roadway capacity only as it relates to vehicular traffic.

13. The term "implementing agency" is the agency responsible for managing the scope, cost and schedule of the proposed project as defined in the grant application.
14. The term "lead agency" shall refer to the agency responsible for the submission of the grant application.
15. The term "Master Funding Agreements" or any form thereof shall refer to cooperative funding agreements described in Precept 4.
16. The term "match rate", "local match", "local matching funds", or any variation thereof, refers to the match funding that an agency is pledging through the competitive process and disposed of through procedures in Chapter 99.
17. A "micro-purchase" is any purchase that does not exceed \$2,500. For the purposes of proof of payment, only an invoice is required.
18. The term "obligate" or any variation thereof shall refer to the process of encumbering funds.
19. "OCFundtracker" refers to the online grant application and payment system used by OCTA to administer the competitive programs awarded through the CTFP. Refer to <https://ocfundtracker.octa.net/>
20. The term "project phase" or any form thereof shall refer to the three distinct project phases (Engineering, right-of-way, and construction) OCTA funds through the CTFP. Additionally, the "engineering phase" shall include the preparation of environmental documents, preliminary engineering, and right-of-way engineering. The "right-of-way phase" shall include right-of-way acquisition, utility relocation and adjustment to private property as contained in the ROW agreements, private improvements taken, TCEs, severance damages, relocation costs that are the legal obligation of the agency, as well as loss of good will, fixtures and equipment including legal cost. The "construction phase" shall include construction and construction engineering. A fourth phase defined as "Operations & Maintenance" applies to select programs and is described more fully in the applicable program chapter.
21. Programming for Project O (Regional Capacity Program) follows a sequential process related to Planning and Implementation elements as described more fully in Chapter 2. The Planning step includes environmental evaluation, planning and engineering activities. The Implementation step includes right of way and construction activities.
22. The term "project phase completion" refers to the date that the local agency has paid the final contractor/consultant invoice (including retention) for work performed and any pending litigation has been adjudicated for the engineering

phase or for the right-of-way phase, and all liens/claims have been settled for the construction phase. The date of project phase completion will begin the 180-day requirement for the submission of a project final report as required by the M2 Ordinance, Attachment B, Section III.A.9.

23. The term “reasonable” in reference to project phase costs shall refer to a cost that, in its nature and amount, does not exceed that which would normally be incurred under the circumstances prevailing at the time the decision was made to incur the cost. Factors that influence the reasonableness of costs: whether the cost is of a type generally recognized as ordinary and necessary for the completion of the work effort and market prices for comparable goods or services.
24. The term “savings” or “project savings” in reference to projects awarded through the CTFP are any grant funds remaining on a particular project phase after all eligible items within the approved project scope have been reimbursed.
25. “Sustainability”, as it applies to capacity enhancing infrastructure projects, refers to project elements that support environmental benefits such as use of renewable or recycled resources.
26. The term “Work Force Labor Rates (WFLR)” include direct salaries plus direct fringe benefits.

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IV. Precepts

The OCTA Board of Directors (Board) approved these guidelines on March 22, 2010. The guidelines subsequently have been amended and approved by the Board as needed. The purpose is to provide procedures that assist in the administration of the CTFP under M2 where other superseding documents lack specificity. OCTA, or an agent acting on the authority's behalf, shall enforce these guidelines.

1. All eligible Orange County cities and the County of Orange may participate in the M2 competitive programs and federal funding programs included in the CTFP. Other agencies (e.g. Department of Transportation or local jurisdiction) may participate on a project, however, one local agency shall be designated as the implementing agency, shall be responsible for all funding requirements associated with the project, and shall be the recipient of funds through the program.
2. To participate in the CTFP, OCTA must declare that an agency is eligible to receive M2 Net Revenues which include LFSLFS distributions. Failure to meet minimum eligibility requirements after programming of funds will result in deferral or cancellation of funding.
3. The lead agency must execute a Master Funding Agreement with the OCTA. OCTA and lead agencies will periodically amend the agreement via letter to reflect funding changes through competitive calls for projects.
4. A separate cooperative funding agreement will be issued for any OCTA-led Regional Traffic Signal Synchronization Program projects.
5. An agency must have a fully executed letter agreement prior to the obligation of funds. Local agencies may be granted pre-award authority for M2 funded projects. Local agencies, at their own risk, may use this pre-award authority to obligate funds for an M2 funded project prior to the programmed year. Expenditures prior to the Board approved programmed year will not be eligible for reimbursement (see Chapter 99).
6. For transit programs not covered by the letter agreement process (e.g. Projects S, V and W), pre-award authority is granted upon Board approval of the funding grant. See precept 5 above for pre-award authority provisions.
7. Local agencies shall scope projects, prepare estimates, and conduct design in cooperation with and in accordance with the standards and procedures required by the local agencies involved with the project (e.g., Caltrans, County, state/federal resource agencies).
8. Local agencies should select consultants based upon established contract management and applicable public contracting practices, with qualification-based selection for architectural/engineering (A/E) services, and competitive bidding

environments for construction contracts in accordance with the Public Contracts Code. Agencies must meet procurement and contracting requirements of non-M2 funding sources which may exceed those identified in the CTFP.

9. Based upon funding availability, a "Call for Projects" shall be considered annually but may be issued less frequently.
10. In each call cycle, OCTA shall program projects for a three-year period, based upon an estimate of available funds.
11. OCTA will base funding grants on project cost estimates including up to 10 percent contingency for construction. During the programming process, OCTA adds an inflationary adjustment.
12. OCTA shall escalate project grants for years two and three for right-of-way and construction phases only. OCTA will base escalation rates on the Engineering News Record (ENR) Construction Cost Index (CCI) 20-city average.
13. Match rate commitments identified by implementing agencies in the project grant application shall remain constant throughout the project. This includes projects where the programming has been escalated for future years. OCTA and implementing agencies shall not reduce match rate commitments or split the match rate by phase. Actual project contributions by the local agency or OCTA are dependent on final project costs and may not be equal to the match rate if a local agency overmatch exists. Local agency contributions may exceed the committed local match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures cannot be considered when calculating the local match rate.
14. Where a project experiences savings, the local match percentage must be maintained.
15. OCTA shall program funds by fiscal year for each phase of a project.
16. A grant for a specific project shall be cancelled if the funds are not encumbered within the fiscal year the funds are programmed, unless the OCTA Board has granted a delay.
17. Implementing agencies may request a one-time delay not exceeding a total of 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and seek approval of OCTA staff, the Technical Advisory Committee (TAC), and the Board as part of the semi-annual review process. Extension requests must be received no less than ninety days prior to the encumbrance deadline and are not permitted for projects that seek "fast track" grants.

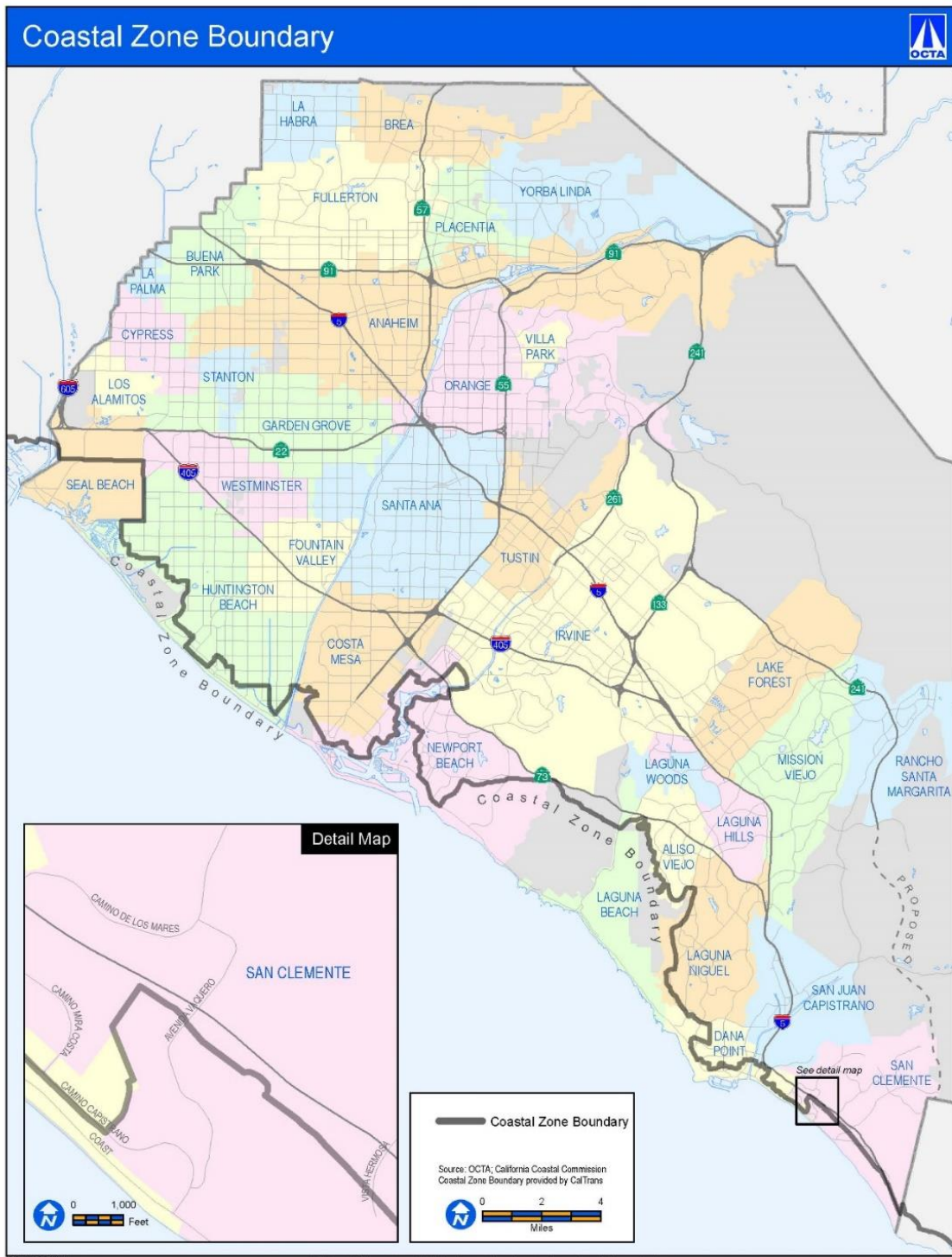
18. An administrative time extension may be granted for expiring M2 funds for a project that is clearly engaged in the procurement process (advertised but not yet awarded).
19. Funds that have been encumbered shall be used in a timely fashion. For project phases, excluding right-of-way, funds will expire after 36 months from encumbrance. For the right-of-way phase, funds will expire after 36 months from the date of the first offer letter and/or, if contract services are required, 36 months from the contract Notice to Proceed (NTP). Extensions up to 24 months may be granted through the Semi-Annual Review (SAR) process. Extension requests must be received no less than 90 days prior to the encumbrance deadline.
20. Preliminary Engineering allocations can be programmed in two different fiscal years depending on the project schedule and when certain engineering costs will need to occur during the project development and implementation phases. Local agencies can issue a separate NTP on a single contract to ensure compliance with the timely use of funds requirement. Local agencies may also issue separate contracts for the funds programmed in different fiscal years. Local agencies are required to obligate the funds within the same fiscal year of the programming or request a delay at least 90 days prior to the obligation deadline.
21. For all construction projects awarded CTFP funds in excess of \$500,000 and/or exceeding a 90-day construction period schedule, the local agency shall install and remove signage in accordance with OCTA specifications during the construction period. The implementing agency shall request OCTA furnished signage. OCTA signage specifications can be found on the [Call for Projects website \(http://www.octa.net/Projects-and-Programs/Funding-Programs/Call-for-Projects/Overview/\)](http://www.octa.net/Projects-and-Programs/Funding-Programs/Call-for-Projects/Overview/). Agencies will be required to certify that these signage requirements have been met as part of the initial payment process (see chapter 9).
22. OCTA shall reprogram funds derived from savings or project cancellation based upon final project status. An implementing agency may request to transfer 100 percent of savings of M2 funds between the phases within a project with approval from the TAC and Board. Funds can only be transferred to a phase that has already been awarded competitive funds. Such requests must be made prior to the acceptance of a final report and submitted as part of a semi-annual review. State-Local Partnership Program (SLPP) funds are not eligible for the transfer of savings. Agencies may only use savings as an aid for unanticipated cost overruns within the approved scope of work.
23. Where the actual conditions of a roadway differ from the MPAH classification (e.g. number of through lanes), OCTA shall use the actual conditions for the purposes of competitive scoring. An agency may appeal to the TAC to request that the MPAH classification be adjusted/reconsidered.

24. For the purpose of calculated level of service (LOS), the capacity used in the volume over capacity calculation shall be 100 percent capacity, or LOS level "E". Intersection Capacity Utilization (ICU) calculations shall use 1,700 vehicles per hour per lane with a .05 clearance interval.
25. OCTA shall consider matching fund credit(s) for an implementing agency's proposed projects current and applicable environmental clearance expenditures. OCTA will review and consider these expenditures on a case-by-case basis at the time of funding approval.
26. An approved CTFP project may be determined ineligible for funding at any time if it is found that M2 funding has replaced all or a portion of funds or commitments that were to be provided by other sources such as: development conditions of approval, development deposits, fee programs, redevelopment programs or other dedicated local funding sources (i.e., assessment districts, community facilities districts, bonds, certificates of participation, etc.). Appeals may be made in accordance with Precept 39.
27. OCTA may fund environmental mitigation, up to 25 percent of the total eligible project cost by phase, as required for the proposed project contained in the environmental document. Participating environmental mitigation expenditures are eligible for funding under certain programs, but not all.
28. Construction Engineering, Construction Management, Materials Testing, Engineering Support and/or Project Management shall not exceed 15 percent of the total eligible project cost based upon the engineers' estimate. The cap is applied to the sum of eligible expenses, contract change orders (within the scope of work), equipment and materials (e.g. eligible traffic signal equipment).
29. Contract change orders are only eligible for reimbursement of work due to unforeseen changed conditions within the original scope of work and not exceeding 10 percent contingency provided in the application cost estimate.
30. OCTA shall evaluate "whole" projects during the initial review process. Subsequent phase application reviews shall not include prior phases in the evaluation unless locally funded and pledged as a match and are subject to OCTA verification. The criteria for ranking project applications is included in these guidelines as part of each program component chapter.
31. Projects that receive competitive CTFP funds shall not use other M2 competitive funds as a local match source. Lead agencies may request project consolidation. The TAC and Board must approve consolidation requests. OCTA shall use the weighted average match rate of the consolidated project's individual segments.

32. OCTA shall conduct a semi-annual review of all active CTFP projects. All agencies shall participate in these sessions through a process established by OCTA. Currently, OCTA administers the semi-annual review through OCFundtracker. OCTA shall: 1) verify project schedule, 2) confirm project's continued viability, 3) discuss project changes to ensure successful and timely implementation, and 4) request sufficient information from agencies to administer the CTFP. 5) any potential issues with external fund sources committed as match against the competitive funds.
33. For any project experiencing cost increases exceeding 10 percent of the originally contracted amount, a revised cost estimate must be submitted to OCTA as part of the semi-annual review process. This is applicable even if the increase is within the overall grant amount.
34. Agencies shall submit payment requests to OCTA in a timely fashion. Agencies may request an initial payment for M2 (generally up to 75 percent of programmed amount or eligible expenditures, see Chapter 9) once the funds have been encumbered. The final 25 percent of the available programmed balance will be released upon the submission of an approved final report.
35. The amount withheld pending the submittal of an approved final report shall be capped at \$500,000 per project phase, but shall in no case be less than 10 percent of the grant or the contract amount, whichever is less. Should the 75 percent/25 percent payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent threshold is reached. At no time will the final payment retention be less than 10 percent.
36. When a project phase is complete, an agency shall notify OCTA in writing within 30 days of completion. The date of project phase completion will begin the 180-day requirement for the submission of a project final report as required by the M2 Ordinance, Attachment B, Section III.A.9.
37. An agency shall provide final accounting in an approved final report format (see Chapter 9) within 180 days of project phase completion. The process for untimely final reports is described in Chapter 99. Failure to provide a final accounting shall result in repayment of applicable M2 funds received for the project phase in a manner consistent with the Master Funding Agreement. Projects funded with M2 funding require a project final report within 180 days of project phase completion as part of eligibility compliance. Failure to meet eligibility requirements, including submittal of final reports within 180 days of project phase completion may result in suspension of all net revenues including fair share funds.

38. The payment distribution ratio referenced in Precept 35 may be modified to a reimbursement process, at the discretion of the Board, in the event that financing or bonding is required to meet OCTA's cash flow needs.
39. Agencies may appeal to the TAC on issues that the agency and OCTA staff cannot resolve. An agency may file an appeal by submitting a brief written statement of the facts and circumstances to OCTA staff. The appellant local agency must submit a written statement which proposes an action for TAC consideration. The TSC shall recommend specific action for an appeal to the TAC. The Board shall have final approval on appeals.
40. Projects within the Coastal Zone Boundary, as a requirement of a Coast Development Permit, may be required to replace existing on-street parking on a one-for-one basis for spaces removed as a result of a roadway widening project. Right-of-way costs to replace the existing on-street parking can be considered mitigation for coastal zone cities only (see exhibit IV-1). The mitigation activities can be covered up to 25 percent of the total eligible cost consistent with Precept 27. Jurisdictional boundaries are more fully described in the Public Resource Code, Division 20, California Coastal Act (2016) Sections 30168 & 30169. OCTA staff will work with the local agency staff during the project application process to determine eligibility of these costs and to identify any excess right-of-way that will require a disposal plan. OCTA and the local agency will also establish any savings that will revert back to the Measure M Program after project completion. The cost of right of-way required to replace parking should be fair and reasonable in comparison to the total cost of the project.

Exhibit IV-1



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Chapter 1 - Eligibility

Overview

To apply for the CTFP, local agencies must fulfill an annual eligibility process. OCTA established this process to ensure that improvements are consistent with regional plans. The cities and county approved a process reflecting the eligibility criteria found in Measure M. Eligibility packages are due to OCTA by June 30 of each year.

In order to receive CTFP and M2 Fair Share funds, OCTA must deem agencies as eligible. OCTA shall annually distribute an eligibility information package to local agencies. Below is a brief list of requirements:

- Adoption of a Capital Improvement Program
- Adoption of a General Plan Circulation Element which does not preclude implementation of the MPAH
- Adoption of a Pavement Management Plan
- Adoption of a Local Traffic Signal Synchronization Plan
- Satisfied Maintenance of Effort requirements
- Approved agreement to expend funds within three years of receipt (based upon award date for competitive M2 projects and based on the date OCTA issues check to local agency for LFS and Senior Mobility Programs)
- Adopt an annual Expenditure Report
- Submit Project Final Report for all Net Revenue projects

The M2 Eligibility Guidelines outline the eligibility requirements in detail. OCTA updates the Eligibility Preparation Manual annually and encourages agencies to use it as a reference when preparing items to meet eligibility requirements (see <http://www.octa.net/pdf/M2EligibilityGuidelines.pdf>). Agencies will submit a CIP through an electronic database application (see <http://websmartcip.octa.net/>). OCTA develops a manual and workshops to prepare local agency staff for the annual eligibility process.

MPAH Consistency Review and Amendment Process

Through a transfer agreement with the County of Orange, OCTA assumed responsibility for administering the MPAH starting in mid-1995. As the administrator, OCTA is responsible for maintaining the integrity of the MPAH through coordination with cities and the County and shall determine an agency's consistency with the MPAH. In order to provide a mechanism to communicate MPAH policies and procedures, OCTA prepared the *Guidance for the Administration of the Orange County Master Plan of Arterial Highways* (see http://www.octa.net/pdf/mpah_guidlines.pdf). The guidance document is to assist OCTA, the County, and the cities of Orange County to maintain the MPAH as a vital

component of transportation planning in the County. The guidance document outlines, in detail, the MPAH consistency review and amendment process. Agencies can find contact information for OCTA staff assigned to MPAH administration in the manual.

Additional Information Regarding MPAH

The agency's General Plan Circulation Element must be consistent with the MPAH. In order for an agency's circulation element to be consistent with the MPAH, it shall have a planned-carrying capacity equivalent to the MPAH for all MPAH links within the agency's jurisdiction. "Planned capacity" shall be measured by the number of through lanes on each arterial highway as shown on the local circulation element. Agencies are not considered "inconsistent" as a result of existing capacity limitations on arterials which are not yet constructed to the circulation element design.

The agency must also submit a resolution attesting that no unilateral reduction in lanes has been made on any MPAH arterials. For a sample resolution, see the Measure M2 Eligibility Guidelines.

Chapter 2 - Project Programming

Program Consolidation

The M2 RCP improvement categories (see Chapter 7) will combine projects into one application review process. The programs of the CTFP will act as the project funding source. The consolidation of programs will help eliminate confusion among the various requirements and allow the greatest flexibility for programming projects. Other funding programs (Projects S, T, V, W, and X) have similar eligibility requirements, but OCTA will evaluate and approve these projects through a separate process.

Sequential Programming Process – RCP

Timely and efficient use of funding is a critical success factor for the CTFP. Historically, agencies were encouraged to develop long term projects spanning three or more years which often led to delays in implementing final project phases. This dynamic led to larger-than-anticipated funding program cash balances and an inability to fund smaller time sensitive projects in the interim.

In response to concerns raised by the Board and the Taxpayers Oversight Committee responsible for M2 oversight, OCTA will use annual calls that serve a near term programming window (3 years), as well as a sequential funding approach for M2 projects. OCTA expects this new approach to aid in a more timely use of funding and limit the potential for unanticipated project completion delays inherent with long lead time projects.

Sequential funding is a two-step process. Step One, also known as the planning phase, includes funding requests for planning/environmental, engineering and right-of-way engineering activities. Step Two, also known as the implementation phase, includes right-of-way engineering/acquisition and construction activities. Right-of-way engineering can be requested in either the planning or implementation phases. Projects must complete the planning phase before an agency requests implementation phase funding during a call for projects. Exceptions to this rule include the following:

- An agency may request implementation funding prior to completion of the planning phase if the jurisdiction can demonstrate that the planning phase activities are underway, are substantially complete and the agency will complete the activities within six months of the start of the new phase programmed year.

OR

- An agency may request a Fast Track approach, seeking funds for planning and implementation phase at the same time. The agency must demonstrate that the policy variance is necessary due to the project schedule and waiting until the next annual call for projects to apply for implementation phase funding presents undue

hardship or could jeopardize the overall project delivery and milestones. The agency will waive the opportunity to request a project delay under this approach. The Fast Track approach is permitted only for projects that do not have right of way acquisition needs. If seeking engineering funds, the local agency must have received environmental clearance and demonstrate that all necessary easements and titles are in place for local agency use. In no circumstances will the Fast Track option be considered for local agency convenience as this could delay implementation of other projects that are shelf ready.

Each call for projects will cover a three-year period that overlaps subsequent future cycles. Funding targets for each cycle are based upon prior funding commitments, anticipated revenues, reprogramming of unused grants (cancellations and savings), and a set aside for future funding cycles.

As part of each call for projects, OCTA will determine an appropriate balance between grants made for the planning and implementation phases.

Tiered Funding

Project funding for Project O (Regional Capacity Program or RCP) will follow a tiered funding process that differentiates between large and small projects. The tiered process is described in detail in Chapter 7.

Funding Projections – Call for Projects

Revenue estimates for M2 are updated annually. Programming decisions are based upon conservative economic assumptions provided by Southern California academic institutions. In the future, OCTA will add project cancellations and realized savings from completed projects to anticipated revenues for redistribution in the first year of each funding cycle.

Project Cost Escalation

OCTA will escalate approved right-of-way and construction projects in years two and three. The match rate percentage identified by implementing agencies in the project grant application shall remain constant throughout the project. This includes projects where the programming has been escalated for future years. OCTA will base escalation rates for future years on Engineering News Record (ENR) Construction Cost Index 20 City Average (CCI) escalation rates.

Programming Adjustments

OCTA bases funding grants on cost estimates that agencies provide and that OCTA validates against industry norms during the evaluation process. Agencies must provide estimates in current year dollars.

Projects programmed in Year Two or Year Three of each funding cycle include a CCI-based adjustment factor for the right-of-way and construction phases only. Lead agencies shall not receive grant increases. Cost overruns are the responsibility of local agencies and may count against agencies' match rate commitment for eligible activities. Local agencies may request scope adjustments to meet budget shortfalls when the agency can demonstrate substantial consistency and attainment of proposed transportation benefits compared to the original project scope.

When agencies are preparing applications, **all cost estimates must be in current year dollars with Month and Year cited.** OCTA will review each cost estimate thoroughly and will escalate right-of-way and construction costs based on the year OCTA programs the project grant. For example, if an agency's cost estimate lists construction costs for a project and OCTA programs the project for year 3 of the funding cycle, then OCTA will escalate the costs by the CCI-based adjustment factor, compounded annually, beginning in year 1 of the funding cycle.

Project Readiness

In an effort to better utilize project funding and maintain project schedules, programming of funding for CTFP under the sequential approach has been revised. In general, to program grants for Step Two (right-of-way or construction phases), a project must either have:

1. Project-level approval for environmental clearance (CEQA) for M2 programs, (NEPA and CEQA for federally funded programs), or;
2. Exempt (categorically or statutorily) under CEQA and/or NEPA (as applicable).

OCTA will not consider any projects for funding for right-of-way and construction without final adopted project level environmental clearance documentation at the time of application.

Programming Policies

OCTA will not increase grants after the initial programming for each phase except through project savings transfers, where applicable. Project savings are defined as the grant value remaining after one project phase (such as engineering) has been completed. Transfers should be identified during the semi-annual review phase. Formal request of savings transfers must be accompanied by updated information and justification for the intended phase. Scope reductions are not considered project savings. Overall projects savings at the conclusion of a project are returned to the original program for reprogramming in a subsequent call for projects. This section is intended to clarify rather than replace the transfer policy identified in Precept 22.

In order to receive right-of-way and construction grants, a project must have all environmental clearances in place. OCTA shall not release final payment for the planning stage (includes final design) until confirmation of environmental clearance is provided.

Agencies are responsible for costs that exceed the project grant, maintaining the project schedule, and maintaining the project scope.

An agency's grant will be cancelled if the agency does not encumber the funds within the programmed fiscal year. An agency may request a delay in accordance with the time extension policy described in the precepts.

An agency must have a fully executed Letter Agreement prior to the obligation of funds.

As stated above, an agency's grant is based on the project's cost as requested and programmed with established escalation rates. If project costs escalate beyond original estimates and the agency is unable to cover additional costs, a request to reduce the project scope or limits will be considered where feasible. All requests for changes in scope and limits must be submitted to OCTA in advance of the change. This request will be evaluated on a case-by-case basis and must be approved by the TAC and the Board prior to initiation of the change by the lead agency. The lead agency must submit a letter to OCTA no later than June 30th of the year in which funds are programmed stating the reasons for cost increases, a proposal for project scope or limit reduction, and an explanation of why approval of the request is warranted. The review process is similar to the appeals process mentioned above.

Schedule change requests

Grants approved as part of the CTFP process are subject to timely delivery requirements. Implementation schedules are determined by the lead agency (applicant). Contract work must be awarded prior to the end of the programmed fiscal year to encumber the funds. If work cannot be initiated within this time frame, a request to defer funding may be submitted to OCTA for consideration. Project status is reviewed every six months during the semi-annual review process. Expired project funding is subject to withdrawal from project and reprogramming in a subsequent call for projects.

Funding delays must be submitted to OCTA in conjunction with the semi-annual review process. These reviews are typically held in Fall and Spring. Emergency extensions after the Spring semi-annual review may be considered on a case by case basis, but no less than 90 days prior to the encumbrance deadline. The M2 Ordinance permits a delay for up to 24 months. Implementing agencies may request a one-time delay of up to 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and seek approval of OCTA staff, the TAC and Board as part of the semi-annual review process. Projects that are expected to incur extensive delays beyond the parameters of the program should consider cancellation and reapplication at

a future date. Advancement requests may be considered during the review process and may be approved subject to funding availability.

Timely use of funds

For project phases, excluding right-of-way, funds will expire after 36 months from encumbrance. For the right-of-way phase, funds will expire after 36 months from the date of the first offer letter. Extensions up to 24 months may be granted through the SAR. Extension requests must be received no less than 90 days prior to the encumbrance deadline. Additional extensions may be considered on a case by case basis for the Regional Capacity Program and the Regional Traffic Signal Synchronization Program.

Project Advancements

Agencies wishing to advance a project by one fiscal year or more may request project advancement. Advancement requests will be considered only if program funds are available. The grant will be de-escalated according to the original escalation rate.

Requests must be submitted as part of the semi-annual review. All advancements will be reviewed by the TAC and approved by the Board. If approved, the agency and project will be required to meet the new fiscal year award or encumbrance deadline.

Should OCTA be unable to accommodate an advancement request due to cash flow constraints, the agency may still move forward with the project using local funding. (See Precept 6) The lead agency must have a fully executed letter agreement prior to beginning work. The lead agency may subsequently seek reimbursement of CTFP funds in the fiscal year in which funds are programmed. Reimbursement shall follow the standard CTFP process (see Chapter 9). Prior approval is not necessary if the project is being advanced through local funds.

Semi-Annual Review

OCTA staff will conduct a comprehensive review of CTFP projects on a semi-annual basis to determine the status of projects. Project updates will be provided by the local agencies and uploaded to OCFundtracker. Follow-up meetings to these updates will be held as needed. Semi-annual project reviews are usually scheduled to occur in March and September of each year.

Projects are reviewed to:

1. Update project cost estimates. For any project experiencing cost increases exceeding 10 percent of the originally contracted amount, a revised cost estimate must be submitted to OCTA. This is applicable even if the increase is within the overall grant amount.
2. Review the project delivery schedule

3. Determine the project's continued viability
4. Verify project operations and maintenance expenditures (e.g. Environmental Cleanup Program)
5. Discuss any potential issues with external fund sources committed as match against the competitive funds

Prior to each review meeting, OCTA staff will distribute a list of active projects to each local agency. Each agency will be contacted as needed and asked to participate in the upcoming review where each agency's project schedules, cost estimates, and scope will be reviewed. Agencies will be given the opportunity to request program changes (e.g. delaying and advancing funds from one fiscal year to another) and each adjustment will be considered on a case-by-case basis. The agency should be prepared to explain any changes and provide all necessary supporting documentation. Generally, the local agency is responsible for the implementation of the projects as approved by OCTA, however consideration will be given for circumstances beyond the lead agency's control that affect scope, cost, or schedule.

Based on the semi-annual review meetings, OCTA staff will develop and present recommendations for project adjustments to the TAC. Requests for project changes (delays, advancements, scope modifications, etc.) will be considered on an individual basis. The following action plan has been developed for the semi-annual review process:

- Require local agencies to submit status reports, project worksheets, and supporting documentation to OCTA for all project adjustments.
- Require local agencies to abide by the **Time Extension Policy**:
 - Agencies may request a delay of up to 24 months per grant. Local agencies will be required to justify this request and seek approval of OCTA staff, the TAC, and the Board as part of the semi-annual review process.
 - Approved schedule changes will require an update of the local jurisdiction's seven-year CIP and the OCTA cooperative funding agreement.
 - Evidence of Council approval (resolution, minute order, or notification) must be provided prior to Board approval of delays.
 - An administrative extension may be granted for expiring M2 funds for a project phase that is clearly engaged in the procurement process (advertised but not yet awarded). The local agency must notify OCTA, submit a written request, for an extension, and provide evidence of advertisement prior to the award deadline.
 - Agencies that have requested Fast Track funding cannot request time extensions.

Environmental Cleanup Program Operations and Maintenance Reporting

For Tier 1 of the Environmental Cleanup Program, cash match is required. Ongoing operations and maintenance of the project can no longer be pledged as a match.

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Chapter 3 - Safe Transit Stops (Project W)

Purpose

This is a fixed-scope program, which provides funding for passenger amenities at the 100 busiest bus stops in Orange County determined by average daily weekday passenger boardings (October 2012 data).

City-Initiated Bus Stop Improvements

Eighty percent of the available Project W funding (\$4,470,000) will be made available to support city-initiated projects. The Orange County Transportation Authority (OCTA) is functioning as the funding agency for the local bus stop amenity improvements implemented by cities under this program. Local agencies have the authority and responsibility for designing, constructing, and maintaining bus stop improvements. Local agencies will retain local control and responsibility for these improvements including, but not limited to, shelters, lighting, seating, and waste receptacles.

OCTA-Initiated Bus Stop Improvements

Twenty percent of available Project W funding (\$1,120,000) is proposed to be directed towards the development and implementation of regional, customer-facing technologies that benefit the 100 busiest stops. Examples include design of the real-time "text4next" system, ticketing vending machines, and other regional elements that benefit the region, as well as the 100 busiest stops. OCTA would implement these passenger amenities working in cooperation with local agencies.

Eligible Applicants

Eligible applicants for the "city-initiated bus stop improvements" funding include the 15 local agencies in Orange County, which have at least one of the top 100 busiest bus stops as defined above. Bus stops on private property would need to be submitted by the city on behalf of the property owner.

Application

Required to Include:

- Proposed maintenance plan;
- Photos of the proposed project site in the weekday AM peak and PM peak period;
- Project design or concept drawings;
- Shelter size and covered passenger waiting area footage; and
- Needs assessment.

Evaluation Criteria

If sufficient funds are not available during a funding cycle to fund all the projects that are submitted, projects will be prioritized for funding based on a combination of boarding ranking and the needs of each stop.

Available Funding

Five and a half million on a pay-as-you-go basis is available for Project W between fiscal year (FY) 2012-13 through FY 2019/20. Funding for the city-initiated bus stop improvements will be offered biennially. The amount available through FY 2020, as well as the amount available for each round of funding, is shown below.

Project W Estimated Funding by FY (in thousands)									
FY	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	Total
Total Revenue	\$580	\$610	\$650	\$690	\$720	\$750	\$780	\$810	\$5,590
City-Initiated 80%	\$460	\$490	\$520	\$550	\$580	\$600	\$620	\$650	\$4,470
OCTA-Initiated 20%	\$120	\$120	\$130	\$140	\$140	\$150	\$160	\$160	\$1,120

The first round of funding for Project W funds will target \$950,000 for city-initiated improvements, and \$240,000 for OCTA-initiated improvements. These figures are comprised of the amounts available from FYs 2012-13 and 2013-14.

Project W Funding Available Biennially for City Project Applications and Stops Improved (in thousands)					Total
FYs	12/13 and 13/14	14/15 and 15/16	16/17 and 17/18	18/19 and 19/20	
City Available Funds Biennially	\$950	\$1,070	\$1,180	\$1,270	\$4,470
Bus Stops Improved	30+	35+	35+	TBD	

Eligible Costs

Project W will pay for up to \$20,000 for "normal load stops" and up to \$30,000 for "high load stops.* A high load stop is where the 90th percentile of boarding events have ten or more passengers waiting. The following expenses are eligible for reimbursement under the program:

Eligible

- Passenger Waiting Amenities
 - Bus shelters or shade structures (required);
 - Seating/leaning fixtures (required);
 - Waste receptacles (required);
 - Ad displays; and
 - Bus stop lighting.
- Other Amenities
 - Transit/pedestrian information display;
 - Security cameras (monitored by local police department);
 - Bicycle lockers or racks;
 - Mature street trees;
 - Minor improvements to sidewalks necessary to accommodate shelters; and,
 - Installation of electric service on bus shelters for future OCTA uses.

