Mid-Ohio Regional
Planning Commission

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Columbus, Ohio 43215

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NOTICE OF A MEETING

ATTRIBUTABLE FUNDS COMMITTEE

MID-OHIO REGIONAL PLANNING COMMISSION
111 LIBERTY STREET, SUITE 100
COLUMBUS, OHIO
SCIOTO CONFERENCE ROOM

Wednesday, November 4, 2015
10:00 a.m.

AGENDA

1. Introductions – Rob Riley

2. Approval of September 2, 2015 Minutes – Rob Riley

3. Policies for Managing Attributable Funds – Nathaniel Vogt
   - Review draft document
   - Discussion

4. Evaluation Criteria – Nick Gill

5. Statewide CMAQ Program Update – Nick Gill

6. Timeline and Next Steps – Nick Gill

7. Other Business

PLEASE NOTIFY BRENDA AT 233-4146 or bnoe@morpc.org
TO CONFIRM YOUR ATTENDANCE FOR THIS MEETING OR
IF YOU REQUIRE SPECIAL ASSISTANCE

The next AFC Meeting is
December 2, 2015
111 Liberty Street, Suite 100
Columbus, Ohio 43215

William Murdock, AICP
Executive Director

Eric S. Phillips
Chair

Matt Greeson
Vice Chair

Rory McGuiness
Secretary

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William Murdock, AICP
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ATTRIBUTABLE FUNDING COMMITTEE
MEETING SUMMARY

Wednesday, September 2, 2015
10 a.m.
Scioto Meeting Room at MORPC
111 Liberty Street, Suite 100
Columbus, OH 43215

Members Present:

Name	Representing	Name	Representing
Ted Beidler	Franklin County Eng.	Greg Butcher	Violet Township
Fritz Crosier	Franklin County Eng.	Bill Ferrigno	Delaware City Eng.
Cindi Fitzpatrick	City of Grove City	Nick Gill	MORPC
Greg Heaton	ACEC	Matt Huffman	Liberty Township
Darryl Hughes	City of Grandview Hgts.	Holly Mattei	Fairfield Co. RPC
Kim Moss	OSU	Mark Nemec	City of New Albany
Rob Platte	Etna Township	Rob Riley	Delaware County Eng.
Doug Roberts	City of Columbus	Clyde Seidle	City of Hilliard
Reginald Stargell	City of Columbus	Scott Tourville	City of Pickerington
Anthony Turowski	ODOT District 6	Ira Weiss	CAC
Jeannie Willis	City of Dublin		

Staff Present:

Name
Ronni Nimps
Nathaniel Vogt
Thea Walsh

Meeting Summary

1. Introductions. Chair Rob Riley called the meeting to order at 10:30 a.m. Members/guests introduced themselves.

2. Approval of the May 5, 2015 Minutes. Ted Beidler moved and Doug Roberts seconded the approval of the May 5, 2015 minutes. The motion carried. A document was mailed with the packet that summarized proposed changes.

3. Principles and Procedures Update Process. Nick Gill said that the committee concluded its process at the January and May meetings. During the next few meetings we will review our procedures, what we want to change, what should stay the same, and prepare for the next solicitation round. The following document summarized comments we have received regarding changes: http://www.morpc.org/Assets/MORPC/files/2015-09-02%20AFC%20Meeting%20-%20Proposed%20Changes%20to%202016%20Application%20Round.pdf. One thing we have thought about is combining our principles and procedures into one document, and we want to improve the on-line process to make it simpler.

One member asked if the reapplication is made separate, almost like a separate process, would one be able to pull information from the original application easily. Nathaniel Vogt said that they should be able to do this. The member also asked what kind of timeline we were looking for with CMAQ funds. Gill said that the whole process will be discussed in this meeting and those through the end of the calendar year. We should be able to wrap up and create our new documentation process, but we may not yet have the on-line form completed. We need to have the entire process and form updated by the end of the December meeting so we may have a public comment period during the January-February timeframe. We will adopt the new items in April, hold a workshop in May, and applications starting in June, including updates to commitments.

Riley felt that the on-line application worked well last round. He liked the ability to enter the final application information early.

Gill said that in terms of scoring, we want to make sure that our targets within our categories of projects are reasonable. Riley said that the penalty information needs to be made very clear.

Riley talked about scoring. He wanted to know if a subcommittee should be convened since two years ago they spent a significant amount of time going through this. Gill said there was not a significant number of comments to us from the committee so far. The main thing is that this TIP is a subset of the current Metropolitan Transportation Plan, and by the time this process begins next time we will be under a new Metropolitan Transportation Plan with new goals, etc. We want to be sure our criteria mesh better with the new goals. This will be a staff process at first to identify these criteria.

Gill then discussed funding and incentives. No changes are being suggested.

Gill went through the handout document, the Draft Principles for Managing MORPC-Attributable Federal Funds (http://www.morpc.org/Assets/MORPC/files/20150902%20-%202014-04%20Principles%20for%20Managing%20September%20Draft%20to%20AFC.pdf). Gill and Vogt explained the edits on the document. He said he would send the Word document to members in case they want to make any edits.

Gill explained about toll credits. He said that toll credit is the ability to use federal funding on projects that would not normally be eligible for it. ODOT established the amount of toll credit that we have available. In the past we used toll credits to help eliminate match for some of our local and regional planning studies, but it was generally used on construction projects. Staff has not yet decided how it will be used, and Gill welcomed any suggestions. Gill further explained that the toll credit does not increase the amount coming to our region, but it could eliminate the need for a local match on projects. Riley felt that if an applicant applies for more than 80 percent on a project, we need to have a disincentive for that; i.e., a penalty in the scoring, unless it is an exceptional project. One member thought that perhaps our statement should be that "MORPC will discourage the use of its toll credit funds, but if you elect to use them, there will be a penalty." Butch Seidle felt there needs to be a procedure on how to use this tool. Gill thought it might be a good idea to have more discussions with ODOT to see if they can forecast further out than 2020, especially if we know we will not be using significant amounts of the credit. If we do not have funding available at the time a project goes forward and we need to obtain a SIB loan, for example, we may be able to use toll

credit. Riley felt that there needs to be a conversation about incentivizing smaller requests than 80 percent in scoring. Vogt said that this is one of the criteria we had in the funding goal from last time. It gets considered with the overall size of the request and number of funding partners. Seidle thought the group needs to write the policy, including toll credit as an exception that might be available.

