



Mid-Ohio Regional  
Planning Commission

**DRAFT**  
**Policies for Managing**  
**MORPC-Attributable Funds**

**December 2, 2015**

**Mid-Ohio Regional Planning Commission**  
111 Liberty Street, Suite 100 · Columbus, Ohio 43215  
T 614.228.2663 F 614.621.2401  
TDD 1.800.886.2663  
[www.morpc.org](http://www.morpc.org)

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## 1 Introduction

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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) <sup>1</sup>	\$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.

## 2 Attributable Funds Committee (AFC)

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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.

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

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<sup>1</sup> 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 10.3 for more information.

- 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.

### 3 Process Milestones and Schedule

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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.

Below is the schedule for the 2016-2017 application and selection process:

April 14: Policies adopted by the TPC.  
 April 18: Project solicitation sent to potential applicants.  
 Project status update reports sent to agencies with outstanding funding commitments.

- May 10: MORPC to host workshop for applicants from 2:30 p.m. to 4:30 p.m.
- June 6: Commitment Update Form must be completed online by 5 p.m. Data in the online form will be downloaded at that time.
- June 13: Staff will notify sponsors of any errors and omissions on the Commitment Update Forms. Sponsors will have one week to provide corrections.
- June 13: Screening Applications must be completed online by 5 p.m. Data in the online form will be downloaded at that time.
- June 20: Staff will notify applicants of any errors and omissions on the Screening Applications. Applicants will have one week to provide corrections.
- July 1: Summary of Updates and Screening Applications posted online.
- July 6: AFC will meet at approximately 10 a.m. (following TAC). Staff presents changes requested on the Commitment Update Forms and recommendations for modifications to outstanding funding commitments. Staff presents an overview of Screening Applications received.
- July 8: Revise forecast of funding available for new commitments.
- July 15: Staff sends feedback to Screening Applicants and guidance for completing the Final Application.
- Aug. 15: Final Applications must be completed online by 5 p.m. Data in the online form will be downloaded at that time.
- | Aug. 22: Staff will notify applicants of any errors and omissions on the ~~Screening-Final~~ Applications. Applicants will have one week to provide corrections. Applications will be penalized if the applicants fail to respond. See Section 6.
- Aug. 31: AFC will meet at approximately 10 a.m. (following TAC) to approve modifications to outstanding funding commitments. Staff presents 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. 5: AFC will meet at approximately 10 a.m. (following TAC) to review MORPC staff preliminary scoring and ranking the projects.
- October: AFC provides feedback to staff on preliminary scoring. Staff revises scoring as needed.
- Nov. 2: AFC will meet at approximately 10 a.m. (following TAC) to review the staff's revised ranking and multiple funding scenarios for the committee to consider.

- Nov. 16: AFC will meet at 10 a.m. to present member feedback on the scenarios and progress toward endorsing a single funding scenario.
- Nov. 30: AFC will meet at approximately 10 a.m. (following TAC) to consider final adjustments to the funding scenario and approve a draft recommendation of funding commitments for the public review and comment period.
- Dec. 2: Draft recommendation of funding commitments is announced and made available for public review and comment (30 days).
- December: Sponsors of applications included in the draft recommendations will coordinate with ODOT to program the project (obtain a PID) and initiate project development.
- Jan. 3: Close of public review and comment period.
- Jan. 4: AFC will meet at approximately 10 a.m. (following TAC) to review public comments received and discuss changes to the program of projects, if necessary. Otherwise the AFC will proceed with the business of the February 1 meeting.
- Feb. 1: AFC will meet at 10 a.m. to complete discussion on changes to the draft recommendations. AFC approves final recommendations for updated and new commitments of MORPC-attributable funding.
- March: MORPC's CAC, TAC and TPC to review, modify and approve program of projects to use MORPC funding.

## 4 Eligibility and Requirements

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### 4.1 Eligible Sponsors

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 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.

### 4.2 Eligible Roadways: The Federal-Aid System

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.

### 4.3 Eligible Projects: The Metropolitan Transportation Plan

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 score 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.~~

**Comment [nv1]:** Comment: Limit the discussion on how a project that is not on the MTP can get funded.

### 4.4 Eligible Costs

#### 4.4.1 *Non-Federal Matching Requirements*

All of the programs generally limit federal funding to 80 percent of eligible costs and require a 20 percent match from non-federal sources; however, Toll Revenue Credit (TRC) may be used to raise the federal share up to 100 percent of eligible costs, subject to the policy on use of TRC (see Section 4.4.2). 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.