Not Eligible

- Right-of-way acquisition;
- Planning and design;
- Maintenance; and
- Electricity.

Other OCTA-Funded Items

- Installation of Bus stop signage;
- Real-time information display improvements will be provided in future; and
- Ticket vending machines can be installed as funding becomes available in future.

*The average cost of a single width shelter and bench is approximately \$15,000 and the average cost of a double width shelter and bench is \$25,000.

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Chapter 4 - Transit Extensions to Metrolink (Project S)

Overview

This Measure M2 (M2) Program establishes a competitive process to enable local agencies to enhance regional transit capabilities through creation of new connections to the existing Metrolink system. Projects must meet specific criteria in order to compete for funding through this program. In addition, local agencies will be required to demonstrate the ability to fund the local share of operations and maintenance on an ongoing basis using non-Orange County Transportation Authority (OCTA) resources. Public-private partnerships¹ are encouraged but not required.

¹ Public-private partnerships are defined as direct financial contributions or sponsorships for eligible program activities.

Fixed Guideways

Objectives

- Expand multi-modal transit options for regional travel by establishing new transit connections to existing Metrolink stations
- Provide new service on a defined route with primary ridership derived from Metrolink patronage

Project Participation Categories

Metrolink provides a vital transit option for travel throughout southern California. Orange County is home to 12 Metrolink stations currently serving residents and commuters for employment, education, and pleasure-based trips. These stations serve diverse destination and trip origination needs. Efficient and convenient access enables the system to thrive and the overall transportation network (all motorized and non-motorized modes) to operate effectively.

Transit needs may differ from one location to the next and projects pursued under this program have significant latitude in how the challenge of delivering enhanced transit service to/from existing Metrolink stations are addressed. The program categories listed below identify key project elements that can be pursued through the Project S funding source. Fixed guideway projects are capital intensive. Additional funding sources may be required to supplement M2 for maximum investment opportunities. Selection criteria will parallel Federal Transportation Administration (FTA) programs such as New Starts or Small Starts wherever possible to aid in streamlining the competitive process. The program categories eligible for funding through the fixed guideway component of Project S are:

- Fixed guideway systems including rolling stock acquisition
- Station/stop improvements (includes signage, furniture, and shelters)
- Maintenance facilities and fueling stations

Match Funding Requirements

Local funding must meet a minimum 10 percent match rate requirement for the whole project comprised of any combination private contributions, advertising revenues, and local discretionary funds. Match funding commitments in excess of 10 percent for one project phase (capital or operations/maintenance) may result in a reduced minimum match rate requirement for another phase subject to Board of Directors (Board) approval. Minimum match rate commitments will be incorporated into a cooperative funding agreement and will apply on an annual basis to the entire service life of the project (typically 5, 7, or 25 years).

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the M2 Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent, effective manner. There is no guarantee that funding will be approved during a particular call for projects. If no acceptable project is identified during a funding cycle, a subsequent call for projects will be scheduled at an appropriate time.

- Applicant must be eligible to receive M2 funding (established on an annual basis) to participate in this program
- Initial call for projects is limited to fixed guideway projects based upon Go Local Step 3 activities (preliminary engineering)
- Agency must have a financial plan outlining a funding strategy for ongoing operations and maintenance (minimum of five years)
- Project applications must be for complete projects (environmental clearance through implementation, where applicable) for evaluation purposes
- Project application must meet minimum competitive score to be deemed eligible and “of merit” (as determined by the OCTA Board)
- Any proposal to duplicate or replace existing local or OCTA service must be clearly detailed
- Complete applications must be approved by the city council and partner agencies prior to submittal to OCTA to demonstrate adequate community and elected official support for initial consideration
- Procurements associated with the project must follow FTA procurement policies
- Agencies submitting for funding must agree to follow the FTA Small Starts/New Starts process

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. (See Table 4.1) Emphasis is placed on projects with firm financial commitments and overall project readiness as shown on the Project S selection criteria. In addition, projects will be evaluated based upon existing and future transit usage, ease of connection, cost effectiveness, and local/regional benefits. Although a minimum 10 percent match rate for capital investments is required, projects that leverage M2 funds with a higher percentage from other sources are encouraged and will be more competitive.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal as outline below.

- Complete information application
- Provide funding/operations plan
- Grants subject to a cooperative funding agreement

The funding plan shall include, at a minimum, the following information:

- Financials (funding needs, match rate availability, operations funding assurances, and public-private partnership arrangements)
- Project development and implementation schedule
- Operations and maintenance facility management
- Service coordination plan (scheduling/ticketing for Metrolink and fixed route service)
- Any additional information deemed relevant by the applicant

The last call for projects under this program was held in 2010. No call for projects is envisioned in the immediate future. The Board will determine an appropriate time to authorize additional funding.

Application Guidelines

Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable an adequate evaluation of the application. Each jurisdiction is provided broad latitude in formatting, content and approach. However, key elements described below must be clearly and concisely presented to enable timely and accurate assessment of the project.

Financial Details

Each candidate project application must include all phases through construction of facilities. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (planning, environmental, permitting, design, right-of-way acquisition, construction, and project oversight)
- Funding request for each phase of project implementation with match commitment and sources clearly identified
- Realistic project schedule for each project phase
- Demonstrated financial commitments for minimum match commitment and ongoing operations (first five years of operation)

- Discussion of contingency planning for revenue shortfalls
- Revenue projections and methodology where on-site commercial activity is expected to support implementation and/or operations costs
- Right-of-way status and strategy for acquisition
- Project's status in current local plans

Technical Attributes

The formal application must include feasibility and efficacy components to demonstrate transportation benefit to ensure the selected project(s) meet the spirit and intent of M2. Merit will be demonstrated through technical attributes and industry standard methodologies. The following data will be included and fully discussed in the application.

- Planned employment densities per square mile (opening year)
- Planned population densities per square mile (opening year)
- Projected daily transit boardings with projection methodology fully presented
- Percent of projected ridership from commuter rail riders
- Description of all transit modes serviced by the Metrolink station at time of application and projected future mode increase
- Ease of connections to other travel modes (average walking distance)
- Incremental cost per hour of system user benefits (per FTA guidelines)

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the information described above, local agencies will be required to submit the following materials:

Council Resolution: A Council Resolution authorizing request for funding consideration with a commitment of project local match rate and operating funds as shown in the funding plan.

Lease/Cost Sharing Agreements: Copies of leases, sponsorship, and/or advertising revenue documents. Confidential agreements may be included by reference when accompanied by affidavit from City Treasurer or Finance Director.

Project Documentation: If the proposed project has completed initial planning activities (such as project study report or equivalent, environmental impact report, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. The applicant will be asked for detailed information only if necessary to adequately evaluate the project application.

Operations Plan: In addition to the financial details indicated in 8.1, the operations plan submitted shall include the following technical data (consistent with FTA guidelines) a route map, draft time table, headways, stop location listing, summary of alternatives (including any special operations – interlining, feeder bus connections, etc.), summary of vehicle types and characteristics, speed profile, fleet size, and any other applicable supporting documentation.

Approved Land Use Supporting Documentation: Any documentation which describes the transit supportive land use changes already in place to support the proposed guideway projects.

Reimbursements

This program is administered on a reimbursement basis. Reimbursements will be disbursed upon review and approval of a complete expense report, performance report, and consistent with a cooperative funding agreement.

Project Cancellation

Projects deemed infeasible during the planning process will be cancelled and further expenditures will be prohibited except where necessitated to bring the current phase to a logical conclusion.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by the OCTA Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the OCTA Board.

Bus and Station Vans

Objectives

- Expand multi-modal transit options for regional travel by establishing new transit connections to existing Metrolink stations
- Provide new service (shuttle bus and station van) on a defined route with ridership derived from Amtrak/Metrolink patronage

Project Participation Categories

Metrolink provides a vital transit option for travel throughout Southern California. Orange County is home to 11 Metrolink stations currently serving residents and commuters for employment, education, and recreational-based trips. These stations serve diverse destination and trip origination needs. Efficient and convenient access enables the system to thrive and the overall transportation network (all motorized and non-motorized modes) to operate effectively.

Transit needs may differ from one location to the next, and projects pursued under this program have significant latitude on how the challenge of delivering enhanced transit service to/from existing Metrolink stations are addressed. The program categories listed below identify key project elements that can be pursued through the Project S funding source. Selection criteria will parallel Federal Transportation Administration (FTA) programs wherever possible to aid in streamlining the competitive process. The program categories eligible for funding through Project S are:

- Bus leases/purchases for the purposes of providing expanded service to/from a Metrolink station
- Bus stop improvements (including signage, furniture, fare box equipment, and shelters) on the new route
- Maintenance facilities and fueling stations required for the new bus service
- Station vans leases for the purposes of providing expanded service to/from a Metrolink station
- Consistent with FTA guidelines, Americans with Disabilities Act (ADA) complementary paratransit service costs are considered capital costs for the purposes of this program

Operating Reserve Incentive

OCTA has established an operating reserve as part of this program that may be used to offset the costs of operations and maintenance. The operating reserve is subject to the following requirements:

1. OCTA will reserve a total of \$1 million per year in Project S revenue for operations and maintenance distributed on a pro-rata basis
2. The project must have been awarded Project S non-guideway funds through the Project S competitive process and meet a minimum standard of ten boardings per revenue vehicle hour on an ongoing basis for shuttle buses and a 60 percent minimum occupancy for station vans
3. Awarded agencies must submit audited operations and maintenance costs and ridership and fare performance data to OCTA by September 30 of each year for the prior fiscal year
4. OCTA will reimburse awarded agencies on a pro-rata basis but not to exceed \$6 per boarding, not to exceed 90 percent of net operating and maintenance costs (after deducting fares), and no more than \$150,000 per agency or project, whichever is less
5. Participation in the operating reserve is limited to the useful life of the capital purchased with Project S funds

All submitted materials are subject to audit prior to OCTA pro-rata reimbursements. Funds not used in a given year will become available for future calls for projects.

Capital Match Rate Funding Requirements

The Implementing agency must meet a minimum ten percent match requirement for the entire capital project comprised of any combination of private contributions, advertising revenues, and local discretionary funds. Match rate funding commitments in excess of ten percent for one project phase may result in a reduced minimum match rate requirement for another phase subject to Board of Directors (Board) approval. Match funding commitments will be incorporated into the cooperative funding agreement.

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the M2 Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent, effective manner. There is no guarantee that funding will be approved during a particular call for projects. If no

acceptable project is identified during a funding cycle, a subsequent call for projects will be scheduled at an appropriate time.

Additional Project S Precepts

- Applicant must be eligible to receive M2 funding (established on an annual basis) to participate in this program
- The proposed project must be included in the 2011 Transit System Study or have participated in prior Go Local planning efforts
- Agency must have a financial plan outlining a funding strategy for ongoing operations and maintenance (minimum of five years)
- If the service operator is OCTA, and the local agency would retain routing and service-level decisions, or local agencies may propose an alternate service provider
- Letter of commitment for an 80 percent start-up occupancy rate for each station van and documentation supporting the commitment (e.g. letters of interest, proof of van pool request and or survey data). Station van passengers must be Amtrak/Metrolink passengers
- Local agency will be required to enter into a cooperative funding agreement with OCTA
- Project applications must be for complete projects (environmental clearance through implementation, where applicable) for evaluation purposes
- All projects must include meeting ADA requirements, and these costs must be included in the project application
- Project application must meet minimum competitive score to be deemed eligible and "of merit" (as determined by the OCTA Board)
- Any proposal to duplicate or replace existing local or OCTA service must be clearly detailed
- Complete applications must be approved by the city council and partner agencies prior to submittal to OCTA to demonstrate adequate community and elected official support for initial consideration
- Procurements associated with the project must follow FTA procurement policies
- Agencies submitting for funding must agree to follow applicable FTA requirements
- Agencies will be required to submit annual National Transit Database reporting information to OCTA

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on projects with firm financial commitments and overall project readiness as shown on the Project S scoring criteria. In addition, projects will be evaluated based upon existing and future usage, ease of connection, cost effectiveness, and local/regional benefits. Although a minimum of ten percent match funding for capital investments is required, projects that leverage M2 funds with a higher match rate are encouraged and will be more competitive.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal as outlined below.

- Complete application
- Provide five-year funding/operations plan
- Grants subject to cooperative funding agreement

The funding plan shall include, at a minimum, the following information:

- Financials (funding needs, minimum match commitments, funding availability, operations funding assurances, and public-private partnership arrangements)
- Project development and implementation schedule
- Operations and maintenance facility management
- Service coordination plan (scheduling/ticketing for Metrolink and fixed-route service)
- Any additional information deemed relevant by the applicant

A call for projects for the initial funding cycle was held in 2012. No call for projects is envisioned in the immediate future. The Board will determine an appropriate time to authorize additional funding.

The final approved application (including funding plan) will serve as the basis for any funding agreement required under the program.

Application Guidelines

Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable an adequate evaluation of the application. Each jurisdiction is provided broad latitude in formatting, content, and approach. However, key elements described below must be clearly and concisely presented to enable timely and accurate assessment of the project.

Financial Details

Each candidate project application must include all phases through construction of facilities. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (planning, environmental, permitting, design, right-of-way acquisition, construction, and project oversight)
- Funding request for each phase of project implementation with match funding amounts and funding sources clearly identified
- Demonstrated financial commitments for minimum match commitments and ongoing operations
- Discussion of contingency planning for revenue shortfalls
- Revenue projections and methodology where commercial activity is expected to support implementation and/or operations costs
- Project readiness status
- Subscriber commitment for proposed station van services
- Right-of-way status and strategy for acquisition
- Project's status in current local plans
- Realistic project schedule for each project phase

Scoring Criteria

The formal application must include feasibility and efficacy components to demonstrate transportation benefit to ensure the selected project(s) meet the spirit and intent of M2. Merit will be demonstrated through technical attributes and industry standard methodologies. The applications will be evaluated against the criteria identified in the Measure M2 voter pamphlet and fully discussed in the application:

- Match funding and level of commitment from private partners
- Operating subsidy per boarding for opening year
- Annualized cost per incremental passenger trip for opening year
- Project readiness including projected opening year and phase readiness
- Projected daily boardings with projection methodology fully presented
- Percent of projected ridership from commuter rail riders
- Projected average daily occupancy for station vans
- Ease of connections (average travel time to employment and recreation centers served)
- Planned employment densities per square mile for opening year
- Planned population densities per square mile for opening year

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the information described above, local agencies will be required to submit the following materials:

Council Resolution: A Council Resolution authorizing request for funding consideration with a commitment of project local match funding (local sources) and operating funds as shown in the funding plan.

Lease/Cost Sharing Agreements: Copies of leases, sponsorship, and/or advertising revenue documents. Confidential agreements may be included for reference when accompanied by affidavit from City Treasurer or Finance Director.

Project Documentation: If the proposed project has completed initial planning activities (such as project study report or equivalent, environmental impact report, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. The applicant will be asked for detailed information only if necessary to adequately evaluate the project application.

Operations Plan: In addition to the financial details, the operations plan submitted shall include the following technical data: a route map, draft time table, headways, stop location listing, summary of vehicle types and characteristics, speed profile, fleet size, and any other applicable supporting documentation.

Approved Land Use Supporting Documentation: Any documentation which describes the transit supportive land use changes already in place to support the proposed guideway projects.

Reimbursements

The capital program is administered on a reimbursement basis. Capital reimbursements will be disbursed upon review and approval of a complete expense report, performance report, and consistent with the cooperative funding agreement. Local agency revenues provided to OCTA for ongoing operating assistance will be in accordance with terms identified in the cooperative funding agreement.

Project Cancellation

Projects deemed infeasible during the planning process will be cancelled and further expenditures will be prohibited except where necessitated to conclude the current phase.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits may be conducted by the OCTA Internal Audit Department or an authorized agent.

Comprehensive Transportation Funding Programs



Table 4-1
Point Breakdown for Transit Extensions to Metrolink (Project S)
(For Fixed Guideway Preliminary Engineering Call for Projects Only)

Financial Commitment/Partnership (20 points)		Transit Usage/Congestion Relief (16 points)	
Match funding (Complete Project; Capital)		Percent of Ridership from Commuter Rail Riders (Opening Year)	
>=30%	6	>=50%	8
29% to 20%	4	49% to 40%	6
19% to 11%	2	39% to 30%	4
10% (Program Minimum)	0	29% to 20%	2
Five-Year Operations Funding Plan Submitted and OCTA Concurrence with Assumptions*		<20%	
Yes	10	Projected Average Daily Ridership (Opening Year)	
No	0	>=10,000	8
Level of Commitment from Private Partners		9,999 to 8,500	6
Binding Agreement	4	7,999 to 6,500	4
Commitment Letter	2	6,499 to 5,000	2
Project Readiness (8 points)		<5,000	
Opening Year		Ease of Connections (14 points)	
By 2015	4	Number of Transit Modes Provided at Metrolink Station (Opening Year)	
By 2016	3	>9	8
By 2017	2	9 to 8	6
By 2018	1	7 to 6	4
Land Acquired for Total Project		<6	2
Yes	4	Average Walking Distance to Proposed Connections (From Metrolink Station; Feet; Opening Year)	
No	0	<250	6
Regional/Local Benefits (16 points)		251 to 500	4
Regional: Planned Employment (Jobs/Square Mile; Opening Year)**		501 to 750	2
>15,500	8	>500	1
15,500 to 13,001	6	Cost Effectiveness (16 points)	
13,000 to 8,500	4	Incremental Cost per Hour of System User Benefit****	
<8,500	2	\$15 to \$17.99	16
Regional: Daily Vehicle Miles Traveled Reduction (Opening Year)***		\$18 to \$20.99	12
>2,000	4	\$21 to \$23.99	8
2,000 to 1,501	3	>\$24	4
1,500 to 1,000	2	Approved Land Use (5 points)	
<1,000	1	Included in City Council-Approved Plan	
Local: Planned Population (Persons/Square Mile; Opening Year)**		Yes	5
>11,000	4	No	0
10,999 to 7,000	3	Safety (5 points)	
6,999 to 3,500	2	At-Grade Rail Crossings	
<3,500	1	No	5
		Yes	0

* May assume first three-years Congestion Mitigation Air Quality funded and no Project S funds for operations
 ** Average w/in 1/4 mile of each station
 *** Total w/in 2 miles of proposed route (one mile buffer)
 **** Incremental cost per hour of system user benefit from FTA "Summit" Program (in opening and horizon years)

Comprehensive Transportation Funding Programs



Table 4-2
Point Breakdown for Transit Extension to Metrolink (Project S)
(For Bus and Station Van Program Only)

M2 Eligible	Yes	No		
In Go Local Planning and/or 2011 Transit Study	Yes	No		
Five-year Operations and Maintenance Plan	Yes	No		
Total Project Cost (information only)			\$	(capital)

Financial Commitment/Partnership (18 points)	Transit Usage - Shuttle Bus (20 points)																																		
<p>Match funding (capital)</p> <table border="0"> <tr><td>≥50%</td><td>10 points</td></tr> <tr><td>40% - 49%</td><td>8 points</td></tr> <tr><td>30% - 39%</td><td>6 points</td></tr> <tr><td>20% - 29%</td><td>4 points</td></tr> <tr><td>11% - 19%</td><td>2 points</td></tr> </table> <p>Level of commitment from private partners</p> <table border="0"> <tr><td>Binding agreement</td><td>8 points</td></tr> <tr><td>Commitment letter</td><td>4 points</td></tr> </table>	≥50%	10 points	40% - 49%	8 points	30% - 39%	6 points	20% - 29%	4 points	11% - 19%	2 points	Binding agreement	8 points	Commitment letter	4 points	<p>Projected average daily boardings (first year)</p> <table border="0"> <tr><td>≥300</td><td>10 points</td></tr> <tr><td>201 - 299</td><td>8 points</td></tr> <tr><td>101 - 200</td><td>6 points</td></tr> <tr><td>31 - 100</td><td>4 points</td></tr> <tr><td>≤30</td><td>2 points</td></tr> </table> <p>Percent of projected ridership from commuter rail</p> <table border="0"> <tr><td>≥70%</td><td>10 points</td></tr> <tr><td>50% - 69%</td><td>6 points</td></tr> <tr><td>30% - 49%</td><td>3 points</td></tr> </table>	≥300	10 points	201 - 299	8 points	101 - 200	6 points	31 - 100	4 points	≤30	2 points	≥70%	10 points	50% - 69%	6 points	30% - 49%	3 points				
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Cost Effectiveness (20 points)	Transit Usage - Station Van (20 Points)																																		
<p>Operating subsidy per boarding opening year</p> <table border="0"> <tr><td>≤\$4.50</td><td>10 points</td></tr> <tr><td>\$4.51 - \$8.50</td><td>8 points</td></tr> <tr><td>\$8.51 - \$14.99</td><td>6 points</td></tr> <tr><td>\$14.50 - \$18.00</td><td>4 points</td></tr> </table> <p>Annualized cost per incremental passenger opening year</p> <table border="0"> <tr><td>≤\$7.00</td><td>10 points</td></tr> <tr><td>\$7.01 - \$11.20</td><td>8 points</td></tr> <tr><td>\$11.21 - \$14.20</td><td>6 points</td></tr> <tr><td>\$14.21 - \$17.99</td><td>4 points</td></tr> <tr><td>≥\$18.00</td><td>2 points</td></tr> </table>	≤\$4.50	10 points	\$4.51 - \$8.50	8 points	\$8.51 - \$14.99	6 points	\$14.50 - \$18.00	4 points	≤\$7.00	10 points	\$7.01 - \$11.20	8 points	\$11.21 - \$14.20	6 points	\$14.21 - \$17.99	4 points	≥\$18.00	2 points	<p>Projected average daily occupancy (first year)</p> <table border="0"> <tr><td>≥100%</td><td>10 points</td></tr> <tr><td>90% - 99%</td><td>8 points</td></tr> <tr><td>80% - 89%</td><td>6 points</td></tr> </table> <p>Percent of projected ridership from commuter rail</p> <table border="0"> <tr><td>100%</td><td>10 points</td></tr> <tr><td><100%</td><td>0 points</td></tr> </table>	≥100%	10 points	90% - 99%	8 points	80% - 89%	6 points	100%	10 points	<100%	0 points						
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Project Readiness (20 points)	Community Connections (10 points)																																		
<p>Estimated opening year</p> <table border="0"> <tr><td>By 2012</td><td>10 points</td></tr> <tr><td>By 2013</td><td>8 points</td></tr> <tr><td>By 2014</td><td>4 points</td></tr> <tr><td>By 2015</td><td>2 point</td></tr> </table> <p>Phase readiness</p> <table border="0"> <tr><td>Planning and environmental complete</td><td>10 points</td></tr> <tr><td>ROW acquired or not applicable</td><td>5 points</td></tr> <tr><td>Maintenance facilities available</td><td>1 points</td></tr> </table>	By 2012	10 points	By 2013	8 points	By 2014	4 points	By 2015	2 point	Planning and environmental complete	10 points	ROW acquired or not applicable	5 points	Maintenance facilities available	1 points	<p>Average travel time to station from employment/activity center</p> <table border="0"> <tr><td>1 - 10 minutes</td><td>5 points</td></tr> <tr><td>11 - 15 minutes</td><td>4 points</td></tr> <tr><td>16 - 20 minutes</td><td>3 points</td></tr> <tr><td>21 - 30 minutes</td><td>2 points</td></tr> </table> <p>Connectivity/activity centers served by project</p> <table border="0"> <tr><td>Senior center(s)</td><td>1 point</td></tr> <tr><td>Schools</td><td>1 point</td></tr> <tr><td>Retail centers (over 000k feet)</td><td>1 point</td></tr> <tr><td>Special event venues</td><td>1 point</td></tr> <tr><td>Major employment centers</td><td>1 point</td></tr> <tr><td>Connections to existing service</td><td>1 point</td></tr> </table> <p style="text-align: center;">5 points maximum</p>	1 - 10 minutes	5 points	11 - 15 minutes	4 points	16 - 20 minutes	3 points	21 - 30 minutes	2 points	Senior center(s)	1 point	Schools	1 point	Retail centers (over 000k feet)	1 point	Special event venues	1 point	Major employment centers	1 point	Connections to existing service	1 point
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Chapter 5 - Metrolink Gateways (Project T)

Overview

This M2 program establishes a competitive process for local agencies to convert Metrolink stations into regional gateways for enhanced operations related to high-speed rail service. Projects must meet specific criteria in order to compete for funding through this program. In addition, local agencies will be required to demonstrate the ability to fully fund operations on an ongoing basis using non-OCTA resources. Public-private partnerships² are encouraged but not required.

Objectives

- Convert Metrolink stations(s) to regional gateways that connect Orange County with planned future high-speed rail systems.
- Deliver improvements that are necessary to connect planned future high-speed rail systems to stations(s) on the Orange County Metrolink route.

Project Participation Categories

Multi-modal transit facilities provide expanded transportation options for regional and long-distance travel. These “hubs” provide a vital link in the mobility chain. Availability of viable stations is a critical consideration for high speed rail service implementation. Each host community has unique needs and expectations related to high-speed rail systems. Conditions will differ from one location to the next and projects pursued under this program have significant latitude in how they address the challenge of delivering supporting facilities for high speed rail services. Converting a station may include modifying and/or relocating the station. The program categories listed below identify key project elements that can be pursued through the Project T funding source. Public-private partnerships and local funding sources may be used to leverage these elements.

- Station and passenger facilities necessary to support planned high-speed rail system³
- Parking structures related to expanded high-speed rail service
- Track improvements (e.g., track, switching, signal equipment)

² Public-private partnerships are defined as direct financial contributions or right-of-way dedications for eligible program activities.

³ Program should not build retail or other leasable space. Mixed Use and TOD elements will be the responsibility of others.

- Traffic control enhancements for ingress/egress from public roadways
- Aesthetics limited to 10 percent of the Project T funds (specifically limited to: landscaping, non-standard lighting, and on-site signage)
- On-site public art expenses limited to one percent of Measure M funds in order to improve the appearance and safety of the facility
- Off-site improvements cannot exceed 5 percent of Measure M funding request⁴
- Bond financing costs
- Construction Management (not to exceed 15 percent of construction cost)

Commercial facilities that are not transit related are not eligible for Measure M funds.

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent, effective manner. There is no guarantee that funding will be approved during a particular call for projects. If no acceptable project is identified during a funding cycle, a subsequent call for projects will be scheduled at an appropriate time.

- Station must be included as part of a planned future high-speed rail system.
- Station must be identified in constrained or unconstrained chapters of the 2008 Regional Transportation Plan for the initial M2 funding cycle
- Agency must demonstrate sufficient funding for first five years of operation with financial plan outlining funding strategy for ongoing operations and maintenance (cannot include OCTA funding sources)
- Project applications must be for complete projects (environmental clearance through construction)
- Project application must meet minimum competitive score to be deemed eligible and "of merit" (as determined by OCTA Board of Directors)
- Capital improvements must adhere to public bidding requirements
- Complete applications must be approved by the applicant City Council prior to submittal to OCTA to demonstrate adequate community and elected official support for initial consideration
- Applicant must be eligible to receive Measure M funding (established on an annual basis) to participate in this program

⁴ "Off-site" improvements adjacent to the project site such as monumentation, traffic control, etc.

Funding Estimates

The program will make an estimated \$186 million (nominal dollars) available during the initial 21-year period of the program (Fiscal Year 2011 through 2031). For the initial call for projects, bonds were issued in fiscal year (FY) 2011 and FY 2012, making the maximum net programming amount of \$82.3 million available after deducting for bond costs. Funding for the remaining nine-year period of M2 will not be programmed until a future call for projects is warranted. This approach provides a hedge against economic uncertainty and preserves funding for future system expansion.

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on projects with firm funding commitments and overall project readiness as shown on Table 5-1. In addition, projects will be evaluated based upon existing and future transit usage, intermodal connectivity, and community land use attributes. Although a local match commitment is not required, projects that leverage M2 funds with at least 10 percent from other sources are encouraged and will be more competitive.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal as outline below.

Complete information application

- Provide funding/operations plan
- Grants subject to a cooperative funding agreement

A call for projects for the initial funding cycle was issued in January 2009. The need for a future call will be determined by the OCTA Board of Directors. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

The funding plan shall include, at a minimum, the following information:

- Financials (Funding needs, match rate funding availability, operations funding assurances, public-private partnership arrangements, bond financing projections)
- Project development and implementation schedule
- High speed rail ridership projections
- Any additional information deemed relevant by the applicant

Applications will be reviewed by the Authority for consistency, accuracy and concurrence. Once applications have been completed in accordance with the program requirements,

the projects will be scored, ranked and submitted to the T2020 Committee and Board of Directors for consideration and funding approval.

The final approved application (including Financial Plan) will serve as the basis for any funding agreement required under the program.

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning design, right-of-way acquisition, and related bond financing costs. Reimbursements will be disbursed upon review and approval of a complete expense report, performance report, and consistent with the executed cooperative agreement.

Status Reports

Projects selected for funding will be subject to submittal of an annual financial plan update in order to receive project reimbursement payments during the following fiscal year. The updated financial plan will be due as a supplement to the annual Measure M eligibility process (typically due on June 30th).

Project Cancellation

Projects deemed infeasible during the planning process will be cancelled and further expenditures will be prohibited (except where necessitated to bring the current phase to a logical conclusion). Right-of-way acquired for projects which are cancelled prior to construction will require repayment to the contributing funding program(s) within a reasonable time as determined by the Board.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the OCTA Board of Directors.

Proceeds from the sale of excess right-of-way acquired with program funding must be paid back to the project fund as described in the executed funding agreement.

Application Guidelines

Funding grants provided through M2 are determined through a competitive application process. Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable an adequate evaluation of the application. Each jurisdiction is provided broad latitude in formatting, content and approach. However, key elements described below must be clearly and concisely presented to enable timely and accurate assessment of the project.

Financial Details

Each candidate project must include all phases through construction of facilities and implementation of service. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (planning, environmental, permitting, design, right-of-way acquisition, construction, and project oversight)
- Funding request for each phase of project implementation with match funding amounts and sources clearly identified
- Realistic project schedule for each project phase
- Demonstrated financial commitments for match funding and ongoing operations (through first five years of operation)
- Discussion of contingency planning for revenue shortfalls
- Revenue projections and methodology where on-site commercial activity or advertising revenue is expected to support implementation and/or operations costs
- Right-of-way status and strategy for acquisition
- Revenue sharing proposals (where applicable)

Technical Attributes

The formal application must include feasibility and efficacy components to demonstrate transportation benefit to ensure the selected project(s) meet the spirit and intent of M2. Merit will be demonstrated through technical attributes and industry standard methodologies. The following site-specific data will be included and fully discussed in the application:

- Current employment estimates within five-mile radius of project site (cite reference)
- Freeway lane miles within five-mile radius of site (provided by OCTA upon request)
- Planned job density within 1,500' radius of project boundary based upon current General Plan

- Planned housing density within 1,500' radius of project boundary based upon current General Plan
- Daily transit boardings within five-mile radius of project boundary (include rail and fixed route bus/shuttle)
- Daily transit boardings growth within five-mile radius of project boundary with projection methodology fully presented for opening day operations
- Description of all transit modes serviced by the site at time of application
- Discussion of new transit modes (including high speed rail) served by the site as a result of proposed project (opening day)
- Service coordination plan (how will proposed project facilitate transfer between transit services?)

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Resolution: A Council Resolution authorizing request for funding consideration with a commitment of project match funding (local sources) and operating funds as shown in the funding plan.

Lease/Cost Sharing Agreements: Copies of leases, cost sharing (match funding), and/or land dedication documents. Confidential agreements may be included by reference when accompanied by affidavit from City Treasurer or Finance Director.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. The applicant will be asked for detailed information only if necessary to adequately evaluate the project application.

TABLE 5-1

**Point Breakdown for Metrolink Gateways (Project T)
Maximum Points = 100**

Financial Commitment (30 points)		Transit Usage (20 points)	
Total Project Cost (information only)		Existing transit boardings (within 5 miles)	
\$ (capital)	(No Points)	>75,000 a day	4 points
		50,000 to 75,000 a day	3 points
Percent of M2 for capital		25,000 to 49,000 a day	2 points
50% or less	16 points	<25,000 a day	1 point
51% to 65%	12 points		
66% to 80%	8 points	Transit boardings growth (within 5 miles)	
81% to 90%	4 points	>20,000 daily increase	8 points
Level of commitment from private partners		15,000 to 20,000 daily increase	6 points
Investment agreement (binding)	8 points	10,000 to 14,900 daily increase	4 points
Commitment letters	2 points	<10,000 daily increase	2 points
OCTA concurrence with financial assumptions/analysis		Consistent ridership projections	
Yes	6 points	100% to 110% of OCTAM*	
No	0 points	111% to 120% of OCTAM	
		121% to 140% of OCTAM	
		<i>*Projections below OCTAM get 8 points</i>	
Readiness (20 points)		Intermodal Connections (18 points)	
High-speed rail system status		Number of current transit modes provided	
In constrained 2008 RTP	10 points	>6	5 points
Added in unconstrained RTP	2 points	4 to 6	3 points
Land acquired for total project		<4	1 point
Yes	5 points	Future increase in the number of transit modes	
No	0 points	>5 added	10 points
Project design status		3 to 5 added	6 points
Design complete	5 points	<3 added	2 points
Environmental complete	3 points	OCTA concurrence with intermodal analysis	
PSR equivalent complete	1 point	Yes	3 points
		No	0 points
Regional Markets / Land Use (12 points)			
Adjacent freeway lane miles (within five miles)			
>500 lane miles	3 points		
400 to 500 lane miles	2 points		
<400 lane miles	1 point		
Current employment (within 5 miles)			
>350,000	3 points		
200,000 to 350,000	2 points		
<200,000	1 point		
Planned job density within 1,500 feet			
>2.0 avg. floor area ratio	3 points		
1.5 to 2.0 avg. floor area ratio	2 points		
<1.5 avg. floor area ratio	1 point		
Planned housing density within 1,500 feet			
>35 dwelling units/acre			
20 to 35 dwelling units/acre			
<20 dwelling units/acre			

* OCTAM - Orange County Transportation Analysis Model

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Chapter 6 - Community-Based Transit/Circulators (Project V)

Overview

The Measure M2 (M2) Project V - Community-Based Transit/Circulators Program establishes a competitive process to enable local jurisdictions to develop community-based local transit services that complement regional transit services, and meet needs in areas not adequately serviced by regional transit. Projects must meet specific criteria in order to compete for funding through this program. In addition, local jurisdictions will be required to demonstrate the ability to provide funding match for capital and ongoing local share of operations and maintenance using non-Orange County Transportation Authority (OCTA) resources. Public-private partnerships¹ are encouraged but not required. Local jurisdictions may partner with each other.

Regional Transit: Regional Transit services are provided by OCTA, specifically through routes 1 through 99 (and excluding those route sections that perform less than 10 boardings per revenue vehicle hour). Additional information on OCTA routes and schedules can be accessed from OCTA website at www.octa.net.

Objectives

- To provide community transit service that is safe, clean and convenient.
- To encourage new, well-coordinated, flexible transportation systems customized to each community's needs.
- To develop local bus transit services such as community-based circulators, shuttles, and bus trolleys that complement regional bus and rail service.
- To meet transportation needs in areas not served by regional transit.