4. Statewide CMAQ Program. Gill said that as alluded to in the TAC meeting, the state is taking solicitations to commit CMAQ funding primarily in year 2021 projects. Our process is to take projects to which we have already committed funding, assuming we will receive CMAQ funds, and submit the CMAQ-eligible projects to the statewide group to actually capture the assumed CMAQ funds to our region. We have committed funding to five projects, which we will submit to the statewide group. CAC and TAC have already accepted the staff recommendations.

   Riley moved to accept the recommendation as staff has submitted and as was approved by TAC. Ira Weiss seconded the motion, and the motion carried.

5. Timeline and Next Steps. Gill said that we will work to get the principles as a Word document out to the group. Hopefully, by the next meeting we will have begun to mesh this into one document. At the November meeting we will work more on the criteria. Hopefully, by the December meeting we will have things in a final form. Riley asked Gill by what date he wanted everything completed. Gill replied that the next application will be in June for updates and later in June for initial applications. He would like to get this document wrapped up this calendar year. We need to get the document out for public comment, then adopt in March or April 2016.

6. Other Business. Riley adjourned the meeting at 11:35 a.m.

Respectfully submitted,

Thea Walsh
Secretary

Policies for Managing MORPC-Attributable Funds

Introduction

The federal transportation program in the United States was authorized in 2012 by the Moving Ahead for Progress in the 21st Century Act (MAP-21) and has since been extended. Three of the many funding programs that this law reauthorized are the Surface Transportation Program (STP), the Congestion Mitigation & Air Quality Improvement Program (CMAQ), and the Transportation Alternatives Program (TAP). The Ohio Department of Transportation (ODOT) sub-allocates a portion of these funds to the state's metropolitan planning organizations (MPOs), including the Mid-Ohio Regional Planning Commission (MORPC). MORPC's program depends upon the continuation of federal funding programs and ODOT's policy. Each MPO is charged with attributing the funds to projects and activities sponsored by local public transportation agencies located within the MPO. MORPC's allocations are about $32 million annually:

Federal Transportation Program	MORPC's Annual Allocation
Surface Transportation Program (STP)	$20 million
Congestion Mitigation & Air Quality Improvement Program (CMAQ)[1]	$10 million
Transportation Alternatives Program (TAP)	$2 million
Total	$32 million

MORPC has established a competitive evaluation process as an aid in determining which of the requests will be granted. Applicants provide information to staff and a committee, which evaluate and make recommendations for awards to the projects using established criteria. A public involvement process follows and the MORPC Transportation Policy Committee (TPC) selects projects based on the recommendations and public comments.

The TPC has adopted this document to establish the policies to guide the allocation and management of these MORPC-attributable federal funds. If warranted by circumstances, the TPC may suspend any of these policies at its discretion.

Attributable Funds Committee (AFC)

MORPC convened the Attributable Funds Committee (AFC) to review the policies and procedures for managing these funding programs and to recommend modifications to them. The purpose of the committee, is to advise MORPC's TPC, Transportation Advisory Committee (TAC), and Community Advisory Committee (CAC) on the development and execution of the processes used to allocate MORPC-attributable federal funds to projects and project sponsors. To accomplish this, the AFC oversees the evaluation of applications, reviews the results of the evaluation, and recommends a program of funding commitments to the TPC.

[1] CMAQ funding is distributed through a process implemented by Ohio's eight large MPOs. The annual allocation is an estimate based on the MORPC's per capita proportion of the total available through the eight MPOs. See Section ?? for more information.

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As established in the AFC's bylaws, membership includes representatives from the following entities:

- MORPC Committees:
  - *Transportation Policy Committee* (TPC): 1 appointed by the Chair of the TPC
  - *Community Advisory Committee* (CAC): 2 appointed by the Chair of CAC
  - *Transportation Advisory Committee* (TAC): All members as identified in the current TAC bylaws with the same voting rights as listed in the TAC bylaws
  - *MORPC Sustainable Growth Working Group*: 1 as appointed by the Chair of the Sustainable Growth Working Group
  - *MORPC Air Quality and Energy Working Group*: 1 as appointed by the Chair of the Air Quality and Energy Working Group
- *Columbus and Franklin County Metropolitan Park District*: 1 as appointed by the Executive Director of Metro Parks (non-voting)
- *Sierra Club*: 1 as appointed by the Chair of the Central Ohio Group (non-voting)
- *Rails-to-Trails Conservancy*: 1 as appointed by Midwest Regional Office Director (non-voting)
- *Clean Fuels Ohio*: 1 as appointed by the Executive Director of CFO (non-voting)
- *MORPC staff:* 3 as appointed by the Executive Director (non-voting)
- Representatives of communities which have a future commitment of MORPC-attributable federal funding or which submitted final application(s) for MORPC-attributable federal funding on the most recent deadline date, except for those communities that already have representation through Permanent Member seats: 1 per community applicant appointed by the chief executive of that community.

The chairs of the CAC, TAC, and TPC will ensure that various fields have balanced representation on the AFC.

Process Milestones and Schedule

In the summer of the year prior to the TIP update (typically even-numbered years), staff will request applications for new funding commitments and updated information for all outstanding funding commitments. This will be done in a multi step process as outlined below:

1. Ask sponsors of outstanding funding commitments to complete the Commitment Update Form.
2. Request Screening Applications for new funding commitments.
3. Review the requests to modify outstanding commitments on the Commitment Update Forms and recommend changes.
4. Estimate the amount of funding available for new funding commitments based on recommended changes to outstanding commitments.
5. Review the Screening Applications and discuss with the applicants the competitiveness of their requests in comparison to others submitted by the same sponsoring agency and the amount of funding available.
6. Request Final Applications for new funding commitments in order to complete the evaluation process.

April: Policies adopted by the TPC.
Project solicitation sent to potential applicants.
Project status update reports sent to agencies with outstanding funding

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commitments.

May 13: MORPC to host workshop for applicants from 2:30 p.m. to 4:30 p.m.

