



*Kern Council of Governments*

# **PROJECT DELIVERY POLICIES & PROCEDURES**

***FINAL***

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The Kern Council of Governments is the regional planning agency as well as the technical and informational resource, and ride share administrator for the area's 11 incorporated cities and the County of Kern. Following Board direction, staff coordinates between local, state, and federal agencies to avoid overlap or duplication of programs. This intergovernmental coordination enables staff to work with many public agencies to ensure that planning and implementation of programs proceed in a coordinated manner.

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# PROJECT DELIVERY

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# CHAPTER 1

## INTRODUCTION

### Purpose and Need

This document provides guidance to local government agencies in Kern County for obtaining transportation program funds administered by the Kern Council of Governments (KCOG) in partnership with state and federal agencies. This 2018 update incorporates additional information in Chapters 1, 2 and 3 based on new project development requirements from the California Transportation Commission State Transportation Improvement Program (STIP) Guidelines for 2017. Previous revisions from 2012 include Sustainable Communities Strategies framework concepts into the project selection process. These changes are summarized under the heading “What Programs Have Changed?” on the following page.

### Program Guidance Consolidation

This document combines five major funding programs into one document (Chapters 3 through 7), and includes an Implementation Procedures Overview chapter previously titled “Project Delivery Funding Policy Guidance” (Chapter 2). KCOG policies and procedures included in this document are:

- Implementation Procedures Overview - Chapter 2;
- Regional Transportation Improvement Program (RTIP) - Chapter 3;
- Regional Surface Transportation Program (RSTP) - Chapter 4;
- Congestion Mitigation and Air Quality (CMAQ) - Chapter 5;
- Active Transportation Program (ATP) - Chapter 6; and
- Transportation Development Act (TDA) - Chapter 7.

## What Programs Have Changed?

In 2012, in response to the passage of SB 375 that requires the implementation of strategies to reduce VMT, KCOG funding programs were examined to determine which of these programs could be modified to give greater priority to projects that support the implementation of SB 375 while remaining consistent with the overall goals of the KCOG Regional Transportation Plan (RTP). The evaluation lead to the recommendation to modify two of the five transportation programs included in this document: the RTIP and CMAQ programs. No changes were made to the RSTP, Active Transportation Program (ATP) and TDA programs.

Performance measures and ranking criteria for the selection of RTIP and CMAQ projects have been changed to give priority to project that reduce VMT and emissions, and promote livability consistent with the KCOG SCS framework. Ranking criteria associated with congestion relief, safety, and sustainability were not removed from the RTIP and CMAQ ranking criteria because these outcomes are consistent with the goals of the adopted RTP. Refer to Chapters 3 and 5 for more details on the new criteria for the RTIP and CMAQ programs respectively.

The RSTP was not modified because this program is the main funding source for local agency road rehabilitation projects in Kern County. Road rehabilitation is consistent with the KCOG RTP sustainability Goal to maintain facilities in a state of good repair. The project selection process for the ATP and TDA non-motorized/transit programs emphasize reduction in VMT and improvement in connectivity.

For this 2019 update, the Project Selection Policy and Procedures document will review and update Chapters 1, 2 and 3 as needed in order to reflect new performance measure analysis requirements reflected in the California Transportation Commission's State Transportation Improvement Program Guidelines.

## Consistency with the KCOG RTP and SB 375

The table on the next page summarizes the consistency between the Kern RTP goals and the performance measures/outcomes of the KCOG funding programs included in this document. The table also demonstrates that all programs include performance measures and outcomes that give priority to projects that reduce VMT, reduce emissions and improve livability consistent with SB 375. The RTSP program is focused on supporting the important outcome to maintain existing facilities in a state of good repair.



Funding Programs	KCOG RTP Goals							
	SB 375-Related Outcomes			Congestion Relief	Cost-Effectiveness	Safety	Sustainability/State of Good Repair	Economic Well-Being
	VMT Reduction	Emissions Reduction	Livability <sup>1</sup>					
RTIP	●	●	●	●	●	●	●	●
RSTP		●				●	●	●
CMAQ	●	●	●	●	●	●		●
ATP	●	●	●	●	●	●		
TDA	●	●	●	●	●	●	●	
<ul style="list-style-type: none"> <li>● = Performance measure included in the project ranking criteria</li> <li>● = Outcomes derived from eligible projects</li> </ul> <p><sup>1</sup> Livability includes enhancing or reducing the average cost of user mobility through the creation of more convenient transportation options for travelers; improving existing transportation choices by enhancing points of modal connectivity, increasing the number of modes accommodated on existing assets, or reducing congestion on existing modal assets; improving travel between residential areas and commercial centers and jobs; improving accessibility and transportation services for economically disadvantaged populations, non-drivers, senior citizens, and persons with disabilities, or make goods, commodities, and services more readily available to these groups.</p>								

The table on the next page illustrates the consistency between the program outcomes from the various KCOG funding programs (listed above) with the KCOG SCS Framework Strategies.

Outcomes from KCOG Transportation Funding Programs	KCOG SCS Framework Strategies																
					Road	Transit				Pricing				TDM			
	Modify Distribution of households, population, and jobs																
	Rebalance the mix of land uses																
	Increase the level of density																
	Improve the pedestrian environment																
	Add HOV lanes																
	Implement ITS / Traffic management																
	Add general purpose roadway lanes																
	Construct new transit lines																
Increase transit service																	
Upgrade transit service																	
Improve accessibility																	
Develop tolls and toll roads																	
Implement HOT lanes																	
Increase the cost of parking																	
Change in transit fares																	
Change in auto operation cost																	
Promote car/vanpooling, telecommuting/teleconferencing																	
Promote walking and biking																	
Implement employer-based trip reduction strategies																	

## Freight / Goods Movement

The RTIP is the primary funding source for capital improvements on the state highway system in Kern County. The new RTIP project selection ranking criteria support projects that improve truck traffic *throughput* by giving priority to projects that improve the flow of traffic. 15 percent (15%) of total possible points are targeted to regional projects that significantly reduce congestion and increase *velocity*. Other areas of concern are identified in the RTIP project ranking criteria and performance measures that improve travel time and *reliability* of the highway system are:

- Congestion Relief (level of service),
- Safety (accident and fatality rates),
- Cost-effectiveness (congestion and safety benefits in dollars from Cal B/C model),
- Travel-Time Savings (annual average in dollars),
- Vehicle Miles Traveled reduction (annual average)
- Environmental equity such as improved access to service.

For additional information on the RTIP project ranking criteria and performance measures, see page 3-9.

## How to Use This Document

Chapter 2 presents the policies and procedures for implementing projects funded through programs described in this document except for TDA. TDA policies and procedures are described in Chapter 7. Project sponsors (project lead agencies) should become familiar with the project delivery procedures and timeframe requirements described in Chapter 2 as they apply to all projects except TDA.

Each chapter begins with a Table of Contents summarizing the content (by headings and subheadings) within each chapter. All projects are required to have a resolution adopted by the lead agency supporting the project. A sample resolution is included in APPENDIX A.

A description of KCOG funding programs is presented in separate chapters (Chapters 3 through 7). Each chapter presents a detailed description of project eligibility and selection criteria for each respective funding program. Application forms and application instructions are included in APPENDIX B. Please note that there is a separate application form and application instructions for each funding program. Please refer to the table of contents in APPENDIX B, page B-1, to locate the appropriate application form and instructions.





# CHAPTER 2

## IMPLEMENTATION PROCEDURES OVERVIEW

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### Background

On December 4, 2015, President Obama signed into law Public Law 114-94, the Fixing America's Surface Transportation Act (FAST Act). The FAST Act funds surface transportation programs—including, but not limited to, Federal-aid highways—at over \$305 billion for fiscal years (FY) 2016 through 2020. The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) administer the policies and programs of the FAST Act. The Moving Ahead for Progress in the 21st Century Act (MAP-21), enacted in 2012, included provisions to make the Federal surface transportation more streamlined, performance-based, and multimodal, and to address challenges facing the U.S. transportation system, including improving safety, maintaining infrastructure condition, reducing traffic congestion, improving efficiency of the system and freight movement, protecting the environment, and reducing delays in project delivery. The FAST Act builds on the changes made by MAP-21 and continues both the Regional Surface Transportation Program (RSTP) and Congestion Mitigation Air Quality (CMAQ) programs with the same flexibility to fund road (including road rehabilitation), pedestrian, bicycle, and transit projects. The federal Transportation Alternatives Program is included and has been transformed into the state Active Transportation Program (ATP) in California.

**Federal Requirements (FAST ACT)** - STP, CMAQ, and Federal Transit Administration (FTA) funds (among other programs) must be obligated within 4 years of apportionment. Funds not obligated are lost to the state.

**State Requirements (AB-1012)** - RSTP and CMAQ funds must be obligated within 3 years of apportionment. Funds not obligated are lost to the region.

**Regional Requirements** - KCOG requires regional deadline requirements, including obligation, award and invoicing deadlines, to expedite project delivery and ensure funds are not lost to the region.

### Project Delivery Policy and Timeline

The RSTP, CMAQ and ATP programs, as well as other state and federal funds, are subject to regional project delivery policies. These policies are critical to ensure that the region is able to use its state and federally apportioned transportation funding in a timely manner. By meeting delivery targets, the region is able to maximize its use of all funding on transportation projects. In addition, if the region is successful in meeting state mandated delivery deadlines, it may be rewarded with more transportation dollars.

State Legislation (AB-1012) established penalties for not delivering RSTP or CMAQ and other federal-aid projects within prescribed deadlines. KCOG, working with its partners, has imposed its own deadlines to ensure funds are not lost to the region. These delivery deadlines at the federal, state and regional levels are outlined below.

KCOG has established these deadlines for funding in the RSTP and CMAQ Programs to ensure timely project delivery against state and federal funding deadlines. This policy establishes rules for enforcing project deadlines for these funds under the MAP-21 transportation authorization act. Key policy elements include:

- Obligation requests shall be submitted to Caltrans Local Assistance by February 1 of the year the funds are programmed in the Federal Transportation Improvement Program (FTIP);
- Funds shall be obligated by March 31 of the year programmed in the FTIP;
- The agency shall execute and return the Program Supplement Agreement (PSA) to Caltrans within 60 days of receiving the PSA from Caltrans;
- Once obligated, funds shall be invoiced against at least once every six months;
- For funds contracted out, a contract shall be awarded within 6 months of obligation;
- Projects shall be closed out within six months of final invoice.

Projects that do not meet these deadlines are subject to review and possible deprogramming by KCOG, or de-obligation by the Federal Highway Administration (FHWA). There is no guarantee

that funds are available once deprogrammed or de-obligated. The intent of this regional delivery policy is to ensure implementing agencies do not lose any funds because of a deadline and to provide maximum flexibility in solving potential problems in good faith. Figure 2-A on the next page summarizes the reporting procedures for implementation by KCOG staff to monitor and identify projects that fall behind schedule.

The Transportation Development Act (TDA) Program Article 3 Program is incorporated by reference, into Figure 2-A with regards to the delivery of regionally approved improvements. TDA Article 3 projects are subject to the requirement to submit a letter to Kern COG during the Kern COG policies and procedures for the TDA program as described in Chapter 7 of this document. Chapter 7 reflects the established and required process for the Article 3 program project selection and delivery process which is a sub-set of the entire TDA program. Approved Article 3 projects are to be included and discussed at the quarterly project accountability team meetings. Anticipated phased or larger projects may be exempt from the annual status letter when Kern COG is made aware through the call for projects process and written notice that the project is under consideration for a future allocation. However, once a project is identified in an adopted Program of Projects, that project will be subject to the timely use of funds provision. Additionally, a time limit is already established and described in Chapter 7 of this document to advance TDA Article 3 projects that receive funding approval through Kern COG. That policy is repeated below:

***Time Limitation*** - Projects approved for funding in one fiscal year shall be considered void if construction is not started by the end of the following fiscal year. Funds allocated within the Local Transportation Fund and those disbursed to a claimant's local treasury shall then be returned or refunded to the unallocated pedestrian/bikeway reserve account for reallocation during the next program funding cycle.

**FIGURE 2-A: PROJECT DELIVERY TIMELINE**

FFY Oct 1 to Sep 30	Description of Action Required
<b>FOR PROJECTS NOT YET APPROVED FOR E-76 IN SAME YEAR AS PROGRAMMING YEAR</b>	
<b>October 1 to January 1</b>	Project Lead ready to submit Request for Authorization to CT Office of Local Assistance (OLA )
<b>January 1 to January 31</b>	Lead agency submits Request for Authorization to CT OLA
<b>February 1 to February 30</b>	Lead agency reports in writing to KCOG / TTAC / TPPC on revised submittal schedule
<b>March 1 to March 31</b>	Lead agency to receive authorization to proceed (E-76) from Caltrans OLA
<b>March 1 to March 31</b>	KCOG develops and submits action plan to project delivery team and KCOG Board
<b>April 1 to June 30</b>	KCOG Project Delivery Team to follow up on delivery commitments and agree on action plan for Board consideration including the acceleration of other programmed projects and replacement proposals
<i>Important Note: Formal FTIP amendments are no longer available at predictable points in time due to air quality conformity requirements and federal financial constraint programming limitations. Project replacement solutions involving formal amendments require more time than what remains in a given federal fiscal year. Projects proposed for acceleration should rely on the "Expedited Project Selection Procedure" process, already in place, which allows for project delivery within the federal triennial element of the FTIP.</i>	
<b>FOR PROJECTS WITH APPROVED E-76 BUT NO CONTRACT AWARDED WITHIN 90-DAY PERIOD FOLLOWING E-76</b>	
<b>No Activity for 6 mo.</b>	Agency Letter to Caltrans Office of Local Assistance and copy to KCOG
<b>No Activity for 12 mo.</b>	Subject to Caltrans inactive Invoice Review and Action
<b>No response beyond 12 mo.</b>	Subject to FHWA de-obligation after 12 months of inactivity
<b>FOR PROJECTS WITH APPROVED E-76, AWARDED, STARTED BUT NO INVOICING ACTIVITY FOR MORE THAN 6 MONTHS</b>	
<b>No Activity for 6 mo.</b>	Lead Agency letter to Caltrans Office of Local Assistance and copy to KCOG
<b>No Activity for 12 mo.</b>	Subject to Caltrans inactive Invoice Review and Action
<b>No activity beyond 12 mo.</b>	Subject to FHWA de-obligation after 12 months of inactivity
<b>FOR PROJECTS WITH APPROVED E-76, CONTRACT AWARDED, WORK COMPLETED - BUT NO FINAL REPORT</b>	
<b>No Activity for 3 mos. or more</b>	Agency Letter to KCOG
<i>Important Note: The final report phase is necessary to close out the reimbursement account. Non-compliance to comply with final report deadlines may result in the state requesting full reimbursement for the obligated phase. Funding already encumbered would be lost both to the region and to the state.</i>	
<b>FOR PROJECTS REQUIRING CTC ALLOCATION VOTES</b>	
This process must occur in same year as programmed – Projects using RIP, IIP or ATP are subject to CTC allocation votes as outlined in the CTC approved STIP Guidelines. ATP projects are included in this category. Procedures above should include the additional reporting to both KCOG and the CTC as specified below.	
<b>No CTC vote request by March 1</b>	Submit request for extension
<b>No contract award for 6 mos.</b>	Submit request for extension
<b>POST - FTIP ADJUSTMENTS –PROJECTS WITH UNUSED PROGRAMMING OR IN NEED OF ADDITIONAL REIMBURSEMENT</b>	
All post FTIP adjustments are at the discretion of the Caltrans Office of Local Assistance or Federal Transit Administration.	
First priority for post FTIP adjustments –The implementing agency should first try to use or manage variations in cost.	
Second priority for post FTIP adjustments – Notify TTAC members and project delivery staff of availability of obligation authority from an encumbered project ready for final invoicing and project closeout.	
All post FTIP adjustments are subject to procedural limitations set by the Caltrans Office of Local Assistance, Federal Transit Administration and the Federal Highways Administration.	



### Implementation Procedures

KCOG staff regularly reports to the Transportation Technical Advisory Committee (TTAC) and Transportation Planning and Policy Committee (TPPC) on an annual basis of project delivery status for all projects identified in the Federal Transportation Improvement Program. Communication of project status requires the active participation of project managers and KCOG staff on a regular basis. In order to effectively administrate this project delivery policy, there is a need to gather project delivery information on a quarterly or possibly a monthly (ongoing) basis. To that end, KCOG staff shall develop a database application that supports a checklist and date completed database for all active federal-aid projects. This database will house analysis data; deadline information for use in comparing target dates to actual dates indicated for project delivery accomplishments. Should there be ongoing issues with the advancement of a project, KCOG staff will advise the TTAC and the TPPC of the issues surrounding project delays, require additional written information on the status and commitments from the implementing agency and whether there is an opportunity to redirect programming to another project. Directing the attention of the TTAC and TPPC to projects that have fallen behind will increase lead agency accountability and improve project delivery countywide.

### General Policy

KCOG has established deadlines for funding in the RSTP, CMAQ, Active Transportation Program (ATP) and other federal-aid transportation programs to ensure timely project delivery against state and federal funding deadlines. This document establishes a regional policy for enforcing project funding deadlines and project substitutions for these state and federal funds.

Projects in each federal-aid program are chosen based on eligibility, project merit, and deliverability within the established deadlines. It is the responsibility of the implementing agency at the time of programming, to ensure that regional deadlines and provisions of the project delivery policy can be met. KCOG staff will actively monitor and report the obligation status of projects to the TTAC and TPPC. KCOG staff will monitor project delivery and report issues as they arise and make recommendations to the TTAC and TPPC as necessary.

KCOG and the implementing agency or partnering agencies may determine that circumstances may justify changes to project programming as reflected in the currently approved TIP. These revisions, or amendments, are not routine. KCOG staff reviews all amendment proposals before the KCOG Board considers any formal actions on program amendments. All changes must follow KCOG's Public Involvement Process and Federal Air Quality Procedures and Conformity Protocol. Changes must be consistent with the Regional Transportation Plan (RTP), must not adversely affect the expeditious implementation of Transportation Control Measures (TCMs), must not negatively impact the deliverability of other projects in the regional programs, and must not affect the conformity finding in the FTIP.

In selecting projects to receive redirected funding, the KCOG Board may use existing lists of projects that did not receive funding in past programming exercises, or direct the funds to agencies with proven on-time project delivery, or could identify other projects with merit to receive the funding, or retain the funding for future programming cycles. The KCOG Board will make final decisions regarding the reprogramming of available funds based on KCOG staff recommendations, or the recommendation of the Executive Director or the recommendations of the TTAC.

### ***Project Cost Savings/Reductions in Scope/Project Failures***

From time to time projects may be completed at a lower cost than anticipated, or have a minor reduction in scope resulting in a lower project cost, or may not proceed to implementation. In such circumstances, the implementing agency shall notify KCOG and Caltrans within a timely manner, that the funds resulting from these ‘project savings’ will not be used. Project savings accrued prior to the established obligation deadline may be available for redirection within the program of origin. Savings within the formula based programs, such as county guaranteed funding returned to counties based on a population share, may be available for redirection by KCOG within the formula program. For all programs, the projects using the redirected savings prior to the obligation deadline must still obligate the funds within the original deadline. Project savings or unused funding realized after the obligation deadline return to KCOG. Any funds that have been obligated but remain unused will be de-obligated from the project and returned to the KCOG Board for redirection.

### ***Project Advances***

Obligations for funds advanced from future years of the FTIP will be permitted only upon the availability of surplus Obligation Authority (OA) and State Budget Authority (SBA) in a particular year, with current programmed projects that have met the delivery deadlines having priority for OA in a given year. Advanced obligations will be based on the availability of OA and will only be considered between May 1 and August 15 of each year. Obligation requests for surplus OA funds must be submitted no later than June 30; however, requests submitted by May 1<sup>st</sup> have a better chance of being obligated. Implementing agencies wishing to advance projects may instead request Advance Construction (AC) authorization from Caltrans (or pre-award authority from the FTA) to proceed with the project using local funds until OA becomes available.