¹ Public-private partnerships are defined as direct financial contributions or sponsorships for eligible program activities

2018 Call for Projects

The 2018 Call for Projects (call) for Project V will provide approximately \$12 million for community-based transit/circulators across Orange County. Specifics on the funding policies that apply to this call are identified below.

Applications

In order for OCTA to consider a project for funding, applications will be prepared by the local agency utilizing the Application Form, available electronically from OCTA. Agencies are required to submit electronic and hardcopy applications for the 2018 call for projects by **5:00 p.m. on Friday, March 23, 2018. Late submittals will not be accepted.**

Three (3) unbound hardcopies of the application and any supporting documentation must be submitted to OCTA by the application deadline, along with an electronic copy (CD, USB, or Dropbox).

Hardcopy applications should be mailed to:

OCTA
Attention: Jodie McCann
550 S. Main Street
P.O. Box 14184, Orange, CA 92863-1584

Hardcopy applications may be hand delivered to:

600 S. Main Street
Orange, CA 92868

Resolutions

A resolution or minute action must be approved by the local agency's governing body. The mechanism selected shall serve as a formal request for Project V funds and states the matching funds will be provided by the agency, if necessary. All project requests must be included in this section.

At minimum, a draft resolution must be submitted with the application by the March 23rd deadline. A final adopted resolution must be submitted to OCTA by **Friday, April 13, 2018**. A sample resolution is included in Exhibit 6-2.

Pre-Award Activities

Pre-Award Activities are allowable under Precept 6. A grantee may, at its own risk and without an executed OCTA Cooperative Agreement, obligate funds. Expenditures that are made prior to an executed OCTA Cooperative Agreement, but after July 1, of the programmed Fiscal Year (FY) must be identified in the grant application and must be submitted to OCTA for administrative approval prior to the implementation of the project.

Project Participation Categories

Transit needs may differ from one location to the next, and projects pursued under this program have significant latitude on how the challenge of delivering community-based transit will be delivered. The program categories listed below identify key project elements that can be pursued through the Project V funding source. The program categories eligible for funding through Project V are:

Planning for new service - Up to \$50,000 per agency (Not applicable to 2018 Call)

- Need for Community-Based Transit/Circulator Services
- Origin and Destination Studies
- Surveys and Marketing Research
- Development of Proposed Service Plans
- Transit Coordination Studies

Capital

- Bus and vehicle leases/purchases for the purposes of providing seasonal/special event shuttles and trolleys. If the purchase of vehicles is more cost efficient than a lease, justification and supporting documentation must be provided. Vehicle purchases will be evaluated on a case-by-case basis.
- Equipment for the deployment, implementation and use of Project V-funded services, including but not limited to:
 - Bike racks
 - Software
 - Communications equipment
 - Fare collection equipment
 - Passenger amenities
 - Americans with Disabilities Act (ADA) equipment for vehicles
- Maintenance facilities and fueling stations required for the new transit service

- Bus stop improvements (including signage, furniture and shelters) for Project V funded service stops only).

Operations and Maintenance

All costs below are subject to OCTA subsidy limitations outlined on page 6-6:

- Seasonal, fixed route, deviated fixed route, demand responsive community transit and shuttle services including administration, operations and maintenance of services.
- Transportation services provided by non-OCTA providers.
- Expansion of fixed-route services will only be considered if the existing service has met the minimum performance standards in the last quarter (see page 6-6). Existing OCTA led services are eligible for expansion if an alternate service provider is identified.
- Temporary off-site parking for special events subject to agreement with the property owner and approval by OCTA.
- Parking leases needed in response to expanded transit services.
- Special event shuttle services for events that will create significant congestion.
- Other flexible and innovative transit services contingent on the service plan and anticipated service performance.
- Marketing efforts including expenditures related to seasonal or special event service schedules, marketing materials such as flyers and brochures and community outreach efforts. Project V contribution for marketing will be capped at \$25,000 for the startup cost and up to \$10,000 annually thereafter for the remaining grant period.

Agencies may be awarded, from all eligible project categories, no more than \$550,000 annually for a period of three to five years per project. Funding will begin in FY 2018-19, if an agency can demonstrate project readiness, or in FY 2019-20.

Ineligible Categories

Project V funds may not be used for the following:

- Right of way acquisition
- To supplant existing transit services (subject to the Regional Transit definition identified in the Overview)
- Fare subsidies (Free shuttles are not considered subsidized fare for this program)
- Indirect costs

- Planning studies
- OCTA-led services²

Project Requirements

All projects funded through Project V must comply with the Comprehensive Transportation Funding Programs Guidelines, unless specifically noted in the agreement with the local agency and must comply with applicable state and federal laws, including American with Disabilities Act (ADA) requirements for transit services.

Planning for New Service (Not applicable to 2018 Call)

Cities must provide a scope of work for the proposed planning document requesting Project V funds. The scope must include project need and goals and objectives for the proposed or considered service. OCTA transit planning staff must be included in the development of any planning documents funded through the Project V planning category. Planning documents must include specific recommendations for community-based transit/circulator services that can be implemented within the operating subsidy provided through Project V and must consider coordination with existing services. Plans may also consider ways to eliminate duplication of service or to improve service by combining resources. Progress on planning projects must be reported to OCTA through the semi-annual review process. Agencies will be required to submit all data and planning documents to OCTA in order to receive final payment.

Capital

Project V funding is available to offset the costs of purchasing or leasing vehicles, equipment and other amenities as described in Chapter 3, under eligible costs. Progress on capital projects must be reported to OCTA through the semi-annual review process. Agencies must inspect vehicle purchases to ensure they meet specifications prior to final acceptance and withhold retention until warranty issues and/or final acceptance is met. If vehicles are sold before the end of their useful life or if service is discontinued, agencies shall repay OCTA the same percentage of the sale price or estimated value based on straight line depreciation of asset consistent with the Project V percentage of the initial purchase.

² Off-peak OCTA-led services may be considered, on a case-by-case basis

Operations and Maintenance

OCTA has established an operating reserve as part of this program that may be used to support the costs of operations and maintenance. The operating reserve is subject to the following requirements:

- Service performance will be evaluated on a quarterly basis. The minimum performance standards are calculated by dividing boardings by the revenue vehicle hours (B/RVH) as detailed below:

Year 1	Year 2	Year 3+
Meet or exceed 6 B/RVH by end of Year 1 ³	Maintain 6 B/RVH each reporting period ⁴ and; Meet or exceed 10 B/RVH by end of Year 2	Maintain 10 B/RVH each reporting period

- After Year 1, services that perform below the minimum performance standard for two or more reporting periods will be evaluated for cancellation.
- As part of the Project V service, local agencies must develop strategies to measure ridership satisfaction and on-time performance and must achieve an 85% on-time performance on an ongoing basis and rider satisfaction must be 90% satisfied based on customer surveys.
- Awarded agencies must submit operations and maintenance costs and ridership and fare performance data to OCTA on a quarterly basis. The OCTA Transit Committee will be provided with summarized information from these reports on a semi-annual basis.
- The OCTA subsidy allows awarded agencies to be reimbursed on a pro-rata basis, but not to exceed \$9 per boarding or 90 percent of net operating and maintenance costs (after deducting fares and non-OCTA subsidies), *whichever is less*. The \$9 per boarding may increase annually by an OCTA-approved inflationary factor.
- Consistent with Federal law, Americans with Disabilities Act (ADA) complementary paratransit service is required for certain types of transit operations. For Project V funded services, paratransit services will be covered with Project V funds through the OCTA Board policy. Agencies receiving Project V funds may be required to adopt a paratransit plan prior to starting operations.

³ One year from the first day of operating the Project V funded service

⁴ Fiscal year quarterly basis

Agency Match Requirements

Local funds are required to provide a minimum 10% non-OCTA match for all Project V components. The match may be comprised of any combination of private contributions, advertising revenues, and local discretionary funds. The match may not be made up of in-kind services. Capital match funding commitments in excess of ten percent are eligible for additional points. The OCTA contribution for Operations and Maintenance will not exceed \$9 per boarding, therefore actual match provided by the local agency may be greater than 10% depending on the ridership. Agency match commitments will be incorporated into the funding agreement.

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the M2 Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent, effective manner. There is no guarantee that funding will be approved during a particular call for projects. If no acceptable project is identified during a funding cycle, a subsequent call for projects will be scheduled at an appropriate time.

- Applicant must be eligible to receive M2 funding (established on an annual basis) to participate in this program.
- Support recommendations from OC Transit Vision, OCTA Short Range Transit Plan, local transit planning efforts and goals of the Sustainable Communities Strategy.
- Supplement rather than supplant existing transit services and emphasize service to areas not served by transit.
- Demonstrate local share of operations and maintenance funding for specific time horizon.
- Demonstration of cost reasonableness for new bus stop improvements.
- Agency must have a financial plan outlining a funding strategy for ongoing operations and maintenance (maximum of five years).
- Local agency will be required to enter into a cooperative funding agreement with OCTA.
- All projects must include meeting ADA requirements, and these costs must be included in the project application.
- Complete applications must be approved by the city council and partner jurisdictions prior to submittal to OCTA to demonstrate adequate community and elected official support for initial consideration

- Local agencies will be required to submit appropriate National Transit Database data to OCTA or local agency's operator must submit directly to the National Transit Database.

Application Process

Project V allocations are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal. An application for any proposed service must include a detailed funding/operations plan.

The project application for capital and operations and maintenance shall include, at a minimum, the following information:

- Project need, goals and objectives
- Project development and implementation schedule
- Funding plan (funding needs, match funding availability, operations funding assurances, and public-private partnership arrangements)
- Ongoing service and operations plan
- Operations and maintenance facility management
- Any additional information deemed relevant by the applicant
- Ridership Projection
- Coordination with existing services such as OCTA transit services, existing Project V services, Metrolink, I-Shuttle, Anaheim Transportation Network and/or Senior Mobility Program

The project application for planning for new projects shall include a scope of work for the proposed planning document requesting Project V funds. The scope must include project need and goals and objectives for the proposed or considered service.

Complete project applications must be submitted by the established due date to be eligible for consideration.

Applications will be reviewed by OCTA for consistency, accuracy, and concurrence. For applications completed in accordance with the program requirements, the projects will be scored, ranked and submitted to the Executive Committee, and the Board for consideration and funding approval. The process is expected to be concluded by June 30, 2018.

The final approved application (including funding plan) will serve as the basis for any funding agreement required under the program. The approved projects will be subject to the Comprehensive Transportation Funding Programs (CTFP) Guidelines for project delivery requirements.

Application Guidelines

Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable an adequate evaluation of the application. Each jurisdiction is provided broad latitude in formatting, content, and approach. However, key elements described below must be clearly and concisely presented to enable timely and accurate assessment of the project.

Financial Details

Each candidate project application must include all phases through construction of facilities. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (planning, environmental, permitting, design, right-of-way acquisition, equipment and vehicle acquisition, construction, and project oversight)
- Preliminary cost estimates for operations and maintenance should be coordinated with OCTA.
- Funding request for each phase of project implementation with match funding amounts and funding sources clearly identified
- Demonstrated financial commitments for match funding and ongoing operations
- Discussion of contingency planning for revenue shortfalls
- Revenue projections and methodology where commercial activity is expected to support implementation and/or operations costs
- Project readiness status
- Realistic project schedule for each project phase

Scoring Criteria

Specific scoring criteria will be used to evaluate the competitive program project applications. Emphasis is placed on projects with firm financial commitments and overall project readiness as shown in the Project V scoring criteria. In addition, projects will be evaluated based upon ridership projections, areas served, cost effectiveness and local/regional benefits.

The formal application must include feasibility and efficacy components to demonstrate transportation benefit to ensure the selected project(s) meet the spirit and intent of M2.

Merit will be demonstrated through technical attributes and industry standard methodologies. The following data will be included and fully discussed in the application:

- Matching funds
- Level of commitment from non-applicant partners

- Operating cost per boarding for initial season or first special event
- Project readiness including initial operating period for seasonal services or special event readiness
- Projected daily boardings with projection methodology fully presented
- Community connections; connections to fixed route bus and rail
- Projected annual visitors served by seasonal route
- Community outreach
- Agency experience

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the information described above, local agencies will be required to submit the following materials:

Council Resolution: A council resolution authorizing request for funding consideration with a commitment of project match funding (local sources) and operating funds as shown in the funding plan.

Lease/Cost Sharing Agreements: Copies of leases, sponsorship, and/or advertising revenue documents. Confidential agreements may be included for reference when accompanied by affidavit from city treasurer or finance director.

Project Documentation: If the proposed project has completed initial planning activities (such as project study report or equivalent, environmental impact report, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. The applicant will be asked for detailed information only if necessary to adequately evaluate the project application.

Operations Plan: In addition to the financial details indicated in this chapter, the operations plan submitted shall include the following technical data: a route map, draft time table, headways, stop location listing, summary of vehicle types and characteristics, speed profile, fleet size, and any other applicable supporting documentation.

Reimbursements

The planning, capital, and operations and maintenance (O&M) phases are administered on a reimbursement basis. Planning, capital, and O&M reimbursements will be disbursed upon review and approval of a complete expense report, performance report, and consistent with the cooperative funding agreement. OCTA operating subsidy will be no more than Nine Dollars (\$9.00) per boarding or Ninety Percent (90%) of net operations

and maintenance costs, whichever is lower. Local agency matching commitment to OCTA for ongoing operating assistance will be in accordance with terms identified in the cooperative funding agreement.

Funds must be utilized in the programmed FY. If there are FY project savings, a transfer of funds may be requested to a subsequent FY within the project. Agencies may only use savings as an aid for unanticipated cost overruns within the approved scope of work. A transfer request must be submitted in conjunction with the final reimbursement request, and formally submitted during the Semi-Annual Review. Transfers of savings will not be done retroactively, and overall project savings are returned to the program for use in subsequent calls for projects.

Calculation of Payment

OCTA operating subsidy will be no more than Nine Dollars (\$9.00) per boarding **OR** Ninety Percent (90%) of net operations and maintenance costs, whichever is lower.

Example:

Sample payment calculation	
Assumptions:	
10% match	
1,500 boardings	
Net Operating Cost	\$ 20,000
Agency Match (10%)	\$ 2,000
Agency Reimbursement (90% Reimbursement)	\$ 18,000
<i>or</i>	
Net Operating Costs	\$ 20,000
\$9 x Boardings (\$9 x 1,500)	\$ 13,500
Agency Match	\$ 6,500
Agency Reimbursement (\$9 per boarding)	\$ 13,500



Net operations costs = operation & maintenance costs (after deducting fares/fees)

Local agency minimum matching requirement to OCTA for ongoing operating assistance will be in accordance with terms identified in the cooperative funding agreement.

Project Cancellation

Projects deemed infeasible during the planning process will be cancelled and further expenditures will be prohibited except where necessitated to bring the current phase to a logical conclusion.

For vehicles owned by local agencies that were funded through Project V, if the service is discontinued, agencies shall repay OCTA for vehicles at the same percentage of the sale price, or estimated value based on straight line depreciation of asset consistent with the Project V percentage of the initial purchase.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall allocation, and/or other sanctions to be determined. Audits shall be conducted by the OCTA Internal Audit Department or other authorized agent either through the normal annual process or on a schedule to be determined by the OCTA Board.

Exhibit 6-1

Point Breakdown & Application Checklist for Community-Based Transit/Circulators (Project V)

APPLICATION CHECKLIST	
Application materials should be submitted in the order they are listed below. Refer to the CTFP Guidelines for more detailed application requirements. Points shown are the maximum points given per category.	
Completed Application	<input type="checkbox"/>
Board/Council Resolution (Draft Permitted Initially)	<input type="checkbox"/>
Scoring Criteria – 100 Points Total	
Financial Commitment (15 Points)	<input type="checkbox"/>
Capital Match Rate	<input type="checkbox"/>
Cost Effectiveness (15 Points)	<input type="checkbox"/>
Estimated Operating Cost per Revenue Vehicle Hour	<input type="checkbox"/>
Lease/Cost Estimates & Project Backup Documentation	<input type="checkbox"/>
Project Readiness (15 Points)	<input type="checkbox"/>
Project Implementation Schedule	<input type="checkbox"/>
Planning and Environmental Documentation	<input type="checkbox"/>
Operations Plan (20 Points)	<input type="checkbox"/>
Route Map w/ Existing Transit Service	<input type="checkbox"/>
Draft Time Table & Headways	<input type="checkbox"/>
Stop Locations Identified	<input type="checkbox"/>
Average Service Speed by Time Period	<input type="checkbox"/>
Fleet Size & Summary of Vehicle Types	<input type="checkbox"/>
Maintenance Facilities Available & Service Plan Developed	<input type="checkbox"/>
Ridership Projection (5 Points)	<input type="checkbox"/>
Agree to Collect & Submit O&M Data Quarterly	<input type="checkbox"/>
Projected Average Daily Boardings (Opening Year)	<input type="checkbox"/>
Funding Plan (10 Points)	<input type="checkbox"/>
Specific Funding Needs (Per year and per phase)	<input type="checkbox"/>
Funding Assurances	<input type="checkbox"/>
Partnership Arrangements	<input type="checkbox"/>
Service Coordination Plan	<input type="checkbox"/>
Agency Experience (10 Points)	<input type="checkbox"/>
Community Benefit (10 Points)	<input type="checkbox"/>
Community/Activity Centers/Tourist Attractions Served by Project	<input type="checkbox"/>
Documented Community Support (Surveys, outreach, etc.)	<input type="checkbox"/>
Fixed-Route Bus/Rail Connections	<input type="checkbox"/>

Exhibit 6-2

Sample Resolution for Community-Based Transit/Circulators (Project V)

RESOLUTION NO. XXXX

A RESOLUTION OF THE (GOVERNING BODY) OF THE (ADMINISTERING AGENCY) APPROVING THE SUBMITTAL OF THE (PROJECT NAME) APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE PROJECT V COMMUNITY-BASED TRANSIT/CIRCULATORS PROGRAM

WHEREAS, the Community-Based Transit/Circulators program (Project V) establishes a competitive process to enable local jurisdictions to develop community-based local transit services that complement regional transit services and meets needs in areas not adequately serviced by regional transit.

WHEREAS, OCTA intends to allocate Project V funds within the incorporated cities and the County; and

WHEREAS, OCTA has established the procedures and criteria for reviewing applications as identified in the Project V Guidelines; and

WHEREAS, by formal action the (GOVERNING BODY) authorizes the nomination of (PROJECT NAME), including all understanding and assurances contained therein.

WHEREAS, the (ADMINISTERING AGENCY) has been declared by the Orange County Transportation Authority (OCTA) to meet the eligibility requirements to receive revenues as part of Measure M2; and

WHEREAS, the (ADMINISTERING AGENCY) must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement; and

WHEREAS, the (ADMINISTERING AGENCY) authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the OCTA Board of Directors; and

WHEREAS, the (ADMINISTERING AGENCY's) Circulation Element is consistent with the County of Orange Master Plan of Arterial Highways; and

WHEREAS, the (ADMINISTERING AGENCY) will comply where applicable with provisions of the Americans with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations; and

WHEREAS, the (ADMINISTERING AGENCY) will consult with OCTA regarding the need for a paratransit plan prior to starting operations; and

WHEREAS, the (ADMINISTERING AGENCY) will provide matching funds for the project as required by the Project V Guidelines and shall fund its share of the project costs and any additional costs over the identified programmed amount; and

WHEREAS, the (ADMINISTERING AGENCY) will not use Measure M funds to supplant Developer Fees or other commitments; and

WHEREAS, the (ADMINISTERING AGENCY) will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the Project; and

NOW, THEREFORE, BE IT RESOLVED THAT:

The (GOVERNING BODY) hereby requests that the OCTA allocate Project V funds in the amounts specified in the (ADMINISTERING AGENCY's) application to said (ADMINISTERING AGENCY). Said funds shall be matched by funds from the (ADMINISTERING AGENCY) as required and shall be used as supplemental funding to aid the (ADMINISTERING AGENCY) in the implementation of the proposed transit service.

PASSED, APPROVED AND ADOPTED THIS [Insert Day] day of [Insert Month], [Insert Year].

Chapter 7 - Regional Capacity Program (Project O)

Overview

The Regional Capacity Program (RCP) is a competitive program that will provide more than \$1 billion over a thirty-year period. The RCP replaces the Measure M local and regional streets and roads competitive programs (1991-2011).

Although each improvement category described in this chapter has specific eligible activities, the use of RCP funding is restricted to and must be consistent with the provisions outlined in Article XIX. The California State Controllers Guidelines Relating to Gas Tax Expenditures, which implements Article XIX, will provide additional clarification.

The MPAH serves as the backbone of Orange County's arterial street network. Improvements to the network are required to meet existing needs and address future demand. The RCP is made up of three (3) individual program categories which provide improvements to the network:

- The ACE improvement category complements freeway improvement initiatives underway and supplements development mitigation opportunities on arterials throughout the MPAH.
- The ICE improvement category provides funding for operational and capacity improvements at intersecting MPAH roadways.
- The FAST focuses upon street to freeway interchanges and includes added emphasis upon arterial transitions to interchanges.

Projects in the arterial, intersection, and interchange improvement categories are selected on a competitive basis. All projects must meet specific criteria in order to compete for funding through this program.

Also included under the RCP is the Rail Grade Separation Program (RGSP), which is meant to address vehicle delays and safety issues related to at-grade rail crossings. Seven rail crossing projects along the MPAH network were identified by the CTC to receive TCIF. TCIF allocations required an additional local funding commitment. The RGSP captures these prior funding commitments. Future calls for projects for grade separations are not anticipated.

Funding Estimates

Funding will be provided on a pay-as-you go basis. The RCP will make an estimated \$1.1 billion (in 2005 dollars) available during the 30-year M2 program. Programming estimates are developed in conjunction with periodic calls for projects. Funding is shared with intersection, interchange and grade separation improvement categories. No predetermined funding has been set aside or established for street widening.

Programming Approach

Programming decisions are based upon project prioritization ranking, feasibility and readiness. Each round of funding has resulted in a diverse range of activities, cost and competitive score. Funding applications may seek financial assistance for planning, engineering, right of way, construction or a combination of these activities. Effective grant programs include a combination of project development as well as implementation projects. In order to ensure continued distribution of funding opportunities between small and large-scale projects, a tiered funding approach will be used.

An estimated \$32 million will be available for Project O programming during the 2019 Call for Projects. Category 1 projects are limited to those projects requesting \$5 million or less. Category 2 projects are defined as those requesting more than \$5 million in Measure M2 funds.

Tiered Funding Approach: The two-tiered funding (Tier 1 and Tier 2) approach will only be applicable to the RCP. This approach is proposed to prioritize high scoring projects while providing a balanced program with funding availability for small and large projects. The first tier is for projects scoring 50 points or higher, and the second tier is for all projects after first satisfying the Tier I ranking. Within Tier 1, two categories would be established with 60 percent (Category 1) of the M2 funds available for smaller projects (requesting \$5 million or less), and 40 percent (Category 2) of the M2 funds available for larger projects (requesting \$5 million or more). This approach is intended to broaden the distribution of M2 funds to higher scoring/lower cost projects and retain the ability to fund larger projects without placing formal funding caps on allocations. Any M2 funds not programmed in Tier I will be designated for Tier 2 allocation. A funding split between small and large projects is not recommended for Tier 2.

Applications may be for any project phase provided it represents a meaningful, logical terminus and is consistent with scoping from a previously funded project if applicable (i.e., if engineering was previously funded, the right of way and/or construction request must be for the same project scope).

	Category 1 (60%)	Category 2 (40%)
Tier I >=50 points	<ul style="list-style-type: none"> • \$0 - \$5 million • Score at least 50 points • Logical, standalone project • Unallocated balance shifts to Tier II for programming 	<ul style="list-style-type: none"> • \$5+ million request • Score at least 50 points • Logical, standalone project • Unallocated balance shifts to Tier II for programming
Tier II	<ul style="list-style-type: none"> • Balance of unallocated funds from Tier I prioritization • Request can be of any dollar value to compete in Tier II • Multiple segments of the same project cannot be submitted under both categories. 	

2019 Call for Projects

The 2019 Call for Projects (call) for Project O – the Regional Capacity Program (RCP) – under M2 will provide approximately **\$32 million** for streets and roads improvements across Orange County.

Funding will be provided for the three RCP funding programs: ACE, ICE, and FAST. Chapter 7 details the specific program's intent, eligible project expenditures, ineligible project expenditures, and additional information that may be needed when applying for funds. Each section should be read thoroughly before applying for funding. Application should be prepared for the program that best fits the proposed project.

For this call, OCTA shall program projects for a three-year period (FY 19/20 – 21/22), based upon the current estimate of available funds. For specifics on the funding policies that apply to this call, refer to the Program Precepts as found in Section IV of these guidelines.

Applications

In order for OCTA to consider a project for funding, applications will be prepared by the lead agency. A separate application package must be completed for each individual project. Multiple variations of the same project (i.e. with different local match rates) will not be considered. If funding is requested under multiple program components for a single project (i.e. arterials and intersections) a separate application must be prepared for each request. OCTA shall require agencies to submit both online and hardcopy applications for the 2019 call for projects by **5:00 p.m. on Thursday, October 18, 2018. Late and/or incomplete submittals will not be accepted.**

Since each funding program has slightly different application requirements, an "Internal Application Checklist Guide" has been provided for the three programs under the RCP (Exhibits 7-1, 7-2, and 7-3). The checklist guide identifies the basic forms and documentation required for each of the program components. In addition, items required at the time of project submittal are differentiated from supplemental items due later. The appropriate checklist should be provided as a cover sheet for **each** application submitted. For any items that are required for the candidate project or program that are missing or incomplete, an explanation should be included in a cover letter with the application. In addition to this checklist guide, please review the **Attachments/Additional Information** section of each program component for a description of supplementary documentation which may be required to support your agency's project application in specific cases.

Additionally, **three (3) unbound hardcopies** of the application and any supporting documentation must be submitted to OCTA by the application deadline. Hardcopy applications should be mailed to:

OCTA

Attention: Joe Alcock

600 S. Main Street

P.O. Box 14184 Orange, CA 92863-1584

Hardcopy applications can be hand delivered to:

600 S. Main Street

Orange, CA 92868

Exhibit 7-1

Arterial Capacity Enhancement (ACE)

CTFP Application Checklist Guide

Planning – Environmental & Engineering

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- ADT Counts and LOS Calculations
- Aerial Photo w/ Proposed Improvements Shown

Right-of-Way

- CTFP Online Application – submitted through OCFundtracker
- Project Description Detail (include plat maps and legal descriptions for proposed acquisitions)
- Detailed right-of-way Acquisition/Disposal Plan using the OCTA provided right-of-way acquisition/disposal plan form available for download at <https://ocfundtracker.octa.net>.
- Cost Estimate for Complete Project - ALL PHASES
 - Estimated right-of-way Cost by Parcel (Land, Improvements Taken, Severance, Goodwill, Incidental Expenses)*
- General Application Sample Resolution
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Aerial Strip Map w/ Existing and Proposed Improvements Shown
 - Include right-of-way Improvements and Parcels to be Acquired
- Preliminary Construction Layout Plans*
- ADT and LOS Calculations

Construction

- CTFP Online Application – submitted through OCFundtracker
- Project Construction Specifications
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Project Development Documents - Project Report or Materials Report *
- Approved Project Construction Plans*
- ADT and LOS Calculations

NOTE: To qualify for the 10 percent local match discount for measurable improvement of PCI, please include documentation from the last two PMP biennial Measure M Eligibility submittals that provide average PCI for Overall System.

****Items are due after first application review. OCTA staff will contact you regarding those projects that will require this additional information.***

Exhibit 7-2

Intersection Capacity Enhancement (ICE)

CTFP Application Checklist Guide

Planning – Environmental & Engineering

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- Aerial Photo w/ Proposed Improvements Shown

Right-of-Way

- CTFP Online Application – submitted through OCFundtracker
- Project Description Detail (include plat maps and legal descriptions for proposed acquisitions)
- Detailed right-of-way Acquisition/Disposal Plan using the OCTA provided right-of-way acquisition/disposal plan form available for download at <https://ocfundtracker.octa.net>.
- Cost Estimate for Complete Project - ALL PHASES
 - Estimated right-of-way Cost by Parcel (Land, Improvements Taken, Severance, Goodwill, Incidental Expenses) *
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Aerial Strip Map w/ Existing and Proposed Improvements Shown
 - Include right-of-way Improvements and Parcels to be Acquired
- Preliminary Construction Layout Plans*

Construction

- CTFP Online Application – submitted through OCFundtracker
- Project Construction Specifications
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Project Development Documents - Project Report or Materials Report *
- Approved Project Construction Plans*

NOTE: To qualify for the 10 percent local match discount for measurable improvement of PCI, please include documentation from the last two PMP biennial Measure M Eligibility submittals that provide average PCI for Overall System.

****Items are due after first application review. OCTA staff will contact you regarding those projects that will require this additional information.***

Exhibit 7-3

Freeway Arterial/Streets Transition (FAST)

CTFP Application Checklist Guide

Planning – Environmental & Engineering

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, ADT for arterial and ramp exit volumes
- Caltrans Letter of Support
- Aerial Photo w/ Proposed Improvements Shown

Right-of-Way

- CTFP Online Application – submitted through OCFundtracker
- Project Description Detail (include plat maps and legal descriptions for proposed acquisitions)
- Detailed right-of-way Acquisition/Disposal Plan using the OCTA provided right-of-way acquisition/disposal plan form available for download at <https://ocfundtracker.octa.net>.
- Cost Estimate for Complete Project - ALL PHASES
 - Estimated right-of-way Cost by Parcel (Land, Improvements Taken, Severance, Goodwill, Incidental Expenses) *
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Aerial Strip Map w/ Existing and Proposed Improvements Shown
 - Include right-of-way Improvements and Parcels to be Acquired
- Preliminary Construction Layout Plans*

Construction

- CTFP Online Application – submitted through OCFundtracker
- Project Construction Specifications
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Project Development Documents - Project Report or Materials Report*
- Approved Project Construction Plans*
- Appropriate agreements between Caltrans and the project lead agency need to be in draft form and/or in place.

NOTE: To qualify for the 10 percent local match discount for measurable improvement of PCI, please include documentation from the last two PMP biennial Measure M Eligibility submittals that provide average PCI for Overall System.

****Items are due after first application review. OCTA staff will contact you regarding those projects that will require this additional information.***

Attachments

OC Fundtracker Application

Agencies must submit a copy of the OCFundtracker application and scoring information with all application submittals. This document is created within the OCFundtracker web-based application.

"Project Cost Estimate" Form

Include a separate attachment listing all expenditures and costs for the project. Accurate unit prices and a detailed description of work, including design, will be critical when the candidate project is reviewed. For example, design applications should include major tasks that will be performed. Right-of-way cost estimate should include parcel information (including project area needed), improvements taken, severance damages, right-of-way engineering, appraisal and legal costs. Construction should include a listing of all bid items including a maximum 10 percent allowance for contingencies and a maximum 15 percent allowance for construction engineering/project management. The anticipated disbursement of costs (e.g., Agency, Other, Non-Eligible) must also be completed. Agencies should reference the program from which funding is expected to be allocated when completing this portion of the form. Each of the funding programs described in these guidelines may have differing matching fund requirements.

If more than one project phase is requested to be funded, a separate project cost estimate form is to be completed for each phase, or each phase must be clearly indicated, and a subtotal prepared on this form. Separate forms should also be prepared if funding for project phases is being requested over multiple fiscal years.

"Sample Resolution" Form

A resolution or minute action must be approved by the local jurisdiction's governing body prior to the Board approval of grant funds. A sample resolution is included as Exhibit 7-4 local agencies, at a minimum, must include items a-h. The mechanism selected shall serve as a formal request for CTFP funds and states that matching funds will be provided by the agency, if necessary. All project requests must be included in this action. **If a draft copy of the resolution is provided, the local jurisdiction must also provide the date the resolution will be finalized by the local jurisdiction's governing body.**

Right-of-way Acquisition/Disposal Plan

For all projects requesting right-of-way phase funding, a detailed plan for acquisition/disposal of excess right-of-way, along with any reasonable labor costs expected, must be included. The right-of-way acquisition/disposal plan and labor cost

estimate must be submitted using the “right-of-way acquisition/disposal plan” form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.

Project Summary Information

For each application that is recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for TAC review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint when/if a project is recommended for funding.**

Pavement Management Supporting Documentation

The M2 Ordinance provides for a 10 percent reduction in the required local match if the agency can either:

- a. Show measurable improvement of paved road conditions during the previous reporting period defined as an overall weighted (by area) average system improvement of one Pavement Condition Index (PCI) point with no reduction in the overall weighted (by area) average PCI in the Master Plan of Arterial Highways (MPAH) or local street categories;

or

- b. Road pavement conditions during the previous reporting period within the highest 20% of the scale for road pavement conditions in conformance with OCTA Ordinance No. 3, defined as a PCI of 75 or higher, otherwise defined as in “good condition”.

If an agency is electing to take the 10 percent local match reduction, **supporting documentation indicating either the PCI improvement or PCI scale must be provided.**

Additional Information

The following documentation should be included with your completed project application:

If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as lead agency and must provide a resolution of support from the other agency.

1. Letters of support for the candidate project (optional).
2. Geotechnical\materials reports for all applicable candidate projects (e.g., widening, intersection improvement, new roadway). The reports should contain sufficient detail

for an accurate assessment of improvements needed and costs, since funding will be jeopardized if a project is unable to meet proposed schedule and costs.

3. Preliminary plans, if available for the project. The plans (1"=40' preferred) should include:
 - a. Existing and proposed right-of-way (include plat maps and legal descriptions for proposed acquisitions).
 - b. Agency boundaries, dimensions and station numbers.
 - c. Existing and proposed project features such as: pavement width and edge of pavement, curb, gutter and sidewalk, raised median, driveway reconstruction, signal pole locations, etc.
 - d. Typical cross sections.
 - e. Proposed striping.
 - f. Structural sections per the materials report.
 - g. Proposed traffic signals, storm drains, bridges, railroad crossing improvements, safety lighting, etc.
 - h. If requesting funds for traffic signals, include a traffic signal warrant(s) prepared by the City Traffic Engineer or City Engineer.
 - i. If the project includes construction, relocation, alteration or widening of any railroad crossing or facility, include a copy of the letter of intent sent to the railroad, a copy of which must be sent to the Public Utilities Commission (PUC). Any project including work of interest to a railroad will not be considered for eligibility until the railroad and PUC have been notified.
 - j. If the project is proposed as a staged project and additional funds will be necessary in subsequent calls for projects, the preliminary project statement should be accompanied with a complete preliminary estimate and schedule for the completion of the entire project.
 - k. If the project is proposed as a safety improvement, provide justifying accident data for the past three years and show the expected decrease in intersection or mid-block accident rate.
4. Current 24-hour traffic counts (taken for a typical mid-week period within the preceding 12-month period) for the proposed segment. Projects submitted without "current counts" will be considered incomplete and non-responsive.