June 2: Updates due to MORPC by 5 p.m. Late submittals will not be accepted. For Updates, one original form (including attachments) must be received at:

Mid-Ohio Regional Planning Commission
Transportation Systems & Funding
111 Liberty Street, Suite 100
Columbus, Ohio 43215

For Updates, an electronic version of the application in Word or PDF format must also be submitted. Applicants may email files less than 100 megabytes to tip@morpc.org. Applicants may send all electronic files on compact disc or USB flash drive to the address above. With electronic submissions, please make clear the location and format of any attachments to the application.

By June 16: MORPC staff will review the Updates for errors and omissions and notify the applicant. An applicant will have one week to respond to requests to correct errors and omissions

June 16: Initial Application submittal due to MORPC by 5 p.m. Late submittals will not be accepted. The initial submittal for new projects will be done through an online submission form.

By June 20: MORPC staff will review the Initial Applications for errors and omissions and notify the applicant. An applicant will have one week to respond to requests to correct errors and omissions.

June 27: Initial submittals posted online.

July 9: **Attributable Funds Committee (AFC) will meet at approximately 10 a.m. (following TAC)**. MORPC staff completes review of Updates and makes recommendations to the AFC for any modifications to previous funding commitments. MORPC staff completes screening of Initial Applications and reports to FFC.

July 10: Revise forecast of funding available for new projects.
Notify Initial Applicants of initial screening results and request Final Application.

August 15: Final Application submittals due to MORPC by 5 p.m. **Late applications will not be accepted.** The Final Application submittal for new projects will be done through an online submission form.

By August 25: MORPC staff will review the applications for errors and omissions and notify the applicant. An applicant will have one week to respond to requests to correct errors and omissions. **Applications will be penalized if the applicants fail to respond.** (Section 9 has more information on penalties.)

Sept. 10: **AFC will meet at approximately 10 a.m. (following TAC)** to act on staff recommendations for any modifications to previous funding commitments. Staff

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reports a summary of each final application for new funding.

September: Staff will apply scoring criteria to the applications for new projects to develop a preliminary project ranking.

Oct. 1: **AFC will meet at approximately 10 a.m. (following TAC)** to review MORPC staff preliminary scoring and ranking the projects.

October: AFC provide feedback to staff on preliminary scoring. Staff revises scoring as needed.

Nov. 5: **AFC will meet at approximately 10 a.m. (following TAC)** to review revised staff ranking and make preliminary project selections and funding amounts.

Nov. 19: **AFC will meet at 11:30 a.m.** to discuss preliminary project selections and funding.

Dec. 3: **AFC will meet at approximately 10 a.m. (following TAC)** to complete discussion of preliminary project selections and recommend program of projects for the public review and comment period.

Dec. 4: Draft list of MORPC-funded projects available for public review and comment (30 days).

December: Projects preliminarily chosen will be field-reviewed by ODOT, utilizing experienced staff from the Environmental, Real Estate, Planning, and Programming sections for project viability, right-of-way, costs, and adherence to MAP-21 criteria for the funding program(s). MORPC may conduct additional field reviews if warranted. Preliminarily selected applicants may be required to schedule PDP training.

January 2: Close of public review and comment period.

January 3: **AFC will meet at approximately 10 a.m. (following TAC)** to review public comments received and discuss changes to the program of projects.

January 17: **AFC will meet at 10 a.m.** to complete discussion on changes to the program of project. FFC makes recommendation of updated and new commitments of MORPC-attributable funding to go before CAC, TAC and TPC in February.

February: MORPC's CAC, TAC and TPC to review, modify and approve program of projects to use MORPC funding.

February: The sponsors of projects that are selected and their consultants may be required to attend a workshop on the PDP and other responsibilities.

Eligibility and Requirements

The sponsor submitting an application must be a public agency that is legally eligible to enter into a contract with ODOT. Citizen groups, other private organizations, public school districts, or government agencies ineligible to contract with ODOT may indirectly sponsor a project by coordinating with a sponsoring agency. The sponsoring agency assumes responsibility for executing the project. The sponsoring agency must own the proposed project facility and/or must own the

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property on which the proposed project will be located upon completion of the project.

The sponsoring agency's legislative body (e.g., city council) must approve a resolution or legislation committing the agency to maintain the facility, equipment, or other activity proposed in the application. Sponsoring agencies that have not adequately maintained prior projects that received MORPC-attributable funds are ineligible to apply for funding for additional projects.

To be eligible for funding, the proposed activity must be either individually identified on the MORPC Metropolitan Transportation Plan (MTP), consistent with it, or eligible to be included in it. The MTP identifies many individual roadway and bikeway projects. The proposed project does not have to exactly match the MTP listing. For example, it project could have different limits or propose a different number of lanes than the MTP project. Some activities, such as transit, pedestrian facilities, maintenance and intermodal access, are listed as Unmapped Projects. Intersection modification projects that are not individually listed on the MTP are included as a single line item in the Unmapped Projects.

If a proposed activity is not included or consistent with the MTP, it is still eligible for a funding commitment. However, the application must include justification for its absence on the MTP, the application's will be lower in the Collaboration and Funding goal, and it must be added to the MTP before it can be included with federal funding in the Transportation Improvement Program (TIP). The addition of a project to the MTP may require deletion of another project to achieve fiscal balance. Also, the MTP may need to be reanalyzed for conformity with air quality regulations. Because of the time necessary to revise the MTP and obtain approvals from state and federal agencies, projects that require an air quality conformity analysis and/or would violate the fiscal balance of the MTP will be routinely added to the MTP during the four-year updates only.

The federal-aid status of a roadway is largely determined by its functional classification. These classifications are determined by each state's department of transportation (in conjunction with metropolitan planning organizations such as MORPC, and local officials) based on criteria established by the Federal Highway Administration (FHWA). Roads functionally classified as local streets are not part of the federal-aid highway system and are not normally eligible for federal transportation funds. Roads functionally classified as Minor Collectors that are located outside of the Urbanized Area also are not normally eligible for Federal transportation funds. Minor Collectors within the Urbanized Area and all Major Collectors, Arterials, Freeways/Expressways, and Interstates are eligible for Federal transportation funds.

STP, CMAQ, and TAP are not grant programs; they operate on a reimbursement basis as work progresses. **Costs for any activity that occurs prior to authorization of the project phase by the Federal Highway Administration (FHWA) are not eligible for reimbursement.** The project sponsor will be responsible for those costs. In some cases, actions taken by the applicant that are inconsistent with the PDP, e.g., acquiring right-of-way before environmental clearance or through inappropriate means, can jeopardize the use of federal funds on the project.