### ***Specific Policy Provisions***

Projects selected to receive RSTP or CMAQ funding must have a demonstrated ability to use the funds within the established regional, state and federal deadlines. This criterion will be used for selecting projects for funding, and for placement of funding in a particular year of the FTIP. It is the responsibility of the implementing agency to ensure the funds can be used within the established regional, state and federal deadlines and that the provisions of the regional delivery

policy can be met. It is also the responsibility of the implementing agency to continuously monitor the progress of the programmed funds against regional, state and federal deadlines, and to report any potential difficulties in meeting these deadlines, (or difficulties in meeting the provisions of the regional delivery policy) to KCOG, Caltrans and partnering agencies within a timely manner, to seek solutions to potential problems well in advance of potential delivery failure or permanent loss of funding. Specific provisions of the Project Delivery Policies and Procedures are as follow:

- **Funds to be Obligated/Transferred in the Fiscal Year Programmed in the FTIP:** RSTP and CMAQ funds are to be programmed, up to the apportionment level for that fiscal year, in the FTIP within the fiscal year in which the funds are to be obligated by FHWA or transferred to FTA, similar to the programming of the State Transportation Improvement Program (STIP.) This will improve the overall management of federal OA within the region and improve the likelihood that OA and SBA will be available for projects that are programmed in a particular fiscal year.
- **Field Reviews:** Implementing agencies are required to request a field review within 6 months of KCOG's approval of the project in the FTIP for federal-aid projects receiving funding through the RSTP and CMAQ programs that are subject to AB-1012 or regional obligation deadlines. This policy also applies to federal-aid projects in the STIP. The requirement does not apply to projects for which a field review would not be applicable (such as FTA transfers, regional customer service projects and planning activities). Failure for an implementing agency to make a good-faith effort in scheduling and/or obtaining a field review from Caltrans Local Assistance within six months of programming into the FTIP may result in the funding being subject to reprogramming.
- **Complete Environmental Submittal to Caltrans 12 months prior to Obligation Deadline:** Implementing agencies are required to submit a complete environmental package to Caltrans for all projects (except those determined Programmatic Categorical Exemption as determined by Caltrans at the field review), twelve months prior to the obligation deadline for right of way or construction funds. This policy creates a more realistic period for projects to progress from the field review through the environmental and design process, to the right of way or construction phase. If the environmental process, as determined at the field review, will take longer than 12 months before obligation, the implementing agency is responsible for delivering the complete environmental submittal in a timely manner. Failure to comply with this provision could result in the funding being subject to reprogramming. The requirement does not apply to FTA transfers, regional customer service projects or planning activities.
- **Obligation/Submittal Deadlines:** Projects selected to receive RSTP, CMAQ and ATP funding must demonstrate their ability to obligate programmed funds by the established obligation deadline. Implementing agencies are responsible for delivering projects in the programming year of the TIP based on their original year requested. The implementing agency is responsible for meeting benchmark delivery deadlines.

Within KCOG-administered programs, implementing agencies may adjust programming up until April 1<sup>st</sup> of the programmed year, swapping funds to a ready project in order to utilize all of the programming capacity, subject to available OA. The substituted project(s) must still obligate the funds within the original funding deadline.

RSTP, CMAQ and ATP funds programmed in the FTIP are subject to an obligation/FTA transfer deadline of June 30 of the programmed fiscal year. Implementing agencies are required to submit the complete request for obligation or FTA transfer to Caltrans Local Assistance by April 1 of the fiscal year programmed in the FTIP, and receive an obligation/FTA transfer of the funds by June 30 the fiscal year programmed in the FTIP.

**February 1 - Regional Submittal Deadline:** Complete package submittals received by February 1 of the fiscal year programmed in the FTIP will receive first priority for obligations against available OA.

**February 2 - April 30:** Projects submitted during this timeframe are subject to deprogramming. If OA is still available, these projects may receive OA if obligated by April 30. If OA is limited, these projects would compete for OA with projects advanced from the following fiscal year on a first come-first serve basis. Projects with funds to be advanced from future years must request the advance prior to April 30, in order to receive the funds within that federal fiscal year.

**April 30 - Regional Obligation Deadline:** Funds not obligated (or transferred to FTA) by April 30 of the fiscal year programmed in the FTIP will be returned to KCOG for reprogramming. No extensions of this deadline will be granted. Projects seeking advanced obligations against funds from future years, must request the advance prior to April 30, in order to receive the funds within that federal fiscal year. The obligation deadline may not be extended. The funds must be obligated by the established deadline or they will be de-programmed from the project and redirected by KCOG to a project that can use the funds in a timely manner.

### ***Encumbrance/Liquidation/Project Close-Out Deadlines***

RSTP, CMAQ and ATP funds must be encumbered by an approved State funding agreement within one state fiscal year after the fiscal year of obligation. Furthermore, the funds must be fully liquidated (expended, invoiced and reimbursed), within four state fiscal years after the fiscal year in which the funds were obligated, and the project must be accepted and closed out within five state fiscal years after the fiscal year in which the funds were obligated. The provisions listed below are required in order to ensure no funds are lost after obligation. Failure to meet these requirements will result in the potential loss of funding for reimbursement of incurred project costs.

- Funds must be encumbered within one state fiscal year following the fiscal year in which the funds were obligated (encumbrance is approval of a funding agreement with the state). This requirement does not apply to FTA transfers.

- Construction/Equipment Purchase contract must be awarded within six months following the fiscal year in which the construction funds were obligated (this requirement does not apply to FTA transfers).
- Funds must be liquidated (expended, invoiced and reimbursed) within four state fiscal years following the fiscal year in which the funds were obligated (this requirement does not apply to FTA transfers).
- Project must be accepted and closed out within six months of the last expenditure, or within five state fiscal years following the fiscal year in which the funds were obligated, whichever occurs first (this requirement does not apply to FTA transfers).
- For FTA projects, funds must be approved/awarded in an FTA Grant within one state fiscal year following the fiscal year in which the funds were transferred to FTA.

Funds that miss the encumbrance, liquidation/project close out deadlines are subject to de-obligation if not re-appropriated by the State Legislature, or extended (for one year) in a Cooperative Work Agreement (CWA) with the California Department of Finance.

### ***Inactive Projects***

Most projects can be completed well within the state's seven-year deadline for project closeout. Yet it is viewed negatively by both FHWA and the California Department of Finance for projects to remain inactive for more than 12 months. It is expected that funds for completed phases will be invoiced within a reasonable time of completion of work for the phase, and projects will be closed out within a reasonable time following project completion. Implementing agencies that have projects that have not been closed out within 6 months of final expenditure, or have projects that remain inactive for more than 12 months, regardless of federal fund source, will have future OA limited for subsequent projects, and/or have restrictions on future programming.

The intent of this regional delivery policy is to ensure implementing agencies do not lose any funds due to missing a federal or state funding deadline, while providing maximum flexibility in delivering transportation projects. KCOG has purposefully established regional deadlines in advance of state deadlines, to provide the opportunity for implementing agencies, Caltrans, other partnering agencies and KCOG to solve potential problems and bring the project back on-line in advance of losing funding due to a missed state deadline. Although the policy is limited to the RSTP and CMAQ funds managed by KCOG, the state deadlines cited apply to all federal-aid funds administered by the state. Implementing agencies should pay close attention to the deadlines of other state and federal funds on their projects so as not to miss any other applicable funding deadlines.



# CHAPTER 3

## Regional Transportation Improvement Program (RTIP)

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### Background

The purpose of this chapter is to provide guidance in the development of a program of projects for inclusion in the State Transportation Improvement Program (STIP) by way of the Regional Transportation Improvement Program (RTIP). The following time line summarizes the project development process from the Regional Transportation Plan (RTP) to the Federal Transportation Improvement Program (FTIP). The RTIP is the required state funding document developed and adopted by KCOG acting as the state appointed Regional Transportation Planning Agency. Once adopted by the Kern COG Board of Directors, the RTIP is submitted to the California Transportation Commission (CTC) for inclusion in the STIP. Upon approval by the CTC, the program of projects in the RTIP is included in the FTIP. KCOG, acting as the federally appointed

Metropolitan Planning Organization for Kern County, develops the FTIP. CTC approval of the RTIP is subject to the CTC STIP Guidelines. Policy and procedural documentation in this report provides the necessary continuity for project development as they proceed over multiple fiscal cycles. The process is separated into two parts, first: the technical update of the program of projects not yet funded and then second: the biennial development of the RTIP document for submittal to the state. Projects submitted in the RTIP should be projects of regional significance.

### Air Quality Issues

The federal Clean Air Act Amendments (CAAA) of 1990, require that transportation improvement programs conform to applicable portions of the State Implementation Plan for air quality. Section 176(c) requires that air quality be given priority in program implementation. In non-attainment and maintenance areas, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must be able to find that the FTIP conforms to the adopted State Implementation Plan (SIP) and that priority is given to timely implementation of the transportation control measures found in the SIP. The projects in the FTIP should not further exacerbate the existing air quality problems. KCOG provides a conformity determination documenting that local air planning issues and programs demonstrate transportation control measures have been identified through a legitimate planning process. The determination states that these measures have received the necessary federal, state, and local commitment to ensure implementation and that these commitments are maintained through identification in the RTP and the necessary programming of funds in the FTIP.

### Development Process and Timeline

Acting in the capacity as the federally designated Metropolitan Planning Organization and the state-designated Regional Transportation Planning Agency, KCOG performs several functions to decide how RTIP funding is used. Projects of regional significance normally have a long lead-time that often take over a decade to deliver. After Kern COG evaluates and prioritizes its list of regional capacity projects and receives regional approval, the projects are integrated into the transportation long-range plan and into the transportation improvement programs as they advance through the various phases of project delivery.

Development of the RTIP is preceded by a significant data collection effort for project information prior to selecting candidate projects for funding. The timeline and the process summarized in Figure 3A on the next page provides an overview of the project information development and delivery process from introducing a project into the RTP to developing cost estimates, ranking, integration into the RTP Capital Improvement Program and final nomination for actual funding in the RTIP. Project data development will be 3-tiered process: 1) the purpose and need phase with regional output measures; 2) the merit criteria development phase and other STIP required

output data and 3) the RTIP reporting phase. All performance measure outputs will be developed prior to the final prioritization process so that output values become part of a significant project review and ranking process. Since delivery lead time is so lengthy for RTIP projects, ranking updates should be on a minimum 10-year cycle depending on overall delivery. It may be longer if there are failures in future STIP funding cycles.

<b>FIGURE 3-A: REGIONAL PROJECT DEVELOPMENT PROTOCOL</b>			
<b>PERFORMANCE MEASURE OUTPUTS, RANKING, AND PRIORITIZATION PROCESS OVERVIEW</b>			
Appoint Peer Review Team of 4 TTAC members: 1 – Bakersfield; 1 – Kern; and 2 other cities.			
Announce call for agency sponsored nominations for projects of regional significance.			
Apply screening criteria to nominated regional project list and modify list.			
Develop work description and purpose and need statement for each nominated project.			
Conduct technical peer review to evaluate work descriptions and purpose and need statements.			
Conduct data collection needed to evaluate and prioritize projects.			
Develop data collection for baseline regional outputs as required by the STIP Guidelines.			
Conduct technical peer review to evaluate all project related data.			
Circulate draft list of regionally significant projects to TTAC and KCOG Directors for comments.			
After all data is collected, assign ranking points to each project as outlined in this adopted policy.			
Conduct technical peer workshop to evaluate assigned ranking values.			
Develop a Project Programming Report to house project information for each ranked project.			
Approve final ranking of projects through the TTAC, TPPC and KCOG Board.			
Develop 10-Year Financial Plan for top ranked projects for metropolitan Bakersfield and for non-metro areas.			
Update KCOG RTP 24-Year constrained capital improvement program.			
Incorporate updated Capital Improvement Program into RTP, RTIP and FTIP as required.			
Every two years as part of the RTIP process, KCOG shall consider the 10-year plan status for regional projects.			
During the life of the 10-Year Plan, A new regional project shall not be introduced and supplant other projects.			
KCOG staff may introduce new projects of regional significance to the unconstrained project listing of the RTP.			
Updates should impact priorities beyond the constrained list of projects in the KCOG RTP.			
KCOG staff shall make a recommendation to the TTAC and TPPC for their approval when an update is needed.			

<b>FIGURE 3-B: RTIP PROCESS BIENNIAL CYCLE</b>			
<b>PHASE/BENCHMARK</b>	<b>START</b>	<b>FINISH</b>	<b>YEAR</b>
<b>RTIP Cycle Announcement – call for project updates</b>	January	February	Odd Year
<b>Develop updated Capital Improvement Program</b>	March	August	Odd Year
<b>Submit Regionally Approved RTIP to CTC</b>	September	December	Odd Year
<b>CTC Draft STIP and CTC Staff Recommendation</b>	January	February	Even Year
<b>CTC Adopts Final STIP</b>	February	March	Even Year
<b>Amend into current FTIP and new FTIP</b>	March	December	Even Year



## STIP Delivery Protocol – General Overview

After state and federal approval of amended TIP documents, the lead agency may request authorization to proceed. If programmed, the lead agency may request authorization to proceed with the environmental review, then the design phase, the rights-of-way phase after that and finally the construction phase, as programmed in the STIP. The draft design of the project must be reviewed by the Department of Transportation (Caltrans) and a final plan is developed incorporating the comments and suggestions resulting from the review. After the final design plan is approved by Caltrans, the lead agency may then request authorization to proceed for project construction. After authorization is received, the lead agency may proceed with construction. In most cases, the project is “cost reimbursable”, meaning that the lead agency must initially finance the project (i.e. buy supplies, pay contractors) and then submit the expenses to Caltrans for reimbursement. When the project is completed, a Notice of Completion is filed with Caltrans. The project is field checked by staff and instructions to issue final payment are issued. These policies and procedures may be revised by the KCOG Board of Directors at any time. CTC adopted STIP Guidelines supersede the Kern COG Project Delivery Policy and Procedures for this chapter. Because RTIP funds usually include federal funds, project sponsors must follow federal funding guidelines and environmental (NEPA and CEQA) processes. All projects require a Project Study Report prior to programming.

## Regional Priorities and Equity Guidance

The following shall guide the KCOG during the development of the RTIP. The bullets below mainly address funding equity issues and funding in the Metropolitan Bakersfield area and the remaining county areas. Bullet F addresses the special provision for Route 46.

- A. That 60% of the Regional Improvement Program (RIP) funding be programmed for the metropolitan Bakersfield area. Projects submitted by the City of Bakersfield and Kern County would be ranked on technical criteria adopted by the Kern Council of Governments Board of Directors.
- B. That 40% of the RIP funding be allocated to transportation projects outside the metropolitan Bakersfield area. These projects would be ranked on technical criteria adopted by the Kern Council of Governments Board of Directors.
- C. If, during any two-year funding cycle when a project is not ready to proceed, funds may be reserved for a future RTIP funding cycle or advanced to another project, if a metropolitan Bakersfield area project is not ready to advance, the funds could be used outside the

metropolitan area. If a project outside the metropolitan area is not ready to proceed, the funds may be reserved for the delayed project or advanced to a metropolitan Bakersfield area project.

- D. KCOG and its partners should pursue funding opportunities available from the Interregional Improvement Program (IIP) and/or other funding sources to fund transportation projects identified in the RTP. Any IIP or other special funding would not count either for or against the 60/40-balance between the metropolitan Bakersfield area and the remaining areas of the county. The 60/40-balance between the metropolitan Bakersfield area and the remaining areas of the county shall be the guiding factor.
- E. The metropolitan Bakersfield area shall be defined as that area identified in the Greater Bakersfield Vision 2020 General Plan adopted January 2001, as amended, except that the northern boundary of the metropolitan Bakersfield areas shall be the future south right-of-way line of Seventh Standard Road.
- F. On November 18, 1999, The KCOG Board of Directors recognized special circumstances associated with Route 46 from the San Luis Obispo County line to Interstate 5 and adopted special funding provisions for this project to widen the road from two to four lanes. Since that time, this portion of Route 46 was divided into four segments by Caltrans for project approval, environmental and construction purposes; and now the only remaining segment to deliver is Segment 4B; segments 1,2, and 3 are constructed; and segment 4A is under construction. KCOG still considers improvements to Route 46 a priority until the completion of segment 4B in recognition of those special aforementioned circumstances.
  - 1. KCOG shall commit and make available RIP funds for Route 46, to be programmed in the RTIP/FTIP, at such time that Segment 4B, the last remaining segment of the widening project from the San Luis Obispo County Line to Interstate 5, can legally move forward, and at such time that the CTC can consider and legally obligate IIP funds for the Route 46.
  - 2. A maximum of \$45 million in RIP was successfully dedicated to Route 46 for segments 1, 2, and 3, which leveraged a significant amount of federal earmark and state transportation funding far exceeding the \$45 million.
  - 3. In order to deliver Segment 4B, additional RIP will be made available for the remaining construction phase, limited to its use to supplement an expected dedication of new IIP funding for the final construction phase in the 2020 RTIP cycle and after spending down any remaining federal earmark revenue.
  - 4. No project shall be delayed if it is ready to proceed and a Route 46 project is not ready to move forward.

## Requirements for Capital Improvement Projects

### *Project Study Reports*

According to the CTC STIP Guidelines “a new project may not be included in either an RTIP or the ITIP without a complete project study report (PSR) or, for a project that is not on a State highway, a PSR equivalent.” This requirement applies to the programming of project development components as well as to right-of-way and construction. This requirement does not apply to the programming of project planning, programming, and monitoring. A PSR is a report that meets the standards of the CTC’s PSR guidelines. For the Active Transportation Program (ATP) projects, an application prepared in accordance with the CTC’s ATP guidelines is a PSR equivalent. For a transit project, the CTC’s Uniform Transit Application is a PSR equivalent. A project study report equivalent will, at a minimum, be adequate to define and justify the project scope, cost and schedule to the satisfaction of KCOG. Though a PSR or equivalent may focus on the project components proposed for programming, it must provide at least a preliminary estimate of costs for all components.

### *Environmental Only Projects*

The following guidance should be considered when introducing “Environmental Only” projects. The goal of introducing environmental only projects into the RTIP is that the region is prepared for future funding cycles above and beyond what is normally anticipated. However, environmental only projects should be introduced when it can be reasonably demonstrated that there will be available funding in future cycles to advance the construction phase. If increases to the County Share are offered by the state highway program, existing projects may be advanced, accelerating the opportunity for new project phases to be introduced. Staff should make recommendations to the technical Committee and policy Board when introducing new “Environmental Only” projects based on an updated cash flow analysis.

### *Completion of Environmental Process*

The CTC may program funding for project right-of-way or construction only if it finds that the sponsoring agency will complete the environmental process and can proceed with right-of-way acquisition or construction within the five-year period of the STIP. As outlined in the CTC STIP Guidelines and in compliance with Section 21150 of the Public Resources Code, KCOG may not allocate funds to local agencies for design, right-of-way, or construction prior to documentation of environmental clearance under the California Environmental Quality Act.

### Project Ranking

The following guidance focuses on sources used for data collection and formula calculations. Figures 3C and 3D present summarized lists of required planning and engineering data used for reporting, evaluation and ranking.

**FIGURE 3-C: DATA COLLECTION SUMMARY**

OUTCOME DESCRIPTION	DATA SOURCE	OUTPUT
<b>PURPOSE AND NEED STATEMENT</b>		
State the problem and the intended project objective	Region	Brief and specific narrative
Establish evidence of need or deficiency	Region	Brief and specific narrative
Provide specific multi-modal focus of deficiency	Region	Brief and specific narrative
Describe problem that is fixable or solvable	Region	Brief and specific narrative
Provide specific deficiencies for safety and access	Region	Brief and specific narrative
Provide support for work description / solution	Region	Brief and specific narrative
Provide specific data to support all deficiency claims	Region	Brief and specific narrative
<b>WORK DESCRIPTION</b>		
Describe multimodal solution to problem	Region	Brief and specific narrative
<b>PROJECT LEVEL OUTPUT REPORTING - REQUIRED BY ADOPTED CTC STIP GUIDELINES</b>		
new general purpose lane-miles	Project Scope	new lane-miles
new HOV / HOT lane-miles	Project Scope	new HOV / HOT lane miles
Lane-miles rehabilitated	Project Scope	lane-miles rehabilitated
New or upgrade bicycle/pedestrian/sidewalk miles	Project Scope	bicycle/pedestrian/sidewalk miles
Operational Improvements	Project Scope	number of operational improvements
New or reconstructed interchanges	Project Scope	number of interchanges
new or reconstructed bridges	Project Scope	number of bridges
Additional Transit miles or vehicles	Project Scope	added service miles
miles of new track	Project Scope	new track miles
Rail crossing improvements	Project Scope	number of rail crossings
Station improvements	Project Scope	number of stations
<b>REGION WIDE PERFORMANCE REQUIRED BY ADOPTED CTC STIP GUIDELINES</b>		
Does the RTIP further goals of region's RTP and SCS?	KCOG	Yes or No
What is the VMT Per Capita for entire region?	KCOG	baseline output
What is baseline % of congested VMT at or below 35 MPH?	KCOG	baseline output
What is the baseline % of commute mode share to work or school?	KCOG	baseline output
What is the % of distressed state highway lane-miles in Kern County?	CT / KCOG	baseline output
What is Pavement Condition Index in Kern County for Local Streets and	KCOG	baseline output
What is the % of bridge lane-miles in Kern County requiring repair?	CT / KCOG	Sufficiency Rating of 80 or below
What is the % of transit assets to surpass FTA useful life period?	KCOG	baseline output
What is the average extra time commuters add to their normal trip time?	KCOG	baseline output - reliability
What is the region wide fatality and injury rate for Kern County per Capita?	KCOG	Fatality and Injury Index - per capita
What is the region wide fatality and injury rate for Kern County per VMT?	KCOG	Fatality and Injury Index - per VMT
What is the % of transit access within 1/2 mile with 15-minute headways?	KCOG	Percentage of households
What is the average travel time to work or school?	KCOG	regional baseline output
What is the change in acres of agricultural land?	KCOG	regional baseline output
What is the change in CO2 reduction per capita?	KCOG	regional baseline output
What is the accessibility and on-time performance for rail and transit?	KCOG	regional baseline output
What is the regional fare-box recovery ratio for Kern County?	KCOG	regional baseline output

**FIGURE 3-D: SUMMARY OF DATA NEEDED FOR RANKING PROCESS**

OUTCOME DESCRIPTION	DATA SOURCE	OUTPUT
<b>SAFETY</b>		
Fatalities/capita/year and Injuries/capita/year (3-year average)	SWITRS	project vs. no project
Fatalities/VMT/year and Injuries/VMT/year (3-year average)	SWITRS	project vs. no project
<b>ENVIRONMENTAL SUSTAINABILITY</b>		
Change in accessibility (metric TBD)	KCOG	Project vs. no project
Change in on-time performance (metric TBD)	KCOG	Project vs. no project
<b>SYSTEM RELIABILITY</b>		
Highway Buffer Index – delay trip time	KCOG	project vs. no project
<b>CONGESTION REDUCTION</b>		
VMT / person / daily	KCOG	Project vs. no project
Percentage of VMT 35 MPR or less	KCOG	Project vs. no project
Percent mode share - work or school.	KCOG	Project vs. no project
<b>COST EFFECTIVENESS</b>		
Project cost-effectiveness vs. regional	CT B/C tool	Project vs. Regional
Project Benefit Cost Ratio	CT B/C tool	Build vs No Build
Project Life Cycle Cost	CT Calculator	Build vs No Build
Project GHG Impacts	ARB / EPA tools	Build vs No Build

## Project Screening Protocol

To ensure the development of a list of competitive regional projects, feasible to deliver and financially constrained over the next decade or more, the following protocol has been identified for review and approval.