**Comment [nv2]:** Member comment

#### 4.4.2 *Toll Revenue Credit*

Toll Revenue Credit (TRC) provides the opportunity for funding of project costs in excess of 80 percent. TRC is not additional federal dollars to the region; rather, it is a credit applied by FHWA for Ohio's use of state turnpike revenues on highway projects which are otherwise federally eligible. The credit, in turn, allows use of federal funds in excess of the 80 percent limit on any federally eligible project within the state. TRC is intended to provide additional flexibility to fund projects at a higher rate than the 80 percent limit; however, use of TRC takes away the ability to fund other eligible projects in the region.

**Comment [nv3]:** Member comment

MORPC's policy allows TRC to be applied to funding commitments in a variety of circumstances to facilitate program management, including, but not limited to:

- Increasing federal share on earlier phases (PE or RW) of a project by advancing funds committed to a later phase (construction) of the project, such that the total funds committed to the project do not exceed 80 percent of the eligible phases (typically RW and Construction).
- In a situation when both (1) the balance of attributable funds is projected to exceed the maximum allowed by ODOT's Carryforward Policy, and (2) the funds that are to be

encumbered for the phase are less than the amount of the commitment of attributable funds, the federal share may be increased to an amount not to exceed the amount [for the cap limit?] currently committed on the TIP.

- An applicant can request federal funds in excess of 80 percent using TRC. However, the score will be reduced as described in the criteria for Collaboration in Section 7.1.
- The AFC or staff may recommend other uses of TRC that allow for the more efficient delivery of outstanding commitments.

[This section does not apply to ridesharing and signal projects, which are eligible for up to 100 percent funding without use of TRC.]

Comment [nv4]: Member comment

#### ~~4.4.2~~4.4.3 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 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 initial Partnering Agreement, then the PE costs will be deducted from the eligible construction funds for said project. Only applications for new funding commitments are eligible for this incentive; it is not available after funds have been committed.

#### 4.4.4 Prior Federal Authorization

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.

## 4.5 Eligible Activities

The U.S. Department of Transportation has established eligibility requirements for the STP, CMAQ and TAP programs, which are summarized below. Contact MORPC staff if you have a question on the eligibility of a proposed project. 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 5.

### 4.5.1 STP Eligibility Guidance

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 construction, expansion, reconstruction or preservation projects on any Federal-aid highway (e.g., arterials, collectors, but not local streets); or a 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/map21/guidance/guidestprev.cfm>

<http://www.fhwa.dot.gov/federalaid/projects.cfm> under Surface Transportation Program.

**Comment [nv5]:** Member comment: Those sites are just way too bureaucratic.

#### 4.5.2 CMAQ Eligibility Guidance

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.

Eligible activities include:

- [Traditional traffic flow improvements, such as the construction of roundabouts, left-turn or other managed lanes.](#)
- [Intelligent Transportation Systems \(ITS\) projects, such as traffic signal synchronization projects, traffic management projects, and traveler information systems.](#)
- [Projects and programs targeting freight capital costs-rolling stock or ground infrastructure.](#)
- [Programs for the provision of all forms of high-occupancy, shared-ride services.](#)
- [Programs to control extended idling of vehicles.](#)
- [New transit vehicles to expand the fleet or replace existing vehicles.](#)
- [Bicycle and pedestrian facilities and programs.](#)
- [Alternative fuels infrastructure and vehicles.](#)

The U.S. Department of Transportation released a guidance document for the CMAQ program that includes an overview of the program, ~~project and additional~~ 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 the web:

[http://www.fhwa.dot.gov/environment/air\\_quality/cmaq/policy\\_and\\_guidance/2013\\_guidance/index.cfm](http://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/2013_guidance/index.cfm)

#### 4.5.3 TAP Eligibility Guidance

~~Transportation alternatives include construction of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, transportation projects to achieve compliance with the Americans with Disabilities Act, and projects to provide safe routes for non-drivers.~~ Each project or activity must demonstrate a relationship to surface transportation. FHWA provides general guidance on the TAP ~~and additional eligible activities.~~ 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.~~

#### 4.5.4 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.

## 4.6 Guidance for Applicants

Applicants should consider the following points before applying:

- 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 the National Environmental Policy Act (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.

## 5 Activity Categories

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### 5.1 Purpose

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.