Eligibility of Preliminary Engineering

MORPC expects project sponsors of construction projects to undertake preliminary development and detailed design activities without use of MORPC-attributable funds because it shows the sponsor's commitment to their project. It also avoids spending the additional time needed to procure engineering services when federal funds are used. In certain situations (a multi-jurisdictional project or severe financial hardship by the local agency, MORPC may attribute funds for preliminary engineering. Except as noted below, if MORPC funds are used for preliminary engineering, its total funding commitment to the project (PE, right-of-way and Construction) will not exceed the amount it

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would have been had MORPC funds only been used for the right-of-way and construction phases.

As an incentive for eligible projects slated for construction in the first four years of TIP to maintain their schedules, MORPC will fund up to 25 percent of costs of their preliminary engineering phase . If the project fails to meet the plan file date on the Partnering Agreement, then the PE costs will be deducted from the eligible construction funds for said project. Applications for new funding commitments only are eligible for this incentive.

Complete Streets Policy

The main objective of MORPC's Complete Streets Policy is to design and build roads that safely and comfortably accommodate all users of roadways, including motorists, cyclists, pedestrians, transit and school bus riders, people with disabilities, delivery and service personnel, freight haulers, and emergency responders. It includes people of all ages and abilities.

Project sponsors are required to adhere to the Complete Streets Policy in the planning and design of all proposed transportation projects using MORPC-attributable federal funds. Project sponsors are responsible for determining, within the context of the project, the most appropriate project approach to meet the Complete Street Policy's requirements. Sponsors shall copy MORPC staff on all submittals to ODOT concerning Complete Streets. The full Complete Streets Policy is available on the MORPC website.

Eligibility for Funding Programs

The U.S. Department of Transportation has established eligibility requirements for the STP, CMAQ and TAP programs, which are summarized below. Because of the difficulty in administering separate selection processes for each program and in applying for multiple programs for an eligible activity, MORPC has combined the funding programs into a single selection process and established funding targets for project type categories based on the eligibility provisions and allocations for the three programs. The funding targets are provided in Section 8.

All of the programs generally limit federal funding to 80 percent of eligible costs and require a 20 percent match from non-federal sources. Matching funds must be provided in cash, as in-kind contributions are not permitted. Ridesharing and signals projects can be funded 100 percent with MORPC-attributable funds.

STP Eligibility Guidelines

STP is the most flexible of the MORPC-attributable funding programs. Generally, any capital project or program eligible for federal highway or transit funding is eligible for STP funds. STP funds may be used for projects on any Federal-aid highway (e.g., arterials, collectors, but not local streets), bridge projects on any public road, transit capital projects, bicycle and pedestrian projects, and intracity and intercity bus terminals and facilities. Guidance on the eligibility for STP funds is available on the Web at: http://www.fhwa.dot.gov/federalaid/projects.cfm under Surface Transportation Program.

CMAQ Eligibility Guidelines

The purpose of the CMAQ program is to fund transportation projects or programs that reduce congestion and/or contribute to air quality improvements. CMAQ projects must demonstrate reductions in emissions of pollutants that contribute to the non-attainment of air quality standards, such as ozone precursors (nitrogen oxides and volatile organic compounds) and particulate matter. The U.S. Department of Transportation released a guidance document for the CMAQ program that includes an overview of the program, project eligibility provisions, and legal references. MORPC considers information in the guidance document in the administration of its CMAQ program and encourages sponsors of potential CMAQ projects to review it. The guidance document is available on

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the web:
http://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/2013_guidance/index.cfm

TAP Eligibility Guidelines

FHWA provides general guidance on the TAP. MORPC considers the guidance in the administration of its TAP program and encourages sponsors of potential TE projects to review it. The guidance is available on the Web: http://www.fhwa.dot.gov/map21/guidance/guidetap.cfm. Section E of the guidance describes eligible activities. Each project activity must demonstrate a relationship to surface transportation.

Tips for Applicants

- Scrutinize the cost vs. benefit when applying for federal funds. The program requirements can be demanding, and what is originally thought of as a small, inexpensive project can spiral quickly into a complicated and expensive project. For example: a project once thought to have a total cost of $85,000 with no right-of-way acquisition became a $120,000 construction cost with an additional $220,000 required for right-of-way acquisition.

- Federally funded projects are subjected to many requirements, including NEPA, the Uniform Relocation Assistance and Real Property Acquisition Act, and other ODOT regulations and standards. Most locally planned and funded projects are not subject to these requirements and may often be developed more quickly and at less expense than those that are federally funded.

- When developing a project schedule, keep in mind that the project will be subject to all of the ODOT PDP. Many steps will take much longer than if they were performed in-house. Even the least complicated projects do not happen overnight. Remember that ODOT has thousands of projects being developed at any given time. ODOT cannot expedite one applicant's project at the expense of other projects.

- Before hiring a consultant, review the experience of the personnel to be assigned to the project have with federally funded projects. How many have they successfully advanced through the system? When, where, and what type of project(s)? Consultants working on projects with a commitment of MORPC-attributable funds for any phase must be pre-qualified by ODOT.

Application Categories

MORPC promotes a multi-modal transportation system. However, realizing the difficulty in evaluating different types of projects, the applications will be evaluated by criteria developed for one of six project type categories. Each category will have the same or similar types of projects. Much of the evaluation criteria are the same across the categories. However, depending on the category, some criteria may be different to better reflect the distinguishable aspects of projects within particular categories. The grouping into categories of projects and the criteria unique to each category allows for a better “apples-to-apples” comparison of projects.

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The six categories are:

- **Major Widening/New Roadway** –This category primarily includes addition of through lanes or new roadways. It would also include new or expanded interchanges.

- **Minor Widening/Intersections/Signals** – This category includes minor widening/safety projects which add center turn lanes and/or widen lanes to standard widths. It also includes intersection projects. Coordinated signal system projects would also fall into this category

- **Bike and Pedestrian** – This category would primarily include multiuse paths and sidewalk projects. Projects which may add other type of bikeway such as a bike lane would also fall into this category. These would be stand alone projects and not part of a larger roadway project.

- **Transit** – This category would include transit vehicle replacements, park and rides, transit centers, enhanced bus stops, capital projects related to new service, streetcar, bus rapid transit, or rail transit.