- All nominated projects sponsored by a regional stakeholder, Kern COG, Caltrans or a combined partnership are subject to screening.
- Projects on the draft list of regionally significant projects shall be required to answer YES to all SCREENING CRITERIA prior to completing a full project benefits analysis done by Kern COG.
- Once the draft list of nominated projects of regional significance is screened, Kern COG staff shall develop purpose and need statements, cost estimates, and all performance measure and output data, in cooperation with stakeholders and the Technical Review Team.
- Prior to applying ranking point values, the project list will be reviewed again. If performance measure data does not validate screening criteria responses, a nominated project shall be removed from the draft list as a candidate project for regional prioritization and financial constraint.
- Kern COG staff will recommend a financial constraint estimate consistent with RTP financial assumption in order to moderate the final list of proposed projects into the constrained RTP project list.

- Once the regional project list is prioritized and financially constrained, Kern COG staff will complete a financial plan to use in future RTIP cycles and update the KCOG RTP Capital Improvement Program.
- If a project does NOT make it past the screening criteria, Kern COG staff, the sponsoring regional stakeholder, member agency, or Caltrans, may request that their project(s) be included in the KCOG RTP as a project on the unconstrained listing of regional projects.

<b>FIGURE 3-E: SCREENING CRITERIA</b>
Projects are subject to validation prior to development of a final list of financial constrained projects to be advances over the life of the Regional Transportation Plan.
SCREENING CRITERIA - YES OR NO
Safety – will the project improve the fatalities and injuries Index rate?
Sustainability – will the project improve the average trip time or on-time performance?
System Reliability – will the project improve the Highway Buffer Index (delay trip time)?

## Ranking Criteria and Point System

The Project Evaluation Criteria performance measures calculate a project's expected performance and impacts using specific metric formulas and data sources. Project ranking uses metric outputs from these criteria. Ranking criteria summarized in Figure 3H and Figure 3I below comprise the evaluation criteria used in the RTIP prioritization process.

**FIGURE 3-F: RANKING CRITERIA AND POINT SYSTEM SUMMARY**

<b>General Criteria</b>	<b>Percentage</b>
Congestion Relief - VMT Reduction	10
Congestion Relief - Percentage of VMT 35 MPH or less	10
Congestion Relief - Percent mode share - work or school	10
Safety – Fatalities and Injuries per person	15
Safety – Fatalities and Injuries per vehicle miles traveled	15
System Reliability – travel time savings (highway buffer index - delay)	10
Cost-Effectiveness - Benefit Cost Analysis	15
Sustainability - Emissions Reduction – all emissions	15
	<b>100 Points</b>

**FIGURE 3-F: RANKING CRITERIA AND POINT SYSTEM SUMMARY**

<b>Congestion Relief – Reduction in vehicle miles traveled (VMT)</b>	
The KCOG Model will calculate the reduction in vehicle miles traveled resulting from the project.	
	Points
Top 1/5 <sup>th</sup> (81% - 100%)	10
61% - 80%	8
41% - 60%	6
21% - 40%	4
Bottom 1/5 <sup>th</sup> (1% - 20%)	2
No reduction	0

<b>Congestion Relief – Reduction in vehicle miles traveled for segments at 35 MPH or less</b>	
The KCOG Model calculates VMT reductions for segments at 35 MPH or less.	
	Points
Top 1/5 <sup>th</sup> (81% - 100%)	10
61% - 80%	8
41% - 60%	6
21% - 40%	4
Bottom 1/5 <sup>th</sup> (1% - 20%)	2
No reduction	0

<b>Congestion Relief – Percent Mode Share</b>	
The KCOG Model will calculate project level impacts to mode share percentages.	
	Points
Top 1/5 <sup>th</sup> (81% - 100%)	10
61% - 80%	8
41% - 60%	6
21% - 40%	4
Bottom 1/5 <sup>th</sup> (1% - 20%)	2
No reduction	0

**FIGURE 3-F: RANKING CRITERIA AND POINT SYSTEM SUMMARY**

<b>Safety Ranking Criteria</b>	
<p>For the road segment within the project limits, average the last three years of accident data to calculate the following:</p> <ol style="list-style-type: none"> <li>1. Provide accident &amp; fatality rates per VMT (accidents/millions of vehicle miles (MVM); fatalities/MVM); and</li> <li>2. Provide accident and fatality rates per person (accidents/person/year); and fatalities/person/year.</li> <li>3. Provide the statewide average accident rates for fatalities and injuries for a similar facility.</li> </ol> <p>Data Sources: To estimate the reduction in accidents from various project improvements, refer to the Crash Reduction Factors (CRF) and report developed by the Federal Highway Administration at <a href="http://safety.fhwa.dot.gov/tools/crf/resources/fhwasa08011/">http://safety.fhwa.dot.gov/tools/crf/resources/fhwasa08011/</a> (Highway Manual? SWITRS? Caltrans?)</p>	
<p>Is the existing Accident Rate per person or VMT higher than the average rate for a similar facility? Does the project reduce the Accident Rate to the average rate or lower? <b>15 points</b> if answer is YES for both questions; <b>0 points</b> if answer is NO for either question.</p>	
<p>Is the existing Fatality Rate per person or VMT higher than the average rate for a similar facility? Does the project reduce the Fatality Rate to the average rate or lower? <b>15 points</b> if answer is YES for both questions; <b>0 points</b> if NO for either question.</p>	
<b>Max Points = 30</b>	

<b>System Reliability - Travel Time Savings</b>	
Ranking Criteria (projects are ranked relative to all other projects competing for funds)	Points
Top 1/5 <sup>th</sup> (81% - 100%)	10
61% - 80%	8
41% - 60%	6
21% - 40%	4
Bottom 1/5 <sup>th</sup> (1% - 20%)	2
No reduction	0



**FIGURE 3-F: RANKING CRITERIA AND POINT SYSTEM SUMMARY**

<b>Cost-Effectiveness – Benefit Cost Analysis</b>	
Use the latest version of the Caltrans Cal B/C Model to calculate the benefit cost analysis for each project. Rank projects based on their comparative B/C output.	
<b>Filtering Criteria:</b> the projects B/C output must exceed the regional value in order to receive any points	
<b>Ranking Criteria</b>	<b>Points</b>
Top 1/4 <sup>th</sup> (75% - 100%) – must exceed the regional value	15
50% - 74% - must exceed the regional value	10
25% - 49% - must exceed the regional value	3
Bottom 1/4 <sup>th</sup> - 1% - 24%; B/C Ratio must be at least 1.0 or exceed the regional BC value	1
B/C Ratio is under 1.0 or does not exceed the regional BC value	0

<b>Sustainability - Emissions Reduction</b>	
The KCOG Model will be used to calculate the reduction in vehicle emissions resulting from the project. KCOG Model emission rates are consistent with CARB's EMFAC Emission Rates. Output values determine point values compared to other projects.	
<b>Pollutant</b>	<b>Emissions Reduction Ranking Criteria</b>
<b>PM<sub>10</sub> (in kg/yr)</b>	Top 1/5 <sup>th</sup> (81% - 100%) = 5 61% - 80% = 4 41% - 60% = 3 21% - 40% = 2 Bottom 1/5 <sup>th</sup> (1% - 20%) = 1 No reduction = 0
<b>VOC+NO<sub>x</sub>+PM<sub>2.5</sub>+CO (in kg/yr)</b>	Top 1/5 <sup>th</sup> (81% - 100%) = 10 61% - 80% = 8 41% - 60% = 6 21% - 40% = 4 Bottom 1/5 <sup>th</sup> (1% - 20%) = 1 No reduction = 0
	<b>Max Points = 15</b>

# Chapter 4

## Regional Surface Transportation Program (RSTP)

<b>Background .....</b>	<b>4-1</b>
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### Background

The Regional Surface Transportation Program (RSTP) was established by the Intermodal Surface Transportation Act of 1991 (1991 ISTEA, Public Law 102-240) and was continued by the Transportation Equity Act for the 21st Century (TEA-21, Public Law 105-178) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) under 23 U.S.C. 149. SAFETEA-LU was scheduled to expire on September 30, 2009, but was extended through September 30, 2012. On July 6, 2012, “Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)” was signed into law and continues RSTP and all previous eligible activities including road rehabilitation. MAP-21 provides funding over a two-year period starting October 1, 2012 (FY12-13) and ending September 30, 2014 (FY 13-14).

The RSTP program can be used to maintain and improve the existing transportation system, expand the system to reduce congestion, and to establish programs and projects that will assist the region in reducing mobile emissions and help meet federal air quality standards. RSTP funds are reimbursable federal aid funds, subject to all the requirements of Title 23, United States code. Eligible costs for funds under these programs include preliminary engineering, right-of-way acquisition, capital costs, and construction costs associated with an eligible activity.

Developing policies, procedures and criteria to program RSTP projects provides a consistent framework to develop projects for inclusion in the Federal Transportation Improvement Program. The federal-aid process involved in implementing transportation projects requires

substantial effort from the project lead agency in submitting required information for federal-aid reimbursement as projects are executed.

- The policies, procedures and criteria should be used to develop a regionally balanced program of projects while building consensus among member agencies throughout the process.
- Building consensus at the Transportation Technical Advisory Committee (TTAC) level is necessary before presenting a final list of proposed projects to the Transportation Planning Policy Committee (TPPC) and Kern Council of Governments (KCOG) Board for their approval.
- Approval by the TPPC is the final determination that consensus is achieved for the program of projects.

## Development Timeline

After funding allocations for RSTP are determined by Caltrans, KCOG shall initiate a “Call for Projects” to develop new projects for inclusion into the Federal Transportation Improvement Program (FTIP), either by amendment into a current FTIP or included as part of the development of a new FTIP. TTAC meets monthly to review transportation items and recommend actions to the TPPC. Figure 4-A below provides a list of events leading up to the programming of new RSTP projects in the FTIP. The schedule reflects a ten-month time span from the call for projects to inclusion in the FTIP.

**Figure 4-A: RSTP Milestones for Project Submittal & Approval**

RSTP Milestones	
<b>Month 1, Year 1</b>	RSTP Allocation estimates received from Caltrans;
<b>Month 2, Year 2</b>	Issue a call for projects (4 months);
<b>Month 7, Year 2</b>	Project submittal deadline;
<b>Month 8, Year 2</b>	Evaluate and rank applicable projects; Develop draft program of projects
<b>Month 9, Year 2</b>	Draft program of projects is reviewed by TTAC;
<b>Month 9, Year 2</b>	Draft program of projects is reviewed by TPPC;
<b>Month 10, Year 2</b>	Request recommendation of approval by TTAC of Final List of Projects;
<b>Month 10, Year 2</b>	Hold public hearing and request TPPC approval on Final List of Projects.
<i>Note: Additional cycles may be implemented at the discretion of KCOG staff that follows the time frame as defined above. Even year = Year 1; Odd year = Year 2</i>	

## Programming Guidance

The following policy guidance shall direct the programming of available RSTP funding:

- RSTP funding shall be used for eligible RSTP projects submitted by each member agency.
- Estimated RSTP funds shall be distributed based on project eligibility, and current population percentages.
- The RSTP program is not a grant or formula-driven program. Population percentages shall be used as a fair-share guidance, to assemble a program of projects for inclusion into the FTIP.
- Agencies must demonstrate the ability to process projects in a timely manner, so that funding is not lost to the Kern region due to delays or mismanagement.
- KCOG shall retain the right to redirect program funding to other agencies so as not to lose funding to the Kern region.
- A regional RSTP project may be nominated by the KCOG Board for review by the TTAC / TPPC for possible inclusion into the FTIP.

## Screening Criteria

Proposed RSTP projects must meet all of the following screening requirements, where applicable. If a proposal meets all of the applicable criteria, it is eligible for prioritization; if not, it cannot be considered for funding.

- ☐ Project must be included in a local agency-adopted resolution supporting the project.
- ☐ Project is eligible for RSTP funding as set forth in 23 USC 133(b), as amended.
- ☐ Project applicant is either a public agency, i.e. city, county, Caltrans, transit operator, transit authority, or a nonprofit agency or group with the sponsorship of a public agency.
- ☐ Successful project applicants or their sponsors must have executed a master agreement with Caltrans in order to be authorized to expend funds for reimbursement under this program. Agencies without a master agreement will either need to obtain one or the sponsorship of an agency that does have one.
- ☐ Road projects must have a functional classification of urban collector, or major rural collectors or higher.
- ☐ The project must comply with the Americans with Disabilities Act (ADA) requirements.
- ☐ The project must be consistent with the currently approved Regional Transportation Plan.

- ☐ The applicant or their sponsor must have financial capacity to complete, operate and maintain the project.
- ☐ Funds required from other sources must be reasonably expected to be available within the time frame needed to carry out the project.

### **Project Eligibility**

RSTP funds may be used on federal-aid roads classified above the level of a local road in urban areas or above a minor collector in rural areas. Listed below are eligible projects:

- ☐ Construction, reconstruction, rehabilitation, resurfacing, restoration, and operational improvements for highways and bridges;
- ☐ Capital costs for transit projects and publicly owned intracity or intercity bus terminals and facilities;
- ☐ Car pool projects, fringe and corridor parking facilities and programs; and bicycle transportation and pedestrian walkways;
- ☐ Highway and transit safety improvements and programs, hazardous elimination, projects to mitigate hazards caused by wildfire, and railway-highway grade crossings;
- ☐ Highway and transit research and development, and technology transfer programs;
- ☐ Capital and operating costs for traffic monitoring, management, and control facilities and programs;
- ☐ Surface transportation planning programs;
- ☐ Transportation enhancement (TE) projects;
- ☐ Transportation control measures (TCMs);
- ☐ Participation in wetlands mitigation efforts.

# Chapter 5

## Congestion Mitigation and Air Quality Program (CMAQ)

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## Background

The Congestion Mitigation and Air Quality (CMAQ) program was established by the Intermodal Surface Transportation Act of 1991 (1991 ISTEA, Public Law 102-240) and was continued by the Transportation Equity Act for the 21st Century (TEA-21, Public Law 105-178) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) under 23 U.S.C. 149. SAFETEA-LU was scheduled to expire on September 30, 2009, but was extended through September 30, 2012. On July 6, 2012, the “Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)” was signed into law and continues the CMAQ program to fund projects likely to reduce air pollution. MAP-21 provided funding over a two-year period starting October 1, 2012 (FY12-13) and ending September 30, 2014 (FY 13-14) followed by continuing resolutions. The CMAQ program is continued with the enactment of Fixing America’s Surface Transportation Act, or “FAST Act” which was signed into law on December 4, 2015. It is a 5-year transportation bill.

CMAQ funding can be used to maintain and improve the existing transportation system, expand the system to reduce congestion, and to establish programs and projects that will assist the region in reducing mobile emissions and help meet federal air quality standards. CMAQ funds are reimbursable federal aid funds, subject to the requirements of Title 23, United States code. Eligible costs for funds under these programs include preliminary engineering, right-of-way acquisition, capital costs, and construction costs associated with an eligible activity.

The purpose of developing this policy guidance, procedures and criteria to program CMAQ projects is to provide a consistent project development framework. It is used to develop a regionally balanced program of projects while building consensus among member agencies and the public throughout the planning process. Once locally approved, CMAQ projects must then be included in the Federal Transportation Improvement Program (FTIP) prior to reimbursement of federal funding. The federal-aid process to build transportation projects requires substantial effort from the lead agency to submit paperwork required to process a project once it's identified in the FTIP. Therefore, projects should be developed and incorporated into the FTIP in a timely manner so as to allow sufficient time to deliver them.

### Development Timeline

After funding allocations for CMAQ are determined by Caltrans, KCOG shall initiate a call for projects to develop projects for inclusion into the FTIP, either by amendment into a current FTIP or included as part of the development of a new FTIP. The Transportation Technical Advisory Committee (TTAC) meets monthly to review transportation items and recommend actions to the Transportation Planning Policy Committee (TPPC). Detailed below and in Figure 5-A on the next page is a list of events leading up to the programming of new CMAQ projects in the FTIP. The schedule reflects a 12-month time span from the call for projects to inclusion in the FTIP.

- KCOG shall first issue a “Call for Projects” announcement to the member agencies at the Transportation Technical Advisory Committee (TTAC) meeting and the Transportation Planning Policy Committee (TPPC) meeting. An application form and instructions giving specific information regarding what type of projects are eligible and application process information are distributed. Eligible applicants are organizations that have the ability to accept and account for federal funding. There is a date established as to when the applications must be returned to KCOG.
- KCOG staff shall first evaluate applications for consistency and accuracy. KCOG shall create a subcommittee of TTAC volunteers to review and comment on submitted applications. The subcommittee shall be given the opportunity to ask questions of KCOG staff and project sponsors during the meeting for clarification and to discuss the merits of each application. TTAC members shall be invited to participate in a peer review assessment after initial review by KCOG staff to ensure consistent review of submitted CMAQ applications.

- The initial assignment of points and ranking of projects shall occur after all questions by KCOG staff, TTAC members, the Board or the public are sufficiently addressed by the applicant in order for the ranking to have significant value.
- During the application review period, KCOG staff will ensure that calculations for emissions benefits and cost benefits are reviewed to ensure consistency and accuracy.
- KCOG staff shall prepare a staff report detailing the findings of the subcommittee and suggesting the recommended course of action to the TTAC. Upon recommendation of the TTAC, the projects proposed for funding are forwarded to the TPPC. Upon the approval of the TPPC the matter is then referred to state and federal agencies for approval. This action financially constrains new projects to available regional funding levels, and allows KCOG to program a list of financially constrained projects in transportation improvement program documents.
- Eligibility of projects is subject to state and federal review.
- After the federal and state approval of the amended FTIP, the lead agencies may request authorization to proceed with design for the project if applicable (design is an eligible expense). Caltrans must review the draft design of the project; and a final plan is developed incorporating the comments and suggestions resulting from the review.
- After the final design plan is approved by Caltrans, the lead agency may then request authorization to proceed for project construction. After the authorization is received, the lead agency may then proceed with construction. In most cases, the project is “cost reimbursable”, meaning that the lead agency must initially finance the project (i.e. buy supplies, pay contractors) and then submit the expenses to Caltrans for reimbursement, upon approval of expenditures.
- When the project is completed, a Notice of Completion is filed with Caltrans. The project is field checked by staff and instructions to issue final payment are issued.
- These policies and procedures may be revised, updated, or otherwise modified at the discretion of the KCOG Board of Directors and through state and federal guidance.

Because CMAQ funds are federal funds, project sponsors must follow federal funding guidelines and environmental (NEPA) processes.



Figure 5-A: CMAQ Milestones for Project Submittal &amp; Approval

CMAQ Milestones	
<b>Month 1, Year 1</b>	CMAQ Allocation estimates received from Caltrans;
<b>Month 2, Year 1</b>	KCOG: reveals the CMAQ apportionment amount(s) available for programming new projects; establishes percentage funding targets for the CMAQ programming categories; and requests approval of the call for projects timeline through the regular committee process.
<b>Month 2, Year 1</b>	Issue a call for projects (4 months);
<b>Month 7, Year 1</b>	Project submittal deadline;
<b>Month 8, Year 2</b>	Evaluate and rank applicable projects; Develop draft program of projects
<b>Month 9 &amp; 10, Year 2</b>	TTAC Subcommittee shall review and comment on applications and initial rankings;
<b>Month 11, Year 2</b>	Draft program of projects is reviewed by TTAC;
<b>Month 11, Year 2</b>	Draft program of projects is reviewed by TPPC;
<b>Month 12, Year 2</b>	Request recommendation of approval by TTAC of Final List of Projects;
<b>Month 12, Year 2</b>	Request TPPC approval on Final List of Projects.
<i>Note: Additional cycles may be implemented at the discretion of Kern COG staff that follows the time frame as defined above. Even year = Year 1; Odd year = Year 2</i>	

## Programming Guidance

The following guidance shall direct the programming of available CMAQ funding over the course of the FAST Act. The four categories listed in Figure 5-B provide guidance on project categories that will be identified for funding. Reasonably Available Control Measures (RACM) and Best Available Control Measures (BACM) projects are eligible under any category. Projects will compete within each category separately as recommended by KCOG staff and approved by the KCOG Board of Directors.