### 5.2 Definitions

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.

### 5.25.3 Funding Target Ranges

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

**Comment [nv6]:** Member comment: Do these need to be adjusted?

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.

## 6 Application Process for New Funding Commitments

There is a two-step process to apply for new funding commitments – a Screening Application and a Final Application. After receiving a commitment, sponsors must submit a Commitment Update Form every two years, during the application period, to maintain their funding commitment until the funds have received federal authorization.

## 6.1 Screening Application for New Funding Commitments

Screening Applications will be submitted through an online form and are due on June 13, 2016. 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.

## 6.2 Final Application for New Funding Commitments

~~For the Final Application, which is due on August 15, 2016. The applicants can will then~~ provide more detailed information ~~for the Final Application, which is due on August 15, 2016~~. 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.

~~Applicants will 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. ~~If selected for funding, the project sponsor, ODOT, and MORPC must agree on a schedule when the partnering agreement is executed (see Section 9).~~

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 funding will not be available for any phase until SFY 2018.** Sponsors of such projects seeking funding before SFY 2018 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.

**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.

## 6.3 Penalties for Incomplete Applications

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

**Comment [nv7]: Member comment:** ODOT is not currently a signee. Should ODOT be required to sign?

**Staff Response:** Perhaps in consultation with ODOT. Generally, this is done as the project is being programmed and perhaps before a consultant is on board to establish a detailed schedule of milestones.

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 ~~percentpoints~~ from a new ~~project's-application's~~ ~~evaluation-overall~~ score, ~~which is on a 100 point scale~~. The penalty will increase by 5 ~~percentpoints~~ 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~~AFC.

**Comment [nv8]:** Changed reductions from a percentage to points for consistency with other penalties and for ease in calculations. Added total possible points to illustrate the impact.

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 ~~percentpoints~~. The penalty will increase by 5 ~~percentpoints~~ 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 September 30, 2016, a new project's evaluation score will be reduced by 10 ~~percentpoints~~. The penalty will increase by 5 ~~percentpoints~~ for each additional week that passes before the applicant provides a copy of enacted supporting legislation.

## 7 Evaluation 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.

### 7.1 Evaluation Criteria

As part of the ~~continuing~~ 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 follow:~~ 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. The criteria for evaluating applications follow and consist of qualitative information based on the information in the final application and well as quantitative data derived from GIS or travel demand model analysis.

**Significant new/revised areas highlighted in yellow**

**7.1.1 Economic Opportunity Goal Criteria**

The criteria for the economic opportunity goal are mostly based on information included in the Final Application. Two criteria are MORPC derived data based on the regional travel demand model. Generally, the more job creation/retention, financial support for the project or the project area, and reduction in the amount of congestion the higher the project score.

App Item # or MORPC Derived	Evaluation Criteria & Description	Project Categories					
		Major	Minor	Preservation	Bike & Ped	Transit	Other
	Is congestion hampering economic development in the area? How will improvements to the transportation system as a result of this project improve economic development?	X	X	X			
	Describe the type and amount of acreage of site(s) that will primarily benefit from the project's improvements (e.g., greenfields, developed, redeveloped, infill, brownfields, intermodal facilities). Provide a map showing the site(s) relationship to the project.	X	X	X			
	Explain the project's appropriateness in relationship to current local zoning, community planning and surrounding uses. Provide a map showing these in relationship to the project. Describe how the project may affect nearby property values, vacancy rates or other development factors.	X	X	X			
	Describe the presence and timing of all necessary economic development components in the project area, such as infrastructure (e. g., utilities, water and sewer, broadband), access to appropriately trained labor (skilled and unskilled), and other transportation options (e.g., rail, airports, transit or bicycle and pedestrian).	X	X	X			
	What private financial support has been or will be provided to this transportation project? Please specify the amount and entity providing the support and their relationship to the project. This may be support within the past three years or commitments into the future, and please specify the timeline for this support.	X	X	X			
	What public financial support has been or will be provided to the transportation project, such as grants, loans, bonds, tax incentives (e.g., SIB, TID, CRA, TIF, JEDD, JEDZ, CEDA) or other programs? Please specify the entity providing the support and the specific sources of the public funding (e.g. capital program from general revenue, specific TIF, etc.), the timeline for this support, and the relationship of the entity providing the support to the project	X	X	X			
	How much new private or public capital investment has been made in the project area or will be as a result of the project? This investment can be within the past three years or commitments between now and 5 years after completion of the transportation project. Provide a map similar to that of question #1 showing the past and committed investments. Please specify the type of investment and the timeline for this investment.	X	X	X			
	Provide the number of permanent jobs of each type (manufacturing, office, warehousing, retail, institutional) and corresponding average hourly wage that will be created in the region as a result of the project. Provide a map showing the locations in relationship to the project. Provide documentation showing that these jobs are committed to being created in this area with the improvements to the area.	X	X	X			
	Provide the number of permanent jobs of each type (manufacturing, office, warehousing, retail, institutional) and corresponding average hourly wage that will be <b>retained</b> in the region as a result of the project. If the jobs will be relocated from within the region, please indicate how many and where they are currently located. Provide a map showing the locations in relationship to the project. Provide documentation showing that these jobs are in jeopardy without the improvements to the area.	X	X	X			