- **System Preservation** – This category includes projects that are solely replacement of existing roadway infrastructure such as bridge replacements, resurfacing or rehabilitation or signal replacement/installation. If the project includes major or minor capacity increases, it would fall into the major or minor categories above.

- **Other** – If the funding request does not fit in any of the above categories, it falls into this category. These may be education or enforcement activities, non-transit engine retrofits, refueling stations, etc.

MORPC has established the target ranges of funding below for different types of projects. The purpose of the criteria is to identify the projects among the various categories that best advance the goals of the MTP. Once the most worthy projects are identified, the appropriate funding source(s) will be identified.

	Major Widening	Minor/ Intersections	Transit	System Preservation	Bike & Pedestrian
Min%	40	20	5	10	5
Max %	50	30	10	15	15

MORPC traditionally funds four programs from its attributable funding: RideSolutions, Paving the Way, Air Quality Awareness and Supplemental Planning. These programs may use up to five percent of MORPC-attributable funding without submitting applications for the formal selection process. The AFC may still make recommendations to the TPC regarding funding for these programs.

Application Process

Updates to Previous Funding Commitments

Sponsors with outstanding commitments that are scheduled or expected to be receive federal authorization for MORPC-attributable funds in SFY 2016 or later must complete a Commitment Update Form. Using the schedules and cost estimates provided on the Update Forms, staff will assess the demands of outstanding commitments. The AFC will review the changes apparent in the

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Updates and recommend modifications to the outstanding commitments as necessary. Staff will then prepare a forecast of available funding. If the changes to the scope, schedule or amount of the commitment are significant, the AFC may require a sponsor to submit a Final Application and compete with applications for new funding commitments.

Screening Application for New Funding Commitments

There is a two-step process to apply for new funding commitments. Screening Applications will be submitted through an online form and are due on June 16, 2014. The Screening Application gathers enough information to determine whether the project or program is eligible for funding, which activity category is most suitable for the project and for MORPC to gather information on the total funding expected to be requested.

After reviewing the Screening Applications for eligibility and completeness, MORPC staff will assign each one to an appropriate activity category. The AFC will consider the forecast of available funding and the new funding requests and direct the staff to advise each sponsor about the competitiveness of their application(s) and recommend for which project(s) to submit Final Applications. If a sponsor submits more than one Final Application, the sponsor will provide a priority ranking of the applications.

In mid-July, staff will provide feedback to the applicants on their Screening Applications. The AFC may recommend that sponsors limit the number of applications or amounts requested, but sponsors may submit Final Applications for any Screening Applications. The AFC will also provide guidance to the applicants about the specific information they will need to evaluate the application based on the project category.

Final Application for New Funding Commitments

The applicants can then provide more detailed information for the Final Application, which is due on August 15, 2014. Staff will score each Final Application according to the evaluation criteria for the activity category. The AFC will consider the scores and rankings within each activity category when making recommendations for funding.

Project Schedule

Provide a project schedule that is realistic and recognizes the processing and review times needed by ODOT and other state and federal agencies in the project development process. The project sponsor, ODOT, and MORPC must agree on a schedule when the partnering agreement is executed (see Principle #15).

New funding commitments will not be scheduled to receive funding without allowing sufficient time for project development. For most projects with a construction phase, this means that no funding will be available for any phase until SFY 2016. Sponsors of such projects seeking funding before SFY 2016 will have to provide justification in the Project Origin and Development and Project Schedule portions of the application. Sponsors that develop their projects ahead of their funding schedule may award such projects early if funds are available.

Project sponsors should anticipate that preliminary development and environmental activities will take two years. Detailed design will take one year, but may be completed concurrently with right-of-way acquisition and utility relocation, which will take one to three years.

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Funding commitments will be determined to be on schedule or behind schedule based on the dates in the Partnering Agreement. The schedule may be revised between the Screening Application and Final Application and between the Final Application and the Partnering Agreement.

Application Penalty Points

As described previously, MORPC staff will review the applications and updates for errors and omissions. If additional information is needed, staff will send a request to the Sponsor Project Manager identified on the application. The applicant must adequately respond by the date indicated in the request, which will be approximately one week after it is sent. A failure to adequately respond to the request will result in a reduction of 5 percent from a new project's evaluation score. The penalty will increase by 5 percent for each additional week that passes before the applicant adequately responds to a request. MORPC staff will determine whether a response to the request is adequate. The applicant may appeal any penalties to the Federal Funding Committee.

Applications lacking an authorized signature or supporting legislation will be subject to penalties as follows:

- Authorized Signature: If the signature area is incomplete (including printed name and title) a new project's evaluation score will be reduced by 10 percent. The penalty will increase by 5 percent for each additional week that passes before the applicant provides complete signature information.

- Supporting Legislation: If a copy of enacted supporting legislation is not received by November 1, 2014, a new project's evaluation score will be reduced by 10 percent. The penalty will increase by 5 percent for each additional week that passes before the applicant provides a copy of enacted supporting legislation.

In addition to possible penalty points on the individual application, a project applicant may be subject to penalty points on all applications for not delivering previous project commitments on schedule as outlined in Principle #10. Additional information on maintaining MORPC funding commitments and penalties is provided in section 9.

MORPC staff will review the applications and updates for errors and omissions. If additional information is needed, the applicant must adequately respond by the date indicated in the request, which will be approximately one week after the request is sent. A failure to respond timely and adequately to the request will result in a reduction of a new project's evaluation score. Section 9 contains more information about penalties.

Project Evaluation Criteria and Selection Process

Because of the high demand for MORPC-attributable federal funds, the AFC developed criteria and processes to identify the best candidates for funding. The criteria reflect current adopted MTP goals and objectives and satisfy the planning factors required by the federal Metropolitan Transportation Planning regulations.

Applications will be evaluated by staff, subject to review and oversight of the AFC. Projects with higher scores will generally be selected before projects with lower scores. Projects that are not selected may be considered in succeeding years if sponsors reapply.

Large construction projects are often developed and constructed in phases, i.e. under separate contracts. The NEPA process requires interrelated projects to be considered in one document, even when construction will occur in phases. Because it is difficult to evaluate the benefits and impacts of

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individual phases of a larger project, the criteria will be applied to the scope defined by the environmental document. If the document has not yet been developed to the point of defining the scope, then the scope anticipated for the environmental document will be evaluated. rather than on the construction sections.