For all categories, lead agencies must demonstrate the ability to process projects in a timely manner so that funding is not lost to the Kern region due to delays or mismanagement. Air quality benefits of all projects or activities shall be quantified and documented before CMAQ funding is approved. Caltrans submits an annual report to FHWA covering all CMAQ obligations for the fiscal year ending the previous September 30. This report documents how CMAQ funds were spent and what the air quality benefits are expected to be.

Figure 5-B: CMAQ Programming Categories

CMAQ Programming Categories	
<b>Category 1: Public Transit Projects</b>	Eligible projects shall include but are not limited to transit stock and transit amenity improvements. A 3-year fleet conversion plan shall be required for alternative refueling infrastructure. Projects shall be distributed across: small urban areas; regional transit; and metropolitan transit.
<b>Category 2: Alternative Fuel &amp; Infrastructure Projects</b>	Eligible projects may include advanced clean engine technology for non-transit vehicles and refueling infrastructure. Refueling infrastructure projects shall require a 3-year fleet conversion plan outlining how the refueling project will either expand, replace or transition vehicle technology within the agency and identified committed partners, and how they will serve those vehicles during operational peak-periods and non-peak periods. The fleet conversion plan must be specific to the project location and surrounding need.
<b>Category 3: Transportation System Management Projects</b>	Eligible projects: Transportation System Management (TSM) projects shall include traffic signal interconnect projects, operational improvements and Traffic Operation Center projects in the metropolitan Bakersfield area.
<b>Category 4: Discretionary Projects</b>	Eligible projects: The Discretionary Projects Category may include projects such as dust mitigation reductions, non-motorized projects, safety / traffic flow projects, freight/goods movement projects, (Active) Transportation Demand Management, or TSM projects outside of the Metropolitan Bakersfield area that can demonstrate an air quality benefit to the non-attainment area.

## Screening Criteria

Proposed CMAQ projects must meet all of the following screening requirements, where applicable. If a proposal meets all of the applicable criteria, it is eligible for prioritization; if not, it cannot be considered for funding.

- ☐ Project must be included in a local agency-adopted resolution stating financial support for the project.
- ☐ Project is eligible for CMAQ funding as defined by the latest federal transportation authorization bill and federal CMAQ Guidelines.
- ☐ Project applicant is either a public agency, i.e. city, county, special district, Caltrans, transit operator, transit authority, or a non-profit agency or group with the sponsorship of a public agency.
- ☐ Successful project applicants or their sponsors must have executed a master agreement with Caltrans in order to be authorized to expend funds for reimbursement under this program. Agencies without a master agreement will either need to obtain one or the sponsorship of an agency that does have one.
- ☐ Road projects must have a functional classification of urban collector, or major rural collectors or higher.

- ☐ CMAQ projects must demonstrate a tangible benefit to air quality. CMAQ funded projects are required to quantify or qualify their benefit as part of annual reporting requirements.
- ☐ The project must comply with the Americans with Disabilities Act (ADA) requirements.
- ☐ The project must be consistent with the currently approved Regional Transportation Plan.
- ☐ The applicant or their sponsor must have financial capacity to complete, operate and maintain the project.
- ☐ Funds required from other sources must reasonably expected to be available on the time frame needed to carry out the project.

### Project Eligibility

The purpose of the CMAQ program is to fund transportation projects or programs that will improve safety, reduce congestion, and contribute to attainment of national ambient air quality standards with a focus on ozone, PM<sub>10</sub>, and their precursors, and precursors of carbon dioxide (CO<sub>2</sub>): PM<sub>2.5</sub>; volatile organic compounds (VOC); nitrogen oxides (NO<sub>x</sub>); and Carbon Monoxide. The CMAQ Program Eligibility Listing has been refined to provide local governments with greater flexibility in choosing the types of projects that will provide the "greatest air quality benefits" for their regions in order to meet national goals and standard.

A state or MPO may obligate CMAQ funds apportioned to it only for a transportation project or program:

- If the DOT in consultation with the EPA determines that the project or program is likely to contribute to the attainment of a national ambient air quality standard; or
- If the project or program is included in a State Implementation Plan (SIP) that has been approved pursuant to the Clean Air Act and the project will have air quality benefits; or
- The project or program is likely to contribute to the attainment of a national ambient air quality standard, whether through reductions in vehicle miles traveled, fuel consumption, or through other factors.

#### ☐ ***Transportation Activities***

Transportation activities from approved state SIPs for air quality should be given highest priority for CMAQ funding. The priority of CMAQ funded projects in the FTIP will be based on their air quality benefits.

#### ☐ ***Transportation Control Measures***

The fundable TCMs below are included in Section 108(f)(1) of the Clean Air Act and meet the transportation conformity rule's definition of a TCM (included in approved SIP):

- Programs for improved public transit;
- Restriction of certain roads or lanes to, or construction of such roads or lanes for use by passenger buses or high occupancy vehicles;
- Employer-based transportation management plans, including incentives;
- Trip-reduction ordinances;
- Traffic flow improvement programs that achieve emission reductions;
- Fringe and transportation corridor parking facilities serving multiple occupancy vehicle programs or transit service;
- Programs to limit or restrict vehicle use in downtown areas or other areas of emission concentration particularly during periods of peak use;
- Programs for the provision of all forms of high-occupancy, shared-ride services;
- Programs to limit portions of road surfaces or certain sections of the metropolitan area to the use of non-motorized vehicles or pedestrian use, both as to time and place;
- Programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas;
- Programs to control extended idling of vehicles;
- Programs to reduce motor vehicle emissions, consistent with title II, which are caused by extreme cold start conditions;
- Employer-sponsored programs to permit flexible work schedules;
- Programs and ordinances to facilitate non-automobile travel, provision and utilization of mass transit, and to generally reduce the need for single-occupant vehicle travel, as part of transportation planning and development efforts of a locality, including programs and ordinances applicable to new shopping centers, special events, and other centers of vehicle activity;
- Programs for new construction and major reconstructions of paths, tracks or areas solely for the use by pedestrian or other non-motorized means of transportation when economically feasible and in the public interest; and
- Programs to encourage the voluntary removal from use and the marketplace of pre-1980 model year light duty vehicles and pre-1980 model light duty trucks.

### ☐ ***Bicycle & Pedestrian Facilities & Programs***

Construction of bicycle and pedestrian facilities, non-construction projects related to safe bicycle use, and State bicycle/pedestrian coordinator positions for promoting and facilitating the increased use of non-motorized modes of transportation. This includes public education, promotional, and safety programs for using such facilities.

### ☐ ***Management and Monitoring Systems***

Developing and establishing management systems for traffic congestion, public transportation facilities and equipment, and intermodal transportation facilities and systems, where it can be demonstrated that they are likely to contribute to the attainment of a National Ambient Air Quality Standard.

### □ ***Traffic Management / Congestion Relief Strategies***

Capital and operating costs for traffic monitoring, management, and control facilities and programs, where it can be demonstrated that they are likely to contribute to the attainment of a National Ambient Air Quality Standard. In addition to traffic signal modernization projects destined to improve traffic flow within a corridor or throughout an area, CMAQ funding can also be utilized to support Intelligent Transportation Infrastructure (ITI) Traffic Management and Traveler Information Systems that may include: Regional Multi modal Traveler Information Centers; Traffic Signal Control Systems; Freeway Management Systems; Traffic Management Systems; Incident Management Programs; and Electronic fare Payment/Toll collection Systems. CMAQ program funds may not replace existing local and State Funds used for operating cost, but are intended to augment and reinforce new efforts. Operating costs are eligible only for a period of 2 years from inception. Operating costs for these services are eligible under RSTP.

### □ ***Transit Projects***

Improved public transit is an eligible TCM. Transit improvements fall under three broad types of action: system/service expansion, operational improvements, and demand/market strategies. Emission reductions vary widely depending on project specifics as well as the existence of policies and actions that promote transit use, such as transit-supportive land use controls and single-occupant auto disincentives.

- **Transit facilities** - In general, capital costs of system/service expansion are eligible. Examples include new rail systems and extensions, new roadways or reserved lanes on existing roads for exclusive bus/HOV use, and capital costs of initiating commuter rail or ferry service. Enhancements such as new stations, new vehicles/equipment, terminals, transit malls, Intermodal transfer facilities, and track and signalization improvements are also eligible. If it is a reconstruction or rehabilitation project of an existing facility, it is not eligible. Park and ride facilities related to transit systems are eligible.
- **Transit vehicles and equipment** - One-for-one vehicle replacements of the existing bus or rail fleet are eligible because other new vehicles are generally more reliable, less polluting, and make transit a more attractive option. New buses are significantly cleaner than old with respect to PM10; thus justification is strong for using CMAQ funds for replacements in PM10 non-attainment areas like Kern County.
- **Transit associated development** - This includes various types of retail and other services located in or very close to transit facilities. They offer convenience for the transit patron but are not required for the functioning of the system. In general, transit-associated development is not eligible under the CMAQ Program. Child-care centers located adjacent to a major transit stop have been proposed in the past as beneficial to air quality. The type of use could now be funded as an experimental pilot project. Such type of uses could possibly help support mandated “Welfare to Work” Programs.

- **Transit Operations** - In limited cases, operating costs for new transit service are eligible. The main criterion is that it must be for new service, which supports a discrete, new project or program having documented air quality benefits. The funds cannot be used to replace existing funding sources or to further subsidize existing operations. Operating costs are eligible only for a 3-year start-up period. Examples of eligible costs include shuttle service feeding a station; circulator service within an activity center; fixed-route service linking activity center new transit service to a major employer in support of an employer trip reduction program; new bus service in a community that presently lacks adequate transit service; or new transit service initiated on a HOV facility. Service demonstrations will usually involve buses or vans since the service should be relatively low-cost and easily terminated if sufficient ridership is not achieved. In addition to operating assistance for new transit service, the CMAQ Guidance also allows partial short-term subsidies of transit/paratransit fares as a means of encouraging transit use. Proposals such as reduced fare programs during periods of elevated ozone levels (such as a spare the air day) and discounted transit passes targeted at specific groups or locations may now be eligible if these conditions are met.

### □ ***Planning and Project Development Activities***

Project planning or other development activities that lead directly to construction of facilities or new services and programs with air quality benefits. Such as preliminary engineering or major investment studies for transportation /air quality projects, are eligible. This includes studies for the preparation of environmental or NEPA documents and related transportation/air quality project development activities. Project development studies include planning directly related to an event that air quality monitoring is necessary to determine the air quality impacts of a proposed project, which is eligible for CMAQ funding, the costs of that monitoring are also eligible. General planning activities, such as economic or demographic studies, that do not directly propose or support a transportation/air quality project are too far removed from project development to ensure any emission reductions and are not eligible for funding. Regional or area-wide air quality monitoring is not eligible because such projects do not themselves yield air quality improvements nor do they lead directly to projects that would yield air quality benefits.

### □ ***Alternative Fuels***

In general, the conversion of individual, conventionally powered vehicles to alternative fuels is not eligible under CMAQ. However, the conversion or replacement of centrally fueled fleets to alternative fuels is eligible. The establishment of on-site fueling facilities and other infrastructure needed to fill alternative fueled vehicles are also eligible expenses. Although, if private fueling stations are reasonably accessible and convenient, then CMAQ funds may not be used. Interference with private enterprise is to be avoided and services should not be needlessly duplicated.

### ☐ ***Telecommuting***

The CMAQ Program allows for the establishment of telecommuting programs. Planning, technical and feasibility studies, training, coordination, and promotion are eligible activities under CMAQ. Physical establishment of telecommuting centers, computer and office equipment purchases and related activities are not eligible. Such activities are not typically transportation projects and funding them would not meet current federal requirements.

### ☐ ***Travel Demand Management***

Travel demand management encompasses a diverse set of activities ranging from traditional car pool and vanpool programs to more innovative parking management and road pricing measures. Eligible activities include: market research and planning in support of TDM implementation; capital expenses required to implement TDM measures; operating assistance to administer and manage TDM programs for up to 3 years; as well as marketing and public education efforts to support and bolster TDM measures.

### ☐ ***Intermodal Freight***

CMAQ funds may be used for improved intermodal freight facilities where air quality benefits can be shown. Capital improvements as well as operating assistance meeting the conditions of this guidance are eligible. In that many intermodal freight facilities included private sector businesses, several of the proposals that have been funded nation-wide have been under public-private partnerships.

### ☐ ***Public/Private Initiatives***

SAFETEA-LU provides greater access to CMAQ funds for projects that cooperatively implemented by public/private partnerships and/or non-profit entities. Proposed projects no longer have to be under the primary control of the cooperating public agency as under ISTEA; although, it is still the responsibility of the public agency to oversee and protect the investment of the Federal funds used by the partnership. Eligible activities include the following: ownership or operation of land, facilities or other physical management or operational duties associated with a project; and any other form of privately owned vehicles and fleets using alternative fuels to the incremental vehicle cost over a conventionally-fueled vehicle. Activities that are the mandated responsibility of the private sector under the Clean Air Act, such as vapor recovery systems at gas stations, are not eligible for CMAQ funding. Implementation of employer trip reduction programs is also a private responsibility, but general program assistance to employers to help them plan and promote these programs is eligible.

### ☐ ***PM-10 Activities***

Projects and programs that reduce transportation generated PM10 emissions are eligible for CMAQ funding. Specifically projects qualifying as “control strategies” identified in the Air

District's PM10 Attainment Plan including the following: paving shoulders, shoulder stabilization, paving or stabilizing unpaved roads, and curbing.

### ☐ ***Outreach Activities***

Outreach activities, such as public education on transportation and air quality, advertising of transportation alternatives to Single Occupancy Vehicle (SOV) travel, and technical assistance to employers or other outreach activities for Employee Commute Option program implementation are eligible for CMAQ funding. The previous policy limiting CMAQ funding for only a two-year period has been eliminated. Now, outreach activities may be funded under the CMAQ program for an indefinite period. Outreach activities may be employed for a wide variety of transportation services. They may equally affect new and existing transit, shared ride, traffic management and control, bicycle and pedestrian, and other transportation services.

### ☐ ***Rideshare Programs***

Rideshare services consist of carpool and vanpool programs; important activities may include computer matching of individuals seeking to vanpool and employer outreach to establish rideshare programs. New or expanded rideshare programs, such as new locations for matching services, upgrades for computer matching software, etc. continue to be eligible and may be funded for an indefinite period of time. Vanpool programs are different from carpooling programs. Implementation of a vanpool operation entails purchasing vehicles and providing a transportation service. Proposals for vanpool activities must be for new or expanded service, subject to the 3-year limitation on operation costs.

### ☐ ***Establishing/Contracting with TMA's***

Transportation Management Associations (TMA's) are comprised of private individuals or firms who organize to address the transportation issues in their immediate locale. Such Associations are currently eligible for CMAQ funding. Eligible expenses for reimbursement are associated start-up costs for up to 3 years. CMAQ requires that the TMA's must be sponsored by a public agency, and the State is responsible for insuring that funds are appropriately used to meeting CMAQ program objectives. The TMA's may play a role in brokering transportation services to private employers--such as: coordinating rideshare programs, provided shuttle services, and developing parking management programs, etc. Applications of these programs must specify program goals and deliverables.

### ☐ ***Inspection/Maintenance Activities***

Emission Inspection/Maintenance (I/M) programs are eligible activities under CMAQ. I/M program funds can be provided for publicly owner I/M facilities-or at privately owned stations where a "public-private partnership" is created. Start-up costs and three years of operating expenses are eligible for CMAQ funds. The establishment of "portable" I/M programs is also



eligible under the CMAQ program, provided that they are public services, contribute to emission reductions and do not conflict with statutory I/M requirements.

### ☐ **Experimental Pilot Projects/Innovative Financing**

States and local areas have long experimented with various types of transportation services, and different means of employing them in an effort to better meet the travel needs of their constituents. These “experimental” projects may not meet the precise eligibility criteria for Federal and State funding programs, but they may show promise in meeting the intended public purpose of those programs in an innovative way. The CMAQ provisions of TEA-21 allow experimentation provided that the project or program can reasonably be defined as a “transportation” project and that emission reductions can reasonably be expected “though reductions in vehicle miles traveled, fuel consumption, or through other factors.”

### ☐ ***Fare/Fee Subsidy Program***

The CMAQ Program allows funding for partial user fare or fee subsidies in order to encourage greater use of alternative travel modes (e.g. carpool, vanpool, transit, bicycling and walking). CMAQ funds can be used to subsidize fares or fees if the reduced fare/fee is offered as a component of a comprehensive, targeted program to reduce SOV use. Other components of such a program would include public information and marketing of non-SOV alternatives, parking management measures, and better coordination of existing transportation services. The intent of federal policy on this is to focus on situations where alternative transportation modes are viable, but nonetheless, heavy reliance on single-occupant vehicles exists, such as at major employment or activity centers. Examples of fare-fee subsidy programs include the following: 1) discount transit fare through a cooperative arrangement between a transit operator and a major employer; 2) subsidize empty seats during the formation of a new vanpool; 3) reduce fees for shuttle services within a defined area, such as a flat-fare taxi program; or 4) provide financial incentives for carpooling, bicycling and walking in conjunction with a demand management program. An underlying tenet of this provision is to support experimentation but always with the goal of identifying projects that are viable without the short-term funding assistance provided by the CMAQ program. Thus, the subsidy must be used in conjunction with reasonable fares or fees to allow the greatest change of holding on the “trial” users. While the fare/fee subsidy program itself is not limited in time, specific groups or locals targeted under the program must be rotated and the subsidized fare/fee must be limited to any one entity or location.

### ☐ ***Other Eligible Activities***

Innovative activities based on promising technologies and feasible approaches to improve air quality will also be considered for funding. This includes such ventures as new efforts to identify and prove the emissions of gross emitters, vanpooling programs, planning and development of parking management program, and preferential treatment for high-occupancy vehicles.

The eligible activities listed above are subject to federal interpretation and the latest CMAQ Guidance.

### Non-Eligible Projects

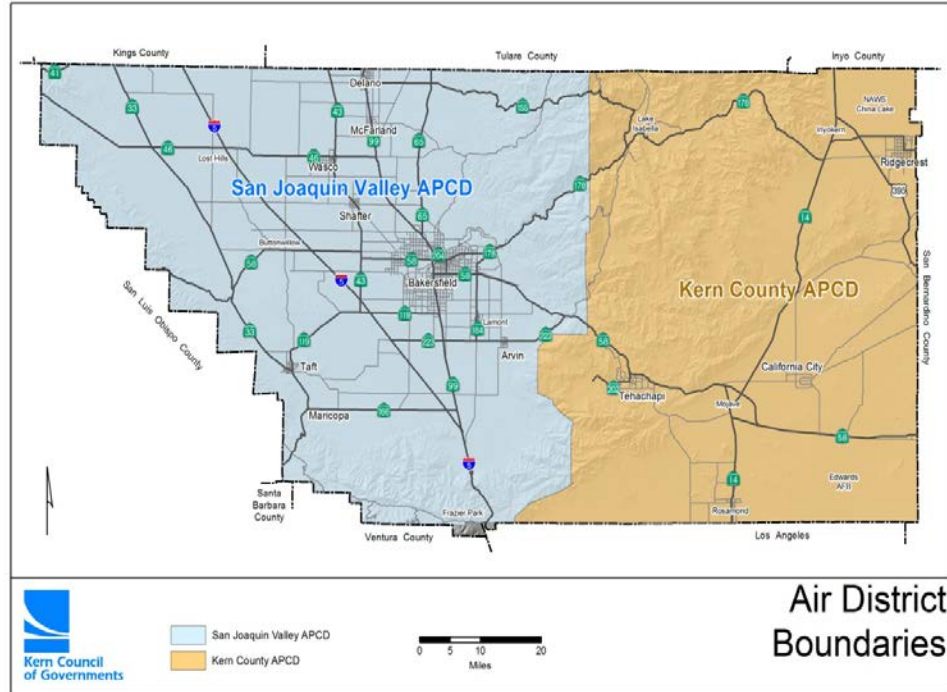
- General planning activities, even for conformity of implementation plan revisions, are not eligible for CMAQ funding.
- Routine maintenance projects are ineligible. Routine maintenance and rehabilitation on existing facilities maintains the existing levels of highway and transit service and, therefore, maintains existing ambient air quality levels rather than improving them.
- Funding for a project that will result in the construction of new capacity available to single-occupant vehicles unless the project consists of a high-occupancy vehicle facility available to single-occupant vehicles only at other than peak travel times.
- Planning activities/modal enhancements required for conformity findings.
- Preparation of Transportation Improvement Programs and plan development.
- Air quality monitoring systems.
- The use of funds for non-governmental partnerships on projects required under the Clean Air Act, the Energy Policy Act, or other federal laws.