Exhibit 7-4

**Sample Resolution for Candidate Orange County
Comprehensive Transportation Programs Projects**

A resolution of the _____ City Council approving the submittal of _____ improvement project(s) to the Orange County Transportation Authority for funding under the Comprehensive Transportation Program

THE CITY COUNCIL OF THE CITY OF _____ HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS THAT:

- (a) WHEREAS, the City of _____ desires to implement the transportation improvements listed below; and
- (b) WHEREAS, the City of _____ has been declared by the Orange County Transportation Authority to meet the eligibility requirements to receive M2 "Fair Share" funds; and
- (c) WHEREAS, the City's Circulation Element is consistent with the County of Orange Master Plan of Arterial Highways; and
- (d) WHEREAS, the City of _____ will not use M2 funds to supplant Developer Fees or other commitments;
- (e) WHEREAS, the City/County must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Measure M2 Ordinance eligibility requirement.
- (f) WHEREAS, the City of _____ will provide a minimum in __% in matching funds for the _____ project as required by the Orange County Comprehensive Transportation Funding Programs Guidelines; and
- (g) WHEREAS, the Orange County Transportation Authority intends to allocate funds for transportation improvement projects, if approved, within the incorporated cities and the County; and
- (h) WHEREAS, the City/County authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors, if necessary.

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of _____ hereby requests the Orange County Transportation Authority allocate funds in the amounts specified in the City's application to said City from the Comprehensive Transportation Funding Programs. Said funds, if approved, shall be matched by funds from said City as required and shall be used as supplemental funding to aid the City in the improvement of the following street(s):

ADOPTED BY THE CITY COUNCIL on _____, 20____.

SIGNED AND APPROVED on _____, 20____.

City Clerk

Mayor

*Required language a-h

Application Review Process

OCTA staff will conduct a preliminary review of all applications for completeness and accuracy, request supplemental information (i.e., plans, aerial/strip maps, CEQA forms) for projects that appear to rank well during initial staff evaluations, and prepare a recommended program for the TSC. In addition, OCTA may hire a consultant(s) to verify information within individual applications such as, but not limited to, project scope, cost estimates, ADT and LOS. These applications will be selected through a random process.

The following guidelines will be used in reviewing project applications. Any application that does not meet these minimum guidelines must include an explanation of why the guidelines were not met:

1. The travel lane width should be no less than 11 feet (12 feet if adjacent to a raised median or other obstruction) for all arterial highways.
2. For divided roadways, the minimum median width should be no less than 10 feet to allow for turning movements. Divided roadways are defined as those with either a painted or raised median.
3. Arterial highways that are designated for uses in addition to automobile travel (e.g., bicycle, pedestrian, parking) shall provide additional right-of-way consistent with local jurisdiction standards to facilitate such uses.
4. An eight-lane roadway should provide for a continuous median, protected dual or single left-turn pockets as warranted at signalized intersections, single left-turn pockets at non-signalized intersections, and a right-turn lane at signalized intersections where determined necessary by traffic volumes. Right-of-way for a free right-turn lane should be provided at locations warranted by traffic demand.
5. A six-lane divided roadway should provide a continuous median, protected dual or single left-turn pockets as warranted by existing traffic at all signalized intersections, and single left-turn pockets at non-signalized intersections. A right-turn option lane should also be provided as warranted by traffic demand.
6. A four-lane divided roadway should provide a continuous median, protected dual or single left-turn pockets at all signalized intersections, and a left-turn pocket at all non-signalized intersections. A right-turn lane should also be provided as warranted by traffic demand.
7. A four-lane undivided roadway shall provide for a single left-turn pocket at all intersections as warranted by traffic demand.

Applications will be reviewed by OCTA for consistency, accuracy and concurrence. Applications determined complete in accordance with the program requirements will be

scored, ranked and submitted to the TSC, TAC and Board for consideration and funding approval.

Local agencies awarded funding will be notified as to which projects have been funded and from what sources after the Board takes action. A tentative call schedule is detailed below:

Board authorization to issue call: August 2018

Application submittal deadline: October 18, 2018

TSC/TAC Review: February/March 2019

Committee/Board approval: May 2019

Funding

M2 Project O funding will be used for this call.

The CTFP Guidelines include a provision that allows applicants to request right of way (ROW) and/or construction funding prior to completion of the planning phase (including final design) provided that the phase is underway, substantially complete and the agency will complete the activities within six months of the start of the new phase programmed year. A thorough review of eligible activities is not always possible during the call for projects evaluation period. As a result, it is possible that cost elements contained within an application and included in a funding recommendation may ultimately be deemed ineligible for program participation. The applicant is responsible for ensuring projects are implemented according to eligible activities contained within the program guidelines.

Arterial Capacity Enhancements (ACE)

Overview

The MPAH serves as the backbone of Orange County's arterial street network. Improvements to the network are required to meet existing needs and address future traffic demand. The ACE improvement category complements freeway improvement initiatives underway, supplements development mitigation activities and enables improvements based upon existing deficiencies.

Projects in the ACE improvement category are selected on a competitive basis. Projects must meet specific criteria in order to compete for funding through this program.

Objectives

- Complete MPAH network through gap closures and construction of missing segments
- Relieve congestion by providing additional roadway capacity where needed
- Provide timely investment of M2 Revenues
- Leverage funding from other sources

Project Participation Categories

The ACE category provides capital improvement funding (including planning, design, right-of-way acquisition and construction) for capacity enhancements on the MPAH for the following:

- Gap closures – the construction of a roadway to its full MPAH build-out for the purpose of connecting two existing ends of that roadway by filling in a missing segment or for completing the terminus of an MPAH roadway. This applies to increased roadway capacity only as it relates to vehicular traffic.
- Roadway widening where additional capacity is needed
- New roads / extension of existing MPAH facility

Eligible Activities

- Planning, environmental clearance
- Design
- Right-of-way acquisition
- Construction (including curb-to-curb, lighting, drainage, etc.)

Potentially Eligible Items

Below is a list of potentially eligible items. However, final determination of the eligibility of all project related costs will be made at the time of reimbursement. Prior to the submittal of an application for funding, or at any point in the project life cycle, local agencies may meet with OCTA staff to review the eligibility of project related costs. Application review and approval does not guarantee the eligibility of all items.

- Direct environmental mitigation for projects funded by ACE (subject to limitations identified in precepts)
- Storm drains/catch basins/detention basins/bioswales/other pollutant discharge mitigation devices
- Sound walls (in conjunction with roadway improvement mitigation measures)
- Aesthetic improvements including landscaping within the project right-of-way (eligible improvements up to 10 percent of construction costs, provided costs are reasonable for the transportation benefit)
- ITS infrastructure (advance placement in anticipation of future project)
- Rehabilitation and/or resurfacing of existing pavement when necessitated by proposed improvement (such as change in profile and cross section)
- Improvements to private property if part of a right-of-way settlement agreement
- Utility relocation where the serving utility has prior rights as evidenced by a recorded legal document
- Roadway grading within the right-of-way (inclusive of any temporary construction easements and/or right-of-way agreement related improvements) should not exceed a depth for normal roadway excavation (e.g. structural section). Additional grading (e.g. over excavation for poor soil conditions) will be considered on a case by case basis. Agencies shall provide supporting documentation (e.g. soils reports, right-of-way agreements) to justify the additional grading.
- Additional right-of-way to accommodate significant pedestrian volumes or bikeways shown on a Master Plan of Bikeways or in conjunction with the "Complete Streets" effort. These will be considered for eligibility on a case by case basis during the application process.
- Installation of a pedestrian activated traffic signal where necessitated by pedestrian traffic warrants or other engineering criteria.

Environmental mitigation will be allowed only as required for the proposed roadway improvement, and only as contained in the environmental document. Program participation in environmental mitigation shall not exceed 25 percent of the total eligible construction costs.

Longitudinal storm drains are eligible for program participation when the storm drain is an incidental part (cost is less than 25 percent of the total eligible construction cost) of an eligible improvement. Program participation shall not exceed 10 percent of the cost of storm drain longitudinal/parallel and main lines. Storm drain inlets, connectors, laterals and cross culverts shall have full participation in ACE Program funding. Storm drains outside standard MPAH right-of-way widths are not eligible, excluding catch basins within reasonable distance and in general proximity to a project intersection (e.g. within ten feet of the curb return). Catch basins and drainage systems extending into adjacent areas (including public streets) shall not be eligible past the first catch basin designated by aforementioned criteria.

The relocation of detention basins/bioswales are potentially eligible dependent on prior rights and will be given consideration on a case by case basis (see utility relocations below).

Soundwalls are eligible only if they are required as part of the environmental mitigation for the proposed project and the Measure M contribution to the cost of soundwalls shall not exceed 25 percent of the total eligible construction costs. Aesthetic enhancements and landscaping in excess of minimum environmental mitigation requirements are subject to limitations described in this section above.

Roadway grading will be eligible for structural sections within the roadway right of way. Additional grading required within the project limits will be subject to OCTA's review. OCTA will make the determination based on the additional documentation provided to demonstrate local agency's financial obligation to pay for such improvements. Rough roadway grading must be complete prior to project start.

Utility Relocations

The expenses associated with the relocation of utilities are eligible for RCP reimbursement only when all conditions listed below have been met:

- The relocation is made necessary due to conflict with proposed improvements.
- The facility to be relocated is within the project right-of-way.
- It has been determined that the local agency is legally liable for either a portion of or all of the relocation costs.

Liability can be determined by property rights, franchise rights/agreements, state and local statutes/ordinances, permits, a finding by the local agency's counsel, or other recorded legal document. Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted with an initial payment request (see Chapter 9). Utilities funded through enterprise funds shall not be eligible for reimbursement.

If a relocation is eligible to be reimbursed, and to be performed by the utility owner or by the utility owner's contractor, the work should be included in the right-of-way phase costs and clearly identified in the project application submittal. For eligible relocations to be performed during the construction phase by the local agency's contractor, the work should be included in the plans and specifications similar to other construction activities. Adjustment of existing utilities to grade (e.g. water valves, manhole frames and covers), due to new roadway cross sections are not eligible in the construction phase subject to the limitations previously described. New or relocated fire hydrants are ineligible.

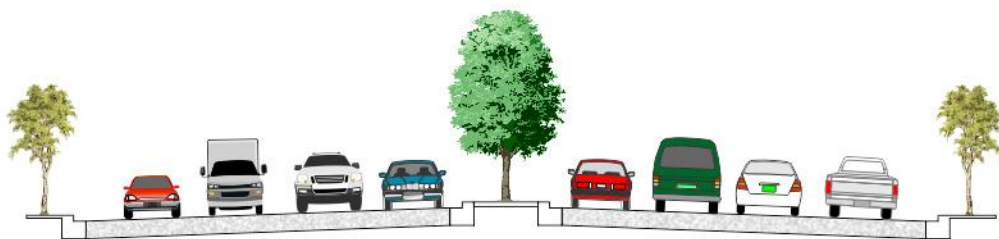
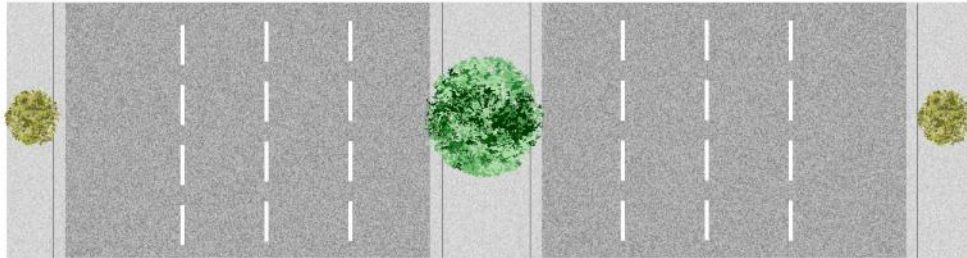
In all cases, eligible costs shall only include "in-kind" relocation. No reimbursements will be made for betterments above the cost of "in-kind" relocation. Additionally, costs submitted for program reimbursement must include any salvage credits received.

Ineligible Expenditures

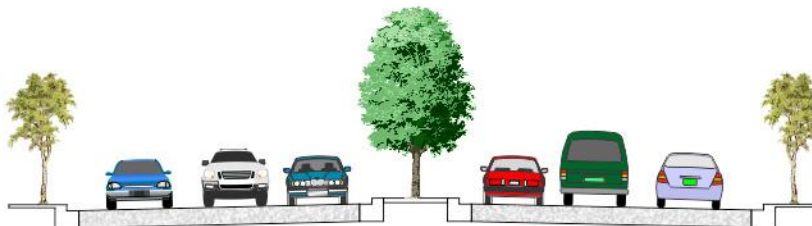
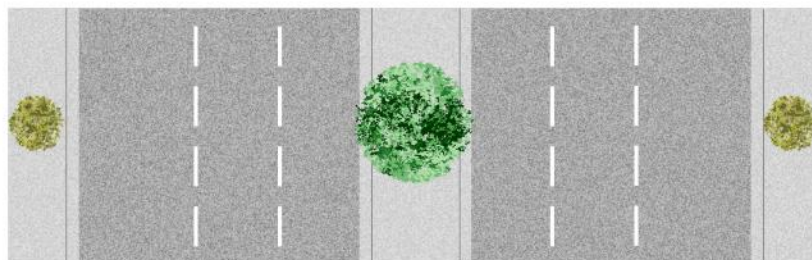
Items that are not eligible under the ACE Program are:

- Grading outside of the roadway right-of-way not related to a temporary construction easement or right-of-way agreement.
- Rehabilitation (unless performed as component of capacity enhancement project)
- Reconstruction (unless performed as component of capacity enhancement project)
- Grade Separation Projects
- Enhanced landscaping and aesthetics (landscaping that exceeds that necessary for normal erosion control and ornamental hardscape)
- Right-of-way acquisition and construction costs for improvements greater than the typical right-of-way width for the applicable MPAH Roadway Classification. (See standard MPAH cross sections in Exhibit 7-5) Where full parcel acquisitions are necessary to meet typical right-of-way requirements for the MPAH classification, any excess parcels shall be disposed of in accordance with the provisions of these guidelines, State statutes as outlined in Article XIX and the California State Controllers Guidelines Relating to Gas Tax Expenditures.
- Utility Betterments
- Construction of new utilities

Exhibit 7-5
Standard MPAH Cross Sections

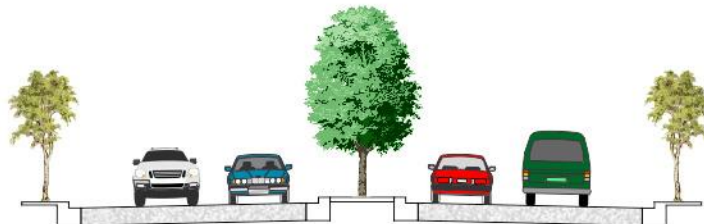
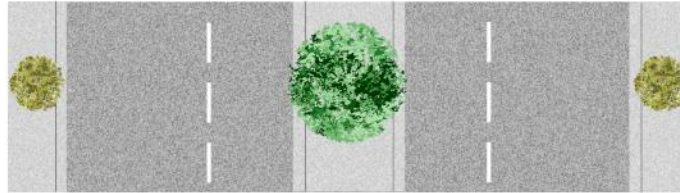


PRINCIPAL
144 FT
(8 LANES, DIVIDED)

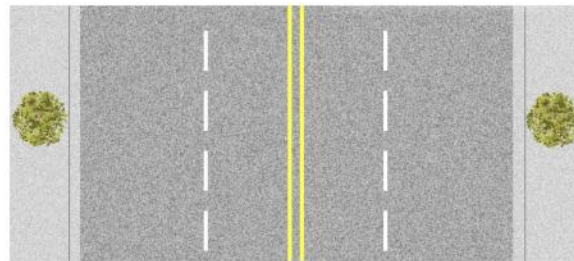


MAJOR
120FT
(6 LANES, DIVIDED)

Exhibit 7-5 *continued* Standard MPAH Cross Sections

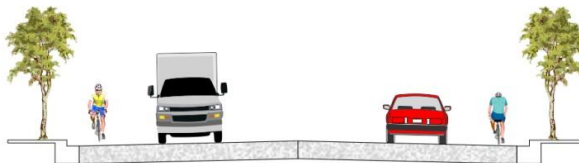
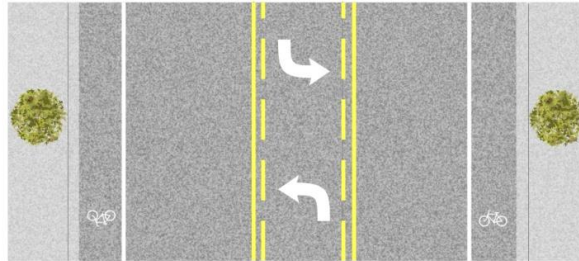


PRIMARY
100 FT
(4 LANES, DIVIDED)

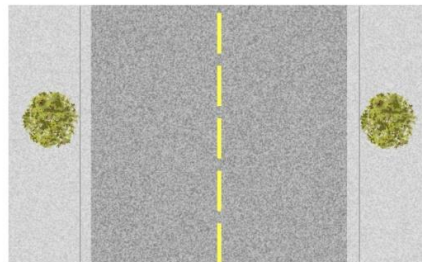


SECONDARY
80 FT
(4 LANES, UNDIVIDED)

Exhibit 7-5 *continued*
Standard MPAH Cross Sections



DIVIDED COLLECTOR
80 FT
(2 LANES, DIVIDED)



COLLECTOR
56 FT
(2 LANES, UNDIVIDED)

Master Plan of Arterial Highway Capacities

Below are the approximate roadway capacities that will be used in the determination of level of service:

<u>Type of Arterial</u>	<u>Level of Service</u>				
	A .51 - .60 v/c	B .61 - .70 v/c	C .71 - .80 v/c	D .81 - .90 v/c	E .91 - 1.00 v/c
8 Lanes Divided	45,000	52,500	60,000	67,500	75,000
6 Lanes Divided	33,900	39,400	45,000	50,600	56,300
4 Lanes Divided	22,500	26,300	30,000	33,800	37,500
4 Lanes (Undivided)	15,000	17,500	20,000	22,500	25,000
2 Lanes Divided	9,000	12,000	15,000	20,000	22,000
2 Lanes (Undivided)	7,500	8,800	10,000	11,300	12,500

Note: Values are maximum Average Daily Traffic

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on existing usage, proposed Vehicle Miles Traveled (VMT), level of services benefits, local match rate funding and overall facility importance. Technical categories and point values are shown on Tables 7-1 and 7-2. Data sources and methodology are described below.

Projected/Current Average Daily Trips (ADT): Current ADT is the preferred method of measuring congestion. However, traffic counts projected to the year of opening for the project will be allowed as part of the competitive evaluation. These must be submitted along with current 24-hour traffic counts for the proposed segment for comparison purposes. The agency must submit the project projected ADT, current ADT, the delta, and justification of the increase. Regarding “current” counts, these are defined as those taken for a typical mid-week period within the preceding 12-months. Projects submitted without “current counts” will be considered incomplete and non-responsive. Project applications using projected ADT must use traffic counts taken within the preceding 12 months. Project applications not using projected ADT may use traffic counts taken within the 36 months preceding the release date of the current call. **Note:** New facilities must be modeled through OCTAM and requests should be submitted to OCTA a minimum of six (6) weeks prior to application submittal deadline. **This deadline is September 7,**

2018 for the 2019 Call for Projects. If modeling requests are not submitted six (6) weeks prior to the application submittal deadline, the application will not be considered. For agencies where event, weekend, or seasonal traffic presents a significant issue, Average Annual Daily Traffic (AADT) counts can be used, provided the agency gives sufficient justification for the use of AADT.

VMT: Centerline length of segment proposed for improvement multiplied by the existing ADT for the proposed segment length. Measurement must be taken proximate to capacity increase. VMT for improvements covering multiple discrete count segments are calculated on a weighted average basis.

Current Project Readiness: This category is additive. Points are earned for the highest qualifying designation at the time applications are submitted. Local agency should select the most current phase of the project.

- Right-of-Way (All easements and titles) – applies where no right-of-way is needed for the project or where all right-of-way has been acquired/dedicated.
- Right-of-Way (all offers issued) – applies where offers have been made for every parcel where acquisition is required and/or offers of dedication or orders of immediate possession have been received by the jurisdiction.
- Final Design (PS&E) – applies where the jurisdiction’s City engineer or other authorized person has approved the final design.
- Preliminary design (35 percent level) – will require certification from the City Engineer and is subject to verification.
- Environmental Approvals – applies where all environmental clearances have been obtained on the project.

Cost Benefit: Total project cost (including unfunded phases) divided by the existing ADT (or modeled ADT for new segments).

Funding Over-Match: The percentages shown apply to match rates above a jurisdiction’s minimum local match rate requirement. M2 requires a 50 percent local match for RCP projects. This minimum match can be reduced by up to 25 percentage points if certain eligible components are met. If a jurisdiction’s minimum match target is 30 percent and a local match of 45 percent is pledged, points are earned for the 15 percent over-match differential. The pledged amount is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project.

Transportation Significance: Roadway classification as shown in the current MPAH.

Operational Attributes (within the roadway): This category is additive. Each category, except Active Transit Routes, must be a new feature added as a part of the proposed project.

- Pedestrian Facilities: Placement of a new sidewalk where **none currently exists** along an entire segment of proposed project.
- Meets MPAH configuration: Improvement of roadway to full MPAH standard for the segment classification.
- Active Transit Route(s): Segments served by fixed route public transit service.
- Bus Turnouts: Construction of bus turnouts.
- Bike Lanes: Installation of new bike lanes
- Median (Raised): Installation of a mid-block raised median where none exists today. Can be provided in conjunction with meeting MPAH standards.
- Remove On-street Parking: Elimination of on-street parking in conjunction with roadway widening project. Can be provided in conjunction with meeting MPAH standards and installation of new bike lanes.
- Sustainability Elements: Includes the use of recycled materials during the roadway construction process (recycled aggregate or rubberized asphalt) or the installation of solar lighting within the roadway cross section. Other elements of sustainability may be considered on a case by case basis.
- Water Conservation: Includes elements that reduce water consumption, compared to current usage within project limits, such as the replacement of existing landscaping with hardscape and/or "California Native" drought tolerant type landscaping; the replacement of existing sprinklers with drip irrigation systems; the installation of new "grey" or recycled water systems where such does not currently exist.
- Safety Improvements: Project features that increase the safety of pedestrians. These elements can include the new installation of: median barriers, curb extensions, residential traffic diverters, pedestrian crossing islands, pedestrian activated signals, crosswalk enhancements, safety signage, and the addition, modification, or improvement of existing pedestrian signals. Other elements of safety may be considered on a case by case basis.
- Other (Golf cart paths in conformance with California Vehicle Code and which are demonstrated to remove vehicle trips from roadway).

Improvement Characteristics: Select one characteristic which best describes the project:

- Gap Closures: the construction of a roadway to its full MPAH build-out for the purpose of connecting two existing ends of that roadway by filling in a missing segment or for completing the terminus of an MPAH roadway. This applies to increased roadway capacity only as it relates to vehicular traffic.
- New Facility/Extensions: Construction of new roadways.
- Bridge crossing: Widening of bridge crossing within the project limits.
- Adds capacity: Addition of through traffic lanes.

- Improves traffic flow: Installation of a median, restricting cross street traffic, adding midblock turn lanes, or elimination of driveways.

LOS Improvement: This category is a product of the existing or projected LOS based upon volume/capacity– or v/c -- and LOS improvement “with project”. **Projects must meet a minimum existing or projected LOS of “D” (.81 v/c) “without project” condition to qualify for priority consideration for funding.** Existing LOS is determined using current 24-hour traffic counts for the proposed segment. However, for projects where traffic volumes follow unconventional patterns, unidirectional volumes may be proposed as an acceptable alternate methodology for determining LOS. If unidirectional volumes are used for level of service calculations, ADT for the proposed direction of improvement shall serve as the basis for ADT, cost benefit and vehicle miles travelled (VMT) scoring categories. Projects that do not meet the minimum LOS “D” can be submitted but are not guaranteed consideration as part of the competitive process.

If during the competitive process, it is determined that additional programming capacity exists after all eligible projects with LOS “D” have been funded, a consideration of projects with a minimum LOS “C” (.71 v/c) may be undertaken. Such consideration will be at the discretion of OCTA. Projects with a LOS better than “C” (.70 v/c) will not be considered.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to evaluate the project proposal as outlined below. Detailed instructions and checklists are provided in this chapter.

Complete application

- Funding needs by phase and fiscal year
- Local committed match funding source, confirmed through city council resolution or minute order
- Supporting technical information (including current traffic counts)
- Project development and implementation schedule
- Right-of-way status and detailed plan for acquisition/disposal of excess right-of-way. The right-of-way acquisition/disposal plan must be submitted using the “right-of-way acquisition/disposal plan” form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.
- Any additional information deemed relevant by the applicant
- Grants subject to Master Funding Agreement

Calls are expected to be issued on an annual basis, or as determined by the Board. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

Minimum Eligibility Requirements

Projects must have an existing or projected LOS "D" (.81 v/c) or worse to qualify for priority consideration for funding in this program.

All project roadways must be identified on the MPAH network. Local streets not shown on the MPAH are not eligible for funding through this program.

New Facilities

New facilities must be modeled through OCTAM. A local agency planning on submitting a request for funding for a new facility must submit a modeling request a minimum of six (6) weeks prior to the application submittal deadline. If modeling requests are not submitted six (6) weeks prior to the application submittal deadline, the application associated with the related project will not be considered. Any request for modeling **must be submitted to OCTA no later than September 7, 2018** for the 2019 Call for Projects.

Facility Modeling: For consistency purposes, all proposed new facilities will be modeled by OCTA using the most current version of OCTAM. Applicants may supplement their application with a locally-derived model with OCTAM used for validation purposes. The facility will be modeled with the lane capacity reflected in the application.

Average Daily Trips Determination: OCTAM will provide an "existing" ADT using a "with project" model run under current conditions. The ADT for the proposed segment will serve as the ADT value to be considered in the application.

LOS Improvement: LOS on existing facilities may be positively or negatively affected by a proposed new roadway segment through trip redistribution. A current condition model run is generated "with" and "without" the proposed project. The intent is to test the efficacy of the proposed segment. A comparison of these before and after project runs (using current traffic volumes) yields potential discernable changes in LOS. The greatest benefit is generally on a parallel facility directly adjacent to the proposed project. Trip distribution changes generally dissipate farther from the project. For evaluation purposes, the segment LOS (determined through a simple volume / capacity calculation) for the "with" and "without project" will be used for the existing LOS and LOS improvement calculations.

Matching Funds

Local agencies are required to provide local match funding for each phase of the project. As prescribed by the M2 Ordinance, the minimum local match requirement is 50 percent with potential to reduce this amount if certain eligibility requirements are met. The amount pledged during the application process is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project. Actual project contributions by the local agency are dependent on final project costs and may not be equal to the committed match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures do not contribute to the local match rate.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Approval: A Council Resolution or Minute Order action authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Project Documentation: If proposed project has completed initial planning activities (such as Project Study Report (PSR) or equivalent, Environmental Impact Report (EIR), or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. An electronic copy of the PSR and/or environmental document must be supplied as applicable. The applicant will be asked for additional detailed information if necessary to adequately evaluate the project application.

Project Summary Information: With each application being recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint when/if a project is recommended for funding.**

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning, design, and right-of-way acquisition. Reimbursements will be disbursed upon review and approval of an acceptable initial payment submittal, final report, and consistency with Master Funding Agreement or cooperative agreement if federal funds are awarded. The reimbursement process is more fully described in Chapter 9 of this manual.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. All right-of-way funding received for property acquisition prior to cancellation shall be repaid upon cancellation even if property has been acquired. All construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible to reapply upon resolution of issues that led to original project termination. Agencies can resubmit an application for funding consideration once either the cancellation of the existing funding grant has been approved by the OCTA Board or is in the process of approval through the semi-annual review. In the event the OCTA Board does not approve the cancellation, the lead agency will be required to withdraw the application.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation, which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA's Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board (see Chapter 10).

Proceeds from the sale of excess right-of-way acquired with program funding must be paid back to the project fund as described in Chapter 9 and the Master Funding Agreement.

**Table 7-1
Regional Capacity Program
Street Widening**

Category	Points Possible	Percentage
Facility Usage		30%
Existing ADT	10	10%
Existing VMT	10	10%
Current Project Readiness	10	10%
Economic Effectiveness		15%
Cost Benefit	10	10%
Funding Over-Match	5	5%
Facility Importance		20%
Transportation Significance	10	10%
Operational Efficiency	10	10%
Benefit		35%
Improvement Characteristics	10	10%
Level of Improvement and Service	25	25%
Total	100	100%

Table 7-2

ACE SCORING CRITERIA Point Breakdown for Arterial Capacity Enhancement Projects Maximum Points = 100

Facility Usage		Points: 30	Facility Importance		Points: 20
<u>Existing ADT Range</u>		Points	<u>Transportation Significance Range</u>		Points
45+	thousand	10	Principal or CMP Route	10	
40 - 44	thousand	8	Major	8	
35 - 39	thousand	6	Primary	6	
30 - 34	thousand	5	Secondary	4	
25 - 29	thousand	4	Collector	2	
20 - 24	thousand	3			
15 - 19	thousand	2	<u>Operational Attributes</u>	<u>Max Points:</u>	
10 - 14	thousand	1	(within the roadway)	10	
<10	thousand	0	Pedestrian Facilities (New)	3	
<u>VMT Range</u>		Points	Meets MPAH Configs.	3	
31+	thousand	10	Bike Lanes (New)	3	
26 - 30	thousand	8	Active Transit Route(s)	2	
22 - 25	thousand	6	Bus Turnouts	2	
18 - 21	thousand	5	Median (Raised)	2	
14 - 17	thousand	4	Remove On-Street Parking	2	
11 - 13	thousand	3	Water Conservation Elements	2	
8 - 10	thousand	2	Safety Improvements	2	
4 - 7	thousand	1	Sustainability	2	
<4	thousand	0	Other	2	
<u>Current Project Readiness</u>		<u>Max Points: 10</u>	Benefit		
Environmental Approvals		2	<u>Improvement Characteristics</u>		Points
Preliminary Design (35%)		2	Gap Closure	10	
ROW (All offers issued)		2	New Facility/Extension	8	
Final Design (PS&E)		4	Bridge Crossing	8	
ROW (All easement and titles)		5	Adds Capacity	6	
			Improves Traffic Flow	2	
Points are additive. Design and Right of Way (ROW) limited to highest qualifying designation.			LOS Improvement		
Economic Effectiveness		Points: 15	<u>Existing LOS Starting Point Range</u>		
Cost Benefit (Total \$/ADT)			<u>(LOS Imp x LOS Starting Pt)</u>		
<u>Range*</u>		Points	Points		
< 99		10	1.01+		5
100 - 149		9	.96 - 1.00		4
150 - 199		7	.91 - .95		3
200 - 249		5	.86 - .90		2
250 - 299		4	.81 - .85		1
300 - 349		3	< .81		0
350 - 399		2	LOS Improvement with Project (exist. Volume)		
400 - 499		1	<u>Existing LOS Starting Point Range</u>		
500+		0	Points		
Funding Over-Match (local match/project cost) minus minimum local match requirement			.20+		5
<u>Range*</u>		Points	.16 - .19		4
25+%		5	.1 - .15		3
20 - 24%		4	.05 - .09		2
15 - 19%		3	.01 - .05		1
10 - 14%		2	< .01		0
5 - 9%		1			
0 - 4%		0			
*Range refers to % points above agency minimum requirement.					

Intersection Capacity Enhancements (ICE)

Overview

The MPAH serves as the backbone of Orange County's arterial street network. Intersections at each intersecting MPAH arterial throughout the County will continue to require improvements to mitigate current and future needs. The ICE improvement category complements roadway improvement initiatives underway and supplements development mitigation opportunities.

Projects in the ICE improvement category are selected on a competitive basis. Projects must meet specific criteria in order to compete for funding through this program.

For the purposes of the ICE improvement category, the limits of an intersection shall be defined as the area that includes all necessary (or planned) through lanes, turn pockets, and associated transitions required for the intersection. Project limits of up to a maximum of 600 feet for each intersection leg are allowable. Projects that, due to special circumstances, must exceed the 600-foot limit, shall include in their application the request for a technical variance. The project shall be presented to the Technical Steering Committee by the local agency to request approval of the variance.

Objectives

- Improve MPAH network capacity and throughput along MPAH facilities
- Relieve congestion at MPAH intersections by providing additional turn and through lane capacity
- Improve connectivity between neighboring jurisdiction by improving operations
- Provide timely investment of M2 revenues

Project Participation Categories

The ICE category provides capital improvement funding (including planning, design, right-of-way acquisition and construction) for intersection improvements on the MPAH network for the following:

- Intersection widening – constructing additional through lanes and turn lanes, extending turn lanes where appropriate, and signal equipment
- Street to street grade separation projects

Eligible Activities

- Planning, environmental clearance
- Design (plans, specifications, and estimates)
- Right-of-way acquisition
- Construction (including bus turnouts, curb ramps, median, and striping)

Potentially Eligible Items

Below is a list of potentially eligible items. However, final determination of the eligibility of all project related costs will be made at the time of reimbursement. Prior to the submittal of an application for funding, or at any point in the project life cycle, local agencies may meet with OCTA staff to review the eligibility of project related costs. Application review and approval does not guarantee the eligibility of all items.

- Required environmental mitigation for projects funded by ICE
- Storm drains/catch basins/detention basins/bioswales/other pollutant discharge mitigation devices
- Sound walls (in conjunction with roadway improvement mitigation measures)
- Aesthetic improvements including landscaping within the project right-of-way (eligible improvements up to 10 percent of construction costs, provided costs are reasonable for the transportation benefit)
- Signal equipment (as incidental component of program), including the installation or upgrade of pedestrian countdown heads
- Bicycle detection systems
- Rehabilitation and/or resurfacing of existing pavement when necessitated by proposed improvement (such as change in profile and cross section)
- Improvements to private property if part of a right-of-way settlement agreement
- Utility relocation where the serving utility has prior rights as evidenced by a recorded legal document and are located within the roadway right-of-way.
- Roadway grading within the right-of-way (inclusive of any temporary construction easements and/or right-of-way agreement related improvements) should not exceed a depth for normal roadway excavation (e.g. structural section). Additional grading (e.g. over excavation for poor soil conditions) will be considered on a case by case basis. Agencies shall provide supporting documentation (e.g. soils reports, right-of-way agreements) to justify the additional grading.

Ineligible Items

- Grading outside of the roadway right-of-way not related to a temporary construction easement or right-of-way agreement.

- Right-of-way acquisition greater than the typical right-of-way width for the applicable MPAH Roadway Classification. Additional turn lanes not exceeding 12 feet in width needed to maintain an intersection LOS D requiring right-of-way in excess of the typical right-of-way width for the applicable MPAH classification shall be fully eligible. Where full parcel acquisitions are necessary to meet typical right-of-way requirements for the MPAH classification any excess parcels shall be disposed of in accordance with State statutes and the acquisition/disposal plan submitted in accordance with these guidelines.
- Enhanced landscaping and aesthetic improvements (landscaping that exceeds that necessary for normal erosion control and ornamental hardscape).

Environmental mitigation will be allowed only as required for the proposed roadway improvement and only as contained in the environmental document. Program participation in environmental mitigation shall not exceed 25 percent of the total eligible project costs.

Longitudinal storm drains are eligible for program participation when the storm drain is an incidental part (cost is less than 25 percent of the total eligible improvement cost) of an eligible improvement. Program participation shall not exceed 10 percent of the cost of storm drain longitudinal/parallel and main lines. Storm drain inlets, connectors, laterals and cross culverts shall have full participation in ICE improvement category funding. Storm drains outside standard MPAH right-of-way widths are not eligible, excluding catch basins within reasonable distance and in general proximity to a project intersection (e.g. within ten feet of the curb return). Catch basins and drainage systems extending into adjacent areas (including public streets) shall not be eligible past the first catch basin.