The following generally describes the evaluation and selection process:

a. Staff shall apply the scoring criteria to applications for new funding commitments and outstanding commitments forced to re-compete.

b. Staff shall submit the collected information about each project and the scores for each project to the AFC for review and comment.

c. Staff shall prepare draft scenarios for future funding commitments based on the evaluation, outstanding commitments, availability of funding and meeting regional goals.

d. The AFC shall select a scenario and, if warranted, make alterations to reflect regional goals or other community needs. These changes and their rationale will be noted and included in the documentation of selection process.

e. The recommended program of funding commitments shall be provided to TAC, CAC, TPC, MORPC's members, and the public for review and comment.

g. At the conclusion of public involvement, the projects, schedules and costs will be endorsed through the MORPC committee process and incorporated into the TIP to be adopted the following May.

<u>Evaluation Criteria for Final Applications</u>

As part of the metropolitan transportation planning process, MORPC has been preparing the 2016-2040 Metropolitan Transportation Plan, which is scheduled to be adopted in May 2016. In December 2014, MORPC adopted six goals for the MTP below.

Through transportation:

- Reduce per capita **energy** consumption and promote alternative fuel resources to increase affordability and resilience of regional energy supplies.
- Protect **natural resources** and mitigate infrastructure vulnerabilities to maintain a healthy ecosystem and community.
- Position Central Ohio to attract and retain **economic opportunity** to prosper as a region and compete globally.
- Create **sustainable neighborhoods** to improve residents' **quality of life.**
- Increase regional **collaboration** and employ innovative transportation solutions to maximize the return on **public expenditures.**
- Use public investments to benefit the **health, safety, and welfare** of people.

The criteria for evaluating applications for new funding commitments are used to measure how well they advance the six goals identified for the MTP. The criteria for evaluating applications follows. These criteria help assure consistency between the MTP goals and the funding commitments that result from this process. The criteria that follow will be applied to the Final Applications.

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Tables for:

- Economic Opportunity Goal Criteria
- Natural Resources Goal Criteria
- Energy Goal Criteria
- Collaboration and Funding Goal Criteria
- Health, Safety & Welfare Goal Criteria
- Sustainable Neighborhoods and Quality of Life Goal Criteria

<u>Process for Scoring Applications for Each Goal</u>

Data for the criteria in each goal will be compiled. The overall goal score on a scale of 1 to 10 will then be established subjectively based an overall consideration of the data and qualitative statements with regard to each criterion. There is no specific weighting of criteria within each goal. The score will also be established relative to the other projects' information for the goal. If the data associated with a particular goal do not provide a meaningful distinction between two projects, they will receive the same score for that goal. For minor differences, the scores between two projects will be close. For projects that are clearly separated based on the goal criteria, the projects scores will be significantly different. Included with the goal score will be a brief rationale for the score.

MORPC staff would compile the data for each goal and develop the preliminary goal score and rationale. The AFC would then review the scores and rationales and make modifications as necessary to reach agreement.

<u>Process for Scoring Applications across All Goals</u>

Once the goal scores are completed, they will be combined to form the overall score for each project. The individual goal scores will be combined according to weights below.

	Economy	Natural Resources	Energy	Collaboration	Health, Safety & Welfare	Sustainable Neighborhoods
Major Widening/New Roadway	25	10	5	15	35	10
Minor Widening/Intersections/Signals	20	10	5	15	35	15
Bike and Pedestrian	5	15	5	15	30	30
Transit	10	15	15	15	20	25
System Preservation	10	10	10	15	40	15
Other	0	0	0	0	0	0

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Final Selection Process

Once the overall score is established, the ranking of applications within each category is determined. The AFC will review the ranking, make adjustments if necessary, and agree upon a program of projects to recommend that can meet the targets funding for each category.

MORPC staff would then use this recommendation, the application schedules, and when funding is available to develop a draft program of projects to use MORPC funding. MORPC may commit funding to projects to fully use the funding expected to be available for a 6-year period (4 years of next TIP plus 2 years). The construction phase of a project must be scheduled to begin, i.e. receive federal authorization, within this 6 year period. MORPC may commit funding beyond the sixth year, but not to exceed 25% of the total amount committed in the first 6 years. Also, there cannot be more than 40% of the yearly average committed in a single year beyond the sixth year.

This program would then be provided for a 30-day agency and public comment period. MORPC staff and the AFC would review any comments received and make adjustments, if necessary, before final action by the CAC, TAC and TPC.

The AFC will not reject portions of a project for funding. If a significant portion of a project appears to be inconsistent with MORPC's goals and policies, the project will be down-rated and therefore be less likely to be funded.

To limit the corrective action necessary to account for a project that is unable to achieve its obligation schedule, the amount that a phase of a project may receive in any particular year is limited to approximately $7 million. However, to minimize the administrative burden caused by each occurrence, the funding for a project phase will not be split if the phase is less than $10 million. If the project phase is over $10 million, the funding will be split with no more than approximately $7 million per year. The full 80 percent share of project right-of-way and construction would be made available to the sponsor, but projects costing more than the annual limit would have to utilize the following options:

- Split the project into smaller phases or modify the scope such that the right-of-way and construction phases are consistent within the annual limit.

- Finance the amount over the annual limit through a State Infrastructure Bank (SIB) loan or other loan mechanism, which can be repaid with commitments of MORPC-attributable funds in later fiscal years. Payback might be accelerated if funds became available.

- The sponsoring agency, with prior approval by ODOT and MORPC, may self-finance the amounts over the annual limit. The sponsor would be paid back with future allocations of MORPC-attributable federal funds. Payback might be accelerated if funds became available.

Incentives to create a "reservoir" of projects

Even in a well-managed program, there will be occasions when not all of the projects will be able to be obligated as scheduled. Consequently, it is desirable to create a “reservoir” of projects that are ready ahead of funding availability that could be obligated when necessary to effectively manage the program. MORPC will create a “reservoir” by scheduling projects to use State Infrastructure Bank (SIB) loans or another loan mechanism. MORPC will first develop the MORPC-attributable program based on expected funding per year, the applicants’ schedules and the evaluation criteria results. Then, project phases over $7 million for which there are insufficient funds available when needed, according to a realistic project development schedule, will be considered for a loan schedule. For these situations, MORPC will pay loan fees and interest, to the maximum extent possible, on the

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MORPC-attributable funding amount being borrowed. MORPC will schedule no more than four project loans in the four-year TIP and no more than one per SFY. At the time it is necessary to submit the loan application, the actual amount applied for may be reduced or eliminated if there is more MORPC-attributable funding available than originally expected.