### Ranking Criteria and Point System

CMAQ projects must first meet federal requirements, such as be on an eligible route, be an eligible type of project and, finally, meet air quality standards. CMAQ funds can be used for transit capital improvements, for high occupancy vehicle lanes, and to alleviate PM<sub>10</sub>. CMAQ funds may not be used for highway maintenance, transit-operating expenses or for capacity increasing lanes available to single occupancy vehicles. Having met the above standards, the KCOG criteria for selecting CMAQ projects are listed in Figure 5-F (page 5-15) and Figure 5-G (page 5-16). Please note the criteria will not apply to all project types. For example, the safety criteria will not apply to most transit projects because the scoring is based on road safety data. This difference in total possible points between project types is resolved by having projects compete separately within Programming Categories presented in Figure B on page 5-4.

The air quality maps in Figures 5-C, 5-D, and 5-E on the next two pages are included to guide applicants in determining project eligibility, and to identify the air district for each project for scoring purposes.

**Figure 5-C: Air Pollution Control Districts in the Kern Region**



**Figure 5-D: Ozone/Carbon Monoxide Planning Areas**

Figure 2 – Ozone/Carbon Monoxide Planning Areas

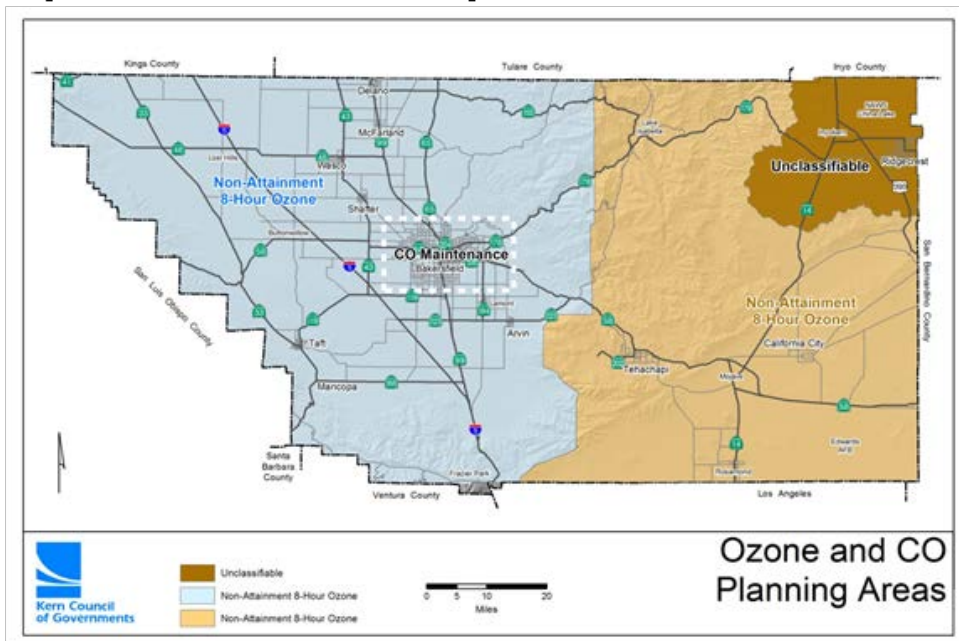
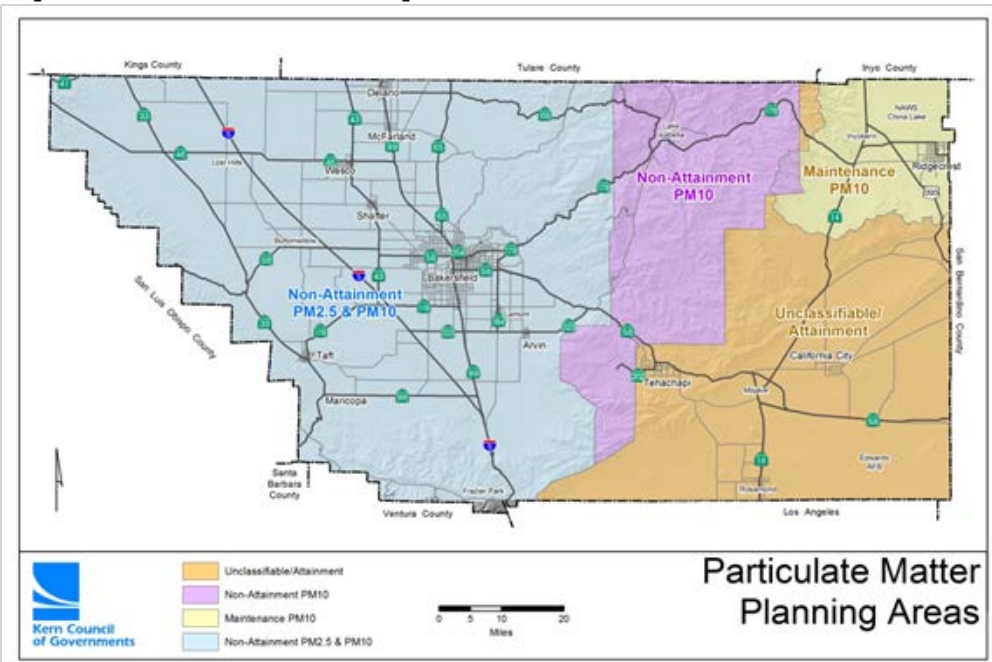


Figure 3 – Particulate Matter Planning Areas



**Figure 5-F: Ranking Criteria and Point System Summary**

Screening Criteria	YES / NO
Does the proposed project meet all of the CMAQ screening criteria listed on Page 5-5 of the KCOG Project Delivery Policies and Procedures manual?	<i>The project is not eligible if the answer is no.</i>
General Criteria	100
VMT Reduction*	15
Emissions Reduction*	25
BACM/RACM?*	5
Livability and Safety*	15
Congestion (LOS)*	25
Cost-Effectiveness	15
<b>Max 100 Points</b>	

Note: Projects compete separately within each of the four categories based on project type.

\*KCOG SCS framework-related metrics.

## LEVERAGING OF LOCAL MATCH



KCOG staff shall note whether a project has included local match which exceeds the statutory requirement of 11.47% in most cases. Projects which indicate a 50% match or higher and less than 75% shall be considered only in the case of a tie-breaker situation during the financial constraint process in which two like projects also have the same number of points. Projects that demonstrate a local match of 75% or higher shall be awarded an extra 5 points for their project and will compete as normal. Again, if the project that is awarded the extra points ties with another project that does not have the extra match the project with the extra match will be selected. KCOG staff shall apply this option at their discretion during the financial constraint process.

**Figure 5-G: CMAQ Performance Measures and Ranking Criteria Detail**

General Criteria	
<b><u>VMT Reduction</u></b>	
Estimate the reduction in vehicle miles traveled (VMT) using the program titled “Methods to Find the Cost Effectiveness of Funding Air Quality Projects”, General Methods Program (Microsoft Access), from the California Air Resources Board in Cooperation with Caltrans and CAPCOA, available at <a href="http://www.arb.ca.gov/planning/tsaq/eval/eval.htm">http://www.arb.ca.gov/planning/tsaq/eval/eval.htm</a> , or the updated version.	
Note: projects are ranked relative to all other projects competing for funds.	
Ranking Criteria (projects are ranked relative to all other projects competing for funds)	Points
Top 1/3 <sup>rd</sup> (68% - 100%) of projects with the highest VMT reduction	15
Middle 1/3 <sup>rd</sup> (34% - 67%) of projects with mid-range VMT reduction	12
Bottom 1/3 <sup>rd</sup> (1% - 33%) of projects with the lowest VMT reduction	8
No reduction	0

### **Emissions Reduction**

Estimate the reduction in emissions using the program titled “Methods to Find the Cost Effectiveness of Funding Air Quality Projects”, General Methods Program (Microsoft Access), from the California Air Resources Board in Cooperation with Caltrans and CAPCOA, available at <http://www.arb.ca.gov/planning/tsaq/eval/eval.htm>, or the updated version. Kern COG staff shall be consulted prior the application deadline to determine is an alternative analysis program or formula should be used outside the Air Resources Board air quality emission calculation tools. Otherwise all applications are expected to use the appropriate ARB calculator / formulas. Note: projects are ranked relative to all other projects competing for funds.

Emissions Reduction Ranking Criteria <sup>1</sup>				
Pollutant (kg/yr)	San Joaquin Valley Air Basin <sup>2</sup>	Kern River Valley Air Basin <sup>3</sup>	Mojave Air Basin <sup>4</sup>	Indian Wells Valley Air Basin <sup>5</sup>
<b>PM<sub>10</sub></b>	Top 90% - 100% = 8 Top 80% - 89% = 7 Top 70% - 79% = 5 Top 60% - 69% = 3 Top 50% - 59% = 2	Top 90% - 100% = 8 Top 80% - 89% = 7 Top 70% - 79% = 5 Top 60% - 69% = 3 Top 50% - 59% = 2	Top 90% - 100% = 8 Top 80% - 89% = 7 Top 70% - 79% = 5 Top 60% - 69% = 3 Top 50% - 59% = 2	Top 90% - 100% = 8 Top 80% - 89% = 7 Top 70% - 79% = 5 Top 60% - 69% = 3 Top 50% - 59% = 2
<b>VOC</b> 	Top 90% - 100% = 7 Top 80% - 89% = 5 Top 70% - 79% = 3 Top 60% - 69% = 2	Top 90% - 100% = 7 Top 80% - 89% = 5 Top 70% - 79% = 3 Top 60% - 69% = 2	Top 90% - 100% = 7 Top 80% - 89% = 5 Top 70% - 79% = 3 Top 60% - 69% = 2	
<b>NO<sub>x</sub></b> 	Top 90% - 100% = 5 Top 80% - 89% = 3 Top 70% - 79% = 2	Top 90% - 100% = 5 Top 80% - 89% = 3 Top 70% - 79% = 2	Top 90% - 100% = 5 Top 80% - 89% = 3 Top 70% - 79% = 2	
<b>PM<sub>2.5</sub></b>	Any reduction = 3			
<b>CO</b>	Any reduction = 2 <sup>6</sup>			
	Max Points = 25	Max Points = 20	Max Points = 20	Max Points = 8

<sup>1</sup> Note: Project eligibility is ultimately determined by FHWA through Caltrans Local Assistance when the project sponsor submits the Request for Authorization (E-76) to Caltrans to obligate the CMAQ funds. When CMAQ guidelines under MAP-21 are available, the KCOG CMAQ project selection process will be reviewed and updated as required.

<sup>2</sup> Classified non-attainment for four pollutants (PM<sub>10</sub>, Ozone, PM<sub>2.5</sub> & CO).

<sup>3</sup> Classified non-attainment for two pollutants (PM<sub>10</sub>, Ozone).

<sup>4</sup> Classified non-attainment for one pollutant (Ozone).

<sup>5</sup> Classified maintenance for one pollutant (PM<sub>10</sub>).

<sup>6</sup> Only applies to projects within the Bakersfield Metropolitan Area.

### **Livability and Safety**

Livability - Describe whether and how the project provides the four listed Livability benefits; provide no more than a half page response for each benefit: (1) Will enhance or reduce the average cost of user mobility through the creation of more convenient transportation options for travelers; (2) Will improve existing transportation choices by enhancing points of modal connectivity, increasing the number of modes accommodated on existing assets, or reducing congestion on existing modal assets; (3) Will improve travel between residential areas and commercial centers and jobs; (4) Will improve accessibility and transportation services for economically disadvantaged populations, non-drivers, senior citizens, and persons with disabilities, or make goods, commodities, and services more readily available to these groups.

## Chapter 5: Congestion Mitigation & Air Quality Program (CMAQ)

Safety - Provide: (a) Existing and After project accident & fatality rates (accidents/millions of vehicle miles (MVM); fatalities/MVM) for the road segment within the project limits using three years of accident data, and (b) the statewide average accident and fatality rate for a similar facility (from Caltrans TASAS database or local agency accident database). Instructions for obtaining project accident and fatality rates are available on pages B-21 and B-22 of Appendix B. Answer the following two questions (5) and (6) based on the calculated values for accident rates and fatality rates as described above in items (a) and (b).

(5) Is the existing Accident Rate higher than the average rate for a similar facility, and does the project reduce the Accident Rate to the average rate or lower? Yes or No

(6) Is the existing Fatality Rate higher than the average rate for a similar facility, and does the project reduce the Fatality Rate to the average rate or lower? Yes or No

Ranking Criteria	Points
Project provides five of the six listed Livability or Safety benefits	15
Project provides three of the six listed Livability or Safety benefits	10
Project provides two of the six listed Livability or Safety benefits	5
Project provides one of the six listed Livability or Safety benefits	1

### **Congestion Relief**

Provide peak period Level of Service (LOS) for intersection(s) and/or road segments within the project limits for existing conditions (Before LOS) and estimated LOS after project completion (After LOS). If applicable, provide Bikeway and/or Pedestrian LOS. If LOS varies within the project limits, provide a weighted average. LOS should be calculated using methods consistent with the Highway Capacity Manual available at <http://www.trb.org/Main/Blurbs/164718.aspx>. Ranking criteria is summarized in the tables below.

#### **Highways**

(where bicycles and pedestrians are prohibited)

Points are awarded to projects based on the change in LOS before and after project completion using the table below.

		After LOS Hwy					
Before LOS Hwy		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	5	0	0	0	0	0
	C	10	5	0	0	0	0
	D	15	10	5	0	0	0
	E	20	15	10	5	0	0
	F	25	20	15	10	5	0

Max Points = 25

**OR**

(Next page)

### Highways & Bicycle Lanes

(when bicycles are allowed on the highway but pedestrians are prohibited)

Points are awarded to projects based on the change in LOS before and after project completion using the two tables below for highway and bikeway facilities.

		After LOS Hwy					
Before LOS Hwy		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	4	0	0	0	0	0
	C	8	4	0	0	0	0
	D	12	8	4	0	0	0
	E	16	12	8	4	0	0
	F	20	16	12	8	4	0

Plus Bikeway LOS:

		After LOS Bikeway					
Before LOS Bikeway		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	1	0	0	0	0	0
	C	2	1	0	0	0	0
	D	3	2	1	0	0	0
	E	4	3	2	1	0	0
	F	5	4	3	2	1	0

Max Points Highway LOS (20 Points) + Bikeway LOS (5 Points) = 25

OR

(Next page)



**Highways, Bicycle Lanes and Pedestrian Facilities**  
(when bicycles and pedestrians are allowed on the highway)

Points are awarded to projects based on the change in LOS before and after project completion using the three tables below for highway, bikeway and pedestrian facilities respectively.

		After LOS Hwy					
Before LOS Hwy		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	3	0	0	0	0	0
	C	6	3	0	0	0	0
	D	9	6	3	0	0	0
	E	12	9	6	3	0	0
	F	15	12	9	6	3	0

Plus Bikeway LOS:

		After LOS Bikeway					
Before LOS Bikeway		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	1	0	0	0	0	0
	C	2	1	0	0	0	0
	D	3	2	1	0	0	0
	E	4	3	2	1	0	0
	F	5	4	3	2	1	0

Plus Pedestrian LOS:

		After LOS Pedestrian					
Before LOS Pedestrian		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	1	0	0	0	0	0
	C	2	1	0	0	0	0
	D	3	2	1	0	0	0
	E	4	3	2	1	0	0
	F	5	4	3	2	1	0

**Max Points Highway LOS (15 Points) + Bikeway LOS (5 Points) + Pedestrian LOS (5 Points) = 25**

**Cost-Effectiveness**

Calculate cost-effectiveness using the program titled “Methods to Find the Cost Effectiveness of Funding Air Quality Projects”, General Methods Program (Microsoft Access), from the California Air Resources Board in Cooperation with Caltrans and CAPCOA, available at <http://www.arb.ca.gov/planning/tsaq/eval/eval.htm>, or the updated version.

Ranking Criteria	Points
Project does not exceed the Cost-Effectiveness Threshold	15
Project exceeds the Cost-Effectiveness Threshold by not more than 50%	10
Project exceeds the Cost-Effectiveness Threshold by not more than 100%	5

**RACM/BACM**

Is the project identified as a RACM/BACM?

Ranking Criteria	Points
Yes	5
No	0

## **CMAQ: LOCAL COST- EFFECTIVENESS POLICY**

The following three pages present the local cost-effectiveness policy adopted by Kern COG in September 2007.

### **Summary**

The Congestion Mitigation and Air Quality (CMAQ) program provides funding for transportation projects or programs that will contribute to attainment or maintenance of the national ambient air quality standards. The CMAQ program supports two important goals of the Department of Transportation: improving air quality and relieving congestion. SAFETEA-LU strengthens these goals by establishing priority consideration for cost-effective emission reduction and congestion mitigation activities. Exhibit A provides a summary of the policy for distributing at least 20% of the CMAQ funds to projects that meet a minimum cost-effectiveness threshold for emission reduction beginning in FY 2011. This policy will focus on achieving the most cost-effective emission reductions, while maintaining flexibility to meet local needs.

### **Estimates of Available Funds**

Caltrans Programming provides apportionment estimates to all regions of the state. The FTIP is currently developed for a four-year programming cycle; with each new FTIP document, Kern COG will use the Caltrans estimate to develop the available CMAQ funds over the four-year period. Kern COG commits to dedicate at least 20% (or insert larger percentage, if appropriate) of the total funding for the four-year period of each FTIP as part of the local cost-effectiveness CMAQ policy. For example, if an agency were estimated to receive \$20 million over a four-year period, it would allocate 20%, or \$4 million, of the CMAQ program to projects that meet a minimum cost-effectiveness.

The CMAQ allocation formula is currently based on population, ozone status, and carbon monoxide status. Revisions to the formula or updates to estimates may result in changes to available funds for the Kern COG CMAQ program; such updates will also affect the funds available for the local cost-effectiveness policy. CMAQ estimates may be revised at any time due to changes from Caltrans, Federal legislation, or classification of the air quality standards in the San Joaquin Valley.

### **Timeframe**

The local cost-effectiveness CMAQ policy is scheduled to be implemented in FY 2011 because the current federally approved 2007 Federal Transportation Improvements Programs (FTIPs) have committed CMAQ funds through FY 2009 and in some cases, regional commitments through FY 2010. In addition, the current CMAQ programming assists in implementing approved local RACM (Amended 2003 PM-10 Plan) that are committed through 2010.

The San Joaquin Valley Air Basin is currently classified as a serious ozone non-attainment area with an attainment deadline of 2013. As part of the 2007 Ozone plan, the Air District is requesting an “extreme” classification, which would delay the attainment deadline until 2023. If approved and assuming no change to the current funding formula, the MPOs may continue to receive CMAQ funding through that time (2023). The local cost-effectiveness CMAQ policy may remain in effect through 2023; however, continuation of the policy will be reviewed on a regular basis per the Policy Review section below.

### **Local Allocation of Funds**

The Federal Highway Administration (FHWA) released new CMAQ guidance based on SAFETEA-LU on October 31, 2006. The new legislation and guidance clarifies project eligibility, including advanced truck stop electrification systems and the purchase of diesel retrofits. SAFETEA-LU directs States and MPOs to give priority to diesel retrofits and to use cost-effective congestion mitigation activities that provide air quality benefits. Though SAFETEA-LU establishes these investment priorities, it also retains State and local agencies’ authority in project selection, meaning that changes to local procedures are not required by SAFETEA-LU. Kern COG has previously developed procedures for allocating CMAQ funds; the local cost-effectiveness CMAQ policy will be incorporated into existing procedures. Prioritization and funding of projects will continue to be based on criteria developed by Kern COG.

### **Cost-Effectiveness Threshold**

Cost-effectiveness is a key component of providing funding to projects that improve air quality and reduce congestion. The cost-effectiveness of an air quality project is based on the amount of pollution it eliminates for each dollar spent. Policies that focus on cost-effectiveness will result in the largest emission reductions for the lowest cost. Cost-effectiveness can be based on total project costs, including capital investments and operating costs. However, for the purposes of this policy, cost-effectiveness is based on CMAQ funding dollars only.

In the state of California, the Air Resources Board (ARB) provides funding for air quality improvement projects through the Carl Moyer Program, which requires that heavy-duty vehicle projects meet a cost-effectiveness threshold. The San Joaquin Valley Air Pollution Control District (SJVAPCD) also uses cost-effectiveness thresholds for projects funded through the REMOVE II and Heavy-duty Incentive Programs. However, there is currently no minimum cost-effectiveness established for the CMAQ program, and according to recent studies, the numbers vary widely across the country and by project type.

