



**Kern Council  
of Governments**

March 17, 2023

TO: Member Agencies

FROM: AHRON HAKIMI,  
EXECUTIVE DIRECTOR

By: Raquel Pacheco,  
Regional Planner

SUBJECT: **Regional Surface Transportation Program (RSTP)  
Call for Projects Application Package**

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On March 16, 2023, the Kern Council of Governments' (Kern COG) Board of Directors approved a Regional Surface Transportation Program (RSTP) call for projects. The following items have been assembled to assist member agency staff applying for RSTP funding. Please see attachment for more details.

- **Project Application** - The application and instructions are enclosed. The application package is available on the Kern COG website at [www.kerncog.org/call-for-projects/](http://www.kerncog.org/call-for-projects/). Requests should be summarized on agency (city, county or transit operator) letterhead and should include one application form for each ranked project. **RSTP project applications are due by 5:00 PM on Monday, July 17, 2023.** Please submit completed application with transmittal letter on agency letterhead to:

Attn: Raquel Pacheco  
Kern Council of Governments  
1401 19<sup>th</sup> St., Suite 300  
Bakersfield, CA 93301

**Send electronically:** digitally [Via Dropbox link](#) OR via mail on flash drive

- **RSTP Policy and Procedure** - The Regional Surface Transportation Program Policy and Procedure, attached, should be used to establish eligibility.
- **Timeline** - In January 2024, a draft RSTP Program of Projects will be submitted to the Transportation Technical Advisory Committee and the Transportation Planning Policy Committee for their review. In February 2024, if the RSTP Program of Projects is approved, these projects will be amended into the 2023 Federal Transportation Improvement Program (FTIP) and introduced into the Draft 2025 FTIP.
- **Local Agency Adopted Resolution** – A resolution where a commitment is made to fund and implement projects as described in application is required.

- **Proposed Project Review Office Hours** – Kern COG staff will be available by appointment April 18<sup>th</sup> – 24<sup>th</sup> to review proposed project(s). Email [rinvina@kerncog.org](mailto:rinvina@kerncog.org) by April 14<sup>th</sup> to set up an appointment. Kern COG staff will provide project development and submittal assistance.

Should you have any questions, please contact:

Raquel Pacheco at 661-635-2907 or [rpacheco@kerncog.org](mailto:rpacheco@kerncog.org)

Rochelle Invina-Jayasiri at 661-635-2908 or [rinvina@kerncog.org](mailto:rinvina@kerncog.org)

Enclosures:

RSTP Project Application  
RSTP Project Application Instructions  
RSTP Policy and Procedure  
Sample Local Agency Resolution

**KERN COUNCIL OF GOVERNMENTS**  
**Regional Surface Transportation Program (RSTP)**  
**PROJECT APPLICATION – Due Monday, July 17, 2023**

**\*Please note this is a PDF fillable form so responses may be typed. Items 1, 2, and 7 are drop downs. Totals in item 6 will automatically calculate.**

(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: \_\_\_\_\_

CRS Map Number: \_\_\_\_\_

(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 description [(Location:) + (Limits) + (;) + (Improvement/Activity)]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

Application completed by: \_\_\_\_\_ Date Completed: \_\_\_\_\_

E-mail: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Send completed application electronically on a flash drive with transmittal letter on agency letterhead to:  
 Attn: Raquel Pacheco ❖ Kern Council of Governments, 1401 19th Street, Suite 300, Bakersfield, CA 93301  
**OR** send digitally via [Dropbox, click here.](#)

**KERN COUNCIL OF GOVERNMENTS**  
**Regional Surface Transportation Program (RSTP) – Call for Projects**  
**2023 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 provided. When submitting multiple RSTP project applications, all RSTP projects may be included in one RSTP resolution.
2. Eligibility requirements – Chapter 4 of the Kern COG Project Delivery Policies and Procedures manual provides 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. For functional classification and CRS maps, visit <https://dot.ca.gov/programs/research-innovation-system-information/office-of-highway-system-information-performance>.
3. Project background and justification - A purpose and need statement for the project, no longer than one page. 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 scope description should provide information related to the limits and length, intersection location. Example: (Location:) + (Limits) + (;) + (Improvement/Activity)
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%. 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 – Projects will be programmed either in federal fiscal year 24/25 or 25/26. 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. For more information, please see Chapter 2 Implementation Procedures Overview of the Kern COG Project Delivery Policies and Procedures available at <https://www.kerncog.org/call-for-projects/>.
8. Rank – Indicate the ranking from the lead agency list of projects.
9. Send completed application electronically on a flash drive with transmittal letter on agency letterhead to:  
Attn: Raquel Pacheco, Kern Council of Governments, 1401 19th Street, Suite 300, Bakersfield, CA 93301  
**OR** send digitally via [Dropbox, click here](#).

If there are any questions about information in the application or these instructions, please contact:

Raquel Pacheco at 661-635-2907 or [rpacheco@kerncog.org](mailto:rpacheco@kerncog.org)

Rochelle Invina-Jayasiri at 661-635-2908 or [rinvina@kerncog.org](mailto:rinvina@kerncog.org)

# Chapter 4

## Regional Surface Transportation Program (RSTP)

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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.



**Resolution of Local Support  
Resolution No.**

**Authorizing the filing of an application for **Regional Surface Transportation Program** 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 **Regional Surface Transportation 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 **Regional Surface Transportation** 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 **Regional Surface Transportation Program** 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 **Regional Surface Transportation Program** 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 **Regional Surface Transportation Program** funding for the PROJECT as referenced in this resolution.