New item: Use of Toll Credit

[Placeholder]

Project Development Process Requirements

Federal law requires that federally funded projects conform to NEPA and the National Historic Preservation Act. To comply with these laws, projects must have an environmental review to assess and/or mitigate effects on social, economic, and environmental factors. Similarly, work involving sensitive historic structures or archaeological sites must conform to the U.S. Secretary of the Interior's standards and guidelines for archaeology and historic preservation.

If federal funds are used in the preliminary engineering phase, the consultant must be selected through ODOT's federal procurement process. Consultants working on projects with a commitment of MORPC-attributable funds for any phase must be pre-qualified by ODOT.

Any right-of-way or property acquisition must conform to the Uniform Relocation Assistance and Real Property Acquisition Act, as amended.

Engineering and architectural designs for all facilities must conform to current regulations resulting from the Americans with Disabilities Act (ADA).

To ensure these and other requirements are met, all activities using federal transportation funds must follow either ODOT's PDP or Local Public Agency (LPA) process. ODOT maintains a website with PDP information: http://www.dot.state.oh.us/projects/pdp/Pages/default.aspx. Projects normally advance through the "traditional" process where ODOT oversees and reviews environmental studies, right-of-way and construction plan preparation, bidding, and construction. With ODOT and MORPC concurrence, sponsors may elect to advance their projects through ODOT's LPA process (also called the "local-let" process) that allows the LPA more control of the project. The LPA process does not exempt the project from any NEPA, public involvement, or other requirements. Only applicants who have proficiently advanced their projects through ODOT's PDP in the past will be eligible for LPA consideration.

[http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Pages/LPA-Qualification-Process.aspx] ODOT allows LPAs to administer construction projects on the LPA's system using Federal funds if the LPA has completed all of the required LPA eLearning Qualification Modules, the LPA can prove it has properly licensed and experienced employees, all of the required written processes and policies are in place, and the LPA has enough internal support to complete the project properly.

For more information on Ohio's LPA Qualification Process, please review chapter one of the Locally Administered Transportation Projects (LATP) Manual available by clicking here or contact your District LPA Manager (list available by clicking here).

MORPC will include new and outstanding funding commitments in SFYs 2018-2021 in the updated Transportation Improvement Program (TIP). For a project or activity to be eligible to receive federal

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funds, it must be included in the TIP.

Maintaining Funding Commitments

It is the project sponsor's responsibility, with ODOT and MORPC support, to develop the project on schedule in order to allow the funds to be authorized.

Partnering Agreements

To document the local commitment to each project, a partnering agreement will be executed among the project sponsor, ODOT, and MORPC. The agreement will include the scope of the project, its schedule prepared with mutually agreeable dates, a commitment on the parts of the project sponsor to become suitably knowledgeable about the ODOT process, attending regular project meetings with ODOT and MORPC and providing project update information necessary for monthly updates to the TAC, and commitment of all the partners to carry out their responsibilities to the project at a level of quality and in a time frame consistent with the best practices customary in Central Ohio. In order to maintain the inclusion of its projects in the TIP, the project sponsor will take legislative action approximately every two years (each time an updated application is submitted) to recommit to the project. Attached is a sample Partnering Agreement.

Project Monitoring

To assist in more timely delivery of MORPC-funded projects and to make the status of projects using MORPC-attributable funding more widely known, MORPC will closely monitor the status of projects. Steps MORPC will take to monitor will include:

- Maintain a list with contact info of project managers for project sponsor, ODOT and consultant.
- Maintain a list of milestone dates for the project including at a minimum the milestones included in the project application.
- Contact the sponsor, ODOT and consultant project managers at least monthly for status updates, which will be compiled into a report.
- Attend quarterly meetings and other project meetings. Project sponsor attendance at quarterly project status meetings scheduled by ODOT will be mandatory unless the project sponsor, ODOT, and MORPC agree to cancel the meeting.
- MORPC will report on the status of all projects at each TAC meeting. Project managers of projects falling behind schedule may be requested to report on the project to TAC.
- A summary of the information will be formally reported to the project sponsor CEO and chair of council (if such exists) at the beginning of each fiscal year at a minimum. These would be more often if a project begins to fall behind.
- MORPC will investigate additional means of monitoring and providing updates.

Cost overruns

The cost of projects submitted for funding sometimes increases dramatically from the estimate submitted by the project sponsor. At times MORPC's program has absorbed these costs by delaying

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funding for projects that follow. In order to provide more accurate funding schedules to all project sponsors, MORPC will limit the amounts that projects may overrun their estimates.

MORPC's total participation in a project for Right-of-Way and Construction shall be fixed at no more than the commitments shown in the TIP at the time the project phase is obligated plus 10 percent or $300,000 whichever is greater as long as the total commitment for the project does not increase more than 50%. Costs in excess of these amounts shall be the responsibility of the project sponsor. Prior to obligation, project sponsors have the right to withdraw projects and ask that they be reprioritized in a later year to obtain a higher MORPC commitment with the stipulation that if the withdrawal results in a loss of federal funds or obligation authority to the region, funding for this project and other projects of the project sponsor may be delayed by MORPC indefinitely. Projects that received a fixed dollar amount commitment or that are not construction projects such as studies, preliminary engineering, MORPC programs, other programs, and purchases are fixed at the dollar amount shown on the TIP from which the project phase is obligated, i.e. there is no 10 percent additional MORPC participation.

Penalties

Because, at times, project sponsors have been unable to deliver their projects on the original schedule or within original budget, it is necessary to include penalties for delays and cost increases.

The application of penalties will only take place after several notifications of the delayed or increased cost status of the project through the reports and letters generated through the monitoring system. Project sponsors may appeal penalties by petitioning MORPC's Attributable Funds Committee (AFC) for relief. The AFC will develop procedures for hearing such petitions.

- The schedule of dates provided in the funding application for which the project was originally awarding funding will be the trigger dates referenced in determining penalties.