Prior to allocation of CMAQ funds for the local cost-effectiveness policy with each FTIP, the SJV MPOs in consultation with the interagency consultation (IAC) partners will develop the minimum cost-effectiveness threshold. While other criteria may be developed at the discretion of Kern

Council of Governments, all projects funded by the 20% of CMAQ dollars related to the local cost-effectiveness CMAQ policy must meet that minimum threshold.

### **Expenditure of Funds under the Local Cost-Effectiveness Policy**

Kern COG will make every effort to expend the minimum 20% funding for the cost-effective projects as soon as possible beginning in FY 2011. However, recognizing that there are additional issues related to project delivery and financial constraint, Kern COG will be allowed to meet the 20% funding over the course of the FTIP, beginning with the 2008 FTIP and each new FTIP thereafter. For example, if the four-year estimate is \$4 million in one year, or other combination of funding.

Project eligibility will continue to be based on federal CMAQ guidance. MPOs can continue to fund projects within the local jurisdictions, or contribute funding to the SJVAPCD air quality grant incentive programs to meet their cost-effectiveness threshold requirements.

### **Emissions Estimates**

CMAQ projects must demonstrate an air quality benefit, and the expected emissions reductions will continue to be estimated with the most recent methodology. As of 2007, the ARB “Methods to Find the Cost-Effectiveness of Funding Air Quality Projects” released in 2005 is the appropriate methodology. If necessary, interagency consultation will be used to reach agreement on the methodology for future estimates. Emission benefits and cost-effectiveness calculations will continue to be based on the applicable pollutants for the region, including nitrogen oxides (NOx), volatile organic compounds (VOC), particulate matter (PM) and carbon monoxide (CO).

### **Reporting Requirements**

Tracking of the CMAQ policy will be achieved through several methods. MPOs must develop annual reports for Caltrans and FHWA that specify how CMAQ funds have been spent and the expected air quality benefits. This report is due by the first day of February following the end of the previous Federal fiscal year (September 30) and covers all CMAQ obligations for that fiscal year. As has been the practice of several MPOs, a copy of the CMAQ annual report will also be submitted to the Air District for information purposes. Each MPO will also post information related to the implementation of the local cost-effectiveness CMAQ policy on its website.

### **Policy Review**

Due to changes in project costs and technology over time, the MPOs will revisit the minimum cost-effectiveness threshold, as well as policy feasibility, at least once every four years prior to FTIP development. A periodic review of the policy is necessary due to potential changes in federal transportation legislation, apportionments, and project eligibility. This policy will only affect 20% of the allocated federal CMAQ funds, and does not imply changes to other funding programs.

Should future transportation legislation not include CMAQ funding, this policy will no longer be in effect.

## Example Schedule

The following is an example schedule of the policy implementation and updates. This information is only representative of the general approach and specific schedules will be developed in the future (annual reports will continue to be prepared and submitted as required).

Example Schedule	
<b>Summer 2008</b>	Develop cost-effectiveness threshold through interagency consultation
<b>Fall 2008</b>	Identify funding available in the 2008 FTIP related to the 20% local cost-effectiveness policy
<b>Spring 2009</b>	Implement call for projects – Quantify, rank, and select CMAQ projects
<b>Summer 2009</b>	Approve Amendment to 2008 FTIP
<b>Summer 2011</b>	Review policy feasibility. If policy is continued, proceed with following steps. Update cost-effectiveness threshold through interagency consultation
<b>Fall 2011</b>	Identify funding available in the 2012 FTIP related to the 20% local cost-effectiveness policy
<b>Spring 2012</b>	Implement call for projects – Quantify, rank, and select CMAQ projects
<b>Summer 2012</b>	Approve 2012 FTIP





# Chapter 6

## Active Transportation Program (ATP)

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### Background

On July 6, 2012, “Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)” was signed into law. Section 1122 of MAP-21 established the Transportation Alternatives Program (TAP), Safe Routes to School Program and Federal Lands Program. Subsequently, on September 26, 2013 the Governor of California signed legislation creating the Active Transportation Program (ATP) (Senate Bill 99, Chapter 359 and Assembly Bill 101, Chapter 354) in response to MAP-21. This legislation requires the California Transportation Commission (CTC), in consultation with an Active Transportation Program Workgroup, to develop program guidelines. CTC guidelines describe the policy, standards, criteria, and procedures for the development, adoption and management of the Active Transportation Program. The goals of the Active Transportation Program are to:

- Increase the proportion of biking and walking trips;
- Increase safety for non-motorized users;
- Increase mobility for non-motorized users;
- Advance the efforts of regional agencies to achieve greenhouse gas reduction goals;
- Enhance public health, including the reduction of childhood obesity through the use of projects eligible for Safe Routes to Schools Program funding;
- Ensure disadvantaged communities fully share in program benefits (25% of program); and
- Provide a broad spectrum of projects to benefit many types of active transportation users.



Federal TAP funds are to be used for transportation-related capital improvement projects that enhance quality-of-life, in or around transportation facilities. Projects must be over and above required mitigation and normal transportation projects, and the project must be directly related to the transportation system. The projects should have a quality-of-life benefit while providing the greatest benefit to the greatest number of people. All projects using this funding shall be included in the FTIP either by amendment or as part of the biennial update. All projects funded with TAP shall be subject to the eligibility requirements defined in Title 23 and their interpretation by state and federal agencies.

**Eligible activities** - Funds may be used for projects or activities that are related to surface transportation and described in the definition of “Transportation Alternatives.” [23 USC 101(a)(29)].

- Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation;
- Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs;
- Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users;
- Construction of turnouts, overlooks, and viewing areas;
- Community improvement activities, including— inventory, control, or removal of outdoor advertising;
- Historic preservation and rehabilitation of historic transportation facilities;
- Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and
- Archaeological activities relating to impacts from implementation of a transportation project eligible under 23 USC; and
- Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to— address storm-water management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff; or
- Reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

In addition to defined Transportation Alternatives, the following programs continue to be eligible:

- The Recreational Trails Program under 23 USC 206;
- The Safe Routes to School Program; and
- Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways; and
- Workforce development, training, and education activities.

Careful consideration should be given to whether an activity falls within the eligibilities created under TAP. Ineligible Activities include the following:

- State or MPO administrative purposes, except for SRTS administration, and administrative costs of the State permitted for RTP set-aside funds;
- Promotional activities, except as permitted under the SRTS;
- General recreation and park facilities, playground equipment, sports fields, campgrounds, picnic areas and pavilions; and
- Routine maintenance and operations.

### State ATP Policy

The California Transportation Commission adopted guidelines for the Active Transportation Program and Caltrans has developed and implemented the information to identify, rank and select projects for funding. This information may be found at: <http://www.dot.ca.gov/hq/LocalPrograms/atp/>. Kern COG's regional process is subject to the approved guidelines set forth by the Commission.

### ATP Regional Delivery Policy

Acting in the capacity as the federally designated Metropolitan Planning Organization, Kern COG shall perform several functions, in collaboration with the CTC, to identify and deliver ATP projects. Policies and procedures set forth in this section are intended to maximize the Kern Region's opportunities to receive both state discretionary ATP funding and the Regional minimum guarantee share. The following regional policy elements are provided below are intended to compliment state policy and maximize regional funding opportunities within the ATP and other related programs.

- Because there is both a state discretionary and regional share funding component to the CTC adopted ATP policy, all member agency applications shall be submitted to the State Call for Projects before being considered for the regional share of the program.
- A regional call for projects shall not be separate from the state's adopted Call for Projects adopted timeline - applications sent to the state should also be sent to Kern COG as prescribed in the state approved guidelines.
- Adopted regional policy and procedural guidance shall be subject to the states approved policies and guidance. Regional flexibility shall be prescribed by the CTC.
- Kern COG shall reference ranking and processing criteria as approved by the CTC.
- When developing a regional program of projects, Kern COG shall consider and accept the ranking status of projects previously ranked by state officials.

- Kern COG shall integrate its development of a regional Program of Projects consistent with CTC adopted timelines for a statewide call for projects.
- For purposes of developing a regional Program of Projects, Kern COG shall form a sub-committee made of regional agencies and community stakeholders as prescribed in the adopted CTC guidelines.
- State policy supports a regional ATP contingency list. Should Kern COG choose, contingency projects not selected for funding due to financial constraint may be submitted to the Commission as information only. Should there be a need to replace a failed project already programmed, the region would notify the Commission and request an amendment to trade/replace projects. The contingency list would be developed based on previously ranked projects just below the regional funding line subject to eligibility and deliverability. The contingency list would cease with the programming of a new ATP cycle and would require a new application and review in the following new cycle.
- All applications to the state will require a Project Study Report or an equivalent. This is required by the state guidelines.

### **ATP Call for Projects and Programming Timeline**

- Kern COG shall issue a concurrent ATP Call for Projects announcement to members of the Transportation Technical Advisory Committee (TTAC) and Transportation Planning Policy Committee (TPPC) meetings in conjunction with the Caltrans ATP Call for Projects.
- Kern COG shall distribute the application form, application instructions, access to the adopted Kern COG and CTC Policy Guidelines, integrated timeline, and a clear explanation that Kern region applications require submittal to the state's process prior to consideration of regional funding.
- Applications not submitted to the Caltrans ATP Call for Projects will not be considered for regional funding. The CTC Guidelines require that all applications sent to Caltrans are to be sent to the associated regional agency.
- Kern COG shall organize a Review Committee consisting of volunteers from the TTAC, TPPC and community stakeholders as prescribed by adopted CTC ATP guidelines.
- The Review Committee will analyze applications, Caltrans comments, and regional funding available to Kern COG. The Review Committee will not re-rank applications.
- The applications forwarded to the regions by Caltrans that are recommended for funding at the regional level shall be electronically forwarded by Kern COG to the Review Committee.
- Kern COG shall establish a meeting date for the Review Committee may review and discuss the applications with others and discuss the merits of each application. Recommendations will be made to Kern COG staff for the regional Program of Projects.

- After all applications are discussed, projects are prioritized from highest to lowest Caltrans scores. Projects are funded as allowed by CTC adopted regional ATP program levels.
- Kern COG staff shall prepare a staff report to the TTAC and TPPC presenting a proposed ATP regional Program of Projects based on the recommendations of the Review Committee.
- After regional approval, the regional ATP Program of Projects is submitted to the CTC for their approval at the prescribed time; once approved by the CTC, approved projects are incorporated into the Federal Transportation Improvement Program.
- Eligibility and programming of ATP projects are subject to adopted ATP Guidelines, state review and federal review during all phases of the advancement process.
- Kern COG ATP policies and procedures may be revised, updated, or otherwise modified at the discretion of the Kern COG Board of Directors and through state and federal updates.

Figure 6-A provides a list of events and dates leading up to the programming of new ATP projects in the FTIP. Dates are specific to the state Cycle 2 Call for Projects occurring in 2015. Additional elements are added to expand on the regional role in the process.

(Dates are subject to March 26, 2015 approval of CTC Guidelines)

**Figure 6-A: ATP Milestones for Project Application Submittal and Approval**

ATP Milestones	
March 26, 2015	Commission adopts Active Transportation Program Guidelines
March 26, 2015	CTC initiates Call for Projects
March 26, 2015	KCOG concurrently initiates Call for Projects – send out notification of state call for projects and its link to the regional process
June 1, 2015	Project applications are due to Caltrans
June 1, 2015	Large MPOs submit optional guidelines to Caltrans
Month of June, 2015	KCOG Requests volunteers for Review Committee
June 25, 2015	Commission approves or rejects MPO guidelines
Month of July, 2015	KCOG distributes applications to Review Committee for their review
September 15, 2015	CTC Staff recommendation for program of projects
October 22, 2015	Commission adopts statewide program of projects
October 22, 2015	Unfunded applications forwarded to large MPOs based on location
Week of September 14, 2015	KCOG conducts Review Committee Workshop to develop regional list of projects for regional approval at October TTAC meeting and October Board meeting.
November 16, 2015	Deadline for MPO project recommendations to the Commission
December 10, 2015	Commission adopts MPO selected projects





# Chapter 7

## Transportation Development Act (TDA)

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### Background

#### *Establishment of Fund*

Pursuant to California Government Code Section 29530, the Kern County Board of Supervisors has established the Local Transportation Fund and the State Transit Assistance Fund within the Kern County Treasury for the purpose of financing transportation activities in accordance with the Transportation Development Act (TDA) (PUC Section 99200 et seq.). This chapter includes guidance for eligible claimants to obtain funding under the **Pedestrian and Bikeway Program**, the **Social Service Transit Program**, **Public Transit Program**, and the **Streets and Roads Program**.

#### *Designation of Transportation Planning Agency*

Pursuant to California Government Code Section 29532, the Kern Council of Governments (KCOG) is the designated regional transportation planning agency for purposes of administering the Act within the Kern region.

#### *Promulgation of Rules and Regulations*

Pursuant to Public Utilities Code Sections 99261, 99275.5 and 99401, KCOG, acting as the transportation planning agency, shall be responsible for the promulgation of rules and regulations governing the submission, analysis, review and approval of claims and the

distribution of funds under the terms of an approved claim. Said rules and regulations shall make specific and execute the provisions of the Act and shall be subordinate thereto.

### ***Trust Fund Administration***

The Local Transportation Fund and State Transit Assistance Fund shall be administered in accordance with the provisions of the Act and Article VI of Kern COG's Accounting Policies.

## **PROGRAM RESPONSIBILITIES**

### ***Kern COG shall be responsible for the following:***

- Administering the Kern TDA program in accordance with the provisions of the Act and these rules and regulations.
- Obtaining an annual estimate as it becomes available of total Local Transportation Fund revenue, for the ensuing year, from the Kern County Auditor-Controller; obtaining an annual certified population estimate for each potential claimant from the California State Department of Finance; and obtaining an annual statement of farebox revenue for each transit operator from the California State Controller.
- Developing an annual apportionment schedule based on appropriate criteria and estimates and notifying all prospective claimants of all area apportionments by March 1st of each year.
- Preparing a Regional Transportation Plan and evaluating all claims with respect to their consistency with this plan.
- Evaluating all claims for adherence to the terms of the Act and these rules and regulations.
- Conducting an annual regional public hearing to receive testimony regarding unmet transit needs within the Kern region prior to considering approval of any streets and roads claims.
- Reviewing and approving, by Council resolution, each claim or amendment thereto and the conditions of each related allocation.
- Maintaining detailed records and reports accounting for all financial activity within the program trust funds.
- Providing each claimant a quarterly statement of financial activity within the subsidiary accounts relating to their area of apportionment.
- Contracting for an annual independent financial and compliance audit of the program trust funds.
- Coordinating a program for the annual independent financial and compliance audit of all claimants and contracting for the conduct of triennial performance audits of each transit system operator.

- Reviewing and monitoring claimant's compliance with annual claims, conditions of claim approval and audit citations.
- Adjusting the claim of any claimant who is found to have administered or expended funds contrary to the conditions of approval.
- Preparation of an annual report and submission to the Secretary of Business, Transportation and Housing by October 1st of each year.

### ***Claimant Responsibilities***

Each claimant shall be responsible for the following:

- Administering each claim in accordance with the Act and these rules and regulations.
- Maintaining detailed financial records and reports in accordance with the Uniform System of Accounts and Records as defined by the California State Controller and governmental generally accepted accounting principles.
- Expending funds solely for the purposes cited in the Act and specifically listed in an approved claim, subject to the KCOG conditions of approval.
- Providing for the conduct of an annual independent financial and compliance audit of all TDA-funded activity and the submission of the audit report to KCOG.
- Providing access to local records, reports and documents regarding TDA-funded activities to KCOG.

## **ADMINISTRATION AND REGIONAL PLANNING PROGRAMS**

### ***Administration Allocation***

Pursuant to PUC Section 99233.1, the KCOG Council shall annually allocate such sums as determined by the Council to be necessary for the administration of the Act and Kern COG TDA Rules and Regulations. KCOG shall request such funding as an integral part of the annual development of the Overall Work Program (OWP).

### ***Regional Planning Allocation***

Pursuant to PUC Sections 99262 and 99402, claims filed under Articles IV and V of these rules and regulations may include contributions to KCOG for funding the comprehensive regional planning process. KCOG shall request such funding as an integral part of the annual development of the OWP and coordinate the inclusion into each claim such sums as may be approved.



## **PEDESTRIAN AND BIKEWAY PROGRAM**

### ***Program Purpose***

Pursuant to PUC Section 99233.3, KCOG shall establish a program and make available funding to the county and cities for facilities provided for the exclusive use of pedestrians and bicycles. In addition, funds may be made available to supplement the financing of bicycle safety education programs. Claims shall be filed as stipulated by the provisions of the Article.

### ***Funding Level***

The level of program funding shall be predicated on the availability of funds as governed by the Act and approved by the Council.

### ***Eligible Claimants***

Eligible claimants under this Article shall include the County of Kern and each incorporated city within Kern County.

### ***Filing Date***

Claims under this Article shall be filed on or before July 15 of each fiscal year. A claim shall not be considered filed until all forms, documents and supporting data have been received by KCOG.

### ***Claim Form***

KCOG shall prescribe the forms on which all claims must be filed. KCOG reserves the right to alter the forms as may, from time-to-time, be required. Claimants shall be responsible for ensuring that claims forms are complete and sufficient information is provided to permit adequate evaluation based on applicable criteria (see Appendix A).

### ***Claimant Funding Limitations***

Not more than forty (40) percent of the available annual funds shall be approved for allocation to any one (1) claimant, unless all other claims filed for the same period have been fulfilled. A claimant may, however, request that funds be accumulated over a period not to exceed three (3) years if a proposed high-ranking project exceeds the 40 percent funding limitation.

### ***Project Priorities***

Claimant projects shall receive a funding priority ranking based on the following criteria:

- 1) First Priority: bicycle parking facilities and bicycle safety programs;

- 2) Second Priority: bikeway facilities; and
- 3) Third Priority: pedestrian facilities.

Projects shall also be ranked in order of priority within each of these three areas based on the criteria listed below.

***Bicycle Safety Program Criteria***

The maximum funding available to each eligible claimant each year shall be \$1,000.

***Bicycle Parking Facilities Criteria***

The following evaluative criteria shall be applied to each bicycle parking facility project listed in a claim:

- The facility must be located within a public use center, such as government buildings, parks or recreation halls.
- The total number of bicycle parking spaces funded each year shall not exceed ten (10) percent of the auto parking spaces required by local ordinance for the larger facility to be served.
- A claimant shall receive funding for no more than one (1) bicycle parking project during any fiscal year.
- Maximum Funding: Each eligible jurisdiction may claim up to \$3,000 annually. Total program funding for bicycle parking shall not exceed \$36,000 annually.

***Bikeway Facility Criteria***

The following evaluative criteria shall be applied to each bikeway facility project listed in a claim:

- A proposed Class I, II or III facility must conform to the standard specifications cited in the publication entitled Planning and Design Criteria for Bikeways in California.
- Costs associated with the preliminary project engineering shall be funded only for projects approved for construction.
- Safety factors shall be quantified as follows:
  - Number of bicycle traffic accidents within the past three (3) years:

Facility Class	Number/Volume	Points
Class II & III	0-2	5
Class II & III	3-5	10
Class II & III	6 or more	15
Class I	N/A	15

- Most recent count of average daily traffic volume:

Facility Class	Average Daily Traffic Volume	Points
Class II & III	Less than 2,000	5
Class II & III	2,000-8,000	10
Class II & III	8,001-15,000	15
Class II & III	Greater than 15,000	20
Class I	N/A	20

- Need shall be quantified as follows: The number of schools and traffic generators (a commercial center with four (4) or more stores situated within 250 feet of each other or an office or industrial complex comprised of twenty (20) or more employees within 1,320 feet of the street corridor under consideration.

<b>Schools</b>	6 points each
<b>Generators</b>	5 points per 10,000 square feet of store area
(maximum 20 points)	

- A project shall receive ten (10) points for the promotion of system continuity if it will eliminate a gap(s) in a bikeway system or serve as a regional link between two or more communities or bikeway systems.
- A project shall receive ten (10) points if it will upgrade a route by eliminating on-street parking from a Class III facility, provide a physical barrier for a Class II facility, or remove bicycles from traffic on a Class I facility.

The provisions of matching funds shall be quantified as follows:

Matching Funds	Points
0 – 4 %	5
5 – 9 %	10
10 – 14 %	15
15%	20

### ***Pedestrian Facility Criteria***

The following evaluative criteria shall be applied to each pedestrian facility project listed in a claim:

- Funding shall be provided only for projects that represent new sidewalks or pedestrian bridges on or across arterial, collector streets, roads, freeways, expressways, or railroads. Rehabilitation of and improvement to existing facilities shall not be funded.
- Safety factors shall be quantified as follows:
  - Number of pedestrian accidents within the past three (3) years.

Accidents	Points
0-2	5
3-5	10
6 or more	15

- Need shall be quantified as follows:

The number of schools and traffic generators (a commercial center with four (4) or more stores situated within 250 feet of each other or an office or industrial complex comprised of twenty (20) or more employees) within 1,320 feet of the street corridor under consideration.