Significant new/revised areas highlighted in yellow

App Item # or MORPC Derived	Evaluation Criteria & Description	Project Categories					
		Major	Minor	Preservation	Bike & Ped	Transit	Other
	Is there anything unique about this project that has not already been discussed? This could include how the project will impact a specific industry cluster, innovative business, or industry target as identified by Columbus 2020.	X	X	X			
	Current and Future Average Daily Traffic	X	X	X			
	Truck Traffic	X	X	X			
MORPC	The ability of the project to improve travel within a corridor by redistributing travel in the corridor so one or more congested components of the transportation system are relieved. Measured using the regional model by the percentage reduction in 2035 VMT within 1 mile of the project that experiences LOS E or worse.	X	X	X		X	
MORPC	Travel time uncertainty is a significant issue for business. Using existing travel time data, the existing travel time uncertainty index will be calculated for the area within a mile of the project.	X	X	X		X	
MORPC	Travel Delay Reduction measured using the regional model as the average 2035 travel time reduction per person for a complete trip using the facility during peak periods (including AM and PM peak hours) as a result of the project.	X	X	X		X	
	Please provide information with regard to the project's impact on economic development in the area. Refer to the questions in the major project category and, if appropriate, include information with regard to them in your response.				X	X	X

**Significant new/revised areas highlighted in yellow**

7.1.2 Natural Resources Goal Criteria

The criteria for the natural resources goal are mostly based on information included in the Final Application. The emission reductions are based on the regional travel demand model.

App Item # or MORPC Derived	Evaluation Criteria & Description	Project Categories				
		Major	Minor	Preservation Bike & Ped	Transit	Other
	<b>Addressing Sensitive Land Issues:</b> Based on project location information provided in the initial application, a listing of sensitive lands in the project vicinity will be provided to the applicant. In the Final Application, the applicant is to provide information addressing how the project impacts each of these. <b>Projects that do not impact sensitive lands or will go beyond environmental document requirements will score better.</b>	X	X	X	X	X
MORPC	<b>Emission Reduction:</b> The vehicle emissions of PM2.5 (fine particulates), VOC (volatile organic compounds), and NOx (oxides of nitrogen) contribute to the region being recently in non-attainment of the ozone and PM 2.5 national air quality standards. The change in the regional emissions as a result of the project will be estimated with the regional model and reported in kilograms per day. <b>Projects with more emission reductions will score better.</b>	X	X			X
	<b>Water Runoff Quality &amp; Quantity:</b> Describe a current significant water runoff quality or quantity problem in the project area that will be resolved as a result of the project and complying with NEPA requirements. If there is no current significant water runoff quality or quantity problem, describe aspects of the project that will improve water runoff quality or quantity that will go above and beyond NEPA requirements. <b>Projects which address problems or go beyond NEPA requirements will score better.</b>	X	X	X	X	X
	<b>Vegetation and Habitat Restoration:</b> Describe a current significant vegetation or habitat problem in the project area that will be resolved as a result of the project and complying with NEPA requirements. If there is no current significant vegetation or habitat problem, describe aspects of the project that will improve vegetation or habitat restoration that will go above and beyond NEPA requirements. <b>Projects which address problems or go beyond NEPA requirements will score better.</b>	X	X	X	X	X
	<b>Other Extraordinary Aspects:</b> A statement by the project sponsor about any extra-ordinary aspects of the project's impact on the natural habitat. With regard to projects in the "Other" category, this includes rationale on how project would further this goal especially in regard to any criteria listed above.	X	X	X	X	X

**Significant new/revised areas highlighted in yellow**

7.1.3 Energy Goal Criteria

The criteria for the energy goal are two items based on information included in the Final Application as well as one estimated are based on the regional travel demand model and GIS analysis.