- The TPC resolution that first committed MORPC funding to the project will be the funding referenced in determining penalties.

- The partnering agreement between MORPC and the local agency shall further document the established dates and funding commitment. The partnering agreement may include modest adjustments to the trigger dates provided the partnering agreement is executed prior to first incorporating the project into the Transportation Improvement Program.

- If the project sponsor has not authorized a consultant nor completed any additional project development tasks per the schedule by the time the first updated application is due, the project must re-compete.

- If a project's federal right-of-way authorization or final plan package submittal to ODOT is delayed more than one year, then the sponsor will be penalized on all new projects submitted for funding by reducing each new project's total score by 5 points. The penalty will be applied until the right-of-way is authorized or the final plan package is submitted to ODOT . If a project sponsor has multiple existing projects with delays, the penalty will be applied for each delay up to a maximum of 15 penalty points.

- If a project's federal right-of-way authorization is delayed more than two years, then the sponsor is ineligible to apply for funding of additional projects until right-of-way is authorized.

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- If a project's final plan package submittal to ODOT is delayed more than two years, then the sponsor is ineligible to apply for funding of additional projects until it has submitted the final plan package to ODOT.

- Projects which miss obligation dates that result in loss of funding to the region will have their federal share reduced by 10 percent (typically from 80 percent to 70 percent, but 100 percent projects would also drop to 70 percent), as well as have funding for this project and other projects of the project sponsor delayed by MORPC indefinitely.

- During the formal project update cycle, with approval of the AFC and adopted through TPC resolution, the partnering agreement may be updated to reflect new funding commitments.

- In extenuating circumstances, if agreed to by the AFC, the partnering agreement may be updated during the formal project update cycle to reflect new trigger dates.

Other Program Management Policies

Requests for funding requiring a decision outside of the regular selection process.

When circumstances require MORPC to decide outside of its normal funding cycle about committing MORPC-attributable funds to a project to which it has not previously made any commitments, the sponsor shall:

1. Fill out the final application from the previous funding round including all information used to score the project.

2. Provide a letter to the Executive Director and Transportation Director requesting the funding which answers the following questions:

    - Why is this request being made outside the normal funding cycle?

    - What is the urgency of the request that it cannot wait until the next normal funding cycle?

    - When did the applicant know the funds being request would be needed?

Once the applicant has provided the completed application and letter of request, staff will:

1. Assign the project to the appropriate project type category and determine whether committing the requested funds would cause the total funding for that category to be outside its targeted range.

2. Score the new project relative to the projects in the category from the last round

3. Assess if the requested funding would impact other committed projects

Once staff has completed the above assessment, the request will be processed as described below:

- If the requested amount is under $2,000,000, staff will prepare a recommendation to the CAC, TAC and TPC on whether to provide the requested funding. Staff has the discretion to recommend a more rigorous process if it determines that circumstances warrant it.

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- If the requested amount is $2,000,000 or over, staff will provide a summary of the project request to the TPC chair who will consult with the other officers, the CAC chair and the TAC chair. This evaluation group would then determine the additional steps to be taken to asses this request before submitting the request to CAC, TAC, and TPC. The options include:

    - No additional assessment. Go directly to CAC, TAC and TPC with staff recommendation

    - Direct the request to the AFC for further discussion and recommendation. The AFC recommendation would then be submitted to CAC, TAC and TPC

    - In consultation with the evaluation group and consistent with the Bylaws governing the TPC, the chair of the TPC appoints a special sub-committee or work group to further discuss the request and make a recommendation. The recommendation would then be submitted to CAC, TAC and TPC

- MORPC may adjust the type of federal funding (i.e., STP, CMAQ, and TAP) the project receives to balance its program. This does not mean that funding will be removed from the project, but that MORPC may alter funding arrangements for a project.

Authorization to trade obligation authority with other MPOs

Staff is authorized to negotiate with other MPOs, ODOT, and the County Engineers Association of Ohio to exchange obligation authority so it may be used to the advantage of Central Ohio. At the time it is necessary to submit a SIB loan application per Principle #13, the principal amount applied for may be reduced or eliminated if there is the ability to exchange obligation authority. The Transportation Systems and Funding Director is authorized to approve these exchanges.

Ohio statewide Urban CMAQ program

As of the fall of 2013, MOPRC no longer receives a direct allocation from ODOT of Congestion Mitigation and Air Quality (CMAQ) funds specifically for the MORPC MPO area. The funds historically provided to us are now pooled with the funds formerly provided to each of the eight large MPO's in the state. The eight large MPOs have cooperatively developed (with ODOT's concurrence) the Ohio Statewide Urban CMAQ Committee (OSUCC) to solicit, evaluate, and select projects to use the pooled CMAQ funding. As outlined below and in the *Application Procedures for MORPC-Attributable Funding Programs,* MORPC will work within the guidelines of the OSUCC to secure CMAQ funding for MORPC MPO area projects. If ODOT's current funding policy changes in regards to amount of funds sub-allocated or the elimination the program, MORPC will reevaluate the CMAQ funding commitments.

- MORPC will strive to ensure that the MORPC MPO area obtains a fair share of CMAQ funding.

- The OSUCC does not require ridesharing and air quality programs to go through the project selection process. MOPRPC may continue them per Principle #11 up to the funding threshold established in the OSUCC program.

- The project application and selection process as described in Principle 11 will be used to identify projects to be submitted to the statewide process for CMAQ funding. The target percentages of funding by project category in Principle #11 will assume MORPC will receive its fair share of CMAQ funding.

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- All projects will be evaluated according to the category criteria as specified in the *Application Procedures for MORPC-Attributable Funding Programs.* CMAQ eligible projects will also scored according to the OSUCC scoring criteria.

- The results of the MORPC evaluation and the statewide scoring will be considered in identifying projects to submit to the statewide process. The AFC will rank the top four projects in accordance to the statewide program.

- For projects being submitted to the statewide process, MORPC may work with the project applicants to adjust the project's scope, schedule or funding to allow it to be more competitive in the statewide process and maximize the CMAQ funding able to be brought into the region. This may include relaxing some requirements identified in other Principles.

- If necessary, some funding commitments resulting from MORPC's normal project selection process may be identified as contingent upon receiving funding through the statewide CMAQ process.

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