<b>Schools</b>	6 points each
<b>Generators</b>	5 points per 10,000 square feet of store area
(maximum 20 points)	

- A project shall receive ten (10) points for the promotion of system continuity if it will eliminate a gap(s) in a pedestrian system or serves as a regional link between two or more communities or pedestrian systems.
- A project shall receive five (5) points if it will provide for barriers, medians or parkways designed to physically separate pedestrian and vehicular traffic.
- The provision of matching funds shall be quantified as follows:

Matching Funds	Points
0 – 4 %	5
5 – 9 %	10
10 – 14 %	15
15%	20

### ***General Facility Design***

Pursuant to PUC Section 99401(b), all KCOG-funded nonmotorized transportation facilities shall comply with the general design criteria for such facilities set forth in Section 156.4 of the Streets and Highways Code.

### ***Claim Processing***

Claims for the funding filed pursuant to this Article shall be processed in accordance with the following procedure:

- Funding shall be allocated to a claimant without respect to area apportionments for transit and streets and roads programming.
- Funding shall be allocated and disbursed pursuant to the RTP and the priority ranking of projects developed in accordance with the application of the criteria cited herein.
- The Bicycle Steering Subcommittee, the Transportation Technical Advisory Committee and the Council shall review each claim. Claims shall be approved by KCOG Council resolution. Claim review and approval may be postponed if a representative of the claimant does not attend the meeting.
- Claims filed on or before August 1st shall be considered for approval at the regular Council meeting in September. Claims filed after August 1st shall be considered at the discretion of KCOG and based on the availability of funds. Claim review and approval may be postponed if a representative of the claimant does not attend the meeting.
- Once the annual apportioned program funding is fully allocated, claims remaining unfunded shall be deferred to the following fiscal year.
- Claimants shall file a written request to KCOG for the disbursement of allocated funds to the local treasury. This request shall certify the work is scheduled to commence upon receipt of funds. No disbursement shall be made in an amount that exceeds claimant's allocated reserve account balance.
- KCOG shall issue a disbursement instruction to the Kern County Auditor-Controller as soon as practical in response to a written claimant request certifying that work is scheduled to commence on an approved project.

***Time Limitation***

Projects approved for funding in one fiscal year shall be considered void if construction is not started by the end of the following fiscal year. Funds allocated within the Local Transportation Fund and those disbursed to a claimant's local treasury shall then be returned or refunded to the unallocated pedestrian/bikeway reserve account for reallocation during the next program funding cycle.

***Claimant Funding Limitations***

All unearned revenues (revenues in excess of approved expenditures) and interest earnings attributable to deposits of pedestrian/bikeway funds held in a claimant treasury shall be refunded to the trust fund.

**SOCIAL SERVICE TRANSIT PROGRAM**

***Designation of Consolidated Transportation Service Agency***

Pursuant to CAC Section 6680, KCOG shall designate a Consolidated Transportation Service Agency (CTSA) for the coordination, consolidation and administration of social service transit services for the elderly and handicapped

***Funding Level***

The level of program funding shall be predicated on the availability of funds as governed by the Act and approved by the Council pursuant to Accounting, Article VI, Section 3.

***Eligible Claimants***

Eligible claimants under this Article shall be those entities formally designated as a CTSA by the KCOG Council.

***Filing of Claims***

Claims filed pursuant to the provisions of this program shall be filed in the same manner as claims filed under the KCOG Public Transit Program (Article VI). A claim shall not be considered filed until all forms, documents and supporting data have been received by KCOG.

### ***Social Service Transportation Advisory Council***

Senate Bill 498 requires KCOG to establish a "Social Service Transportation Advisory Council" for the purpose of reviewing transit services for the elderly, disabled, and persons of limited means. The Council must include at least one member from each of the following categories: transit user-senior, transit user-handicapped, local provider-senior, local provider-handicapped, local provider-limited income, operator, Consolidated Transportation Service Agency (CTSA).

### ***Claim Evaluation Criteria***

Claims filed under this program shall be evaluated based upon the following criteria:

- The proposed service shall respond to a transportation need not currently being met within the claimant's service area.
- The proposed service shall, if appropriate, be integrated with existing transit services.
- The claimant has prepared an estimate of service revenues, operating costs and patronage.
- The proposed service/system is in compliance with the performance criteria, local match requirements and farebox recovery ratio, adopted by resolution of the KCOG Council.
- Each transit operator shall honor the federal Medicare identification card and California State Department of Motor Vehicle placard as sufficient identification to receive reduced fares for the elderly and disabled.
- The claim is in compliance with the criteria applicable to claims filed under the KCOG Public Transit Program (Article VI).

## **PUBLIC TRANSIT PROGRAM**

### ***Program Purpose***

Pursuant to PUC Section 99260 et. seq., KCOG shall establish a program and make funding available to eligible claimants for the support of public transit systems. Funding shall be provided for costs associated with planning, operating and capitalizing public transit systems serving needs that are reasonable to meet.

### ***Funding Level and Allocations***

The level of program funding shall be predicated on the availability of funds as governed by the Act and approved by the Council. Funds provided under this program shall be allocated in accordance with and for purposes listed in PUC Articles 4, 6.5, 8(c) and 8(d).

### ***Eligible Claimants***

Eligible claimants under this Article shall include the County of Kern, each incorporated city within Kern County and the Golden Empire Transit District.

### ***Filing Date***

Claims under this Article shall be filed on or before April 1st of each fiscal year. A claim shall not be considered filed until all forms, documents and supporting data have been received by KCOG.

### ***Claim Form***

KCOG shall prescribe the forms on which all claims must be filed. KCOG reserves the right to alter the forms may, from time-to-time, be required. Claimants shall be responsible for ensuring that claim forms are complete and sufficient information is provided to permit evaluation based on applicable criteria.

### ***Claimant Funding Limitations***

Claims filed for public transit purposes shall be approved in an amount not to exceed the claimant's area apportionment or actual system net operating and capital costs (CAC Section 6634), whichever is less.

### ***Unmet Needs and Reasonableness***

The KCOG Council, by Resolution No. 90-04, has defined an "unmet need" and "reasonable to meet" as follows:

- **Unmet Need:** An unmet transit need exists if an individual of any age or physical condition is unable to transport him or herself due to deficiencies in the existing transportation system. Excluded are: 1) those requests for minor operational improvements, and 2) those improvements funded and scheduled for implementation in the following fiscal year.
- **Reasonable to Meet:**
  - **Operational Feasibility:** The requested improvement must be safe to operate and there must be adequate roadways for transit vehicles.
  - **Duplication of Service:** The proposed service shall not duplicate other transit services.



- **Timing:** The proposed service shall be in response to an existing, rather than a future, need.

Service must meet the legally required farebox ratio (PUC Sections 99268.2, 99268.5 and CAC Sections 6633.2, 6633.5) with fares close to fare of similar service.

***Claim Evaluation Criteria***

Public transit claims shall be evaluated based on the following criteria:

- Unreasonable or arbitrary increases in executive level salaries shall not be permitted.
- Routine staffing of two or more persons in a vehicle designed to be operated by one person shall not be permitted.
- An increase in the operations budget in excess of fifteen (15) percent over the preceding year shall be substantiated by a written justification.
- Substantial increases or decreases in the scope of operations shall be substantiated by a written description and justification.
- Substantial increases or decreases in the scope of capital acquisitions shall be substantiated by a written justification.
- A minimum of fifteen (15) percent of the TDA funds claimed shall be used for capital expenditure.
- Current costs of the employee retirement plan shall be fully funded.
- Claimants administering private pension plans shall conduct periodic actuarial studies of the plan; formulate and adopt financial plans to eliminate deficits; and set aside and invest funds sufficient to provide payment of future benefits.
- Claimants administering private pension plans shall include in their annual reports and financial statements an actuarial determination of the amount of pension liability; a determination of the amount of cash set aside and invested to meet pension liabilities; a determination of the amount of any plan deficit; and a financial plan designed to eliminate any deficits.
- Excessive changes in the level of passenger fares shall not be permitted.
- Operating policies and system efficiency must be reasonable.

- All public transportation needs within the claimant's jurisdiction, which are determined reasonable to meet, shall be served.
- Full use shall be made of other available financing sources, including federal transportation grants.
- Reporting and accounting procedures adopted by the California State Secretary of Transportation and KCOG shall be followed.
- Reasonable efforts shall have been made to implement KCOG's recommended productivity improvements.
- Reasonable efforts shall have been made to implement and/or correct financial and compliance and performance audit citations.
- An operator qualifying under CA Section 6633.1(a) shall not expend TDA Article 4 funds in excess of fifty (50) percent of the cost for operations, maintenance, capital and debt service less federal grants.
- Operating costs, farebox revenue and local financial support shall be clearly identified.
- A farebox recovery ratio of ten (10) percent for social service systems, ten (10) percent for rural systems and one-fifth for urban systems shall be maintained.
- A detailed report shall be filed within 90 days after the end of the first fiscal year in which any extension of service is implemented and the associated costs are subject to exclusion from farebox recovery ratio requirements.
- Urbanized areas, as defined by the latest Bureau of the Census report, shall be used to determine required farebox recovery ratios.
- Budgeting for and accumulating TDA-funded cash reserves in a local treasury shall not be permitted.
- Budgeting of non-cash related expenses, such as depreciation and amortization, should not be permitted.

***Transit System Coordination and Transfers***

Transit system operators shall coordinate services, fares, and transfer privileges in accordance with the following procedure:

- Review the routes, schedule and fare structure of each transit system within the service area by May 1st of each year.
- Coordinate the location, timing and cost of transfers to the mutual satisfaction of each operator.
- Maintain an ongoing program to receive and respond to written and oral requests and complaints regarding transfers.
- Provide written notification to KCOG within fourteen (14) days of the receipt of a complaint.
- Resolve and respond to each complaint within thirty (30) days of receipt.
- Provide a written report on the complaint and corrective actions to KCOG within ten (10) days response to each complaint.
- The violation of coordination and transfer agreements by a transit operator shall disqualify the violator from filing a claim for TDA funding pursuant to the KCOG Public Transit Program (PUC Sections 99282-99284).

***Claim Processing***

Claims for funding filed pursuant to this Article shall be processed in accordance with the following procedure:

- Funding shall be allocated to a claimant's reserve account from the area apportionment in an amount sufficient to fully fund transit claims prior to allocation for any other purpose.
- Funding shall be allocated and disbursed pursuant to the Regional Transportation Plan, an approved claim and KCOG conditions of approval.
- The Transportation Technical Advisory Committee, the Transportation Planning Policy Committee and the KCOG Council shall review each claim. Claim review and approval may be postponed if a representative of the claimant does not attend the meetings.
- Claims filed on or before April 1st shall be considered for approval at the June Council meeting. Amendments and claims filed after April 1st shall be considered for approval as soon as practical. Claims and amendments thereto shall be approved by KCOG Council resolution.

- Disbursement of transit funds to a claimant shall be made solely in accordance with the Act, an approved claim and the conditions of approval. Funds shall be automatically disbursed by KCOG, disbursed to claimant's local treasury in a single lump sum payment once sufficient funds have been allocated. Should a claimant demonstrate that delaying payment would create a financing hardship, KCOG may approve partial payments on a monthly, quarterly or other reasonable basis. No disbursement shall be made in an amount that exceeds the claimant's allocated reserve account balance.
- KCOG may adjust any claim and the related amounts to be disbursed in accordance with the results of the annual financial and compliance audit.
- Each claimant shall maintain a separate "transit enterprise fund" to account for all financial activity related to an approved claim.
- Funds remaining unexpended in a claimant's local treasury at the close of a fiscal year shall be recognized as "deferred revenue" and carried forward to the claim for the following year.
- KCOG shall issue a disbursement instruction(s) to the Kern County Auditor-Controller as soon as practical after sufficient funds have been allocated to honor the claim in full or in accordance with an agreed-upon schedule of partial payments.

## **STREETS AND ROADS PROGRAM**

### ***Program Purpose***

Pursuant to PUC Section 99400 et. seq., KCOG shall establish a program and make funding available to eligible claimants for the support of street and road systems. Funding shall be provided for costs associated with the planning, construction and maintenance of streets and roads systems as stipulated in the California State Controller's "Guidelines Relating to Gas Tax Expenditures" (See Appendix "D").

### ***Funding Level and Allocations***

The level of program funding shall be predicated on the availability of funds as governed by the Act and approved by the Council. Funds provided under this program shall be allocated in accordance with and for purposes listed in PUC Article 8.

### ***Eligible Claimants***

Eligible claimants under this Article shall include the County of Kern and each incorporated city within Kern County.

### ***Filing Date***

Claims under this Article shall be filed on or before September 1st of each fiscal year. A claim shall not be considered filed until all forms, documents and supporting data have been received by KCOG.

***Claim Form***

KCOG shall prescribe the forms on which all claims must be filed. KCOG reserves the right to alter the forms as may, from time-to-time, be required. Claimants shall be responsible for ensuring that claim forms are complete and sufficient information is provided to permit adequate evaluation based on applicable criteria.

***Claimant Funding Limitations***

Claims filed for streets and roads purposes shall be approved in an amount not to exceed claimant's area apportionment less amounts claimed for public transit purposes under Article VI or actual net program costs, whichever is less.

***Public Hearings and Required Findings***

KCOG and each claimant shall annually advertise and conduct a public hearing to receive testimony regarding any and all unmet transit needs prior to the consideration or submission of a claim pursuant to this program. Following the conduct of the hearing, KCOG and each claimant's governing body shall make a finding, by resolution, that there are no unmet transit needs; or that there are no unmet transit needs that can reasonably be met; or that there are unmet transit needs that can be reasonably met. The following documents must be submitted to KCOG after each claimant's public hearing: 1) A notice of public hearing; 2) Proof of publication; 3) A resolution of the governing body; 4) A summary of all staff reports responding to written or oral requests for unmet transit service during the fiscal year; and 5) Copies of all public comments received by claimant staff.

***Claim Evaluation Criteria***

Streets and roads claims shall be evaluated based upon the following criteria:

- Proposed projects and programs shall be consistent with the Regional Transportation Plan.
- Each project shall be identified by location (street name), distance between designated reference points and type of work to be done.
- Proposed projects and programs shall comply with the requirements of the California State Controller's "Guidelines Relating to Gas Tax Expenditures".
- Adequate funding shall first be directed to financing public transit needs.

- Budgeting for and accumulating TDA-funded cash reserves in a local treasury shall not be permitted.
- Budgeting of non-cash related expenses such as depreciation and amortization should not be permitted.
- Reasonable efforts shall have been made to implement and/or correct financial and compliance audit citations.
- Projects which are not started and completed in the fiscal year covered by an approved claim shall be included in the claim for the following year and reconsidered for approval.

***Claims Processing***

Claims for funding filed pursuant to this Article shall be process in accordance with the following procedure:

- Funding shall be allocated to a claimant's reserve account from the area apportionment in an amount sufficient to fully fund transit claims prior to allocation for streets and roads purposes.
- Funding shall be allocated and disbursed pursuant to the Regional Transportation Plan, an approved claim and KCOG conditions of approval.
- The Transportation Technical Advisory Committee, the Transportation Planning Policy Committee and the KCOG Council shall review each claim. Claim review and approval may be postponed if a representative of the claimant does not attend the meetings.
- Claims filed on or before September 1st shall be considered for approval at the November Council meeting. Amendments and claims filed after September 1st shall be considered for approval as soon as practical. Claims and amendments thereto shall be approved by KCOG Council resolution.
- Disbursement of streets and roads funds to a claimant shall be made solely in accordance with the Act, an approved claim and the conditions of approval. Disbursement of streets and roads funds to a claimant's local treasury shall be made after all area transit funds have been fully disbursed.
- KCOG may adjust any claim and the related amounts to be disbursed in accordance with the results of the annual financial and compliance audit.

- Each claimant shall maintain a separate "streets and roads special revenue fund" to account for all financial activity related to an approved claim.
- Funds remaining unexpended in a claimant's local treasury at the close of a fiscal year shall be recognized as "reserved or designated fund balance" and carried forward to the claim for the following year.
- Claimants shall file a written request to KCOG for the disbursement of allocated funds to the local treasury. This request shall certify the work is scheduled to commence upon receipt of funds. No disbursement shall be made in an amount that exceeds a claimant's allocated reserve account balance.
- KCOG shall issue a disbursement instruction to the Kern County Auditor-Controller as soon as practical in response to a written claimant request certifying that work is scheduled to commence on an approved project.

**Resolution of Local Support  
Resolution No.**

**Authorizing the filing of an application for (INSERT FUNDING PROGRAM NAME HERE) funding and committing the necessary local match and stating the assurance to complete the project**

The (INSERT APPLICANT NAME HERE) (herein referred to as APPLICANT) is submitting an application to the Kern Council of Governments (Kern COG) for (INSERT FUNDING \$ AMOUNT HERE) in funding from the (INSERT FUNDING PROGRAM NAME HERE) program for the (INSERT PROJECT TITLE(S) HERE) (herein referred to as PROJECT); and

APPLICANT has the financial capacity to complete, operate and maintain the project; and  
APPLICANT will ensure that funds required from other sources will be reasonably expected to be available on the time frame needed to carry out the project; and

APPLICANT is authorized to execute and file an application for funding the PROJECT under the (INSERT FUNDING PROGRAM NAME HERE) Program; and

APPLICANT, by adopting this resolution, does hereby state that:

1. APPLICANT will provide (\$ minimum match amount) in local matching funds; and
2. APPLICANT understands that the (INSERT FUNDING PROGRAM NAME HERE) funding for the project is fixed at the approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional (INSERT FUNDING PROGRAM NAME HERE) funding; and
3. APPLICANT understands the funding deadlines associated with these funds and will comply with the program implementation procedures described in Chapter 2 of the Kern COG Project Delivery Policies and Procedures manual; and
4. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the FTIP; and
5. APPLICANT and the PROJECT will comply with the requirements as set forth in the program; and

APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with Kern COG for (INSERT FUNDING PROGRAM NAME HERE) funding for the PROJECT as referenced in this resolution.





## APPLICATION FORMS & INSTRUCTIONS

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**Regional Surface Transportation Program (RSTP) – Call for Projects  
PROJECT APPLICATION**

(1) Is the project included in a local agency-adopted resolution supporting the project? YES / NO

(2) Does the proposed project meet basic eligibility requirements? YES / NO

Functional Classification: \_\_\_\_\_

(3) Project justification. Explain project need in terms of existing infrastructure, impact for service, safety or any other issue relevant to the project. Please indicate project is reconstruction, rehabilitation or resurfacing. (Attach to application)

(4) Lead Agency: \_\_\_\_\_

(5) Project scope and work description (indicate project limits): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(6)	Funding Type	PE	R/W	Const.	Total
Local	_____	\$ _____	\$ _____	\$ _____	\$ _____
Local	_____	\$ _____	\$ _____	\$ _____	\$ _____
State	_____	\$ _____	\$ _____	\$ _____	\$ _____
Federal	_____	\$ _____	\$ _____	\$ _____	\$ _____

(7) Programming Year by Phase: PE: \_\_\_\_\_ R/W: \_\_\_\_\_ Const: \_\_\_\_\_

(8) Rank: \_\_\_\_\_

Application completed by:	Phone Number:
Agency:	Fax Number:
Date Completed:	E-mail:
Address:	

Send completed application to:  
 Kern Council of Governments - 1401 19th Street, Suite 300 - Bakersfield, CA 93301  
 Telephone - 661-861-2191 - Facsimile 661-325-8214

**Regional Surface Transportation Program (RSTP) – Call for Projects**  
**PROJECT APPLICATION INSTRUCTIONS**

1. Resolution requirement – All projects submitted for funding must be included in a local agency-adopted resolution where a commitment is made to fund and implement projects as described in applications. A sample resolution is presented in APPENDIX A.
2. Eligibility requirements – Chapter 4 of the Kern COG Project Delivery Policies and Procedures manual provides a series of information regarding eligible projects funded in the RSTP program. Please review those eligibility guidelines. Should there be any question about project eligibility, Kern COG staff should be consulted prior to submittal.
3. Project background and justification - A purpose and need statement for the project, no longer than one page. It's meant to provide relevant information about the need for the project, safety issues, service issues or any other information that relates the project to the agencies transportation goals.
4. Lead agency - The lead agency is the same agency that will be responsible for delivering the project. That agency will require a Master Agreement with Caltrans to participate in the federal-aid reimbursement process.
5. Project description – The project description should provide information related to the limits and length, intersection location.
6. Funding information – Funding type refers to revenue source description such as: general fund, impact fee, Transportation Development Act (TDA), etc. The funding chart is broken into local, state, and federal funding rows, by phase: PE is preliminary engineering; R/W is rights-of-way; and Const is construction. The local match requirement for RSTP funding is 11.47%. This is the minimum amount of local match required for a RSTP project. Should your agency choose to increase the local match percentage in the proposed project, indicate that in the table as well. Federal-aid funding may be matched with local and state funds.
7. Programming year – Available federal fiscal years for programming of funds will be identified with each call for projects. The federal fiscal year begins October 1 each year and ends on September 30<sup>th</sup> of the following year. It is imperative that a project be initiated and obligated during the year in which it is programmed.
8. Rank: Indicate the ranking from the lead agency list of projects.