App Item # or MORPC Derived	Evaluation Criteria & Description	Project Categories					
		Major	Minor	Preservation	Bike & Ped	Transit	Other
	<b>Project Components that Save Energy:</b> An assessment provided by the project sponsor as to the potential project level technology components that save energy.	X	X	X	X	X	X
	<b>Other Extraordinary Aspects:</b> A statement by the project sponsor about any extraordinary aspects of the projects impact on energy. This could include renewable energy production as part of the project.	X	X	X	X	X	X
<b>MORPC</b>	The change in regional Vehicle Miles of Travel.	X	X	X	X	X	X

**Significant new/revised areas highlighted in yellow**

**7.1.4 Collaboration and Funding Goal Criteria**

The criteria for the collaboration and funding goal are exclusively based on information included in the Final Application. A first consideration in the score for this goal will be inclusion in the MTP. If the project is not in the MTP the maximum score for the goal is reduced to five (5).

App Item # or MORPC Derived	Evaluation Criteria & Description	Project Categories					
		Major	Minor	Preservation	Bike & Ped	Transit	Other
	<b>Inclusion in the Metropolitan Transportation Plan:</b> Identify the Metropolitan Transportation Plan (MTP) strategy of project ID that this project is advancing.	X	X	X	X	X	X
	<b>Origin of project/Project Readiness:</b> The applicant is to provide the origin of the project including all planning studies recommending the project or activity and which ODOT Project Development Process (PDP) steps have been completed at time of final application submittal. <b>Projects that that are further through the planning and PDP process will score better.</b>	X	X	X	X	X	X
	<b>Documentation of Support and Collaboration:</b> The applicant is to provide letters of support from neighboring government jurisdictions, community associations, business associations, or others. The sponsor is also to provide documentation on interagency and community collaboration that has occurred to date to advance the project. <b>Projects that have more support will score better.</b>	X	X	X	X	X	X
	<b>Applicant Priority Ranking:</b> Applicants that submit more than on project must also submit a priority ranking of their projects. Projects that rank higher on their priority ranking will be given more consideration than those ranked lower.	X	X	X	X	X	X
	<b>Amount of MORPC Funding Requested:</b> <b>Projects that request lower amounts of MORPC funding will score better.</b>	X	X	X	X	X	X
	<b>Percentage of Funding Requested:</b> The percentage will only be based on the total right-of-way and construction cost. If it is not a traditional construction project the percent of the total program/activity will be used. <b>Projects that request lower percents of MORPC funding will score better. Projects that request the use of Toll Credit to increase the normally required non federal match will be reduced one (1) point from what it normally would receive.</b>	X	X	X	X	X	X
	<b>Amount of Private Sector Funding:</b> The amount will only be based on the total right-of-way and construction cost. If it is not a traditional construction project the percent of the total program/activity will be used. <b>The higher private sector funding the better the score.</b>	X	X	X	X	X	X
	<b>Percentage of Private Sector Funding:</b> The percentage will only be based on the total right-of-way and construction cost. If it is not a traditional construction project the percent of the total program/activity will be used. <b>The higher private sector funding the better the score.</b>	X	X	X	X	X	X
	<b>Number of Funding Partners:</b> The number of unique funding partners will be reported. This will include those funding any aspects of project development as well as the number contributing to right-of-way and construction. <b>A strong sign of collaboration is the amount of funding partners. The more funding partners, especially if the project is leveraging ODOT discretionary funding into the region the better the score.</b>	X	X	X	X	X	X
	<b>Agency Funding Capacity:</b> The applicant is to provide a statement as to the amount of funding they are providing for the project relative to the usual size of their transportation infrastructure expenditures. <b>Providing significant portion of local funding capacity towards project will score higher. Demonstration of significant hardship in providing local match can counteract the Toll Credit reduction described above.</b>	X	X	X	X	X	X

**Significant new/revised areas highlighted in yellow**

7.1.5 Health, Safety & Welfare Goal Criteria

The criteria for the health, safety and welfare goal are based on some information included in the Final Application and several items MORPC derived data based on the GIS.