Soundwalls are eligible only if they are required as part of the environmental clearance for the proposed project and shall not exceed 25 percent of the total eligible project costs. Aesthetic enhancements and landscaping in excess of minimum environmental mitigation requirements are subject to limitations described in the "Potentially Eligible Item" section above.

The relocation of detention basins/bioswales/other pollutant discharge mitigation devices are potentially eligible dependent on who has prior rights and will be given consideration on a case by case basis (see utility relocations below).

Roadway grading is eligible for structural sections. OCTA assumes rough roadway grading is complete prior to project start and is considered an ineligible item.

Utility Relocations

The expenses associated with the relocation of utilities are eligible for RCP reimbursement only when all conditions listed below have been met:

- The relocation is made necessary due to conflict with proposed improvements.

- The facility to be relocated is within the project right-of-way.
- It has been determined that the local agency is legally liable for either a portion of or all of the relocation costs.

Liability can be determined by property rights, franchise rights/agreements, state and local statutes/ordinances, permits, a finding by the local agency's counsel, or other recorded legal document. Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted with an initial payment request (see Chapter 9). Utilities funded through enterprise funds shall not be eligible for reimbursement.

If a relocation is eligible to be reimbursed, and to be performed by the utility owner or by the utility owner's contractor, the work should be included in the right-of-way phase costs and clearly identified in the project application submittal. For eligible relocations to be performed during the construction phase by the local agency's contractor, the work should be included in the plans and specifications similar to other construction activities. Adjustment of existing utilities to grade (e.g. water valves, manhole frames and covers), due to new roadway cross sections are generally eligible in the construction phase.

In all cases, eligible costs shall only include "in-kind" relocation. No reimbursements will be made for betterments above the cost of "in-kind" relocation. Additionally, costs submitted for program reimbursement must include any salvage credits received.

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on existing usage, LOS benefits, local match funding, and overall facility importance. Technical categories and point values are shown on Tables 7-3 and 7-4. Data sources and methodology are described below.

Projected/Current Average Daily Trips (ADT): Current ADT is the preferred method of measuring congestion. However, traffic counts projected to the year of opening for the project will be allowed as part of the competitive evaluation. These must be submitted along with current 24-hour traffic counts for the proposed segment for comparison purposes. The agency must submit the project projected ADT, current ADT, the delta, and justification of the increase. Regarding "current" counts, these are defined as those taken for a typical mid-week period within the preceding 12-months. Project applications using projected ADT must use traffic counts taken within the preceding 12 months. Project applications not using projected ADT may use traffic counts taken within the preceding 36 months. Project applications without "current" counts will be deemed incomplete and non-responsive. Average ADT for the east and west legs of the intersection will be added to the average ADT for the north and south legs.

For agencies where event or seasonal traffic presents a significant issue, Average Annual Daily Traffic (AADT) counts can be used, provided the agency gives sufficient justification for the use of AADT.

Current Project Readiness: This category is additive. Points are earned for each satisfied readiness stage at the time applications are submitted. Local agency should select the most current phase of the project.

- Right-of-Way (all easements and titles) – applies where no right-of-way is needed for the project or where all right-of-way has been acquired/dedicated.
- Right-of-Way (all offers issued) – applies where offers have been made for every parcel where acquisition is required and/or offers of dedication or orders of immediate possession have been received by the jurisdiction. Documentation of right-of-way possession will be required with application submittal.
- Final Design (PS&E) – applies where the jurisdiction’s City Engineer or other authorized person has approved the final design.
- Preliminary design (35 percent level) – will require certification from the City Engineer and is subject to verification.
- Environmental Approvals – applies where all environmental clearances have been obtained on the project.

Cost Benefit: Total project cost (included unfunded phases) divided by the existing ADT (or modeled ADT for new segments).

Funding Over-Match: The percentages shown apply to match rates above a jurisdiction’s minimum match rate requirement. M2 requires a 50 percent local match for RCP projects. This minimum match can be reduced by up to 25 percentage points if certain eligible components are met. If a jurisdiction’s minimum match target is 30 percent and a local match of 45 percent is pledged, points are earned for the 15 percent over-match. The pledged amount is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project.

Coordination with Contiguous project: Projects that complement a proposed arterial improvement project with a similar implementation schedule earn points in this category. This category is intended to recognize large projects that segregate intersection components from arterial components for funding purposes.

Transportation Significance: Roadway classification as shown in the current MPAH.

Operational Attributes (within the roadway): This category is additive. Each category must be a new feature added as a part of the proposed project.

- Bike Lanes: Extension of bike lanes through intersection
- Bus Turnouts: Construction of a bus turnout as a new feature.
- Lowers density: Addition of through travel lanes.

- Channels traffic: Addition and/or extension of turn pockets (other than free right turn).
- Free right turn: installation of new free right or conversion of an existing right turn to free right
- Protected/permissive left turn: Convert from protected to protected/permissive
- Pedestrian Facilities: Placement of a new sidewalk if none currently exists.
- Grade separations: Street to street grade separations and do not apply to rail grade separation projects which are covered by the grade separation program category.
- Sustainability Elements: Includes the use of recycled materials during the roadway construction process (recycled aggregate or rubberized asphalt) or the installation of solar lighting within the roadway cross section. Other elements of sustainability may be considered on a case by case basis.
- Water Conservation: Includes elements that reduce water consumption. Such as the replacement of existing landscaping with hardscape and/or "California Native" drought tolerant type landscaping; the replacement of existing sprinklers with drip irrigation systems; the installation of new "grey" or recycled water systems where such does not currently exist.
- Safety Improvements: Project features that increase the safety of pedestrians. These elements can include the new installation of: median barriers, curb extensions, residential traffic diverters, pedestrian crossing islands, pedestrian activated signals, crosswalk enhancements, safety signage, and the addition, modification, or improvement of existing pedestrian signals. Other elements of safety may be considered on a case by case basis.

LOS Improvement: This category is a product of the existing or projected LOS based upon volume/capacity– or v/c -- and LOS improvement "with project" using Intersection Capacity Utilization (ICU) calculation with 1,700 vehicles per lane per hour and a .05 clearance interval. Calculations will be based upon "current" arterial link and turning movement counts projected to opening year. **Projects must meet a minimum existing or projected LOS of "D" (.81 v/c) to qualify for priority consideration for funding.** Existing LOS is determined using peak hour traffic counts/turning movements AM/PM peak periods) for the proposed segment utilizing Intersection Capacity Utilization (ICU) methodology and using 1,700 vehicles per lane/per hour and a .05 clearance interval.

For projects where traffic volumes follow unconventional patterns (e.g. unidirectional congestion, large disparity between AM and PM peaks, etc.) HCM 2010 may be proposed as an alternate methodology for determining LOS. HCM calculations must use SYNCHRO and be supported with complete calculation documentation using standard industry approaches and current signal timing plans. If an alternative methodology is proposed, all analysis **must be submitted to OCTA for review no later than September 7,**

2018 for the 2019 Call for Projects. OCTA will contract with an independent third-party firm to review the technical analysis. The cost for the review will be charged to the applicant.

Projects that do not meet the minimum LOS "D" can be submitted but are not guaranteed consideration as part of the competitive process.

If during the competitive process, it is determined that additional programming capacity exists after all eligible projects with LOS "D" have been funded, a consideration of projects with a minimum LOS "C" (.71 v/c) may be undertaken. Such consideration will be at the discretion of OCTA. Projects with a LOS better than "C" (.70 v/c) will not be considered.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to evaluate the project proposal as outlined below. Detailed instructions and checklists are provided in this chapter.

- Complete application
 - Funding needs by phase and fiscal year
 - Local match funding source, confirmed through city council resolution or minute order
 - Supporting technical information (including current arterial link and turning movement counts)
 - Project development and implementation schedule
 - Right-of-way status and a detailed plan for acquisition/disposal of excess right-of-way. The right-of-way acquisition/disposal plan must be submitted using the "right-of-way acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.
 - Any additional information deemed relevant by the applicant
- Grants subject to master funding agreement

Calls for projects are expected to be issued on an annual basis, or as determined by the Board. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

Minimum Eligibility Requirements

Projects must have an existing or projected LOS "D" (.81 v/c) or worse to qualify for priority consideration for funding in this program.

All project roadways must be identified on the MPAH network. Local streets not shown on the MPAH are not eligible for funding through this program.

Matching Funds

Local agencies are required to provide local match funding for each phase of the project. As prescribed by the M2 Ordinance, the minimum local match requirement is 50 percent with potential to reduce this amount if certain eligibility requirements are met. The amount pledged during the application process is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project. Actual project contributions by the local agency are dependent on final project costs and may not be equal to the committed match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures do not contribute to the local match rate.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Approval: A Council Resolution or Minute Order action authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. An electronic copy of the PSR and/or environmental document must be supplied as applicable. The applicant will be asked for additional detailed information only if necessary to adequately evaluate the project application.

Project Summary Information: With each application being recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint when/if a project is recommended for funding.**

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning, design, and right-of-way acquisition. Reimbursements will be disbursed upon

review and approval of an acceptable initial payment submittal, final report and consistency with Master Funding Agreement or cooperative agreement. The reimbursement process is more fully described in Chapter 9 of this manual.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. Right-of-way funding received for property acquisition prior to cancellation shall be repaid upon cancellation even if property has been acquired. Construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA's Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board (see Chapter 10).

Proceeds from the sale of excess right-of-way acquired with program funding must be paid back to the project fund as described in Chapter 9 and the Master Funding Agreement.

**Table 7-3
Regional Capacity Program
Intersection Improvement**

Category	Points Possible	Percentage
Facility Usage		25%
Existing ADT	15	15%
Current Project Readiness	10	10%
Economic Effectiveness		20%
Cost Benefit	10	10%
Funding Over-Match	5	5%
Coordination with Contiguous Project	5	5%
Facility Importance		30%
Transportation Significance	10	10%
Operational Efficiency	20	20%
Benefit		25%
LOS Improvement	25	25%
Total	100	100%

Table 7-4

ICE SCORING CRITERIA
Point Breakdown for Intersection Capacity Enhancement Projects
Maximum Points = 100

Facility Usage		Points: 25	Facility Importance		Points: 30
<u>ADT Range*</u>		<u>Points</u>	<u>Transportation Significance Range</u>		<u>Points</u>
60+	thousand	15	Principal or CMP Route		10
55 - 59	thousand	13	Major		8
50 - 54	thousand	11	Primary		6
45 - 49	thousand	9	Secondary		4
40 - 44	thousand	7	Collector		2
35 - 39	thousand	5			
30 - 34	thousand	3	<u>Operational Attributes</u>	<u>Max Points:</u>	
25 - 29	thousand	1	(within the roadway)	20	
*AVG ADT for east and west legs plus AVG ADT for north and south legs of intersection			Grade Separations		10
<u>Current Project Readiness</u>		<u>Max Points: 10</u>	Bus Turnouts		4
Environmental Approvals		2	Bike Lanes		4
Preliminary Design (35%)		2	Ped. Facilities (New)		4
ROW (All offers issued)		2	Free Right		4
Final Design (P5&E)		4	Lowers Density		3
ROW (All easement and titles)		5	Channels Traffic		3
Points are additive. Design and Right of Way (ROW) limited to highest qualifying designation.			Protected/Permissive Left Turn		2
Economic Effectiveness		Points: 20	Water Conservation Elements		2
Cost Benefit (Total \$/ADT)			Safety Improvements		2
<u>Range*</u>		<u>Points</u>	Sustainability		2
< 20		10			
21 - 30		9			
31 - 50		7			
51 - 75		5			
76 - 100		3			
>100		1			
*=Total Cost/Average ADT					
Funding Over-Match (local match/project cost) minus minimum local match requirement					
<u>Range*</u>		<u>Points</u>			
25+%		5			
20 - 24%		4			
15 - 19%		3			
10 - 14%		2			
5 - 9%		1			
0 - 4%		0			
Coordination with Contiguous Project					
<u>Range</u>		<u>Points</u>			
Yes		5			
No		0			
Coordination with ACE project with similar implementation schedule.					
Benefit					Points: 25
LOS Improvement					<u>Max Points: 25</u>
Calculation: LOS Imp x LOS Starting Pt.					
<u>Existing LOS (Peak Hour) Range</u>					<u>Points</u>
1.01+					5
.96 - 1.00					4
.91 - .95					3
.86 - .90					2
.81 - .85					1
< .81					0
LOS Reduction w/ Project (exist. volume) Range					<u>Points</u>
.20+					5
.16 - .19					4
.1 - .15					3
.05 - .09					2
.01 - .05					1
< .01					0

Freeway Arterial/Streets Transitions (FAST)

Overview

The MPAH serves as the backbone of Orange County's arterial street network. Current and future needs at existing interchanges along MPAH highways and freeways will need to be addressed in order to improve connectivity between freeways and MPAH arterials. The interchange improvement program complements roadway improvement initiatives underway as well, and supplements development mitigation opportunities.

Projects in the FAST improvement category are selected on a competitive basis. Projects must meet specific criteria in order to compete for funding through this program.

Objectives

- Improve transition to and from Orange County freeways with emphasis on MPAH performance
- Provide timely investment of M2 revenues

Project Participation Categories

The FAST category provides capital improvement funding (including planning, design, right-of-way acquisition and construction) for interchange improvements on the MPAH network for the following:

- MPAH facility interchange connections to Orange County freeways (including on-ramp, off-ramp and arterial improvements)

Eligible Activities

- Planning, environmental clearance
- Design
- Right-of-way acquisition
- Construction (including ramps, intersection and structural improvements/reconstruction incidental to project)
- Signal equipment (as incidental component of the program)

Potentially Eligible Items

Below is a list of potentially eligible items. However, final determination of the eligibility of all project related costs will be made at the time of reimbursement. Prior to the submittal of an application for funding, or at any point in the project life cycle, local agencies may meet with OCTA staff to review the eligibility of project related costs. Application review and approval does not guarantee the eligibility of all items.

- Direct environmental mitigation for projects funded by FAST (details below)

- Storm drains/catch basins/detention basins/bioswales/other pollutant discharge mitigation devices (details below)
- Aesthetic improvements including landscaping within the project right-of-way (eligible improvements up to 10 percent of construction costs, provided costs are reasonable for the transportation benefit)
- Rehabilitation and/or resurfacing of existing pavement when necessitated by proposed improvement (such as change in profile and cross section)
- Improvements to private property if part of a right-of-way settlement agreement
- Utility relocation where the serving utility has prior rights as evidenced by a recorded legal document
- Roadway grading within the right-of-way should not to exceed a depth for normal roadway excavation (e.g. structural section) or as required by temporary construction easements, and/or right-of-way agreement related improvements. Additional grading (e.g. over excavation for poor soil conditions) will be considered on a case by case basis.
- Auxiliary lanes if necessitated by interchange improvements
- Soundwalls (in conjunction with roadway improvement mitigation measures)

Environmental mitigation will be allowed only as required for the proposed roadway improvement, and only as contained in the environmental document. Program participation in environmental mitigation shall not exceed 25 percent of the total eligible project costs.

Longitudinal storm drains are eligible for program participation when the storm drain is an incidental part (cost is less than 25 percent of the total eligible improvement cost) of an eligible improvement. Program participation shall not exceed 10 percent of the cost of storm drain longitudinal/parallel and main lines. Storm drain inlets, connectors, laterals and cross culverts shall have full participation in FAST improvement category funding. Storm drains outside standard MPAH right-of-way widths are not eligible, excluding catch basins within reasonable distance and in general proximity to a project intersection (e.g. within ten feet of the curb return). Catch basins and drainage systems extending into adjacent areas (including public streets) shall not be eligible past the first catch basin.

Soundwalls are eligible only if they are required as part of the environmental mitigation for the proposed project and shall not exceed 25 percent of the total eligible project cost. Aesthetic enhancements and landscaping in excess of minimum environmental mitigation requirements are eligible at up to 10 percent of the total eligible construction costs, provided costs are reasonable for the transportation benefit.

The relocation of detention basins/bioswales are potentially eligible dependent on prior rights and will be giving consideration on a case by case basis (see utility relocations below).

Roadway grading is eligible for structural sections if within the standard MPAH cross section for the facility (inclusive of any temporary construction easements). OCTA assumes rough roadway grading is complete prior to project start and is considered an ineligible item.

Utility Relocations

The expenses associated with the relocation of utilities are eligible for RCP reimbursement only when:

- The relocation is made necessary due to conflict with proposed improvements.
- The facility to be relocated is within the project right-of-way.
- It has been determined that the local agency is legally liable for either a portion of or all of the relocation costs.

Liability can be determined by property rights, franchise rights/agreements, state and local statutes/ordinances, permits, a finding by the local agency's counsel, or other recorded legal document. Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted with an initial payment request (see Chapter 9). Utilities funded through enterprise funds shall not be eligible for reimbursement.

If a relocation is eligible to be reimbursed, and to be performed by the utility owner or by the utility owner's contractor, the work should be included in the right-of-way phase costs and clearly identified in the project application submittal. For eligible relocations to be performed during the construction phase by the local agency's contractor, the work should be included in the plans and specifications similar to other construction activities. Adjustment of existing utilities to grade (e.g. water valves, manhole frames and covers), due to new roadway cross sections are generally eligible in the construction phase.

In all cases, eligible costs shall only include "in-kind" relocation. No reimbursements will be made for betterments above the cost of "in-kind" relocation. Additionally, costs submitted for program reimbursement must be reduced by any salvage credits received.

Ineligible Projects

- Seismic retrofit projects (unless combined with eligible capacity enhancements)
- Enhanced landscaping and aesthetics (landscaping that exceeds that necessary for normal erosion control and ornamental hardscape).

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on existing usage, level of services benefits, local match

funding and overall facility importance. Technical categories and point values are shown on Tables 7-5 and 7-6. Data sources and methodology are described below.

Projected/Current Average Daily Trips (ADT): Current ADT is the preferred method of measuring congestion. However, traffic counts and ramp volumes projected to the year of opening for the project will be allowed as part of the competitive evaluation. These must be submitted along with current 24-hour traffic counts for the proposed segment for comparison purposes. The agency must submit the project projected ADT, current ADT, the delta, and justification of the increase. Regarding “current” counts, these are defined as those taken for a typical mid-week period within the preceding 12-months. Project applications using projected ADT must use traffic counts taken within the preceding 12 months. Project applications not using projected ADT may use traffic counts taken within the preceding 36 months. Project applications without “current” counts will be deemed incomplete and non-responsive. Average ramp intersection volume for each interchange ramp will be used for the current counts. New facilities will rely on projected ramp volume based upon Caltrans approved projection.

For agencies where event or seasonal traffic presents a significant issue, Average Annual Daily Traffic (AADT) counts can be used, provided the agency gives sufficient justification for the use of AADT.

Current Project Readiness: This category is additive. Points are earned for each satisfied readiness stage at the time applications are submitted. Local agency should select the most current phase of the project.

- Right-of-Way (all easements and titles) – applies where no right-of-way is needed for the project or where all right-of-way has been acquired/dedicated).
- Right-of-Way (all offers issued) – applies where offers have been made for every parcel where acquisition is required and/or offers of dedication have been received by the jurisdiction.
- Final Design (PS&E) – applies where the jurisdiction’s City engineer or other authorized person has approved the final design.
- Preliminary design (35 percent level) – will require certification from the City engineer and is subject to verification.
- Project Approvals/Environmental Documentation (PA/ED) – applies where a Project Report-level analysis has been completed and environmental approvals have been attained.

Cost Benefit: Total project cost (including unfunded phases) divided by the existing ADT (or modeled ADT for new segments).

Funding Over-Match: The percentages shown apply to match rates above a jurisdiction’s minimum local match requirement. M2 requires a 50 percent local match for RCP projects. This minimum match can be reduced by up to 25 percentage points if certain eligible

components are met. If a jurisdiction's minimum match target is 30 percent and a local match of 45 percent is pledged, points are earned for the 15 percent over-match. The pledged amount is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project.

Coordination with Freeway Project: Interchanges planned to coincide with or accommodate programmed freeway improvements receive points in this category.

Transportation Significance: Roadway classification as shown in the current MPAH.

Operational Efficiencies: This category is additive. Each category, except Active Transit Routes, must be a new feature added as a part of the proposed project.

- Eliminate left turn conflicts: Ramp intersection reconfiguration which does not permit left turns onto ramps.
- Coordinated signal: Ramp intersections within a coordinated corridor where coordination did not previously exist.
- Add turn lanes: Increase in number of turn lanes on arterial.
- Add traffic control: Signalization of ramp intersection.
- Enhanced ramp storage: Extension or widening of existing ramp to improve off-street storage capacity.
- Pedestrian facilities: Add crosswalk and/or sidewalk to ramp or bridge crossing within context of interchange improvements.
- Active Transit Route: facility contains a currently active OCTA transit route
- Sustainability Elements: Includes the use of recycled materials during the roadway construction process (recycled aggregate or rubberized asphalt) or the installation of solar lighting within the roadway cross section. Other elements of sustainability may be considered on a case by case basis.
- Water Conservation: Includes elements that reduce water consumption. This includes the replacement of existing landscaping with hardscape and/or "California Native" drought tolerant type landscaping; the replacement of existing sprinklers with drip irrigation systems; the installation of new "grey" or recycled water systems where such does not currently exist.
- Safety Improvements: Project features that increase the safety of pedestrians. These elements can include the new installation of: intersection median barriers, curb extensions, pedestrian crossing islands, crosswalk enhancements, safety signage, and the addition, modification, or improvement of existing pedestrian signals. Other elements of safety may be considered on a case by case basis.

LOS Improvement: This category is a product of the existing or projected LOS based upon volume/capacity– or v/c -- and LOS improvement "with project" for arterial based improvements and ICU for intersection-based improvements. **Projects must meet a minimum existing or projected LOS of "D" (.81 v/c) to qualify for priority**

consideration for funding. Existing LOS is determined using current 24-hour traffic counts for arterials and peak hour turning movements at intersections for the proposed segment. However, for projects where traffic volumes follow unconventional patterns (e.g. unidirectional congestion, large disparity between AM and PM peaks, etc.) alternate methodologies for determining LOS can be proposed. If HCM 2010 is proposed for intersections as an alternative methodology, all analysis **must be submitted to OCTA no later than September 7, 2018** and the cost for independent review shall be reimbursed by the applicant. Projects that do not meet the minimum LOS "D" can be submitted but are not guaranteed consideration as part of the competitive process.

If during the competitive process, it is determined that additional programming capacity exists after all eligible projects with LOS "D" have been funded, a consideration of projects with a minimum LOS "C" (.71 v/c) may be undertaken. Such consideration will be at the discretion of OCTA. Projects with a LOS better than "C" (.70 v/c) will not be considered.

Improvement Characteristics: Select the attribute that best fits your project definition.

- New facility: New interchange where none exists.
- Partial facility: New interchange which does not provide full access.
- Interchange reconstruction: improvement of existing interchange to provide additional arterial capacity (widening of overcrossing or undercrossing).
- Ramp reconfiguration: Widening of ramp or arterial to improve turning movements or other operational efficiencies.
- Ramp metering: Installation of metering on ramp.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to evaluate the project proposal as outlined below.

- Complete application
 - Funding needs by phase and fiscal year
 - Local match funding source
 - Supporting technical information
 - Project development and implementation schedule
 - Right-of-way status and a detailed plan for acquisition/disposal of excess right-of-way. The right-of-way acquisition/disposal plan must be submitted using the "right-of-way acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.
 - Any additional information deemed relevant by the applicant

- Grants subject to a Master Funding Agreement or cooperative agreement if federal funds are awarded

Calls for projects are expected to be issued on an annual basis, or as determined by the OCTA Board of Directors. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

Minimum Eligibility Requirements

Projects must have an existing or projected LOS "D" (.81 v/c) or worse to qualify for priority consideration for funding in this program. Worst peak hour period is used for this evaluation and eligibility purposes.

Matching Funds

Local agencies are required to provide local match funding for each phase of the project. As prescribed by the M2 Ordinance, a 50 percent minimum local match is required. A lower local match may be permitted if certain eligibility criteria are met. The amount pledged during the application process is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project. Actual project contributions by the local agency are dependent on final project costs and may not be equal to the committed match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures do not contribute to the local match rate.

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning, design, and right-of-way acquisition. Reimbursements will be disbursed upon review and approval of an acceptable initial payment submittal, final report and consistency with Master Funding Agreement. The reimbursement process is described in Chapter 9.

Caltrans Coordination

Caltrans is not eligible to submit applications or receive payment under this program. Only cities or the County of Orange may submit applications and receive funds. This program was designed to benefit local agencies.

Coordination with Caltrans will be essential for most, if not all, of the projects submitted for this program. Local agencies should therefore establish contacts with the Caltrans District 12 Office (Project Development Branch) to ensure that candidate projects have been reviewed and approved by Caltrans. All other affected agencies should be consulted as well.

Agencies submitting projects for this program must have confirmation from Caltrans that the proposed improvement is consistent with other freeway improvements as evidenced by an agreement or other formal document.

Applications should be submitted so that interchange projects are done in conjunction with construction of other freeway improvements whenever possible. However, if the interchange project can be done in advance of the freeway project, verification and/or supporting documentation must be submitted showing the interchange improvement has merit for advanced construction and that it will be compatible with the freeway design and operation. Additionally, the interchange improvements should take into account the ultimate freeway improvements if the interchange is to be improved in advance.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. Right-of-way funding received for property acquisition prior to cancellation shall be repaid upon cancellation even if property has been acquired. Construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA's Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board (see Chapter 10).

Proceeds from the sale of excess right-of-way acquired with program funding must be paid back to the project fund as described in Chapter 9 and Master Funding Agreement.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Approval: A Council Resolution or minute order authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion of planning phases. An electronic copy of the PSR and/or environmental document must be supplied as applicable. The applicant will be asked for additional detailed information only if necessary to adequately evaluate the project application.

Project Summary Information: With each application being recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint when/if a project is recommended for funding.**

**Table 7-5
Freeway/Arterial Street Transitions
Interchange Improvements**

Category	Points Possible	Percentage
Facility Usage		20%
Existing ADT	10	10%
Current Project Readiness	10	10%
Economic Effectiveness		25%
Cost Benefit	10	10%
Matching Funds	10	10%
Coordination with Freeway Project	5	5%
Facility Importance		25%
Transportation Significance	10	10%
Operational Efficiencies	15	15%
Benefit		30%
Existing LOS	10	10%
LOS Reduction w/ Project	10	10%
Improvement Characteristics	10	10%
Total	100	100%

Table 7-6

FAST SCORING CRITERIA
Point Breakdown for Freeway/Arterial Street Transitions Projects
Maximum Points = 100

Facility Usage		Points: 20
<u>ADT Range*</u>		<u>Points</u>
55+	thousand	10
50 – 54	thousand	9
45 – 49	thousand	8
40 – 44	thousand	6
35 – 39	thousand	4
30 – 34	thousand	3
25 – 29	thousand	2
20 – 24	thousand	1
<10 – 19	thousand	0
*Arterial plus daily ramp exit volume		
<u>Current Project Readiness</u>		<u>Max Points: 10</u>
ROW (All easement and titles)		6
ROW (All offers issued)		4
Final Design (PS&E)		4
PA/ED		2
Project Study Report or Equiv.		1
Points are additive. Right of Way (ROW is the highest qualifying designation).		
Economic Effectiveness		Points: 25
<u>Cost Benefit (Total \$/ADT)</u>		<u>Points</u>
<u>Range*</u>		
< 20		10
20 – 39		8
40 – 79		6
80 – 159		4
160 – 319		2
320 – 640		1
>640		0
<u>Funding Over-Match (local match/project cost) minus minimum local match requirement</u>		
<u>Range*</u>		<u>Points</u>
30+%		10
25 – 29%		8
20 – 24%		6
15 – 19%		4
10 – 14%		2
0 – 9%		1
Range refers to % points above agency minimum requirement		
<u>Coordination with Freeway Project</u>		<u>Points</u>
<u>Range</u>		
Yes		5
No		0
Facility Importance		Points: 25
<u>Transportation Significance</u>		<u>Points</u>
<u>Range</u>		
Principal or CMP Route		10
Major		8
Primary		6
Secondary		4
Collector		2
<u>Operational Attributes (within the roadway)</u>		<u>Max Points: 15</u>
Eliminate Left Turn Conflict		3
Coordinated Signal		2
Add Turn Lanes		3
Add Traffic Control		1
Enhanced Ramp Storage		3
Pedestrian Facilities (New)		3
Water Conservation Elements		2
Safety Improvements		2
Sustainability		2
Benefit		Points: 30
<u>LOS Improvement</u>		<u>Max Points: 20</u>
Calculation: Ave LOS Imp + Ave LOS Starting Pt.		
<u>LOS Reduction w/ Project (exist. Volume)</u>		
<u>Range</u>		<u>Points</u>
.20+		10
.16 – .19		8
.1 – .15		6
.05 – .09		4
<.05		2
<u>Existing LOS</u>		
<u>Range</u>		<u>Points</u>
1.06+		10
1.01 – 1.05		8
.96 – 1.00		6
.91 – .95		4
.86 – .90		2
.81 – .85		1
<u>Improvement Characteristics</u>		<u>Points</u>
New Facility (Full Interchange)		10
New Facility (Partial Interchange)		8
Interchange Reconstruction		6
Ramp Reconfiguration		4
Ramp Metering		2

Regional Grade Separation Program (RGSP)

Background

Seven rail crossing projects along the Master Plan of Arterial Highways (MPAH) network were identified by the CTC to receive Trade Corridors Improvement Funds (TCIF). These TCIF allocations required an additional local funding commitment. To meet this need, the Board approved the commitment of \$160 million in Regional Capacity Program funds to be allocated from M2. The RGSP captures these prior funding commitments.

Future calls for projects for grade separations are not anticipated.

Chapter 8 - Regional Traffic Signal Synchronization Program (Project P)

Overview

The Project P - Regional Traffic Signal Synchronization Program (RTSSP) includes competitive funding for the coordination of traffic signals across jurisdictional boundaries including Project based operational and maintenance funding. OCTA will provide funding priority to programs and projects, which are multi-jurisdictional in nature.

The RTSSP is based on the Traffic Signal Synchronization Master Plan (Master Plan). The Board adopted the Master Plan as an element of the MPAH on July 26, 2010. The Master Plan defines the foundation of the RTSSP. The Master Plan consists of the following components:

- Regional signal synchronization network
- Priority corridors for accelerated signal synchronization
- Definition of Traffic Forums
- Model agreements presenting roles and responsibilities for Project P
- Signal synchronization regional assessment every three years
 - NOTE: For Call for Projects 2019, Priority Corridors are not an eligible inclusion and no additional points will be awarded. A Priority Corridor is on the Signal Synchronization Network.

The Master Plan will be reviewed and updated by OCTA every three years and will provide details on the status and performance of the traffic signal synchronization activities over that period. Local agencies are required to adopt and maintain a Local Traffic Signal Synchronization Plan (Local Plan) that is consistent with the Master Plan and shall issue a report on the status and performance of its traffic signal synchronization activities. Details on both the Master Plan and requirements for Local Plan development are available in the "Guidelines for the Preparation of Local Signal Synchronization Plans". A hard copy of these guidelines can be requested from OCTA.

The remainder of this chapter details the key components of the RTSSP:

- Funding guidelines for the competitive call for projects
- 2019 Call for Projects

Projects compete for funding as part of the RTSSP. Projects submitted by local agencies as part of the call must meet specific criteria. Projects are rated based on scoring criteria and are selected based on their competitive ratings.

Objectives

- Synchronize traffic signals across jurisdictions
 - Monitor and regularly improve the synchronization.
 - Synchronize signals on a corridor or route basis reflecting existing traffic patterns in contiguous zones or road segments that have common operations.

2019 Call for Projects

The 2019 Call for Projects (call) for Project P – the Regional Traffic Signal Synchronization Program (RTSSP) – under M2 will provide approximately **\$8 million** for signal coordination across Orange County. The following information provides an overview of the 2019 RTSSP Call for Projects:

1. Projects must result in new, optimized, and field-implemented coordination timing.
2. Project may be a single contiguous corridor or set of contiguous corridors related to each other. Multiple corridors, related systems of corridors, and corridors that form a “grid” may be submitted as a single optimized timing project. However, the total number of corridors per project will be limited to two (2) and the total number of intersections between the two corridors is limited to fifty (50).
3. Projects selected will be programmed after July 1 of the programmed year (July 1 – June 30).
4. Project delays resulting in a time extension request will fall within the process outlined in the CTFP Guidelines.
5. Projects are funded for a grant period of three (3) years and are divided into two phases:
 - a. Primary Implementation – includes the required implementation of optimized signal timing as well as any signal improvements proposed as part of a project.
 - b. Ongoing Operations and Maintenance (O&M) – includes the required monitoring and improving optimized signal timing in addition to any optional communications and/or detection support. O&M will begin after the optimized signal timing is implemented and be required for the remainder of the project (typically 2 Years). A project final report is required at the conclusion of this phase to document work completed during the O&M phase.
6. Projects shall include a Before and After Study. This study shall collect morning, mid-day, and evening peak periods using travel times, average speeds, green lights to red lights, stops per mile, and the derived corridor system performance index (CSPI) metric. This information shall be collected both before any signal timing changes have been made and after the Primary Implementation. The study shall compare the information collected both before and after the timing changes. Comparisons shall identify the absolute and percent differences for the entire corridor, by segment, direction, and time period. Segments will be defined by major traffic movements as observed during the project (e.g. commuting segments between freeways, pedestrian-friendly segments in a downtown area, etc.). The Before and After study shall also include field inventory, count data, modeling data, and Greenhouse Gas calculations. The Before and After Study shall be submitted after the Primary Implementation phase is completed.
7. Any corridor or portion of a corridor funded through this call cannot re-apply for funding until the three-year grant period or commitment to operate signal

synchronization beyond the three-year grant period is completed, whichever ends later.

8. This chapter identifies the selection criteria for projects, eligible activities, minimum project requirements, data compatibility required as part of any funded project, and other key information.

Additional details the specific program's intent, eligible project expenditures, ineligible project expenditures, and additional information that may be needed when applying for funds are included in this chapter. Each section should be read thoroughly before applying for funding. Application should be prepared for the program that best fits the proposed project.

For specifics on the funding policies that apply to this call, refer to the Program Precepts as found in Section IV of these guidelines.

Applications

In order for OCTA to consider a project for funding, applications will be prepared by the local agency responsible for the project application. OCTA shall require agencies to submit applications for the call for projects by **5:00 p.m. on Thursday, October 18, 2018**. Late and/or incomplete submittals will not be reviewed or considered. The local agency responsible for the project application must submit the application and any supporting documentation via OCFundtracker as outlined below.