If there are any questions about information in the form or these instructions, please contact Joseph Stramaglia 661-635-2914 or Raquel Pacheco at 661-635-2907, or [jstramaglia@kerncog.org](mailto:jstramaglia@kerncog.org) / [rpacheco@kerncog.org](mailto:rpacheco@kerncog.org).

**Congestion Mitigation and Air Quality (CMAQ) Program – Project Application**

- (1) Is the project included in a local agency-adopted resolution supporting the project? YES / NO
- (2) Does the proposed project meet basic eligibility requirements? YES / NO
- (3) Project background and justification: Explain the project in terms of the existing infrastructure, its impact for service, safety or any other issue that is relevant to the project. (Attach to application.) If the project scope relates to fueling infrastructure please provide a 3-year fleet conversion plan.
- (4) Lead Agency: \_\_\_\_\_
- (5) Project Description: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- (6)
- |         | Funding Type | PE       | R/W      | Const.   | Total    |
|---------|--------------|----------|----------|----------|----------|
| Local   | _____        | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| Local   | _____        | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| State   | _____        | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| Federal | _____        | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| Total   | _____        | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
- (7) Programming Year by Phase: PE: \_\_\_\_\_ R/W: \_\_\_\_\_ Const: \_\_\_\_\_
- (8) VMT Reduction (annual miles): \_\_\_\_\_
- (9) VOC Reduction (kg/day): \_\_\_\_\_ Additional documentation required. See instructions.
- (10) NOx Reduction (kg/day): \_\_\_\_\_ Additional documentation required. See instructions.
- (11) PM<sub>10</sub> Reduction (kg/day): \_\_\_\_\_ Additional documentation required. See instructions.
- (12) PM<sub>2.5</sub> Reduction (kg/day): \_\_\_\_\_ Additional documentation required. See instructions.
- (13) CO Reduction (kg/day): \_\_\_\_\_ Additional documentation required. See instructions.
- (14) Cost-Effectiveness (\$/lb): \_\_\_\_\_ Additional documentation required. See instructions.
- (15) Livability and Safety: Describe how project provides the six benefits; limit to half page per benefit.
- (16) Hwy Peak Period LOS Before Project (AM/PM average): \_\_\_\_\_
- (17) Hwy Peak period LOS After Project (AM/PM average): \_\_\_\_\_
- (18) Bikeway Peak Period LOS Before Project (AM/PM average): \_\_\_\_\_
- (19) Bikeway Peak period LOS After Project (AM/PM average): \_\_\_\_\_
- (20) Pedestrian Peak period LOS Before Project (AM/PM average): \_\_\_\_\_
- (21) Pedestrian Peak period LOS After Project (AM/PM average): \_\_\_\_\_
- (22) Is the project identified as a RACM/BACM? YES / NO

**Contact Information**

Application completed by: _____	Phone Number: _____
Agency: _____	Fax Number: _____
Date Completed: _____	E-mail: _____
Address: _____ _____ _____	

Send completed application to: Kern Council of Governments - 1401 19th Street, Suite 300 - Bakersfield, CA 93301

**Congestion Mitigation and Air Quality (CMAQ) Program – Call for Projects**

**PROJECT APPLICATION INSTRUCTIONS**

1. Resolution requirement – All projects submitted for funding must be included in a local agency-adopted resolution where a commitment is made to fund and implement projects as described in applications. A sample resolution is presented in APPENDIX A.
2. Eligibility requirements – Chapter 5 of the Kern COG Project Delivery Policies and Procedures manual a series of information regarding eligible projects funded in the CMAQ program. Please review those eligibility guidelines. Should there be any question about project eligibility, Kern COG staff should be consulted prior to submittal.
3. Project background and justification - A purpose and need statement for the project, no longer than one page. It's meant to provide relevant information about the need for the project, recent history, safety issues, air quality benefits or any other information that relates the project to the agencies transportation goals, air quality commitments, etc.
4. Lead agency - The lead agency is the same agency that will be responsible for delivering the project. That agency will require a Master Agreement with Caltrans to participate in the federal-aid reimbursement process.
5. Project description – The project description should provide information related to the limits and length, intersection location, transit vehicle description in terms of passenger size and fuel/engine type, replacement stock or new service, and route/corridor service information.
6. Funding information – Funding type refers to revenue source description such as: general fund, impact fee, Transportation Development Act (TDA), etc. The funding chart is broken into local, state, and federal funding rows, by phase: PE is preliminary engineering; R/W is rights-of-way; and Const is construction. Transit projects may use the const. phase to indicate their amounts for capital costs. The Local match requirement for CMAQ funding is 11.47%. This is the minimum amount of local match required for a CMAQ project. Should your agency choose to increase the local match percentage in the proposed project, indicate that in the table as well. Federal-aid funding may be matched with local and state funds.
7. Programming year – Available federal fiscal years for programming of funds will be identified with each call for projects. The federal fiscal year begins October 1 each year and ends on September 30<sup>th</sup> of the following year. It is imperative that a project be initiated and obligated during the year in which it is programmed.
8. Effectiveness using the program titled “Methods to Find the Cost Effectiveness of Funding Air Quality Projects”,

General Methods Program (Microsoft Access), from the California Air Resources Board in Cooperation with Caltrans and CAPCOA, available at <http://www.arb.ca.gov/planning/tsaq/eval/eval.htm>, or the updated version. Kern COG staff shall be consulted prior the application deadline to determine is an alternative analysis program or formula should be used outside the Air Resources Board air quality emission calculation tools. Otherwise all applications are expected to use the appropriate ARB calculator / formulas. The application shall provide the following information for each emissions benefit reported. This information may be submitted as a separate document and attached to the application along with other documentation. The Kern COG CMAQ Policy requires that calculations be consistently used for all applications. In order to assure this consistency, additional documentation is required to allow for verification of the methodology, data and output.

9. Through 21. EMISSIONS BENEFIT CALCULATIONS:

- The project scope should be described in terms of current conditions and conditions after the project is completed. This information should then support the technical assumptions for the project.
- Technical assumptions about the project should be provided in detail and include quantity and metrics for use in the emissions calculations. Information should be provided for the “before” scenario and “after” scenario.
- The emissions calculation formula used should be written out to facilitate verification and accuracy.
- References to emissions tables used should be provided as necessary to facilitate verification and accuracy.

14. COST BENEFIT CALCULATION - Should there be an issue with finding an appropriate calculator for emissions benefits calculations or the cost benefit calculator, Kern COG staff should be consulted prior to the application deadline to allow for appropriate assistance to member agency staff. Kern COG staff should be able to verify output, the formula used and data used in order for the application to be ranked.

15. LIVABILITY AND SAFETY - Describe whether and how the project provides the six listed livability or safety benefits; provide no more than a half page response for each benefit. The four Livability benefits are: (1) Will enhance or reduce the average cost of user mobility through the creation of more convenient transportation options for travelers; (2) Will improve existing transportation choices by enhancing points of modal connectivity, increasing the number of modes accommodated on existing assets, or reducing congestion on existing modal assets; (3) Will improve travel between residential areas and commercial centers and jobs; (4) Will improve accessibility and transportation services for economically disadvantaged populations, non-drivers, senior citizens, and persons with disabilities, or make goods, commodities, and services more readily available to these groups. The two Safety benefits are: (5) Is the existing Accident Rate higher than the average rate for a similar facility, and does the project reduce the Accident Rate to the average rate or lower? Yes or No; and (6) Is the existing Fatality

## APPENDIX B: APPLICATION FORMS & INSTRUCTIONS

Rate higher than the average rate for a similar facility, and does the project reduce the Fatality Rate to the average rate or lower? Yes or No.

16. through 21. – Provide peak period Level of Service (LOS) for intersection(s) and/or road segments within the project limits for existing conditions (Before LOS) and estimated LOS after project completion (After LOS). If applicable, provide Bikeway and/or Pedestrian LOS. If LOS varies within the project limits, provide a weighted average. LOS should be calculated using methods consistent with the Highway Capacity Manual available at <http://www.trb.org/Main/Blurbs/164718.aspx>.

22. Is the project identified as a RACM/BACM?



ARTICLE 3 PEDESTRIAN AND BICYCLE FACILITIES CLAIM FORM

CLAIMANT INFORMATION

A. CLAIMANT

Agency: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Office Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Telephone: (\_\_\_\_\_) \_\_\_\_\_ EXT. \_\_\_\_\_

B. CONTACT PERSON

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Department: \_\_\_\_\_  
Office Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Telephone: (\_\_\_\_\_) \_\_\_\_\_ EXT. \_\_\_\_\_

CLAIM AND ASSURANCES

OF THE CITY/COUNTY OF \_\_\_\_\_  
For Fiscal Year 1990-91

A. CLAIM: The City/County of \_\_\_\_\_ hereby claims, subject to the approval of the Kern Council of Governments, Local Transportation Funds apportioned pursuant to California Public Utilities Code Section 99233.3 in the amount of \$\_\_\_\_\_.

B. COMPLIANCE ASSURANCES: The City/County of \_\_\_\_\_ hereby certifies that, as a condition of receiving funds pursuant to California Public Utilities Code Section 99234, it shall ensure that:

- 1: All funds will be expended in compliance with the requirements of Public Utilities Code Section 99234, applicable California administrative regulations and Kern Council of Governments' Transportation Development Act Rules and Regulations.
2. All funds will be expended in accordance with project description(s) and budgets(s) described in this claim, attached hereto and made a part hereof, by this reference.

## APPENDIX B: APPLICATION FORMS & INSTRUCTIONS

These assurances are given in consideration and for the purposes of obtaining funds apportioned for pedestrian and bicycle uses pursuant to Public Utilities Code, Division 10, Part 11, Chapter 4 of the State of California.

The person whose signature appears below has been authorized to provide the assurances cited above and prepare, submit and execute this claim on behalf of the city/county of \_\_\_\_\_.

By: \_\_\_\_\_  
Signature Date  
Title: \_\_\_\_\_

C. FINANCIAL ASSURANCES: I hereby attest to the reasonableness and accuracy of the financial information presented in this claim on behalf of the city/county of \_\_\_\_\_ and ensure that the funds will be expended in accordance with the proposed budget.

By: \_\_\_\_\_  
Signature Date  
Title: \_\_\_\_\_

### FACILITIES/ PROJECT DESCRIPTION

A. FACILITY/PROJECT TITLE:

\_\_\_\_\_

B. DESCRIPTION: \_\_\_\_\_

\_\_\_\_\_

C. LOCATION: \_\_\_\_\_

\_\_\_\_\_

D. BUDGET:

Category	Amount
Design and Engineering	\$ _____
New Construction	\$ _____
Equipment and Installation	\$ _____
Other	\$ _____
TOTAL	\$ _____
	=====

BICYCLE PARKING FACILITY CRITERIA

Describe Public Use Center Location:

---



---

B. Available Parking Spaces:      Automobile: \_\_\_\_\_  
    Bicycle: \_\_\_\_\_ (10% or less)

C. Maximum Funding:

Has the claimant received funding for any other bicycle parking facility during the current fiscal year?

YES                      NO

2) If a bicycle locker facility, does the proposed budget exceed \$2,400?

YES                      NO

3) If a bicycle rack facility, does the proposed budget exceed \$1,000?

YES                      NO

BIKEWAY FACILITY CRITERIA

A. PLANNING AND DESIGN

1) If the proposed facility is Class I, II, or III, does the project conform to the standard specifications cited in "Planning and Design Criteria for Bikeways in California"?

YES                      NO

B. SAFETY

1) \_\_\_\_\_ traffic accidents have occurred in the area served by the project during the past three years. Points:

Facility		Points
Class	Range	(Circle One)
II & III	0-2	5
II & III	3-5	10
II & III	6 or more	15
I	N/A	10

## APPENDIX B: APPLICATION FORMS & INSTRUCTIONS

2) The most recent count of average daily traffic indicates a volume of \_\_\_\_\_ in the area served by the project. Points:

Facility Class	Range	Points (Circle One)
II & III	less than 2,000	5
II & III	2,000-8,000	10
II & III	8,001-15,000	15
II & III	greater than 15,000	20
I	N/A	12

### C. NEED

1) The proposed project/street corridor is within 1,320 feet of the following:

Number	Generator Type	Type/Points	Total
_____	Schools	x	6
_____	Commercial Centers	x	5
_____	Office/ Industrial Complexes	x	5

### D. SYSTEM CONTINUITY AND IMPROVEMENTS

1) Does the proposed project/facility eliminate a gap(s) in the bikeway system or serve as a link between communities or systems?

	Points
YES	10
NO	0

2) Does the project/facility upgrade the system as follows:

Description	Facility Class(Circle Answer)	Points
Eliminates on-street parking	III	10
Provides a physical barrier	II	10

### E. LOCAL MATCHING FUNDS

Percentage of <u>total costs</u>	Points <u>(Circle One)</u>
0 – 4 %	5
5 – 9 %	10
10 – 15 %	15
> 15 %	20

F. TOTAL POINTS (A+B+C+D+E) = \_\_\_\_\_

# PEDESTRIAN FACILITY CRITERIA

## A. Project Eligibility

1) Does the project/facility represent only new sidewalks of pedestrian on or across arterial and/or collector streets and roads?

YES                      NO

## B. SAFETY

1) \_\_\_\_\_ traffic accidents have occurred in the area served by the project during the past three years.

Range	Points (Circle One)
0 – 2	5
3 – 5	10
6 – or more	15

2) The most recent count of average daily traffic indicates a volume of \_\_\_\_\_ in the area served by the project.

Range	Points (Circle One)
less than 2,000	5
2,000 – 8,000	10
8,000 – 15,000	15
greater than 15,000	20

## C. NEED

1) The proposed project/street corridor is within 1,320 feet of the following:

Number	Generator Type	Type/Points	Total
_____	Schools                      x	6	_____
_____	Commercial Centers                      x	5	_____
_____	Office/Industrial Complexes                      x	5	_____

## D. SYSTEM CONTINUITY AND IMPROVEMENTS

1) Does the proposed project/facility eliminate gap(s) in the pedestrian system or serve as a link between communities or systems?

Points:

YES                      10  
NO                      0

2) Does the project/facility upgrade the system by adding barriers, medians or parkways designed to physically separate pedestrian and vehicular traffic?

Points:

YES	10
NO	0

E. LOCAL MATCHING FUNDS

Percentage of total costs	Points (Circle One)
0 – 4 %	5
5 – 9 %	10
10 – 15 %	15
> 15%	20

F. TOTAL POINTS (A+B+C+D+E) = \_\_\_\_\_

# Instructions to Obtain Project Accident & Fatality Rates

## Example 1

Existing Facility: Conventional 2-lane undivided highway in a rural area on flat terrain with a design speed of 50 MPH.  
ADT: 15,000

Project Description: Widen from 2 to 4 lanes (divided highway) with a design speed of 55 MPH (ADT remains at 15,000).

Step 1: Obtain accident and fatality rates for the existing facility, and the statewide average accident and fatality rates for facilities similar to the existing facility (based on 3 years of data from Caltrans (TASAS) or local database). Example 1 rates for the Existing Facility are listed below.

Existing Facility		
	Acc. Rate	Fat. Rate
Existing Facility	1.21	0.06
Statewide Avg.	1.17	0.04

Step 2: Look up the basic average accident and fatality rates for the proposed project by utilizing the latest version of the Caltrans "Collision Data on California State Highways (road miles, travel, collisions, collision rates)" report.

08-15-00 BASIC AVERAGE ACCIDENT RATE TABLE FOR HIGHWAYS												
RATE GROUP	BASE RATE	+ ADT FACTOR	PCT FAT	PCT INJ	PCT F+I	HIGHWAY TYPE	TERRAIN OR ADT	DESIGN SPEED	AREA	ACC COSTS (\$1000)		
										F+I	ALL	
H 32	1.95	0.0000	0.4	45.1	45.6	UNDIVIDED 5-6 LANES		≥45	URBAN	82.3	39.7	
H 33	0.90	0.0000	2.9	43.9	46.8	DIVIDED 4 LANES	FLAT		RURAL	314.3	149.2	
H 34	1.65	0.0000	1.0	35.5	36.5	DIVIDED 4 LANES	ROLL/MTN		RURAL	182.1	69.0	
H 35	1.85	0.0000	0.7	43.1	43.8	DIVIDED 4 LANES		≤55	SUBURBAN	118.9	54.3	
H 36	1.70	0.0000	1.8	40.4	42.2	DIVIDED 4 LANES		>55	SUBURBAN	213.3	92.3	
H 37	3.35	0.0000	0.5	42.3	42.8	DIVIDED 4 LANES		<45	URBAN	92.5	41.9	
H 38	2.10	0.0000	0.7	43.8	44.4	DIVIDED 4 LANES		>45	URBAN	106.7	49.6	

BASE RATE	+ ADT FACTOR	PCT FAT
0.90	0.0000	2.9

Average Accident Rate = Base Rate + ADT Factor

ADT Factor: "0.01/" means factor divided by ADT in thousands; "0.01" means factor multiplied by ADT (\$1,000).

Average Fatality Rate = "PCT FAT" x Avg. Accident Rate

Base Rate: 0.90

ADT Factor calc.: 0.0 (0.00 x 15) = 0.0

**Avg. Accident Rate: 0.90** (0.90 + 0.0) = 0.90

**Avg. Fatality Rate: 0.026** (0.90 x 0.029) = 0.026

## Example 2

Existing Facility same as Example 1, including Step 1 (existing accident rates).

Project: Widen from 2 to 4 lane Expressway with a design speed of 65 MPH (ADT remains at 15,000).

RATE GROUP	BASE RATE	+ ADT FACTOR	PCT FAT	PCT INJ	PCT F+I	HIGHWAY TYPE	TERRAIN OR ADT	DESIGN SPEED	AREA	ACC COSTS (\$1000)	
										F+I	ALL
H 45	0.50	0.0070	2.6	42.6	45.2	DIV. EXPRESSWAY 4 LNS OR MORE		<65	RURAL	297.3	136.6
H 46	0.50	0.0070	3.0	44.7	47.6	DIV. EXPRESSWAY 4 LNS OR MORE		>65	RURAL	318.5	153.7
H 47	0.90	0.0170	1.5	43.2	44.8	DIV. EXPRESSWAY 4 LNS OR MORE		≤65	SUBURBAN	180.7	83.2
H 48	0.75	0.0100	0.8	40.8	41.5	DIV. EXPRESSWAY 4 LNS OR MORE		>65	SUBURBAN	130.7	56.6
H 49	1.75	0.0000	0.5	40.7	41.2	DIV. EXPRESSWAY 4 LNS OR MORE		≤55	URBAN	94.0	41.1
H 50	1.35	0.0000	1.3	44.5	45.9	DIV. EXPRESSWAY 4 LNS OR MORE		>55	URBAN	149.7	70.9

BASE RATE	+ ADT FACTOR	PCT FAT
0.50	0.0070	2.6

Average Accident Rate = Base Rate + ADT Factor

ADT Factor: "0.01/" means factor divided by ADT in thousands; "0.01" means factor multiplied by ADT (\$1,000).

Average Fatality Rate = "PCT FAT" x Avg. Accident Rate

Base Rate: 0.5  
 ADT Factor calc.: 0.105 (0.0070 x 15 ADT) = 0.105  
**Avg. Accident Rate: 0.605** (0.5 + 0.105) = 0.605  
**Avg. Fatality Rate: 0.016** (0.605 x 0.026) = 0.016

## Example 3

Existing Facility same as Example 1, including Step 1 (existing accident rates).

Project: Widen from 2 to 4 lane Freeway with a design speed of 65 MPH (ADT remains at 15,000).

08-15-00		BASIC AVERAGE ACCIDENT RATE TABLE FOR HIGHWAYS										
RATE GROUP	BASE RATE	+ ADT FACTOR	PCT FAT	PCT INJ	PCT F+I	HIGHWAY TYPE	TERRAIN OR ADT	DESIGN SPEED	AREA	ACC COSTS (\$1000)		
										F+I	ALL	
H 51	0.45	0.5000 /	2.4	40.2	42.6	FREEWAY 4 LANES OR LESS	≤15000	≤65	RURAL	292.8	127.0	
H 52	0.45	0.5000 /	4.0	44.9	48.8	FREEWAY 4 LANES OR LESS	≤15000	>65	RURAL	390.9	192.8	
H 53	0.45	0.0035	3.4	40.1	43.4	FREEWAY 4 LANES OR LESS	>15000	≤65	RURAL	377.0	165.9	
H 54	0.40	0.0035	3.1	40.3	43.4	FREEWAY 4 LANES OR LESS	>15000	>65	RURAL	350.4	154.4	
H 55	0.25	0.0050	2.2	40.1	42.3	FREEWAY 5-6 LANES			RURAL	276.2	119.1	

BASE RATE	+ ADT FACTOR	PCT FAT
0.45	0.5000 /	2.4

Base Rate: 0.45  
 ADT Factor calc.: .033 (0.5000 / 15 ADT) = 0.033  
**Avg. Accident Rate: 0.483** (0.45 + 0.033) = 0.483  
**Avg. Fatality Rate: 0.012** (0.483 x 0.024) = 0.012