App Item # or MORPC Derived	Evaluation Criteria & Description	Project Categories				
		Major	Minor	Preservation Bike & Ped	Transit	Other
MORPC	<b>Crash Reduction:</b> Using the ODOT crash data and tools, crash information for the project area will be calculated including, overall frequency, bike/ped frequency, crash rate and severity index. Using ODOT crash modification factor methodology for the project improvement(s), the change in expected crashes will be estimated. <b>Projects which address worse safety problems will score higher.</b>	X	X	X	X	X
MORPC	<b>Pavement Condition Rating (PCR):</b> This is a measure of the average PCR of the existing roadway that would be improved as part of the project based on the most recent ODOT data. The project sponsor should review the ODOT data and may provide supplemental data if desired. <b>Projects which are on facilities with lower PCR's will score higher.</b>	X	X	X		
MORPC	<b>Bridge Rating:</b> This is a measure of the worst existing bridge rating based on ODOT data that would be improved as part of the project. The project sponsor should review the ODOT data and may provide supplemental data if desired. <b>Projects which are on facilities with lower bridge ratings will score higher.</b>	X	X	X		
	<b>System Life:</b> The applicant is to provide information on the age and condition of the components being replaced. Also provide a statement, if applicable, as to the potential of the project to maximize life of transportation system. This is any extraordinary aspect that is likely to be part of the project.	X	X	X	X	X
	<b>New Transit Ridership:</b> The project sponsor provides an estimate of the increase in transit ridership. This is to include both the ridership on the specific project or activity as well as overall system ridership. <b>Projects which have higher ridership will score better.</b>					X
MORPC	<b>Environmental Justice:</b> Of the estimated opening day users of the project, what is the minority percentage, what is the poverty percentage, what is the elder percentage, and what is the transportation handicapped percentage? The ratio of each of these relative to the regional average of each will be calculated. For the bike and pedestrian category, the population within 2 miles of the project will be estimated instead of the users.	X	X	X	X	X
	<b>Other:</b> Statement by the project sponsor with rationale on how project would further this goal especially in regard to any criteria listed in the other project categories. When possible, reference should be made to as many of the above criteria as applicable in justifying the benefits of the program/activity/project relative to this goal.					X

**Significant new/revised areas highlighted in yellow**

*7.1.6 Sustainable Neighborhoods and Quality of Life Goal Criteria*

The criteria for the sustainable neighborhoods goal are based on information included in the Final Application and several items MORPC derived data based on the GIS and the travel demand model.

App Item # or MORPC Derived	Evaluation Criteria & Description	Project Categories					
		Major	Minor	Preservation	Bike & Ped	Transit	Other
	<b>Displacements:</b> The applicant will provide an estimate of the number of displacements (business and residential) as a result of the project. The information can be provided in terms of a likely range of displacements.	X	X	X	X	X	
	<b>Pedestrian System:</b> The applicant will provide information on the relationship of the project to the existing pedestrian transportation system and/or how the project will include improvements to enhance or connect to the pedestrian system. <b>Projects that provide pedestrian facilities where none currently exist will score higher.</b>	X	X	X	X	X	
	<b>Bikeway System:</b> The applicant will provide information on the relationship of the project to the existing bikeway transportation system and/or how the project will include improvements to enhance or connect to the bikeway system. <b>Projects that provide bike facilities where none currently exist or provide connections to regional facilities will score higher.</b>	X	X	X	X	X	
<b>MORPC</b>	<b>On Transit Line:</b> The information will be simply yes or no with regard to if an existing transit route uses the project facilities. <b>Projects along existing transit routes will need to provide appropriate transit related facilities and will score higher.</b>	X	X	X	X		
	<b>Transit System:</b> A statement by the applicant as to how the project enhances transit service. <b>Beyond what transit related facilities may be part of the project if on existing transit line, projects that make additional improvement or that could enhance transit while not on a current transit line will score higher.</b>	X	X	X	X	X	
<b>MORPC</b>	<b>2010 Origin/Destination Density:</b> The average density (population + jobs) of the project user's origins and destinations will be estimated based on 2010 conditions. Both the average for higher density end of the trip and lower density end of the trip will be estimated. For the bike and pedestrian category, the density within 2 miles of the project will be estimated instead of the user's origin and destination density. <b>Projects that serve travelers going to and from more dense areas will score higher.</b>	X	X	X	X	X	
<b>MORPC</b>	<b>2040 Origin/Destination Density:</b> The average density (population + jobs) of the project user's origins and destinations will be estimated based on 2010 conditions. Both the average for higher density end of the trip and lower density end of the trip will be estimated. For the bike and pedestrian category, the density within 2 miles of the project will be estimated instead of the user's origin and destination density. <b>Projects that serve travelers going to and from more dense areas will score higher.</b>	X	X	X	X	X	
	<b>Other:</b> Statement by the applicant with rationale on how project would further quality of life and relationship of this project to furthering the community's quality of life goals. For projects in the other category, also provide additional information especially in regard to any of criteria above criteria as applicable in justifying the benefits of the program/activity/project relative to this goal.	X	X	X	X	X	X

## 7.2 Application Scoring Process

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.