A separate application package must be completed for each individual project and uploaded to OCFundtracker. **Three (3) unbound printed copies and one electronic copy on a CD or USB** of each complete application shall also be mailed or delivered to:

Orange County Transportation Authority
550 South Main Street
P.O. Box 14184
Orange, California 92863-1584
Attn: Jodie McCann

Application Process

Project grants are determined through a competitive application process administered by OCTA. Agencies seeking funding must complete an online application, a supplemental application, and provide supporting documentation that will be used to evaluate the project proposal as outlined below. Key information to be provided as part of the application process includes:

- Funding needs by phase and fiscal year
- Percent match rate including funds type, source, and description (minimum 20 percent)
- Lead agency Option 1 (default – local agency) or Option 2 (OCTA)
- Lead and supporting agencies names
- Supporting technical information
- Project development and implementation schedule
- Environmental clearances and other permits
- Any additional information deemed relevant by the applicant
- Complete photographic field review (including cabinet interiors and communication facilities) for all projects that either exceed one million dollars in capital improvements or request OCTA serve as lead agency regardless of capital improvement budget. Original photos shall be uploaded to OCFundtracker or included with electronic copy of application.
- Current City Specifications (including specific equipment specifications, inspection requirements, etc.) if OCTA is requested to be the lead agency. Refer to the 2019 Supplemental Application for additional information. This shall be uploaded to OCFundtracker or included with electronic copy of application.

A call for projects for the funding cycle will be issued as determined by the Board. Complete project applications must be submitted by the established due dates to be considered eligible for consideration.

An application should be submitted for a single corridor or route corridor project. Multiple corridors that form a “grid” may be submitted as separate or single project(s). However, the total number of corridors per route corridor project will be limited to two (2) and the total number of intersections between the two corridors is limited to fifty (50). A single corridor project not proposed as a connected route or grid project may be submitted and is not subject to the 50-intersection limit. The following instructions should be used in developing project applications.

Applications will be reviewed by OCTA for consistency, accuracy, and concurrence. Once applications have been completed in accordance with the Program requirements, the projects will be scored, ranked, and submitted to the TSC, TAC, and the Board for consideration and funding approval. OCTA reserves the right to evaluate submitted

project costs for reasonableness as part of the review and selection process and suggest potential revisions to make the cost more appropriate. Grants will be subject to funding agreements with OCTA.

Other Application Materials

Supporting documentation is required to fully consider each project application. A Supplemental Application Template is required to be completed for each project application. Note: There is a new section for all costs, on a line item basis, in excel format for both project phases. The template is distributed with other application materials at the issuance of the Call for Projects. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Lead Agency: Lead agency for the project must be identified: local agency or OCTA.

Participating Agencies: All participating agencies must be identified and adopted City Council resolutions or Minute Order actions authorizing the participating agency's support of the project under the lead agency must be included. **If a *draft* copy of these resolutions of support are provided, the local agency must also provide the date the resolution will be finalized by the participating agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Council Approval: A Council Resolution or Minute Order action authorizing request for funding consideration with a commitment of project local match funding must be provided with the project application from all participating agencies. **If a *draft* copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Project Support: If proposed project has completed initial planning activities (such as project study report or equivalent, environmental impact report, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. The applicant will be asked for detailed information only if necessary to adequately evaluate the project application.

Lead Agency

This Program is administered through a single lead agency: a local city or OCTA.

Local Agency Lead: Only the lead agency will receive payments in accordance with the CTFP Guidelines regarding payment for costs related to project for optimized signal timing development, capital improvements, planning, and related design. Payments will be disbursed consistent with Chapter 9. The lead agency is responsible for reimbursing other agencies as part of the effort. Additionally, the lead agency is also responsible for ensuring

that all agencies participating in the project provide the local match proposed in the project application.

OCTA Lead: OCTA may, at the request of the involved local agencies, act as the lead agency for RTSSP projects. If the involved local agencies would like OCTA to implement a project on the signal synchronization network, the local agency shall work cooperatively with OCTA to develop the scope of work and cost elements of the project. The lead local agency shall contact OCTA with **a written request at least four weeks prior to deadline for submittal of the project grant application**. Projects nominated for OCTA lead shall be discussed at the Traffic Forum. Applications must include a complete photographic field review (as outlined above) when submitted. The application will be scored using the criteria outlined in the previous sections. Based on local agency interest and OCTA resource availability, a limited number of projects will be developed and implemented by OCTA.

If any projects that are designated as OCTA lead are awarded funding, OCTA will then be responsible for implementation of the project including optimized signal timing development, capital improvements, planning, and related design. OCTA will implement the project based on the cost estimates developed in the application. Project elements may be modified based on final costs with the agreement of all participating agencies. OCTA will be responsible for ensuring that all agencies participating in the project provide the local match as identified in the project application (minimum 20 percent).

Additionally, for projects designating OCTA as lead agency, a consultant traffic engineering firm may be contracted to provide staff and services to implement the project. Therefore, in-kind match designated as staffing commitment under an OCTA lead agency option shall be limited. The following will be used as a guide for staffing commitment, when the local agency develops the application:

- Primary Implementation (PI) (12 months)
 - Project Administration - Each local agency traffic engineer or equivalent participates in approximately 10-15 hours per month of project administration (meetings, review of reports, minutes, and other administration).
 - Signal Synchronization Timing - Each local agency traffic engineer or equivalent reviews consultant developed draft and final timing plans for intersections within the local agency, approximately 2-4 hours per local agency intersection.
 - Before and After Study - Each local agency traffic engineer or equivalent reviews consultant developed draft and final project Before and After Study, approximately 2-5 hours per local agency.
 - Engineering design/review - Each local agency traffic engineer or equivalent reviews consultant developed engineer design within the local agency, approximately 2-4 hours per affected local agency intersection.

- System integration - Each local agency traffic engineer or equivalent provides support for this function (hours vary depending on improvements).
- Construction management - Each local agency traffic engineer or equivalent provides construction management support including inspection (hour vary depending on improvements).
- Ongoing Operations and Maintenance (O&M) (24 months) - Each local agency's traffic engineer or equivalent participates in continued project level meetings of 2-5 hours per local agency per month to review consultant traffic engineering progress. In addition, each local agency's traffic engineer or equivalent reviews consultant developed draft and final project report.

For projects designating a local agency as lead, the above may be used as a guide with additional local match related to implementation, development, design, monitoring and other costs that the local agency may choose to include as local match. For instance, O&M may be performed by in-house staff and be calculated using a different formula (e.g., 2-5 hours per local agency signal for 24 months).

OCFundtracker Application Components

Final applications MUST be submitted via OCFundtracker and in hard copy format. Selection criteria must be inputted as part of the OCFundtracker online application and includes the following categories of information:

- Vehicle Miles Traveled
- Cost Benefit
- Project Characteristics
- Transportation Significance
- Maintenance of Effort
- Project Scale
- Number of Local agencies
- Current Project Readiness
- Funding Match Rate

Application Review and Program Adoption

OCTA staff will conduct a preliminary review of all applications for completeness and accuracy, may request supplemental information for projects during initial staff evaluations, and prepare a recommended program of projects for the TSC. In addition, OCTA may hire a consultant(s) to verify information within individual applications including, but not limited to, project scope, cost estimates, vehicle miles traveled, and average daily traffic.

Final programming recommendations will be provided to the TSC and TAC for approval. Recommendations will be presented to the Board, who will approve projects for funding under the CTFP.

OCTA shall distribute copies of the approved program to each participating local jurisdiction with any qualifying conditions stipulated for the jurisdiction's funded project(s). Local agencies awarded funding will be notified as to which projects have been funded and from what sources after the Board takes action. A tentative call schedule is detailed below:

Board authorization to issue call: August 2018

Application submittal deadline: October 18, 2018

TSC/TAC Review: February/March 2019

Committee/Board approval: April 2019

Checklist Guide

The "Project P Regional Traffic Signal Synchronization Program Application Checklist" has been provided for the RTSSP (Exhibit 8-1). The checklist identifies the basic documentation required for the program. In addition to items required at the time of project submittal, additional items that are not specified may be requested later. The checklist should be provided as a cover sheet for **each** application submitted. For any items that are required for the candidate project or program that are missing or incomplete, an explanation should be included in a cover letter with the application.

Sample Resolution Form

A resolution or minute action must be approved by the local agency's governing body. A sample resolution is included as Exhibit 8-2. The mechanism selected shall serve as a formal request for RTSSP funds and states that matching funds will be provided by the agency, if necessary. All project requests (i.e., multiple corridors proposed for RTSSP funds) must be included in this action.

Project Definition

Local agencies are required to submit complete projects that, at minimum, result in field-implemented coordinated timing. Project tasks that are eligible for funding can consist of design, engineering, construction, and construction management. Partial projects that design improvements, but do not field implement the improvements are ineligible.

Projects must consist of a corridor along the priority corridor network, signal synchronization network, or the Master Plan of Arterial Highways (MPAH). Projects previously awarded RTSSP funding must be complete with a final report submitted and approved by OCTA. Projects can be the full length of the corridor or a segment that complies with the project requirements identified later in the chapter. **Communication system improvements that directly benefit signal synchronization along the project corridor limits, but are not physically within the project corridor, are eligible for inclusion in a project.**

Applicant agency and owning agency must demonstrate through simulation, or actual vehicle counts showing Origin – Destination that proposed linked corridors form a route. Two linked corridors may also combine at the point of intersection to form a single local Master offset Control Point (T₀) for future Zone operations.

Multimodal consideration of bicyclists and pedestrians along or crossing the intersection or roadway may enhance overall circulation. Therefore, active transportation elements may be included as part of the project.

Eligible Activities

The primary purpose of the Program is to provide funding for projects that develop and maintain corridor-based, multi-jurisdictional signal synchronization along corridors throughout Orange County. All projects funded by this Program must be corridor-based and have a signal coordination component that includes the following:

- Signal Coordination
 - Developing and implementing new signal synchronization timing parameters based on current travel patterns, and federal and state MUTCD traffic signal timing mandates and guidance
 - Monitor, maintain (minimum quarterly/maximum monthly) and/or regularly improve the newly implemented signal synchronization timing and parameters for the remainder of the project
 - “Before” and “after” studies for the project comparing travel times, average speeds, ratio of green lights passed to red lights stopped (greens per red), average stops per mile, and emissions of greenhouse gases

In addition to developing optimized signal timing, a project may include other improvements as long as they contribute to the goal of multi-agency signal synchronization of corridors throughout Orange County. These improvements are restricted to the signal synchronization project limits but may include traffic signalized intersections on intersecting corridors where new optimized timing has occurred within the past three years; maximum distance for either direction from crossing arterial intersection in 2,700 feet. Gap closure communications links that are installed from a central location and/or communications hub to the project corridor are eligible. All improvements must be designed to enhance the specific project. The following are a list of potentially eligible items as part of a signal coordination project:

- New or upgraded vehicle, pedestrian, and bicycle detection
 - Upgrade detection along the signal synchronization corridors to ensure necessary conditions for signal synchronization: inductive loops, video detection, radar, sonar, thermal, hybrids thereof, and other types of detection systems.
- New or upgraded communication systems
 - New contemporary communication system improvements (e.g. Ethernet) including all conduits, pull boxes, fiber optic and/or copper cabling, network switches and distribution systems. These systems should be sufficiently sized for the need capacity of the Intelligent Transportation System (ITS) network. Excess capacity is deemed non-participating.
 - Replacement fiber optic or copper cabling for network communication
 - Fiber optic is the preferred medium and includes pull boxes, network switches and distribution systems
 - Software and hardware for system traffic control
 - Control and monitoring interconnect conduit (including upgrades or replacement of existing systems)
 - Gap closure systems of conduit, cable, and associated equipment that are outside of project limits but complete a designated communications link to an existing network for the Advanced Transportation Management System (ATMS) for an agency or agencies.
 - Communications Support
 - Monitor, maintain, and repair signal communication systems and infrastructure along synchronized corridors to ensure necessary conditions for signal synchronization including interconnect and Central Systems and Local Systems communications equipment (two years after Primary Implementation acceptance)

- Detection Support
 - Monitor, maintain, and repair all detection systems and infrastructure associated with the PI Phase of a specific project along synchronized corridors to ensure necessary conditions for signal synchronization including local intersection and System Sampling Detection equipment (two years after Primary Implementation acceptance)
- Intersection/field system modernization and replacement
 - Traffic signal controller replacement of antiquated units with Advanced Transportation controller (ATC) units. ATC shall comply with version 6.24 or better of ATC standard 5201 and ATC standard 5401 Applications Programming Interface with Referenced Implementations (APIRI)
 - Controller cabinet (assemblies) replacements that can be shown to enhance signal synchronization
 - Closed circuit television (CCTV (also can perform video detection))
 - Uninterruptible power supply (UPS) for ATMS and intersection field equipment
 - For ATMS, UPS shall solely provide electrical power for ATMS Server(s), one dedicated workstation (console terminal) and related communications devices
 - Limited cost and scale
 - UPS not intended to provide power to entire TMC
 - Approval of request for UPS is at the sole discretion of the AUTHORITY
- Minor signal operational improvements (new)
 - Emergency vehicle preempt (EVP) intersection control equipment only
 - Transit signal priority (TSP) intersection control equipment only
 - Channelization (signing, striping, raised pavement markers, in lane flashing guidance or warning marking systems, and legends) improvements required for traffic signal phasing.
 - Traffic signal phasing improvements that will improve traffic flow and system performance including protective permissive left turn phasing and shared pedestrian phasing
 - Improvements to comply with new federal or state standards (MUTCD) for traffic signal design as related to signal synchronization including pedestrian, bicycle, and vehicular timing intervals.
- ADA compliant Pedestrian Signal countdown heads Traffic management center (TMC)/traffic operations centers (TOC) and motorist information
 - New TMCs or TOCs (any project funded under this category must be planned or built to be center-to-center communication (C2C) "ready" with nearby agencies and/or OCTA

- Upgrades to existing TMCs or TOCs (any project funded under this category must be planned or built to be center-to-center communication “ready” with nearby agencies and/or OCTA)
- Motorist information systems (up to 10 percent of total project costs)
- Video display equipment, including wall monitors, screens, mounting cabinets, and optical engines (up to 10 percent of total construction costs for PI phase only)
- Real-time traffic actuated operations and demonstration projects
 - Adaptive traffic signal systems
- Caltrans encroachment permits and agency to Caltrans Cooperative Agreement fees
 - Includes eligible Caltrans labor, capital, and permitting fees and expenses
- Active Transportation/Pedestrian Safety related elements
 - Installation of new and/or improved traffic control devices to improve the accessibility, mobility and safety of the facility for pedestrians and bicyclists
 - ADA compliant Accessible Pedestrian Push Button Systems
 - High-Intensity Activated crosswalk signaling systems (HAWK)

In addition, expenditures related to the design of systems, permitting, and environmental clearance are eligible for funding.

Ineligible Expenditures

- Isolated traffic signal improvements
- Traffic hardware (pole, mast arms, lights, electrical, signs, etc.)
- Regular signal operation and maintenance (such as replacement of light bulbs)
- Field display equipment (Traffic signal heads other than pedestrian countdown, or special bicycle, or Transit Vehicle signal heads)
- Feasibility studies
- Relocation of utilities except for electrical service requirements
- Right-of-way

Funding Estimates

The streets and roads component of M2 is to receive 32 percent of net revenues, 4 percent of which are allocated for the RTSSP. The RTSSP will make an estimated \$270 million (2009 dollars) available over the course of the 30-year M2 Program. Programming estimates are developed in conjunction with a call for projects cycle corresponding to concurrent funding agreements with all local agencies.

The RTSSP targets over 2,000 intersections across Orange County for coordinated operations. Because of the limited amount of funds available for the RTSSP, project cap

of \$75,000 per signal or \$250,000 per project corridor mile included as part of each project (whichever is higher) has been established for this call for projects.

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on furthering the overall goal of multi-jurisdictional, corridor-based signal synchronization.

Vehicle Miles Traveled (VMT): Centerline length of segment(s) on the corridor proposed for synchronization multiplied by the existing average daily traffic (ADT) for the proposed segment(s) length. For instance, for a three-mile segment with one-mile interval ADT data at of 200 vehicles, 300 vehicles, and 400 vehicles, the VMT would be calculated as:

$$200 \text{ vehicles} * 1 \text{ mile} + 300 \text{ vehicles} * 1 \text{ mile} + 400 \text{ vehicles} * 1 \text{ mile} = 900 \text{ vehicle miles.}$$

VMT should be calculated by the smallest segmentation on which the city typically collects ADT data. (maximum: 20 points)

ADT must be based upon actual count information taken within the 36 months preceding the application date. Data from the OCTA Traffic Flow Map may not be used.

Cost Benefit: Total project cost divided by Existing VMT. (maximum: 10 points)

Project Characteristics: Points are awarded based on the type and relevance of the proposed project. For instance, points accumulate if a signal synchronization project is combined with improvements as defined in the "Eligible Activities" section above. (maximum: 10 points)

Transportation Significance: Points are earned based on the corridor being on the signal synchronization network. (maximum: 5 points) (Priority signal network will not be a part of the 2019 Call for Projects. No points will be awarded for being on a Priority Corridor.)

Maintenance of Effort: Points are earned for a commitment to operate the project signal synchronization timing for a defined period of time beyond the three-year grant period. (maximum: 5 points)

Project Scale: Points are earned for including more intersections along signal synchronization network or serving as a signal corridor "gap closure". (maximum: 10 points)

Number of Local Agencies: Points are earned for including multiple local agencies as part of the project. (maximum: 20 points)

Current Project Readiness: Points are earned based on the current status of the project development. Evidence of actual preliminary engineering performed for proposals requesting funding for implementation phases must be provided to qualify for points related to this attribute. (maximum for category: 10 points)

Funding Rate: The percentages shown in Table 8-1 apply to match rates above a local agency's minimum match requirement. M2 requires a 20 percent local match for RTSSP projects. Project match rates above 20 percent are limited to dollar match only. (maximum: 5 points)

Table 8-1

RTSSP SCORING CRITERIA Point Breakdown for Regional Traffic Signal Synchronization Projects Maximum Points = 100

<p>Vehicle Miles Travelled (VMT) Points: 20</p> <table border="1"> <thead> <tr> <th>VMT Range</th> <th>Points</th> </tr> </thead> <tbody> <tr><td>250+ thousand</td><td>20</td></tr> <tr><td>200 - 249 thousand</td><td>15</td></tr> <tr><td>150 - 199 thousand</td><td>10</td></tr> <tr><td>100 - 149 thousand</td><td>6</td></tr> <tr><td>50 - 99 thousand</td><td>3</td></tr> <tr><td>0 - 49 thousand</td><td>1</td></tr> </tbody> </table> <p><u>Calculation:</u> ADT x segment length (Applies only to coordinated segments of project)</p>	VMT Range	Points	250+ thousand	20	200 - 249 thousand	15	150 - 199 thousand	10	100 - 149 thousand	6	50 - 99 thousand	3	0 - 49 thousand	1	<p>Project Scale Points: 10</p> <table border="1"> <thead> <tr> <th>Number of Signals Coordinated by Project Range</th> <th>Points</th> </tr> </thead> <tbody> <tr><td>50+</td><td>5</td></tr> <tr><td>40 - 49</td><td>4</td></tr> <tr><td>30 - 39</td><td>3</td></tr> <tr><td>20 - 29</td><td>2</td></tr> <tr><td>10 - 19</td><td>1</td></tr> <tr><td>< 10</td><td>0</td></tr> </tbody> </table> <p style="text-align: center;">AND</p> <table border="1"> <thead> <tr> <th>Percent of Corridor Signals Being Retimed Range</th> <th>Points</th> </tr> </thead> <tbody> <tr><td>90% or above</td><td>5</td></tr> <tr><td>80 - 89%</td><td>4</td></tr> <tr><td>70 - 79%</td><td>3</td></tr> <tr><td>60 - 69%</td><td>2</td></tr> <tr><td>50 - 59%</td><td>1</td></tr> <tr><td>< 50%</td><td>0</td></tr> </tbody> </table> <p><u>Calculation:</u> Number of signals in project divided by total signals in full corridor length.</p>	Number of Signals Coordinated by Project Range	Points	50+	5	40 - 49	4	30 - 39	3	20 - 29	2	10 - 19	1	< 10	0	Percent of Corridor Signals Being Retimed Range	Points	90% or above	5	80 - 89%	4	70 - 79%	3	60 - 69%	2	50 - 59%	1	< 50%	0
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Minimum Eligibility Requirements

All local agencies may participate in the RTSSP. Caltrans facilities are eligible for the RTSSP, but Caltrans cannot act as the lead agency. Local agencies will be required to provide a minimum of 20 percent matching funds for eligible projects (see definition of matching funds below).

The goal of the RTSSP is to provide regional signal synchronization that cross jurisdictional, geographical, or physical boundaries. To be eligible for funding through this Program, a project must meet the following requirements:

1. Be on a street segment that is part of the signal synchronization network, or the MPAH. The project must be consistent with Local Signal Synchronization Plans and support the Regional Traffic Signal Synchronization Master Plan goals.

2. Be multi-jurisdictional, have documented support from all participating local agencies (cities, County, or Caltrans) and a minimum of 20 signals

or

Be multi-jurisdictional, have documented support from all participating local agencies (cities, County, or Caltrans) and a minimum distance of five miles

or

Include at minimum three local agencies, have documented support from all participating local agencies (cities, County, or Caltrans), and have a minimum intersection density of four intersections per mile with a minimum of eight signals

or

Include the full length of the signal synchronization network corridor, or MPAH corridor

Matching Funds

Local agencies along the corridor are required to provide minimum local match funding of 20 percent for each project. As prescribed by the M2 Ordinance, this includes local sources, M2 Fair Share, and other public or private sources (herein referred to as a "cash match"). Projects can designate local matching funds as cash match, in-kind match provided by local agency staff and equipment, or a combination of both.

"In-kind match" is defined as those actions that local agencies will do in support of the project including staffing commitment and/or new signal system investment related to improved signal synchronization. Examples of staffing commitment include, but are not limited to, implementation of intersection or system timing parameters, review of timing documentation, meeting participation, conducting or assisting in before/after studies, and other similar efforts that directly enhance the signal synchronization project.

Administrative staff time for documentation of in-kind services is ineligible. Staff time charged to a project is limited to the caps as described in these guidelines. Allowable signal system investment would be improvements that are “eligible activities” per the funding guidelines, which can be shown to improve signal synchronization and would not include any prior investments made by the agency.

The specific matching requirement by project category type is listed below for city led projects:

Project category	Type of matching allowed*
Signal coordination	In-kind match** or cash match
New or upgraded detection	In-kind match** or cash match
New or upgraded communications systems	In-kind match** or cash match
Communications and detection support	In-kind match** or cash match
Intersection/field system modernization and replacement	In-kind match** or cash match
Minor signal operational improvements	In-kind match** or cash match
Traffic management center/traffic operations centers and motorist information systems	Cash match
Real-time traffic actuated operations and demonstration projects	Cash match
Caltrans fees and expenses (labor and capital)	Cash match

* Project match beyond 20 percent is limited to cash match only.

** In-kind services are subject to audit.

In-kind match must be defined for each local agency as part of the supplemental application. In-kind match must be identified as staffing commitment and/or new signal system investment. The supplemental application template will include a section to input in-kind match type as well as additional data related to the match:

- Staffing commitment
 - Staff position
 - Number of hours

- Hourly (fully burdened) rate
- Total cost
- New signal system investment
 - Cost of any signal system investment
 - Benefit to project

Projects submitted as OCTA led require a 20 percent cash match for Primary Implementation activities with a nominal in-kind allowance for local agency oversight. Operations and Maintenance activities will be permitted in-kind match only for local agency oversight functions. Contract activities will require cash match. Local agency contributions identified as cash match in the application cannot be converted into in-kind match.

OCTA staff will review in detail the presented cash and in-kind match by local agency for reasonableness. Additional requirements on in-kind match as part of the upcoming call are provided in this chapter.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

If a lead agency decides to cancel a project before completion of the entire project, for whatever reason, the agency shall notify OCTA as soon as possible. It is the responsibility of the project lead agency to repay OCTA for any funds received.

Project Extensions

Local agencies are provided 36 months to expend the funds from the date of encumbrance. Agencies can request timely use of funds extensions through the SAR in accordance with the CTFP guidelines. Local agencies should issue a separate Notice to Proceed (NTP) while combining contracts for both the PI and O & M phases. NTP requirement should be identified in the initial contract/agreement to avoid obligation of both phases at the same time. If this procedure is followed by the local agency the NTP date will be considered the date of encumbrance for the O & M phase.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to

an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA Internal Audit Department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board.

Data Compatibility

All count data collected as part of any funded project shall be provided to OCTA in one of the two following digital formats: 1) NDS/Southland Car Counters style Excel spreadsheet; or 2) JAMAR comma separated value style text file. The data shall then be loaded into the OCTA Roadway Operations and Analysis Database System (ROADS). Any data files containing numeric intersection or node identifiers shall use the same node identification (ID) numbers as is stored in the ROADS database. OCTA shall provide a listing of intersections and corresponding unique node ID numbers. Each count data file shall adhere to the following file naming or csv. As an example, a turning movement count file for the intersection of Harbor Boulevard and Wilson Street in Costa Mesa would be given the filename CostaMesa_Harbor-Wilson_4534.csv.

All traffic signal synchronization data collected and compiled as part of any funded project for both existing (before) and final optimized (after) conditions shall be provided to OCTA in Synchro version 8/9 csv Universal Traffic Data Format (UTDF) format and version 7 combined data UTDF format. This data shall include the network layout, node, link, lane, volume, timing, and phase data for all coordinated times. All such data shall be consistent with the OCTA ROADS database.

Exhibit 8-1

Project P – Regional Traffic Signal Synchronization Program Application Checklist

Project P Application Checklist	Included
<p>RTSSP Online Application – submitted through OCFundTracker</p> <ol style="list-style-type: none"> 1. Vehicle Miles Traveled 2. Benefit Cost Ratio 3. Project Characteristics 4. Transportation Significance 5. Maintenance of Effort 6. Project Scale 7. Number of Jurisdictions 8. Current Project Readiness 9. Funding Over-Match 	
<p>Section 1: Key Technical Information</p> <ol style="list-style-type: none"> a. Project limits of the corridor to synchronize b. Designation of the corridor to synchronize: priority corridor, signal synchronization network corridor, or master plan of arterial highways corridor c. Project start date and end date, including any commitment to operate signal synchronization beyond the three-year grant period d. Signalized intersections that are part of the project e. Traffic Forum members 	
<p>Section 2: Lead Agency</p>	
<p>Section 3: Resolutions of Support from the Project’s Traffic Forum Members</p>	
<p>Section 4: Preliminary Plans for the Proposed Project</p> <p>The plans shall include details about both phases of the project: <u>Primary Implementation</u> and <u>Ongoing Operations and Maintenance</u>. The plan should be organized using the following setup:</p> <p><u>Primary Implementation</u> shall include details about the following:</p> <ol style="list-style-type: none"> a. Developing and implementing optimized signal synchronization timing (required) b. Producing a Before and After study for the proposed project (required) c. Proposed signal improvements (optional): <ol style="list-style-type: none"> i. New or upgraded detection ii. New or upgraded communication systems iii. Intersection/field system modernization and replacement iv. Minor signal operation improvements v. Traffic Management centers vi. Real-time traffic actuated operations and demonstration projects <p><u>Ongoing Operations and Maintenance</u> will begin after the <u>Primary Implementation</u> of the project is completed. It shall include details about the following:</p> <ol style="list-style-type: none"> a. Monitoring and improving optimized signal timing (required) b. Communications and detection support (optional) 	
<p>Section 5: Total Proposed Project Cost by Task</p>	
<p>Section 6: Project Schedule by Tas for the 3 Year Grant Period</p>	
<p>Section 7: Matching Funds</p>	
<p>Section 8: Environmental Clearances and Other Permits</p>	
<p>Section 9: Calculations Used to Develop Selection Criteria Inputs</p>	
<p>Section 10: Any additional Information Deemed Relevant by the Applicant</p>	

Exhibit 8-2

Sample Resolution for Orange County Regional Traffic Signal Synchronization Program Projects

A resolution of the _____ City Council approving the submittal of _____ improvement project(s) to the Orange County Transportation Authority for funding under the competitive Measure M2 Regional Traffic Signal Synchronization Program.

THE CITY COUNCIL OF THE CITY OF _____ HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS THAT:

- a) WHEREAS, the Measure M2 Regional Traffic Signal Synchronization Program targets over 2000 signalized intersections across Orange County to maintain traffic signal synchronization, improve traffic flow, and reduce congestion across jurisdictions; and
- b) WHEREAS, the City of _____ has been declared by the Orange County Transportation Authority to meet the eligibility requirements to receive revenues as part of Measure M2;
 - c) WHEREAS, the CITY must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement.
- d) WHEREAS, the CITY authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors, if necessary.
- e) WHEREAS, the City of _____ has currently adopted a Local Signal Synchronization Plan consistent with the Regional Traffic Signal Synchronization Master Plan as a key component of local agencies' efforts to synchronizing traffic signals across local agencies' boundaries; and
 - f) WHEREAS, the City of _____ will provide matching funds for each project as required by the Comprehensive Transportation Funding Programs Procedures Manual; and
- g) WHEREAS, the City of _____ will not use Renewed Measure M funds to supplant Developer Fees or other commitments; and
- h) WHEREAS, the City of _____ desires to implement multi-jurisdictional signal synchronization listed below; and

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of _____ hereby requests the Orange County Transportation Authority allocate funds in the amounts specified in the City's application to said City from the Transportation Signal Synchronization Program. Said funds, if approved, shall be matched by funds from said City as required and shall be used as supplemental funding to aid the City in signal synchronization along the following street(s):

*Required language a-h

Chapter 9 - Reimbursements and Reporting

Procedures for Receiving Funds

An implementing agency must encumber funds OCTA awards to a project phase within the fiscal year the grant is programmed (July 1-June 30). Prior to the encumbrance of funds, an agency must have a fully executed letter agreement with OCTA. An agency encumbers funds by awarding a contract, completing the appraisal or issuing an offer letter for one parcel of right-of-way, or by providing expense reports with supporting documentation to prove an agency's workforce costs (provided that the agency intends to complete the phase with agency staff). OCTA shall consider the primary contract or the contract with the largest dollar amount, associated with the phase's tasks, when an agency uses a contract to show encumbrance of CTFP funds. Once an agency encumbers CTFP funds for a phase, it can begin the process for receiving payment of the funds.⁹

OCTA will release funds through two payments. The initial payment will provide up to 75 percent of the contract award or programmed amount, whichever is less. OCTA will disburse the final payment, 25 percent of eligible funds, after it approves the final report. (See Precept 34)

For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase, but shall in no case be less than 10 percent of the grant for that phase. Should the 75/25 payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent threshold is reached (See Precept 35).

Agencies shall submit payment requests to OCTA in a timely fashion. The M2 Ordinance requires the submittal of a final report within 180 days of the project phase completion date (See M2 Ordinance/definitions/Precept 36). Failure to submit a final report within the 180-day time frame will result in an agency being found ineligible to receive net revenues. Per the M2 Ordinance, no provision for extension is allowed. The term "project phase completion" refers to the date that the local agency has paid the final contractor/consultant invoice (including retention) for work performed and any pending litigation has been adjudicated for the engineering phase or for the right-of-way phase, and all liens/claims have been settled for the construction phase.

OCTA will provide a separate CTFP payment supplement that includes sample forms and instructions for payment submittals and can be downloaded from the [OCFundtracker](#)

⁹ Funds from state and federal sources funds will undertake a separate process. Local agencies must contact Caltrans local assistance for reimbursement.

website. Payment submittals are described in this chapter and must be submitted through OCTA's online database, OCFundtracker: <http://ocfundtracker.octa.net>. Detailed instructions for OCFundtracker are available online at the previously mentioned website. Staff is also available to assist agencies with this process. Agencies must upload appropriate backup documentation to the database. OCTA may request hardcopy payment requests.

Availability of Funds

The funds granted by OCTA for each phase will be available on July 1, the first day of the fiscal year in which the funds are programmed and upon implementation of the letter agreement for the specific project.

Cancellation of Project

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. Right-of-way funding received for property acquisition prior to cancellation shall be repaid upon cancellation, regardless of whether property has been purchased or not. Construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Project O - Regional Capacity Program Initial Payment

Payment Requests

An agency shall use the report and checklist provided in the CTFP Payment Supplement (see https://ocfundtracker.octa.net/report_payment_excel.asp) in order to determine the reporting and documentation requirements for initial payment requests. Payment requirements are located in the Guidelines. Staff may request additional documentation that is not listed on the checklist prior to approving the request.

The interactive electronic versions of all payment forms can be downloaded via OCFundtracker at <http://ocfundtracker.octa.net>.

OCTA usually releases funds through two payments. The initial payment will constitute 75 percent of the eligible contract award or allocation amount, whichever is less. In addition to the bid abstract, OCTA will require local agencies to submit appropriate backup documentation for all project phases to support the initial payment request. OCTA will release the final payment of remaining balance, usually the final 25 percent of CTFP grant funds, when the project is complete and OCTA accepts the final report. The balance is determined based on final costs for CTFP eligible program expenditures. Prior to submitting the report, review the program specific section in these guidelines that addresses the final report process.

OCTA will reimburse costs associated with the Measure M informational signs (fabrication, installation, and removal) and do not count against a project's grant. Measure M informational "Funded By" sign removal costs should be requested in the Final Report.

Prior to submitting an initial payment request, a local agency may request a meeting with OCTA staff to determine eligible/ineligible items prior to requesting reimbursement.

Below is additional information regarding the documentation requirements of initial payment requests:

1. Invoice – For initial payments, an agency shall invoice for 75 percent of the contract amount or programmed amount, whichever is less. For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase, but shall in no case be less than 10 percent of the grant for that phase. Should the 75/25 payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent threshold is reached (See Precept 35). Agencies seeking initial payment for the planning, environmental and preliminary engineering work performed by local agency forces, must submit payroll records and City Council budget allocation with the initial payment request. The payroll records should identify the project name, date of expenditures, amount, and employee position. It is recommended that a unique project key be created for each project and all project charges be billed under that job

code. OCTA staff can provide a sample of acceptable form of payroll report upon local agency request.

2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2. This will include the certification that the project being reimbursed has meet the signage requirements laid out in Precept 21.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants shall submit a purchase order that includes the scope of work for the contractor.
4. Revised Cost Estimate – The agency shall use the format provided in the Revised Costs Estimate Form 10-3.
5. Work Schedule – OCTA prefers a complete project schedule, but an agency may provide as little as the expected start and completion dates for preliminary engineering, final engineering, right-of-way, and construction phases on form 10-1A.
6. Right-of-Way Documents – Each parcel shall include an appraiser’s report, written offer letter, plat map, and legal description. Agencies attempting to acquire five or more parcels for a project shall include a parcel location map. Initial payments for ROW will be considered after submittal of a signed ROW agreement with the property owners and/or upon City Council Resolution initiating a property acquisition in accordance with the Code of Civil Procedure per §1230.010, et. seq.
7. Plans, Specifications, & Estimate (PS&E) Certification – Agencies shall submit a PS&E certification using the PS&E Certification Form 10-4. The agency engineer shall certify that the local agency properly prepared and approved plans and specifications in accordance with authorized procedures and adopted standards, followed approved scope of work, and incorporated materials report.
8. Layout Plans – An agency shall not submit layout plans that print on paper larger than 11 inches by 17 inches.
9. Documentation of Decision to Use Local Agency Forces – For all project phases, for any work performed by local agency forces in lieu of a primary contract, local agency must document that local agency forces could perform the work more cost effectively or timely than a contractor; and documentation of this decision can be supplied in case of audit.

- Documentation Supporting Local Agency Liability for Utility Relocation Costs – Local agency liability can be supported by the documentation of property rights, franchise rights/agreements, state and local statutes/ordinances, permits, or a finding by the local agency’s counsel.

Reimbursement

OCTA shall not reimburse for a project prior to the beginning of the fiscal year of the grant. If an agency receives an advancement and begins work prior to the start of the fiscal year of the grant, the agency may request an initial payment against the grant. If an agency receives an advancement and completes a project prior to the start of the fiscal year of the grant, OCTA shall disburse the grant in a single payment. OCTA must accept the final report prior to issuing a payment.

Calculation of Payment

Once an agency encumbers Measure M funds, the agency may request a maximum of 75 percent of the contract award amount or programmed amount, whichever is less. For situations where a grant exceeds \$2 million, (See Precept 36). An example of calculating the initial funding request for a standard 75/25 payment is described below.

Example:

CTFP Grant Allocation	OCTA Match Rate	Local Agency Match Rate
\$200,000	80%	20%

Step 1

$$\text{Eligible Expenses} \times \text{OCTA Match Rate} = \text{Product}$$

$$\$ 225,000.00 \times 80\% = \$ 180,000.00$$

Step 2

Check if Product is greater than or less than
CTFP Allocation Amount: **\$200,000**

Step 3

Use the lower of the **Product** or **Allocation** **\$ 180,000.00**
 In this case the \$180,000 amount is less

Step 4

Then multiply the **\$180,000** amount by 75% (Initial Payment Percentage)

\$180,000	X	75%	=	\$135,000.00
				Invoice Amount

Project O - Regional Capacity Program Final Report and Payment Process

The remaining CTFP funds are reimbursed to the lead agency following completion of the final reporting process. This final payment is calculated by considering the grant allocation amount, the minimum local agency match rate, how much has been previously reimbursed as part of the initial payment, and the total eligible costs that can be applied to the grant (see program specific eligibility sections). M2 funds are applied proportionally to all eligible project expenses. Prior to submitting the Final Report, review the following section which includes items important to the final reporting process. The CTFP Payment Supplement provides additional instructions and sample forms to complete payment requests. Payment requirements are located in this chapter.

Project Cost Changes

If the contract price is lower than the amount programmed, and the agency requested additional items and/or change orders during construction/study, OCTA may approve the additional costs during the review of the final report. OCTA will review these reports to:

1. Determine that the agency submitted proper justification for the change order(s)
2. Determine if the items are eligible for reimbursement
3. Confirm that expenses are within the project's original scope of work
4. The lead agency should provide information supporting the need for the change orders in the final report. Changes in project limits for construction projects are not eligible for reimbursement.

Final Payment Documentation Requirements

The items listed below are to be submitted to complete the final reporting process.

1. Invoice - For final payments, an agency shall invoice for the remaining balance of the contract amount or programmed amount, whichever is less. Final payment request invoices shall normally be approximately 25 percent of the eligible funds. Interest earned by an agency for initial payments received shall be applied to and deducted from the final payment balance amount.
2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2. This will include the certification that the project being reimbursed has meet the signage requirements laid out in Precept 21.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name,

contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants shall submit a purchase order that includes the scope of work for the contractor.

4. Plans, Specifications, & Estimate (PS&E) Certification – Agencies shall submit a PS&E certification using the PS&E Certification Form 10-4. The agency engineer shall certify that the local agency properly prepared and approved plans and specifications in accordance with authorized procedures and adopted standards, followed approved scope of work, and incorporated materials report.
5. Final Report Form – The local agency shall prepare a final report form using the final report Form 10-5A.
6. Division of Costs – The Division of Costs Form 10-6. Supportive material shall equal the division of costs totals that are located in the final report form.
7. OCTA shall reimburse general lump sum pay items, appraisal cost, design, and construction engineering in the same ratio as the total right-of-way acquisition or construction costs.
8. Proof of Project Payment – The required documentation that will be submitted includes approved contract invoices and may also include, but is not limited to, supportive material for agency work forces, equipment, material, and corresponding proof of payment. Additional records are required to be maintained as outlined in the Audit (Chapter 10).
9. Layout Plans – An agency shall not submit layout plans that print on paper larger than 11 inches by 17 inches (where applicable).
10. Documentation of Decision to Use Local Agency Forces – For all project phases, for any work performed by local agency forces in lieu of a primary contract, local agency must document that local agency forces could perform the work more cost effectively or timely than a contractor; and documentation of this decision can be supplied in case of audit.
11. Documentation Supporting Local Agency Liability for Utility Relocation Costs – Local agency liability can be supported by the documentation of property rights, franchise rights/agreements, state and local statutes/ordinances, permits, or a finding by the local agency's counsel.
12. Right-of-Way Documents – Each parcel shall include an appraiser's report, written offer letter, plat map, and legal description. Agencies attempting to acquire five or more parcels for a project shall include a parcel location map.

13. Summary of Right-of-Way Acquisition – Agencies shall submit a summary of right-of-way acquisition as described in the Summary of right-of-way acquisition Form 10-5B.
14. Notice of Completion – An agency shall submit The Notice of Completion form to certify the phase completion date (Form 10-7). See Definition 22 for phase completion date.
15. Before and After Project Photos (where applicable) – photographs showing the project before and after the improvements.

Electronic copies of all payment forms can be downloaded from OCFundtracker.

Timely Final Reports

OCTA will work with local agencies to ensure the timeliness of final reports by utilizing the following procedures:

1. Local agencies to notify OCTA of the project phase completion date within 30 days of completion.
2. Local agencies to file a final report within 180 days of project phase completion date.
3. OCTA to issue a notification to the project manager, public works directors or TAC representative(s) 90 days after the project completion date, as reported in OCFundtracker, to remind local agencies that the final report is due in 90 days. OCTA staff will provide guidance to assist in preparation of the final report.
4. OCTA to issue a final notice letter to the project manager, public works directors or TAC representative(s) with a copy to the agency's management and finance director if OCTA does not receive the final report within 180 days of the project completion date. The final notice letter will inform the local agencies that if OCTA does not receive a response to the final notice letter and the final report within 180 days, then the funds will be unencumbered and OCTA shall request that the agency return disbursed funds, plus interest.
5. OCTA to issue the final payment to local agencies within 60 days of receiving the complete final report and all supporting documentation.

Failure to Submit Final Report

Agencies who fail to submit a Final Report will be required to repay applicable M2 funds received for the project in a manner consistent with the Master Funding Agreement and/or will be found ineligible to receive M2 Net Revenues.

Excess Right-of-Way

Agencies that use Net Revenues (through CTFP or LFS programs) to acquire project right-of-way shall dispose of land deemed in excess of the proposed transportation use. Excess

land sold by the lead agency will be disposed of in accordance with the process established in Government Code, Article 8, Surplus Land, Section 54220-54232, etc. Seq. and the right-of-way acquisition/disposal plan submitted as part of the application process. The agency shall return proceeds from the sale to OCTA. OCTA shall return the funds to the program of origin for future use.

Proceeds from the sale of excess right-of-way shall be returned to OCTA in proportion to the amount of M2 funds used in the purchase.

Agencies shall submit right-of-way documents for all parcels utilizing M2 Net Revenues. Agencies must submit the following documents:

- Summary of the right-of-way required for the project
- Plat maps and legal descriptions for right-of-way acquisitions
- Parcel location map
- Identification of anticipated excess right-of-way, if any
- Appraisal reports for excess right-of-way

OCTA shall consider excess right-of-way with a value of \$10,000.00 or less as an uneconomic remnant. OCTA shall determine if excess right-of-way is to be considered an uneconomic remnant.

The agency shall submit a fair market value appraisal report for the excess land of each parcel. Appraisers must conduct appraisals in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP). If an agency suspects that the excess right-of-way has a value of \$10,000.00 or less, the agency may conduct a limited fair market value appraisal to confirm the value of the excess right-of-way. The agency shall submit the appraisals with the right-of-way final report.

OCTA shall retain from the final payment the value of excess right-of-way that is proportional to OCTA's percentage match rate to the project up to OCTA's match rate of right-of-way grant. However, if the local agency provided additional funds beyond what was original estimated, OCTA will be reimbursed based on its proportional share of the cost of right-of-way.

An agency may include incidental expenditures from the disposal of property in their final report for the right-of-way grant.

An agency shall begin the process to sell excess right-of-way within 60 days after acceptance of the construction improvements.

OCTA shall not close-out the right-of-way grant or construction grant until the agency and OCTA resolve questions regarding excess right-of-way.

Example:

OCTA’s right-of-way grant:	\$500,000	
OCTA grant match rate	75%	
Parcel Costs:		
Cost – Parcel 1:	\$300,000	
Cost – Parcel 2:	\$380,000	
Cost – Parcel 3:	\$120,000	
Cost – Parcel 4:	<u>\$100,000</u>	
Total right-of-way Costs:	\$900,000	
Payment with no excess ROW:	\$500,000	
Excess right-of-way:		
Value of excess right-of-way for parcel 1:	\$200,000	
Value of excess right-of-way for parcel 2:	\$105,000	
Value of excess right-of-way for parcel 3:	\$ 0	
Value of excess right-of-way for parcel 4:	<u>\$ 0</u>	
Total Value of excess right-of-way:	\$305,000	
OCTA contribution to right-of-way acquisition:		
CTFP right-of-way contribution	÷ Agency total cost of right-of-way	
	$\$500,000 \div \$900,000 = 56\%$	
OCTA’s shall reduce the final right-of-way payment by:		
Parcel 1:	$\$200,000 \times 56\% =$	\$112,000
Parcel 2:	$\$105,000 \times 56\% =$	+ <u>\$58,800</u>
Total:		\$170,800
Payment (incorporating excess right-of-way):		\$500,000
		- <u>\$170,800</u>
		\$329,200

Agency Workforce and Equipment Rental

An agency must provide supporting documentation for work completed by agency staff. It is recommended that a unique project job key be created for each project and all project charges be billed under that job code. The agency shall multiply the fully burdened labor rate by the number of hours for each staff person assigned to the project. An agency may add actual overhead costs at an allowable rate up to 30 percent of payroll and fringe

benefits. Where an agency due to size cannot calculate its specific overhead rate, an agency may refer to the Cost Accounting Policies and Procedures Manual (CAPP) of the California Uniform Public Construction Cost Accounting Commission, which allows for a fixed overhead rate billing dependent on city size. Where an agency has actual overhead costs that exceed 30 percent, these will be accepted when a fully audited cost allocation plan is provided and approved by the appropriate governmental entity listed in the CAPP or 2 Code of Federal Regulations Part 225.

An agency must provide supporting documentation for equipment used by local agency staff. An agency may use local agency or Caltrans surcharge and equipment rental rates.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP Guidelines and may conduct a technical and/or field review. As part of the technical/field review of a CTFP project, OCTA may:

- review right-of-way acquisitions and the potential for excess right-of-way
- compare hourly breakdown of staff time compared to staff time sheets
- conduct a project field review – ensure improvements are within scope
- review items that agencies self-certify
- verification of the reasonableness of project costs

OCTA may review all phases of the project.

OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e., expenditures, interest) to ensure compliance. OCTA will only reimburse eligible CTFP items listed on the cost estimate. The implementing agency is expected to complete the entire scope of work as presented in the original application.

See Chapter 10 for independent audit requirements beyond the technical/field review.

Reporting of Local Fair Share

For the purposes of reporting non-project work (maintenance, repair, and other non-project related costs) funded by Measure M local fair share funds, the Measure M2 expenditure report cited M2 Ordinance, Section III(B)(8) shall satisfy reporting requirements. If local fair share funds are used for projects, the local agency shall also include a list of those funds and/or other Measure M2 funds in the Project Final Report cited in Section III(B)(9).

Project P - Regional Traffic Signal Synchronization Program Reimbursements and Reporting Requirements

The previous sections of this chapter outline the process and requirements regarding reimbursements and reporting for all competitive programs that are part of Measure M2. A lead agency shall also use the following additional reporting and documentation requirements specific to any competitive project funded through Project P as part of the reimbursement process.

Procedures for Receiving Funds

Regional Traffic Signal Synchronization Program funds projects with a three (3) year grant. Projects are divided into two components for the purposes of reimbursements and reporting: Primary Implementation (PI) and Ongoing Operations and Maintenance (O&M). O&M will begin after the PI of the project is completed and be required for the remainder of the project and last for a minimum of two (2) years.

Primary Implementation includes the following:

- Project administration (required)
- Developing and implementing optimized signal synchronization timing (required)
- Producing a Before and After Study for the proposed project (required)
- Engineering design of signal improvements for the project (optional)
- System integration (optional)
- Proposed signal improvements, construction support, and contingency (optional):
 - New or upgraded detection
 - New or upgraded communication systems
 - Intersection/field system modernization and replacement
 - Minor signal operation improvements
 - Traffic management centers
 - Real-time traffic actuated operations and demonstration projects
- Contingencies (optional)
- Construction management (optional)

Ongoing Operation and Maintenance will begin after the Primary Implementation of the project is completed. Includes the following:

Monitoring and improving optimized signal timing (required)

- Communications support (optional)
- Detection support (optional)
- Final report (required)

A lead agency must encumber funds OCTA allocates to a project within the fiscal year of the grant and after funding agreements with OCTA are executed. A lead agency encumbers funds by awarding a contract or providing expense reports to prove the lead or a participating agency's workforce costs, provided that the lead agency intends to complete the Primary Implementation with lead agency or participating agency staff. Once an agency encumbers Project P funds for Primary Implementation, it can begin the process for receiving payment of the funds. Note that only the lead agency will receive payment of funds from OCTA. Any funds that are due to other participating agencies are the responsibility of the lead agency and not OCTA.

The project lead agency must submit payment requests through OCTA's online database, [OCFundtracker](#). Additional details about the retention caps, timely payment requests, project closeout, and payment are available in Chapter 9.

Availability of Funds

The funds allocated for projects will be available to project lead agencies July 1st of the programmed year and after funding agreements with OCTA are executed.

Initial Payment Requests for Primary Implementation

The initial payment will provide up to 75 percent of funds for the Primary Implementation of the project. The following information specific to the Regional Traffic Signal Synchronization Project is provided regarding the documentation requirements for initial payment of Primary Implementation after an agency encumbers funds for the project.

The interactive electronic versions of all payment forms can be downloaded via OCFundtracker.

The Primary Implementation report has been provided so a lead agency can determine the reporting and documentation required for an initial payment request. Staff may request additional documentation that is not listed on the Primary Implementation Report prior to approving the request. The electronic versions of the forms are available through the OCFundtracker.

Below is additional information regarding documentation requirements for RTSSP payment requests. The CTFP Payment Supplement provides instructions and sample forms for the items listed.

- Invoice - For initial payments, the lead agency shall invoice for 75 percent of the contract amount or programmed amount of the project's Primary Implementation, whichever is less. For final payments of the Primary Implementation, the lead agency shall invoice the remaining balance of the project's Primary Implementation phase contract amount or programmed amount, whichever is less
- Project Certification Letter (initial and final)

- Revised Cost Estimate (initial)
- Plans, Specifications, and Estimate (PS&E) Certification (initial and final)
- Certification of Phase (initial)
- Final Report Submission
- Division of Cost Schedule (final)
- Work Schedule - OCTA requires a complete project schedule, including expected start and completion dates for tasks in the Primary Implementation and Ongoing Maintenance and Operation phases (initial and final)
- Right-of-Way Documents - No requirements as Right-of-Way is not a part of RTSSP

Detail on other aspects on Initial Payment Requests for Primary Implementation including project advancement and reimbursement is available in this chapter.

Example of Initial Reimbursement for Primary Implementation:

CTFP Grant Allocation	OCTA Match Rate	Local Agency Match Rate
\$900,000	80%	20%

Step 1

Eligible Expenses x OCTA Match Rate = **Product**

$$\begin{matrix} \$ & 900,000.00 & \times & 80\% & = & \$ & 720,000.00 \end{matrix}$$

Step 2

Check if Product is greater than or less than

CTFP Allocation Amount: **\$900,000**

Step 3

Use the lower of the **Product** or **Allocation** **\$ 720,000.00**

In this case the \$720,000 amount is less

Step 4

Then multiply the **\$720,000** amount by **75%** (Initial Payment Percentage)

\$ 720,000.00	X	75%	=	\$540,000.00
				Invoice Amount

Final Payment Requests for Primary Implementation

OCTA will release the remaining balance to the lead agency, approximately 25 percent of funds for the Primary Implementation, when the project's Primary Implementation phase is complete and OCTA receives the project Before and After Study. The balance is determined based on the final costs for the eligible RTSSP expenditures. The Before and After Study is defined as the following:

This study shall at minimum collect morning and evening peak period using travel times, average speeds, green lights to red lights, stops per mile, and the derived corridor system performance index (CSPI) metric. In addition, greenhouse gas and gasoline savings should be identified. This information shall be developed both before any signal timing changes have been made and after the Primary Implementation. The study shall compare the information collected both before and after the timing changes. Comparisons shall identify the absolute and percent differences for the entire corridor, by segment, direction, and time period. Segments will be defined by major traffic movements as observed during the project (e.g. commuting segments between freeways, pedestrian-friendly segments in a downtown area, etc.).

A template for the before and after study is available. The Before and After Study for RTSSP shall be included as a requirement at the end of the Primary Implementation phase and as part of the Final Report for reimbursement purposes.

Payment Requests for Ongoing Operations and Maintenance

The payments for the Ongoing Operations and Maintenance portion of the project award will cover the remainder of the grant period after Primary Implementation is completed and will be paid as a reimbursement upon proof of work/payment and receipt of invoice. The invoice should include details on the ongoing operations and maintenance work done including on the required (1) work monitoring and improving optimized signal timing; and optional (2) communications and detection support.

O&M Project Final Report

The project final report shall be completed in accordance with all CTFP Guidelines upon the end of the three-year grant period. In addition, the final report shall summarize the full project through the three-year grant period, include the Before and After Study from the Primary Implementation phase, and report on additional updates/information that result from the Ongoing Operation and Maintenance phase.

Project X - Environmental Cleanup Program Reimbursements & Reporting Requirements

The CTFP Payment Supplement provides instructions and sample forms for ECP projects. The interactive electronic versions of all payment forms can be downloaded via OCFundtracker. These processes are applicable to the Tier 1 and Tier 2 Grant Programs:

Initial payments:

1. Invoice – For initial payments, an agency shall invoice for 75 percent of the contract amount or programmed amount, whichever is less. For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase; but, shall in no case be less than 10 percent of the grant for that phase. Should the 75/25 payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent threshold is reached (See Precept 35).
2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants shall submit a purchase order that includes the scope of work for the contractor.
4. Revised Cost Estimate – The agency shall use the format provided in the Revised Costs Estimate Form 10-3.
5. Plans, Specifications, & Estimate (PS&E) Certification Form 10-4.
6. The ECP Initial Report Form 10-15 must be submitted
7. Location Maps of Installation.

Final Reporting Process:

The items listed below are to be submitted to complete the final reporting process. A final report must be filed within 180 days of the project phase completion. Additionally, an exception to Precept 29: agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve, as such are the approving bodies for this program.

1. Invoice – For final payments, an agency shall invoice for the remaining balance of the contract amount or programmed amount, whichever is less. Final payment request invoices shall normally be approximately 25 percent of the eligible funds. Interest earned by an agency for initial payments received shall be applied to and deducted from the final payment balance amount.
2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants shall submit a purchase order that includes the scope of work for the contractor.
4. Plans, Specifications, & Estimate (PS&E) Certification – Agencies shall submit a PS&E certification using the PS&E Certification form 10-4.
5. Final Report Division of Costs Schedule -The agency shall use the format provided in form 10-6.
6. Notice of Completion – An agency shall submit The Notice of Completion form to certify the phase completion date. See definition 22 for phase completion date.
7. The ECP Final Report Form 10-16.
8. Location Maps of Installation.
9. Proof of Project Payment – The required documentation that will be submitted includes approved contract invoices and may also include, but is not limited to, supportive material for agency work forces, equipment, material, and corresponding proof of payment. Additional records are required to be maintained as outlined in the Audit chapter.
10. Form 10-17 (where applicable) Supporting documentation for O & M costs (if used as local match).

For Tier 1 of the Environmental Cleanup Program, where ongoing operations and maintenance of the project were pledged as a local match, as part of the semi-annual review reporting process, OCTA will verify local agency operations and maintenance expenditures to ensure local match commitments are being met. Local agencies must complete the In-Kind O&M Report Form 10-17 for each ECP grant as part of their semi-annual review updates.

Chapter 10 - Audits

Independent Audit Process Overview

Independent audits of CTFP projects may be initiated by OCTA's Internal Audit Department (or agent thereof). The project information on file at OCTA will serve as the primary source of information for each audit. However, additional information may be requested of local agencies.

Accurate records detailing specific expenditures for each CTFP project must be maintained by local agencies. These records must show that proper accounting and cash management procedures were followed, the project was completed in accordance with the application and the CTFP guidelines, and that all records and documentation related to the project were adequately maintained. Consistent with the M2 Ordinance, local agencies must also establish a separate fund accounting system for Measure M funds transactions and expenditures.

Local agencies must maintain a complete set of records in accordance with generally accepted accounting principles, and with reasonable notice, shall permit the authorized representatives of OCTA to inspect and audit all work, materials, payroll, contracts, books, accounts, and other data and for a period of five (5) years after final payment by OCTA for CTFP projects. For the Local Fair Share program, it shall be for a period of five (5) years after expenditure of funds or five (5) years after final payment of debt service where local fair share revenues were pledged, whichever is longer. OCTA has the right to reproduce any such books, records, and accounts. The provision with respect to audits should be extended to/and included in contracts with the local agency's contractor(s).

Record Requirements to Demonstrate Compliance

A description of the required records is given below.

Contracts

For all contract expenses the following records must be maintained:

1. The original executed contract
2. Evidence the procurement of contracted public works and architectural and engineering services followed applicable state laws and local agency procurement requirements
3. All contractor invoices received
4. All contract change order documents
5. Proof of payment to contractors
6. Project "as built" or other final plans

7. Sign-off on completion by Local Agency (letter of acceptance)

Materials and other

For all materials and other miscellaneous expenses charged to the Comprehensive Transportation Programs project, the following records must be maintained:

1. Original invoice and purchase order
2. Proof of delivery
3. Evidence of reasonableness of price, if total cost of purchase is over \$1,000
4. Proof of payment

Direct labor

For all direct labor charged to a project, including engineering labor, the following records must be maintained:

1. Summary time sheets showing total time charged to the project by the different individuals working on it
2. Individual time sheets or time cards showing the total time worked by the individual for each period (day, week, etc.) and the different tasks to which the individual's time was charged
3. Personnel files showing the individuals' pay rates
4. Payroll reports showing the computations of paychecks for the applicable periods

Equipment

Equipment rental charges related to a project shall be documented by the following records:

1. Vendor's or local agency's invoice showing hours, rate, and type of equipment and location of rented equipment
2. Evidence of quotes obtained to determine best rate (documented phone quotes are acceptable)
3. Documentation of project need for equipment

Local agency force work

For all construction phase work performed by local agency forces and the decision that local agency forces could perform the work more cost effectively or timely than a contractor must be documented.

Chapter 11 - Environmental Cleanup Program (Project X)

Overview

The Project X/Environmental Cleanup Program (ECP) provides for Measure M2 (M2) revenues to improve overall water quality in Orange County from transportation-generated pollution. Specifically, the Orange County Local Transportation Authority's Ordinance No. 3 (Ordinance), dated July 24, 2006, provides 2 percent of gross M2 revenue dedicated to protecting Orange County beaches and waterways from the conveyance of urban runoff associated with transportation-generated pollution. The ECP ensures that funds will be used on a countywide competitive basis to meet federal Clean Water Act standards for controlling transportation-generated pollution by funding nationally recognized Best Management Practices (BMPs).

As required by the Ordinance, an Environmental Cleanup Allocation Committee (ECAC), representing a broad cross-section of the water quality community, was formed in October 2007 to provide guidance on program design and funding. The goal of the ECP is to fund projects on a countywide, competitive basis. This will assist the County of Orange and Orange County cities in reducing transportation-related water quality pollution by meeting Clean Water Act standards for local waterways and beaches.

Proposed projects must demonstrate a direct nexus (connection) to a reduction of transportation-related pollution as developed and defined by the ECAC in conformity with the Ordinance. All proposing agencies must demonstrate an understanding of how their proposed projects meet the following transportation pollution nexus definition:

- Transportation-related activities can be a contributor of pollutants and/or impairments to receiving waters via aerial deposition, storm, and non-storm water discharges. Transportation-related activities are associated with the operation, construction, and maintenance of public roads, highways, and other ground transportation systems.
- The conveyance of transportation-related pollutants to surface and groundwater can occur from precipitation, runoff, and leaching entering or discharging from public roads, highways, and other ground transportation systems via drainage systems, such as catch basins, curbs, gutters, ditches, manmade channels, retention basins, or storm drains. The quality and quantity of these discharges vary considerably and are affected by hydrology, geology, land use, season, and sequence and discharge of hydrologic events.
- Pollutant sources can encompass right-of-way, properties, facilities, and activities related to motor vehicles, highway maintenance, construction site runoff, maintenance facility runoff, illegal dumping, spills, and landscaping care. Pollutant categories include, but are not limited to metals (such as copper, lead, and zinc), organic chemicals and compounds (hydrocarbons and pesticides), sediment, nutrients (nitrogen and phosphorus), litter, oxygen demanding substances (decaying

vegetation, animal waste, and other organic matter), groundwater dewatering discharges, and pathogenic material.

ECP funds are designed to supplement, not supplant, existing water quality programs. Proposed projects must improve and not replace existing pollution reduction efforts by an eligible party. Funds will be awarded to the most competitive projects with the highest benefit to water quality.

The intent of the ECP is to provide funding for water quality projects that do not replace existing transportation water quality expenditures. In other words, if a project has components which would replace features already in place or which would fulfill project specific mitigation, those components would not be eligible for funding consideration. Some upgrades and expansions may be eligible.

Proposed projects, which support compliance with the 2015 adopted Trash Provisions, are eligible for ECP funding provided the funds would not replace established and programmed funds and the funds are not applied to any mandated project design features or required mitigation measures.

The eligibility of the project and its components will be determined during the evaluation process. Contact Brianna Martinez at (714) 560-5857, or bmartinez@octa.net with questions.

Tier 1 Grant Program

Overview

The Tier 1 Grant Program is designed to mitigate the more visible forms of pollutants, such as litter and debris, which collect on the roadways and in the catch basins (storm drains) prior to being deposited in waterways and the ocean. It consists of grant funding for Orange County local governments to purchase equipment and upgrades for existing catch basins and other related BMPs (i.e., “street-scale” low flow diversion projects). Examples include screens, filters, and inserts for catch basins, as well as other devices designed to remove the above-mentioned pollutants. To date, seven Tier 1 calls for projects have been held. Through this process, many of the opportunities for street-scale BMPs have been fulfilled. Water quality projects, regardless of technology, are eligible for Tier 1 funding provided they have a verifiable benefit to water quality and fall within the maximum per project programming cap. The intent of this funding program is for project applicants to complete the work generally within one year from the letter agreement execution.

Tier 1 Project Types

The Tier 1 projects funded in the past include the following types. A description of each project type is provided below:

- 1) Automatic Retractable Screen and other debris screens or inserts: screen or insert units prevent debris from entering the storm drain system.
- 2) Irrigation system retrofits to reduce runoff: these projects decrease runoff from highway medians by using more efficient irrigation systems and/or replacing existing landscape to reduce the amount of water used in irrigation.
- 3) Continuous Deflection Separator (CDS): CDS units screen, separate, and trap debris, sediment, oil, and grease from storm water runoff.
- 4) Linear Radial Gross Solid Removal Device (GSRD): GSRDs are certified full capture systems which efficiently remove large solids from runoff water flows.
- 5) Marina Trash Skimmer: these devices draw in floating debris, such as plastics, bottles, paper, oil sheen, and drift wood. The installation of marina trash skimmers will reduce the amount of trash and debris reaching the open ocean.
- 6) Bioswales and Bioretention systems: pollutants and sedimentation are captured and subsequently removed from stormwater runoff.
- 7) Trash Boom: a floating boom placed across a channel captures trash and debris that have reached flood channels from being further conveyed to downstream receiving waters.

Pre-Application Process

In order to ensure the best use of M2 funds and assist eligible jurisdictions with the Tier 1 Grant Program, applicants may engage in a pre-application process with OCTA staff in project planning, cost estimate development, and determination of likely projected competitiveness. Specific meeting times will be established once the call is initiated. After the call for projects deadline and submittal of the grant application, applicants will not be able to change the content of the application or scope of the project.

Eligible Applicants

ECP funds can be used to implement street and highway-related water quality improvement projects to assist Orange County cities and the County of Orange to meet federal Clean Water Act standards for urban runoff and State Water Resources Control Board requirements for trash capture. Applicants eligible for ECP funds include the 34 Orange County cities plus the County of Orange. Eligible applicants must meet the transportation requirements discussed in the M2 Ordinance.

Third parties, such as water and wastewater public entities, environmental resource organizations, nonprofit 501(c) environmental institutions, and homeowners' associations cannot act as the lead agency for a proposed project, however; these agencies can jointly apply with an Orange County city and/or the County of Orange.

Two or more agencies may participate in a project. If a joint application among agencies and/or third-party entities is submitted, a preliminary agreement with joint or third-party entities must be provided as part of the application. In order to meet Ordinance requirements, an eligible applicant must be the lead agency for the funding application. If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as lead agency and must provide a resolution of support from all joint applicants.

Each eligible jurisdiction must meet the eligibility criteria as set forth in Chapter 1 of these guidelines.

Project Programming

The Tier 1 Grant Program approach is designed to be consistent with Chapter 2 of these Comprehensive Transportation Funding Program (CTFP) Guidelines regarding the provisions below:

- Program Consolidation
- Funding Projections
- Programming Adjustments
- Project Cost Escalation

- Programming Policies
- Schedule Change Requests
- Project Advancements
- Semi-Annual Review

Refer to Chapter 2 for explanations of the above provisions.

Funding Estimates

Approximately \$2.8 million is available for the 2018 Tier 1 call for projects.

The maximum amount for the Tier 1 Grant Program is \$500,000 per project. The maximum amount that an applicant can receive in a funding period is \$500,000.

Matching Funds

For the Tier 1 Grant Program, a minimum local match of 20 percent of the eligible project cost is required. The matching funds shall be provided as a cash contribution.

Retroactive expenditures cannot be credited towards the matching fund threshold.

Overmatch

For the Tier 1 Grant Program, administering agencies may “overmatch” ECP projects; that is, additional cash match may be provided for the project. Applicants will receive additional points in the evaluation process for matching with cash above the minimum requirement. Proposals that exceed the 20 percent minimum funding match will be given an additional one-half point for every five percent over the minimum cash match (up to five bonus points).

Additionally, administering agencies must commit to cover any future cost overruns if the project is underfunded. Any work not eligible for ECP reimbursement must be funded by other means by the project applicant and cannot count as match. These non-eligible items should not be included in the cost estimate breakdown in the application.

Reimbursements

For the Tier 1 Grant Program, OCTA will release funds through two payments. The initial payment will constitute 75 percent of the contract award or programmed amount at contract award. OCTA will disburse the final payment, approximately 25 percent of eligible funds, after approval of the final report. Further information on reimbursements can be located within Chapter 9 of these Guidelines.

Scope Reductions/Modifications and Cost Savings

Any proposed scope reductions of an approved project must be submitted to OCTA to ensure consistency with the Tier 1 Grant Program requirements. If the proposed scope reduction is approved by OCTA, cost savings will be proportionally shared between OCTA and the grantee - a reduction in ECP funds must be applied proportionally to maintain the

approved local match percentage. All cost savings will be returned to the Tier 1 Grant Program for reallocation for the subsequent call of projects.

Any minor scope modifications, such as BMP device quantities and/or the adjustment of device locations, must be submitted to OCTA for administrative approval prior to the implementation of the project. The proposed modifications must mitigate the same pollutants, affect the same waterways, and meet all other provisions as stipulated in these guidelines.

2018 Tier 1 Call for Projects

2018 Tier 1 Call for Projects applications must be received by OCTA **no later than 5:00 p.m. on Friday, May 18, 2018**. Projects that do not award construction contracts by June 30, 2019 will not be considered. OCTA allocates funds on July 1 of each year. Tier 1 projects are not eligible for delay requests; please refer to precept number 17 for additional information. Funds will become available upon execution of a letter agreement.

After the Tier 1 applications are reviewed by OCTA, an advisory panel will review and rank projects. Following a review by the ECAC, a recommended priority list of projects will be forwarded to the OCTA Board for approval in summer 2018. Funds allocated for projects are final once approved by the OCTA Board. No additional funds will be allocated to the project. Grantees are responsible for any costs exceeding the allocated amount.

Tier 1 Selection Criteria

OCTA will evaluate all proposals that meet the mandatory prerequisites based on competitive selection criteria (Exhibit 11-1) with the following categories:

- Problem and source identification
- Project design
- Operations and maintenance
- Project benefits
- Performance metrics
- Project implementation and readiness
- Secondary attributes*

*Note: Project elements which may qualify for points under the “secondary attributes” category do not need to be eligible expenditures. See Eligible Expenditures and Ineligible Expenditures sections for further information.

Each proposal can receive a maximum of 100 points, exclusive of five bonus points for cash overmatch. See Exhibit 11-1 for scoring categories and point distribution.