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 consider AFC comments on the project scores and then identify the high, moderate, and low scoring projects within each category along with the target funding range available within each category.~~
- ~~e. Staff shall prepare draft scenarios for future funding commitments based on t~~
- ~~d. he evaluation, outstanding commitments, availability of funding and meeting regional goals.~~
- ~~d. The AFC shall select applications to recommend for new funding commitments.~~
- ~~e. 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.~~
- ~~f. —~~
- ~~g. e.~~ The AFC shall select applications to recommend for new funding commitments.
- ~~h. f.~~ The recommended program of funding commitments (changes to outstanding funding commitments as well as new commitments) shall be provided to TAC, CAC, TPC, MORPC's members, and the public for review and comment.
- ~~i. 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.

Data for the criteria in each goal will be compiled. The overall score for each goal on a scale of 1 to 10 will 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 to each other. 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 will compile the data for each goal and develop the preliminary goal score and rationale. The AFC will then review the scores and rationales and make modifications as necessary to reach agreement.

### 7.3 Weighting Scores by Category

Once the goal scores are completed, they will be multiplied by the corresponding weight in the table below, 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

The overall score for an application will be the sum of all of the weighted scores divided by 10, resulting in an overall score between 0 and 100.

**Comment [nv9]:** The weights in this table may be modified after the evaluation criteria have been revised.

**Comment [nv10]:** Added for clarity and to provide perspective on the impact of penalties.

### 7.4 Prioritizing and Recommending Applications for Funding

Once the overall score is established, the applications are ranked within each category. 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.

### 7.5 Scoring Phased Construction Projects

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 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.

### 7.6 Agency Prioritization of Multiple Applications

An agency which submits multiple funding applications may request, during the scoring and evaluation period, that the score for any project submitted by that agency be reduced and the project demoted in the list of highest scoring projects within a category in order to score lower than a higher priority project by the same agency. The request shall be made in writing.

Comment [nv11]: Member comment

### 7-57.7 Incentives to Create a Reservoir of Commitments

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 financing 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 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 set up the financing, the actual amount applied for needed may be reduced or eliminated if there is more MORPC-attributable funding available than originally expected.

## 8 Project Development Requirements

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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 funds, it must be included in the TIP.

## 9 Maintaining Funding Commitments

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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.

## 9.1 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 certain circumstances, the partnering agreements may be revised as described in Section 9.4. 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.

**Comment [nv12]: Member Comment:** ODOT is not currently a signee. Should ODOT be required to sign?

**Comment [nv13]: Member Comment:** If one entity wants to change the schedule, ALL entities must agree and sign a new agreement letter. How will this be administered?

**Comment [nv14]: Member Comment:** Will new partnering agreements be executed every two years for all projects?

**Comment [nv15]:** Need to attach.

## 9.2 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.

## 9.3 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 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.

#### 9.4 Delays and 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.

**Comment [nv16]:** Need to develop.

- 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.
- 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.

**Comment [nv17]:** Member Comment: change to percent.  
**Staff Response:** Changed penalties for incomplete applications from percentage to point reductions for consistency. Points are easier to apply than percentage reductions.

**Comment [nv18]:** See above.

## 10 Other Policies for Program Management

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### 10.1 Out-of-Cycle Requests

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.
- 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 assess 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.

## 10.2 Trading Funds 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 *Prioritizing and Recommending Applications for Funding* in Section 7, 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.

## 10.3 Ohio Statewide Urban CMAQ Program

As of the fall of 2013, MORPC 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, 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. MORPC may continue them per Section 5 up to the funding threshold established in the OSUCC program.
- The project application and selection process as described in Section 7 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 Section 5 will assume MORPC will receive its fair share of CMAQ funding.
- All projects will be evaluated according to the category criteria as specified in Section 7. 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 this document.

- 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.