Exhibit 11-1 (Tier 1 Scoring Criteria)

Scoring Criteria	Points Possible												
1. Describe the need for the selected BMP(s), including nexus to transportation pollutants, and detail the benefits to water quality the BMP(s) will achieve. (up to 15 Points)	15												
2. Cost/Benefit (Up to 16 points): Based on information provided by the applicant, a cost/benefit calculation will be conducted to compare the total project cost to the area of priority land uses treated by the proposed BMP(s). Applicant is required to provide ¹ : <ul style="list-style-type: none"> • Types(s) of BMP(s) proposed • Number of each BMP type • Total drainage area(s) contributing to each BMP type • Percent of drainage area(s) that is/are considered priority land uses (i.e., high density residential, industrial, commercial, mixed urban, public transportation stations) The applicant must also provide geospatial information (through ArcGIS and/or Google Earth) that identifies the drainage area(s) and BMP location(s) for the project.	16												
3. Pollutant Reduction Benefits: Based on treatment capacity and BMP type, project benefit will be calculated using the scoring equation: $(A \times 3) + (B \times 3) + (C \times 6) =$ (up to 12 points) ¹	12												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Line</th> <th style="width: 60%;">Factor</th> <th style="width: 30%;">Points Available</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">A</td> <td>Fractional percent of 1 year, 1 hour event flowrate discharging from priority land uses to the BMP(s)</td> <td style="text-align: center;">0 to 1</td> </tr> <tr> <td style="text-align: center;">B</td> <td>Fractional percent of 85th percentile, 24-hr design event that is treated by a low-impact development (LID) or treatment control BMP²</td> <td style="text-align: center;">0 to 1.5</td> </tr> <tr> <td style="text-align: center;">C</td> <td> BMP Multiplier: <ul style="list-style-type: none"> ▪ 1/3 point for high capacity systems ▪ 2/3 point for filters/biofilters ▪ 1 point for zero-discharge BMPs </td> <td style="text-align: center;">0 to 1</td> </tr> </tbody> </table>		Line	Factor	Points Available	A	Fractional percent of 1 year, 1 hour event flowrate discharging from priority land uses to the BMP(s)	0 to 1	B	Fractional percent of 85th percentile, 24-hr design event that is treated by a low-impact development (LID) or treatment control BMP ²	0 to 1.5	C	BMP Multiplier: <ul style="list-style-type: none"> ▪ 1/3 point for high capacity systems ▪ 2/3 point for filters/biofilters ▪ 1 point for zero-discharge BMPs 	0 to 1
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C	BMP Multiplier: <ul style="list-style-type: none"> ▪ 1/3 point for high capacity systems ▪ 2/3 point for filters/biofilters ▪ 1 point for zero-discharge BMPs 	0 to 1											
¹ Applicants are not expected to calculate the score for question 2 and question 3. OCTA's technical consultant will provide the analysis for these questions based on the application materials provided by the applicant.													
² Examples include high capacity systems (i.e. hydrodynamic separators), filters/biofilters, or zero-discharge BMPs (i.e., retention/infiltration).													
4. How effective will the proposed project be in dealing with the more visible forms of pollutants, such as a litter and debris? (up to 10 points)	10												
5. What other BMP types were considered for this project? Why was the proposed BMP chosen? (5 points)	5												
6. Provide information on proposed BMP performance efficiency and/or effectiveness, including pollutant capture, storage capacity, flow capacity, etc. (up to 6 points)	6												
7. Project Readiness: The project schedule will be reviewed by the evaluation committee to determine when the proposed BMP will be operational following the OCTA Board of Directors approval. (up to 6 points):	6												
Less than 4 Months (6 points)	8 - 12 months (2 points)												
4 - 8 months (4 points)	More than 12 months (1 point)												

8. Secondary Attributes: Will the proposed project provide any benefits beyond water quality improvement (i.e., water use efficiency, public awareness, flooding control, recreation, habitat, sustainability)? (up to 5 points)	5
9. What is the methodology for measuring pollutant reduction before and after the BMP is implemented? How frequently will monitoring and performance assessment occur? (up to 10 points)	10
10. Provide an operations and maintenance plan for the lifespan of the proposed project. Include schedule of inspections, cleaning, removal and disposal of pollutants, repairs, etc. (up to 15 points)	15
<hr/>	
	100
12. BONUS: Are local matching funds in excess of the 20% minimum cash being proposed? If yes, at what percentage? (.5 point for each 5% cash overmatch, up to 5 points)	5
Note: overmatch bonus points can only be granted to projects with a cash match.	
<hr/>	
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Application Process

The following information, which is to be completed within the Tier 1 Grant Application Form, available electronically from OCTA, is required to evaluate and select projects. A checklist is included in the Tier 1 Grant Application Form to assist eligible agencies in assembling project proposals. The following project information will be necessary as part of the application process:

- Project Title
- Lead Agency Information
- Proposed Schedule
- Project Management
- Description and Scope of Proposed Project
- Integrated Regional Water Management Plan identification (if applicable)
- Project Readiness
- Performance Metrics
- Detailed Project Estimate
- Minimum 20% Local Match (cash match only)
- Joint-Application (if applicable)

In addition to the completed Tier 1 Grant Application, the following documentation is required as part of the application process:

- Project design or concept drawings, including preliminary design calculations, of proposed BMP
- Precise maps to show tributary drainage area and proposed location(s) for BMP installation including geospatial information (through ArcGIS and/or Google Earth)
- Digital project site photos

- Preliminary agreements with joint and/or third-party entities if part of the funding application (if applicable)
- A city council resolution specific to each proposed project and funding commitment. A final resolution authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board. See Exhibit 11-2 for a sample resolution.

For the Tier 1 Grant Program, an unbound original and two copies (total of three) of the completed application form and supporting documentation are to be submitted, plus a CD/DVD copy of the complete application materials. Use separate sheets of paper if necessary.

There is no maximum length for proposals. All pages must be numbered and printed on 8 1/2 x 11 sheets of white paper. Maps and drawings can be included on 11 x 17 sheets, folded into the proposal. The original proposal should be left unbound for reproduction purposes.

Submitted applications are considered final. Any applications that do not contain all required information and documentation will be disqualified.

Exhibit 11-2 (Tier 1 Sample Resolution)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL/BOARD OF THE CITY/COUNTY OF _____

AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR (PROJECT NAME).

WHEREAS, Orange County Local Transportation Ordinance No.3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality.

WHEREAS, the Environmental Cleanup, Tier 1 Grant Program consists of funding purchases and installation to catch basins with Best Management Practices, such as screens, filters, inserts, and other "street-scale" low flow diversion projects.

WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and

WHEREAS, (ADMINISTERING AGENCY) possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and

WHEREAS, by formal action the (GOVERNING BODY) authorizes the nomination of (PROJECT NAME), including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the (ADMINISTERING AGENCY) to act in connection with the nomination and to provide such additional information as may be required; and

WHEREAS, the (ADMINISTERING AGENCY) will maintain and operate the equipment acquired and installed; and

WHEREAS, the (ADMINISTERING AGENCY) will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 1 Grant Project; and

WHEREAS, the (ADMINISTERING AGENCY) will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and

WHEREAS, the (ADMINISTERING AGENCY) will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations;

WHEREAS, the (ADMINISTERING AGENCY) must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement.

WHEREAS, the (ADMINISTERING AGENCY) authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors.

WHEREAS, the City/County of _____ will provide a minimum of 20% in matching funds for the (PROJECT NAME) as required by the Orange County Comprehensive Transportation Funding Programs Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the City/County of _____ hereby authorizes (NAME OF AGENCY REPRESENTATIVE) as the official representative of the (ADMINISTERING AGENCY) to accept funds for the Environmental Cleanup, Tier 1 Grant Program for (PROJECT NAME).

BE IT FURTHER RESOLVED that the City/County of _____ agrees to fund its share of the project costs and any additional costs over the identified programmed amount.

Eligible Expenditures

- ECP funds must be for capital improvement. Construction management and project management cannot exceed 15 percent of the total construction costs.
- ECP funds can only be used for facilities that are in public ownership for public use; however, water quality improvements on private property, which are connected to municipal separate storm sewer systems, are eligible. (For example, a homeowner association can apply for funding through an eligible agency if the proposed project is connected to a public facility.)
- Reducing volume of surface flows is an integral factor of improving water quality, therefore, projects that have water-saving features (i.e., drip systems) are eligible for funding considerations.

Ineligible Expenditures

- Operations and maintenance costs are not eligible expenditures. Operations and maintenance costs cannot be utilized as a source of matching funds.
- ECP funds are not to be used for planning.
- Expenditures prior to the grantee executed letter agreement date cannot be considered eligible for funding or match.
- Landscaping installation and replacement are not eligible for funding consideration.
- Replacement of equipment funded with ECP funds that is still within its anticipated useful life (based on manufacturer's specifications).
- Capital equipment purchases related to regular on-going street maintenance efforts, including, but not limited to: trash receptacles, vacuum trucks and/or equipment, street sweepers, signage, etc.

Reporting and Reimbursement

A final report must be filed within 180 days of the project being completed with information as shown in Form 10-16. See Chapter 9 for the process and requirements regarding reimbursements and reporting for the Tier 1 Grant Program.

Additionally, an exception to Precept #36: Agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve, as such are the approving bodies for this program.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP guidelines and may conduct a field review. OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e., expenditures, interest)

to ensure compliance. Only CTFP eligible items listed on a project's cost estimate form will be reimbursed. See Chapter 10 for independent audit requirements beyond the technical and/or field review.

Additional Information

Completed applications and questions regarding these procedures and criteria should be directed to:

By mail:

Joseph Alcock
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584
Tel: (714) 560-5673
Fax: (714) 560-5794

In person:

Orange County Transportation Authority
600 South Main Street
Orange, CA 92863-1584

Tier 2 Grant Program

The Tier 2 Grant Program consists of funding larger (projects treating catchment areas of 50 acres or greater), potentially multi-jurisdictional, capital-intensive structural treatment best management practice (BMP) projects. Proposed projects covering smaller catchment areas which are otherwise eligible are not prohibited from the application process and will be regarded as eligible for consideration if the proposed project can demonstrate highly significant water quality improvement benefits (greater than other competing larger scale proposed projects) and cost-effectiveness under the scoring criteria guidelines. Tier 2 funds are designed to fund large-scale BMP construction projects. Examples include constructed wetlands, detention/infiltration basins and other large-scale BMPs that mitigate litter and debris, heavy metals, organic chemicals, sediment, nutrients, and other transportation-related pollutants. Funds will be awarded through a competitive grant process geared towards awarding funds to the highest scoring, most cost-effective projects.

Pre-Application Process

In order to facilitate a jurisdiction's best use of the Environmental Cleanup Program, Project X (ECP) funds, Tier 2 applicants may engage in a pre-application process with the Orange County Transportation Authority (OCTA) staff in order to assist jurisdictions in project planning, proposal and cost estimate development, and determination of likely projected competitiveness in the scoring criteria. The pre-application timeframe is defined as the time between the initiation of the call for projects (call) and one week prior to the application deadline date. Subsequent to the call deadline, applicants will not be able to change the content of their application or scope of the project.

Eligible Applicants

ECP funds can be used to implement street and highway-related water quality improvement projects to assist Orange County cities and the County of Orange to meet federal Clean Water Act standards for urban runoff. Applicants eligible for ECP funds include the 34 Orange County cities plus the County of Orange. Eligible applicants must meet the transportation requirements discussed in the Measure M2 (M2) Ordinance.

For Tier 2 multi-agency collaborations, eligible jurisdictions may partner with other entities such as special districts and non-profits, but the lead agency must be an M2 eligible jurisdiction.

Third parties, such as water and wastewater public entities, environmental resource organizations, non-profit 501(c) environmental institutions, and homeowners' associations cannot act as the lead agency for a proposed project, however; these agencies can jointly apply with an M2 eligible Orange County city and/or the County of Orange. Joint applicants must contribute to the project in some capacity (monetary contribution, time contribution, etc.).

Two or more agencies may participate in a project. If a joint application among agencies and/or third-party entities is submitted, a preliminary agreement with joint or third-party entities must be provided as part of the application. In order to meet M2 Ordinance requirements, an eligible applicant must be the lead agency for the funding application. If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as lead agency and must provide a resolution of support from the other agency. In addition, the applicant shall provide a schedule by which the lead agency will obtain a final agreement with a third party. The final agreement must be executed prior to contract award date.

Each eligible jurisdiction must meet the eligibility criteria as set forth in Chapter 1 of the Combined Transportation Funding Program (CTFP) Guidelines. For example, to apply for CTFP programs, local agencies must fulfill an annual eligibility process. Eligibility packages are due to OCTA by June 30 of each year. The M2 Eligibility Preparation Manual outlines the eligibility requirements in detail.

In order for an applicant to accept ECP funding for their proposed project OCTA has certain requirements that must be met. These requirements include adhering to the OCTA CTFP Guidelines; meeting a ten-year BMP operations and maintenance (O&M) commitment; and commitment to maintain and monitor the project commensurate with the design life.

Project Programming

The Tier 2 Grant Program is designed to be consistent in terms of approach with Chapter 2 of this CTFP Guidelines regarding the provisions below:

- Program Consolidation
- Sequential Programming Process
- Funding Projections
- Programming Adjustments
- Project Cost Escalation
- Project Readiness
- Programming Policies
- Schedule Change Requests
- Project Advancements
- Semi-Annual Review

Refer to Chapter 2 for explanation of the above provisions.

Funding Estimates

The Tier 2 program was funded beginning in winter 2012-13 using bond financing revenues with up to \$38 million allocated through fiscal year (FY) 2014-15. Beyond FY 2014-15, funding will be based on a pay-as-you-go basis. The maximum amount that

an individual project may receive of the initial \$38 million in Tier 2 funding is capped at \$5 million per project.

For the second Tier 2 call, approximately \$24.7 million is expected to be available. Applicants may request allocation of funds in either FY 2013-14 or FY 2014-15. Depending on the outcome of the first two Tier 2 calls, there may be a third call if there are residual funds available after the first two calls.

FY 2013-14 Tier 2 Implementation Timeline

The Tier 2 call will be open for 90 days. The FY 2013-14 Tier 2 applications must be received by OCTA **no later than 5:00 PM, September 20, 2013**. OCTA is seeking applications for projects, which can be awarded no later than June 30, 2014 for the FY 2013-14 funding cycle, or by June 30, 2015 for the FY 2014-15 funding cycle. Projects that do not obligate funds by the dates/cycles listed above will not be considered. Funds allocated by OCTA for each awarded project will be available on July 1st of that funding cycle year.

After the Tier 2 applications are reviewed by OCTA, an advisory panel will review and rank projects. Following review and recommendation by the Environmental Cleanup Allocation Committee (ECAC), a recommended priority list of projects will be forwarded to the OCTA Board for approval. Funds allocated for projects are final once approved by the OCTA Board of Directors (Board). No additional funds will be allocated to the project. Grantees are responsible for any costs exceeding the allocated amount.

Matching Funds

For the Tier 2 Grant Program, a minimum local match of fifty (50) percent of the project phase cost is required. These matching funds can be provided by cash contributions or in-kind services. Construction management and project management cannot exceed 15 percent of construction costs. Previously completed phases of a project may not be attributed to the match. Prior expenditures cannot be used as matching funds. In-kind services can include salaries and benefits for employees who work directly on the project. In-kind services for O&M cannot be pledged as a match.

Potential to reduce matching funds up to 30 percent

- Project readiness (i.e., environmental [5 percent], design [5 percent] or right-of-way (ROW) acquisition (5 percent) – up to 15 percent reduction. Note: 5 percent match reduction for ROW acquisition cannot be claimed if no ROW acquisition is required for the project.
- O&M commitment beyond ten years: Five years above commitment for a total of 15 years (10 percent reduction) or ten years above commitment for a total of 20 years (15 percent reduction).

If a joint application among agencies and/or third-party entities is submitted, matching funds documentation must clearly identify the entity providing the funds for each line

item in the matching funds description. Additionally, preliminary agreements are required to be submitted with the grant application that contains the matching funds commitments from a supporting agency.

Applicants must submit a draft BMP O&M Plan covering a minimum of ten years after project completion. The BMP O&M Plan must document (through a resolution) project O&M financial commitment and sustainability for ten years and is subject to an OCTA semi-annual (twice yearly) review process over the ten-year period. BMP O&M costs cannot be used for the match or in-kind services. Applicants must include as part of the O&M Plan project assessment and monitoring of performance. A documented 15- or 20-year draft BMP O&M Plan (submitted with application) will be eligible for a 10 percent or 15 percent matching funds reduction, respectively. Please refer to the County of Los Angeles Stormwater Best Management Practice Design and Maintenance Manual <http://dpw.lacounty.gov/DES/design_manuals/> for guidance.

Refer to Chapter 9 for reimbursement details. Sufficient documentation including council resolutions, purchase orders, invoices, and payroll records must be submitted with the funding request to enable OCTA to verify total project expenditures and eligible costs.

Matching rate commitments identified in the project grant application shall remain constant throughout the project. Match rate commitments may not be reduced for any reason.

Eligible Expenditures

- ECP funds are designed to fund capital improvements. Tier 2 funds are designed to be strictly used for project construction costs, although up to ten percent of total grant amount (i.e., funds requested) may be allocated to preliminary project design, environmental, or engineering costs.
- Tier 2 projects must meet the transportation nexus as outlined previously in this chapter.
- Eligible jurisdictions may use in-kind services to meet all or part of the matching funds requirement. These services can include salaries and benefits for employees of the eligible jurisdiction who perform work on the project or programs. Only those employees' salaries and benefits working directly on the project will be considered for the matching requirement. For Tier 2, construction management and project management cannot exceed 15 percent of the total construction costs.
- ECP funds can only be used for facilities that are in public ownership for public use; however, water quality improvements on private property, which are connected to municipal separate storm sewer systems, are eligible (For example, a homeowner's association can apply for funding through an eligible agency if the proposed project is connected to a public facility).

Ineligible Expenditures (including, but not limited to)

- Non-capital expenses for enhancements such as education, recreation, etc. are not eligible for Tier 2 grant funding.
- Expenditures prior to letter agreement execution cannot be considered eligible for funding or match.
- Benches
- Landscaping not directly related to improving water quality
- Trails/sidewalks, unless contributing to water quality improvement
- Lighting
- O&A (as in-kind match)
- Planning activities beyond ten percent of grant request
- Replacement of existing water quality features

Overmatch

For the Tier 2 Grant Program, administering agencies may "overmatch" ECP projects (up to 25 percent); that is, additional cash match dollars may be provided for the project. Applicants will receive additional points in the evaluation process for over matching with cash contributions. Proposals that exceed the 50 percent minimum funding match will be given an additional one point for every five percent over the minimum cash match (up to five bonus points). Overmatch must be a cash contribution and cannot be from another competitive M2 grant program.

Additionally, administering agencies must commit to cover any future cost overruns if the project is underfunded. Any work not eligible for ECP reimbursement must be funded by other means by the project applicant and cannot count as match. These non-eligible items should not be included in the cost estimate breakdown in the application.

Expenditures incurred prior to letter agreement execution cannot be credited towards the matching fund threshold.

Reimbursements

For the Tier 2 Grant Program, OCTA will release funds through two payments. The initial payment will constitute 75 percent of the contract award or programmed amount at time of award. OCTA will disburse the final payment, approximately, 25 percent of eligible funds, after approval of the final report. Further information on reimbursements can be located within Chapter 9 of the CTFP Guidelines.

Scope Reductions and Cost Savings

Any proposed scope reductions of an approved project must be submitted to OCTA to ensure consistency with the Tier 2 Grant Program requirements. If the proposed scope reduction is approved by OCTA, cost savings will be proportionally shared between OCTA and the grantee. A reduction in ECP funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 2 Grant Program for reallocation for the subsequent call.

Tier 2 Selection Criteria

OCTA will evaluate all proposals that meet the mandatory prerequisites based on competitive selection criteria with the following categories:

- Problem and source identification
- Project design
- Project implementation and readiness
- Project benefits
- Performance metrics

Each proposal can receive a maximum of 100 points, exclusive of five bonus points associated with a cash “overmatch,” which was discussed in a previous section. Tier 2 selection criteria include both technical scoring criteria –70 percent weighting – and non-technical scoring criteria –30 percent weighting.

A focus on several overarching concepts is emphasized in the funding guidelines and scoring criteria:

- Focus on a clear and measurable transportation nexus, defined as total lane miles in the project catchment area, as defined by the Master Plan of Arterial Highways
- Priority in the scoring criteria is given to projects in areas of highest water quality need, as established by predicted pollutant loading, receiving water monitoring, and the extent of impairment of receiving waters (i.e., higher priority given to 303(d) listed water bodies or project in a water quality plan)
- Quantification of project benefits where possible in terms of a load reduction metric (pollutants or water volumes), expressed in terms of cost-benefit
- Emphasis on project readiness, and ability to leverage funding
- Emphasis on other regional and environmental benefits
- Emphasis on multi-jurisdictional and public benefits

Application Process

The following information, which is to be completed within the Tier 2 Grant Application Form (Exhibit 11-2), is required by OCTA to evaluate and select projects. A checklist is included in the Tier 2 Grant Application Form to assist eligible agencies in assembling project proposals:

- Project Title
- Lead Agency Information
- Joint-Application (if applicable)
- Funding Request/Match Commitment
- Proposed Schedule
- Project Management
- Integrated Regional Water Management Plan identification (if applicable)

- Description of Proposed Project
- Project Priority
- Funding Cycle preference
- Performance Metrics (Project Specific Information)
- Funding Information

In addition, the following exhibits are required to be included within the submitted proposal:

- Project design or concept drawings, including preliminary design calculations, of proposed BMP
- Estimates of pollutant load reduction, calculated using Structural BMP Prioritization Analysis Tool (SBPAT) or equivalent
- Precise maps to show tributary drainage area and proposed location(s) for BMP installation
- Disposition of environmental clearance and permitting
- Discussion and disposition of long term maintenance agreement
- Discussion of multiple benefits
- Discussion of funding leveraging/overmatch
- Digital project site photos
- A project master schedule
- Preliminary agreements with joint and/or third-party entities if part of the funding application
- A draft resolution (final due prior to OCTA Executive Committee and Board approval)
- A ten-year draft BMP O&M Plan. Applicants may propose up to a 20 draft year BMP O&M Plan (if applicant desires match reduction)

Information can be completed utilizing the grant application exhibit. For the Tier 2 Grant Program, an unbound original and two copies (total of three) of the completed application form and related exhibits are to be submitted, plus a CD/DVD copy of the complete application. Use separate sheets of paper if necessary.

There is no maximum length for proposals. All pages must be numbered and printed on 8 1/2 x 11 sheets of white paper. Maps and drawings can be included on 11 x 17 sheets, folded into the proposal. *The original proposal should be left unbound for reproduction purposes.*

Reporting and Reimbursement

The Tier 2 Grant Program is consistent with Chapter 9 of the CTFP Guidelines regarding the process and requirements of reimbursements and reporting including semi-annual

reviews. Upon completion of project construction, a final BMP O&M Plan is required to be submitted along with the final report.

Additionally, an exception to Precept #36: Agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP Guidelines and may conduct a field review. OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e., expenditures, interest) to ensure compliance. Only CTFP eligible items listed on a project's cost estimate form will be reimbursed. See Chapter 10 for independent audit requirements beyond the technical and/or field review.

Additional Information

Completed applications and questions regarding these procedures and criteria should be directed to:

By mail:

Joe Alcock

Orange County Transportation Authority

P.O. Box 14184

Orange, CA 92863-1584

Tel: (714) 560-5372

Fax: (714) 560-5794

In person:

Orange County Transportation Authority

600 South Main Street

Orange, CA 92863-1584

Exhibit 11-3

ECP Tier 2 Grant Application

Project Title: _____

<p>Lead Agency Information</p> <p>(Project Administrator responsible for day-to-day project implementation)</p> <p>Name:</p> <p>Title:</p> <p>Address:</p> <p>Phone:</p> <p>Email:</p>	<p>FUNDING/MATCH SUMMARY</p> <p>TOTAL PROJECT COST (TPC) \$ _____</p> <p>Complete section "i." on next page to calculate amounts below</p> <p>TOTAL FUNDS REQUESTED \$ _____</p> <p>APPLICANT MATCH % _____ % (50% min. minus reductions)</p> <p>OVERMATCH COMMITMENT (must be cash and cannot be from a competitive M2 grant program) \$ _____</p> <p>APPLICANT MATCH AMOUNT</p> <p>Project is part of a larger effort (circle) Yes / No</p>	
<p>Joint Applicant / Third Party:</p> <p>Name:</p> <p>Title:</p> <p>Agency:</p> <p>Address:</p> <p>Phone:</p> <p>Email:</p>	<p>Joint Applicant / Third Party:</p> <p>Name:</p> <p>Title:</p> <p>Agency:</p> <p>Address:</p> <p>Phone:</p> <p>Email:</p>	<p>Joint Applicant / Third Party:</p> <p>Name:</p> <p>Title:</p> <p>Agency:</p> <p>Address:</p> <p>Phone:</p> <p>Email:</p>

Exhibit 11-3 (continued)
ECP Tier 2 Grant Application

i. Funding Request/Match Commitment:

Total Funds Requested (\$5 million max)	\$ _____	
Match Reduction Percentages (30% max)* Project Readiness up to 15% Draft Operations and Maintenance (O&M) Plan up to 15%	Applicant Match	Match Calculation
<ul style="list-style-type: none"> Minimum Required Match Percent (50% of the total eligible project cost) 	50%	50%
Project Readiness (check box if applicable) <input type="checkbox"/> CEQA Certification (must be certified) <input type="checkbox"/> Construction Documents Complete <input type="checkbox"/> ROW Acquired (only if required for this project)	5% reduction 5% reduction 5% reduction	Subtract <input type="text"/> % Subtract <input type="text"/> % Subtract <input type="text"/> %
Draft O&M Plan (10-year Plan Required) <ul style="list-style-type: none"> O&M Beyond 10 years: 15 years (10% reduction) or 20 years (15% reduction) 	10% or 15% reduction	Subtract <input type="text"/> %
Calculated Applicant Match Percentage	_____ %	
Applicant Overmatch Percentage (must be cash and cannot be from a competitive M2 grant program; see Part Two, #7)	_____ %	
Applicant Match Amount (Total Eligible Project Cost x Match Percentage)	\$ _____	
Estimated Eligible Grant Funded Expenditures**	Amount	Percentage
<ul style="list-style-type: none"> Construction 	\$ _____	_____ %
<ul style="list-style-type: none"> Project Management/Construction Management (max 15% of Construction Cost) 	\$ _____	_____ %
<ul style="list-style-type: none"> Preliminary Project Design, Environmental, & Engineering (max 10% of Total Funds Requested) 	\$ _____	_____ %
Total Eligible Expenditures (Cannot exceed total funds requested plus match amount)	\$ _____	

* Match reduction(s) require verification by evaluation committee.

** Provide if available. This information will be required for payment verification at time of invoicing.

Exhibit 11-3 (continued)
ECP Tier 2 Grant Application

i. Proposed Schedule: Provide an estimate of the project’s proposed schedule:

	Start Date	Completion Date
Third Party/Joint Applicant Agreement (must be executed prior to contract award date)		
Environmental Document		
Design and Permitting (if applicable)		
ROW (if applicable)		
Award of Contract		
Construction		
O&M (10 years minimum 15 or 20 years for match reduction)		

ii. Project Management

Provide an assessment of the management capabilities of the Applicant/Lead Agency. At a minimum, include an organization chart (as attachment), showing key project individuals who will be responsible for ensuring that the project is completed and has long-term sustainability.

iii. Partnerships

State in what capacity the joint applicant/third party will be contributing to the project (monetary contribution, time contribution, etc.) and explain the process and timing of the agreement between your agency and the joint applicant/third party.

Exhibit 11-3 (continued)
ECP Tier 2 Grant Application

i. Transportation Nexus

Describe how the project meets the transportation nexus definition. See page 11-1 and 11-2.

ii. Existing Water Quality Expenditures

Describe how the project supplements and does not supplant funding from other sources of transportation related water quality projects and programs (see Overview on page 11-1 for further details) This question may not apply to all projects.

iii. Integrated Regional Water Management Plan (IRWMP)

Is the proposed project identified in an existing IRWMP? Yes _____ No _____

iv. Description of Proposed Project

Describe the project and why it is important for controlling transportation-related pollutants to a watershed(s).

Exhibit 11-3 (continued)
ECP Tier 2 Grant Application

ii. Project Details:

INFORMATION REQUIRED	INPUT
1. Project Location (Street Address or Lat-Long)	
2. Project BMP Type (use CASQA or equivalent definition)	
3. Project Design Criteria. Select one: - Volume-based BMP (24-hour rainfall volume) - Flow-based BMP (design 1-hour intensity)	
4. Project Site Map	Provide as attachment (provide as geographic information service (GIS) file or in Google Earth format)
5. Project Tributary Drainage Area	Provide as attachment (provide as GIS file or in Google Earth format)

iii. Project Priority

If submitting an application for more than one project, is this project your agency's priority?

Yes _____ No _____

iv. Funding Cycle

If awarded funding, in which funding cycle would you like to receive funds? (Check one)

_____ FY 2013-14 (contract must be awarded by June 30, 2014 and funds would be available July 1, 2014)

_____ FY 2014-15 (contract must be awarded by June 30, 2015 and funds would be available July 1, 2015)

Exhibit 11-3 (continued)
ECP Tier 2 Grant Application

Part Two: Project Specific Information (scored)

Each proposal can receive up to 105 points, inclusive of five bonus points associated with overmatch commitment. Tier 2 selection criteria includes both technical scoring criteria (70 percent weighting) and non-technical scoring criteria (30 percent weighting)

- 1) Transportation Priority Index (5/100 pts – Coordination with OCTA required to determine points)

The Transportation Priority Index (TPI) is developed based on density of roadway lane miles within pre-defined catchment areas. OCTA will provide geospatial information (through ArcGIS and/or Google Earth) that will allow applicants to establish this point score based solely on project location/address.

Points (5 max)

(To be completed by OCTA)

- 2) Water Quality Need Analysis (40/100 pts – Coordination with OCTA required to determine points)

a) The Environmental Cleanup Allocation Committee (ECAC) agreed upon criteria upon which water quality Catchment Prioritization Index (CPI) scores were established. CPI scores quantify water quality need using the GIS-based Structural BMP Prioritization and Analysis Tool (SBPAT) and Orange County land use and receiving water data. OCTA will provide geospatial information (through ArcGIS and/or Google Earth) that will allow applicants to establish this point score based solely on project location/address.

Points (30 max)

(To be completed by OCTA)

b) The OCTA team reviewed County monitoring data and regulatory (303d) impairment lists to establish indices of water quality need based on receiving water quality. OCTA will provide geospatial information (through ArcGIS and/or Google Earth) that will allow applicants to establish this point score based solely on project location/address.

Points (10 max)

(To be completed by OCTA)

Exhibit 11-3 (continued)
ECP Tier 2 Grant Application

- 3) BMP Performance (25/100 pts – **Coordination with OCTA required to determine points**)
a) For Wet Weather (25 pts), develop water quality load reduction index (WQLRI)

A	B	C *	D *
Pollutant Family	Relative Contribution to CPI Score from SBPAT Prioritization Output	Avg. Annual Load Reduction from SBPAT Analysis Output (units vary, max 100)	Weighted Load Reduction (B x C)
Volume	___%		
Metals	___%		
Bacteria	___%		
Nutrients	___%		
TSS	___%		
	___%	dimensionless WQLRI (sum)	

* OCTA to complete

WQLRI/Total Project Cost **(to be completed by OCTA)**:
 Wet Weather Project Quantile **(to be completed by OCTA)**:
 Wet-Weather Points Allocated **(to be completed by OCTA)**:

- b) For Dry Weather (25 pts), estimate total dry-weather volume mitigated (include supplemental calculation package, including basis for estimates)

Proposed BMP Technology	
Estimated Total Dry Weather Flow Rate (cfs)	
Estimated Total Dry Weather Flow Rate Mitigated (cfs)	
Estimated Percentage of Dry-Weather Flow Removed or Avoided (MG/yr)	
Estimated Percentage of Dry-Weather Flow Treated to Water Quality Standards (MG/yr)	
Estimated Total Dry Weather Flow Volume Fully Mitigated (MG/year)	

Mitigated Dry Weather Volume/Total Project Cost **(to be completed by OCTA)**:
 Dry-Weather Project Quantile **(to be completed by OCTA)**:
 Dry-Weather Points Allocated **(to be completed by OCTA)**:

- c) Total BMP Performance Score **(all to be completed by OCTA)**
 Wet-Weather Points Allocated (from a)
 Dry-Weather Points Allocated (from b)
 Total Points Allocated (max 25 points)

Exhibit 11-3 (continued)
ECP Tier 2 Grant Application

4) Multiple-Benefits (semi-qualitative analysis) (10/100 pts max from subcategories *a, b, c, d, e*)
Any benefit above and beyond water quality improvement (load reduction benefit) should be addressed in these questions. All subcategories may not apply to your project.

a) Drainage (5 points maximum)

How does the project increase levels of protection or mitigate a flooding problem?

b) Recreational (5 points maximum)

How does the project provide a recreational benefit to the community?

c) Habitat (5 points maximum)

How does the project provide a habitat benefit?

Exhibit 11-3 (continued)
ECP Tier 2 Grant Application

d) Water Resources (5 points maximum)

Is there a potential water resources sustainability benefit? Describe.

e) Other (5 points maximum)

Describe any other benefit your project provides not previously addressed in a through d.

5) Project Readiness (10 points maximum)

Describe the project's readiness (i.e., how far along is the project with regard to concept development, cost estimates, design, environmental compliance, construction documents).

Exhibit 11-3 (continued)

ECP Tier 2 Grant Application

- 6) Policy (10/100 points maximum from subcategories *a* and *b*)
- a) Multi-Jurisdictional Project with Regional Benefit (maximum 10 points)
If the project is multi-jurisdictional, describe how it would provide a regional benefit.

- b) Community Support and Benefit (maximum 5 points)
Community support could include but not be limited to third parties who are either directly or indirectly involved with the project. For example, if a project is located adjacent to a private development, the homeowners' association could write a letter of support for the project. Likewise, community organizations may also write letters of support for the project. Does the project have community support and how will it provide a benefit?

- 7) BONUS POINTS: Ability to Leverage Funding (5 points maximum, 1 point per 5%, maximum 25%)
Will your agency provide matching funds above the minimum?

Part Three: Funding

Project Title: _____ Contact: _____ Agency: _____	Phone: _____ Email: _____
--	--

Local Match Detail

Cash Contribution					
In-Kind Services *					
Other Grants					
	Total	Match		\$	
	Commitment			-	

Source(s) of Local Match

- *In-Kind Services (excluding O&M):** Salaries and benefits for employees who will perform work on the proposed project are eligible as a matching requirement. Please provide details on how in-kind services are calculated. Identify the Fiscal Year(s) of In-Kind expenditure and amount for each year. Do not use acronyms.

- Other grants and/or funding:** This may include fair share funds, non-ECP state or federal grant funds, local city funds, general funds, developer fees, etc. Please list the name and amount of any respective non-ECP grants that are proposed as a match. If there are other grant type(s), include the status of each.

Part Four: Tier 2 Grant Program Resolution

SAMPLE AGENCY RESOLUTION REQUESTING FUNDS FOR PROPOSED PROJECT

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL/BOARD OF THE CITY/COUNTY OF _____
AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 2 GRANT
PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR
(NAME OF PROPOSAL) PROJECT.

WHEREAS, Orange County Local Transportation Ordinance No.3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality.

WHEREAS, the Environmental Cleanup, Tier 2 Grant Program consists of funding regional, potentially multi-jurisdictional, capital-intensive projects, such as constructed wetlands, detention/infiltration basins and bioswales, which mitigate pollutants including litter and debris, heavy metals, organic chemicals, sediment, and nutrients.

WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and

WHEREAS, (ADMINISTERING AGENCY) possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and

WHEREAS, by formal action the (GOVERNING BODY) authorizes the nomination of (NAME OF PROPOSAL), including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the (ADMINISTERING AGENCY) to act in connection with the nomination and to provide such additional information as may be required; and

WHEREAS, the (ADMINISTERING AGENCY) will maintain and operate the equipment acquired and installed; and

WHEREAS, the (ADMINISTERING AGENCY) will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 2 Grant Project; and

WHEREAS, the (ADMINISTERING AGENCY) will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and

WHEREAS, the (ADMINISTERING AGENCY) will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations;

NOW, THEREFORE, BE IT RESOLVED that the City/County of _____, hereby authorizes (NAME OF AGENCY REPRESENTATIVE) as the official representative of the (ADMINISTERING AGENCY) to accept funds for the Environmental Cleanup, Tier 2 Grant Program for (NAME OF PROPOSAL).

BE IT FURTHER RESOLVED that the City/County of _____, agrees to fund its share of the project costs and any additional costs over the identified programmed amount.

Tier 2 Checklist

Mandatory Application Items (check all items included in this package)

- Application (Parts 1 - 3)
- Environmental Document (if applicable)
- Preliminary Cooperative Agreement (if applicable)
- Project Cost Estimate
- Maps
- Design / Concept Drawing
- Digital Project Site Photos
- Project Schedule
- Draft Resolution
- Applicable Exhibits (refer to Tier 2 Guidelines)

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