

# Metropolitan Transportation Commission Programming and Allocations Committee

September 8, 2021

Agenda Item 4a - 21-1033

## MTC Resolution No. 4488

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**Subject:** Policies and Procedures for the 2022 Regional Transportation Improvement Program (RTIP).

**Background:** MTC is responsible for developing the region's funding priorities for the Regional Transportation Improvement Program (RTIP), and for submitting the proposed projects to the California Transportation Commission (CTC) for adoption into the State Transportation Improvement Program (STIP). Resolution No. 4488 establishes MTC's policies, procedures, project criteria, schedule, and funding targets for the 2022 RTIP, and will include the program of projects due to the CTC by December 15, 2021. The 2022 STIP covers fiscal years 2022-23 through 2026-27.

The 2022 RTIP provides about \$103 million in new programming capacity to the nine-county MTC region. Senate Bill (SB) 1, signed by the governor in 2017, stabilized the revenues for the State Highway Account that funds the STIP. Note that decreased fuel sales during the pandemic resulted in lower than expected revenues for the 2022 STIP.

In addition to the new programming capacity in the 2022 RTIP, sponsors have the opportunity to update existing project funding plans and schedules. To meet the CTC deadline, the Bay Area County Transportation Agencies (CTAs) must submit their final project nominations to MTC in early November. Staff will evaluate all submitted project nominations for compliance with the policies and procedures. This Committee will review the project listing on December 8, 2021. The Commission is scheduled to consider adoption of the final 2022 RTIP at its December 15, 2021 meeting, via an amendment to this resolution. The 2022 guidance includes the latest updates to the CTC STIP Guidelines adopted on August 18, 2021 (see Attachment 1).

Staff met with the region's CTAs in July to solicit input on the proposed policies and procedures.

Staff recommends minor changes to the 2020 RTIP Policies and Procedures for the 2022 RTIP. A full summary of the proposed changes to the regional guidance is included in Attachment 2.

### **Matching Funds for SB1 Grants**

CTC's 2022 STIP guidelines again allow sponsors to match SB1 competitive program projects with STIP funds. If the CTC does not select a project for funding in a competitive SB1 program, and alternative funding is not identified within six months, a STIP amendment will be required to delete or substitute the project for another project with a full

funding plan commitment. MTC strongly encourages sponsors to use RTIP funds to match SB1 competitive program applications and will require a match come from the RTIP before committing other regional discretionary funding. If a county's RTIP shares are pre-committed or otherwise unavailable, MTC expects the CTA to examine local funds as match before MTC will consider committing other regional discretionary funding.

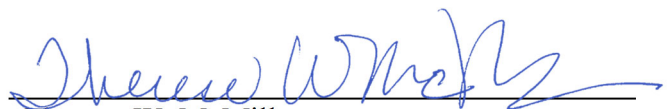
**Issues:**

1.) As shown in the Regional Policies section of the 2022 RTIP Policies and Procedures and highlighted in Attachment 2 under "Regional Set-aside Summary", San Francisco's commitment towards repayment for the advance of Surface Transportation Program / Congestion Mitigation and Air Quality Improvement Program funding has been reduced from \$34 million to \$31 million. The reduction of \$3 million is proposed in lieu of an additional MTC funding commitment and in support of the Caltrain Downtown Extension project and is conditioned upon the San Francisco County Transportation Authority allocating an equivalent amount of funds for this purpose.

2.) The Regional Set-aside Programming section of the 2022 RTIP Policies and Procedures describes MTC's commitment of \$46 million in regional set-aside STIP funds to additional contingency for the Caltrain Peninsula Corridor Electrification Project (PCEP), through MTC Resolution No. 4267. Because it has been assumed these contingency funds would not be needed, Commission policy would instead direct these funds to the Housing Incentive Program. It is staff's understanding that these funds are not needed for contingency expenses on the PCEP project at this time, despite the known project cost increases that are described in more detail under Item 6a. Staff will continue to monitor the project cost increases and will update the Committee if the set-aside funds are needed for PCEP or can be redirected to an alternative use.

**Recommendation:** Refer MTC Resolution No. 4488 to the commission for approval.

**Attachments:** Attachment 1 – Highlights of CTC 2022 STIP Guidelines  
Attachment 2 – MTC Highlights and Changes to the 2022 RTIP Policies and Procedures  
MTC Resolution No. 4488

  
Therese W. McMillan

**Highlights of CTC 2022 STIP Guidelines**

- **Fund Capacity**  
The 2022 STIP Fund Estimate identifies net new capacity only in the two years added to the STIP, FY 2025-26 and FY 2026-27. No new capacity is identified for the first three years. Due to the lack of new capacity in the early years of the STIP, counties with cost increases that want to program additional STIP funds in the first three years would need to identify another project in the early years to delay. If the county does not identify another project with commensurate programming to delay, the original project may be delayed to the last two years of the STIP.
- **Uncommitted funding for STIP projects**  
The CTC will again consider programming projects with uncommitted funds only from the Local Partnership Program, Solutions for Congested Corridors Program, and Trade Corridors Enhancement Program, provided that the uncommitted funding is secured within six months of the adoption of these programs. If the funding commitment from these programs, or alternative funding, is not secured by the established date, a STIP amendment will be required to delete or substitute the project for another project with a full funding plan commitment.
- **Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) Programming**  
CRRSAA shares distributed as a part of the 2021 Mid-Cycle STIP are not included in the 2022 STIP Fund Estimate, and therefore, are not included as part of the county shares and targets. The CTC and Caltrans are tracking CRRSAA balances separately. However, if a county has a remaining balance of CRRSAA funds, the county may program the funds as a part of the 2022 RTIP programming process. Funds made available from CRRSAA must be allocated by the CTC by June 2024 and obligated by August 2024.
- **Public Transportation Account**  
Although the overall statewide capacity for the 2022 STIP Fund Estimate identifies new capacity for the STIP period, the 2022 STIP Fund Estimate indicates a negative program capacity for the Public Transportation Account (PTA). SB 1 did not provide additional funding for the PTA; instead, PTA resources for the STIP decreased as a result of SB 1. Therefore, all transit projects programmed in the STIP will need to be delivered with other STIP funds, if eligible. Regions may nominate transit and rail projects in its RTIP within SHA and Federal funding constraints (rolling stock may only be funded with Federal funds).
- **Advance Project Development Element**  
There is no Advance Project Development Element capacity identified for the 2022 STIP. Therefore, Counties will have limited opportunity to advance county shares to develop new STIP projects for future STIP cycles.

**MTC Highlights and Changes for the 2022 RTIP Policies and Procedures**

- **Senate Bill 1 Competitive Programs Match**

CTC's 2022 STIP guidelines again allow sponsors to match SB1 competitive program projects with STIP funds. If the CTC does not select a project for funding in a competitive SB1 program, and alternative funding is not identified within six months, a STIP amendment will be required to delete or substitute the project for a project with a full funding plan commitment. MTC strongly encourages sponsors to use RTIP funds to match SB1 competitive program applications and will require a match come from the RTIP before committing other regional discretionary funding. If a county's RTIP shares are pre-committed or otherwise unavailable, MTC expects the CTA to examine local funds as a match before MTC considers committing other regional discretionary funding.

- **PPM Escalation Rate**

MTC has programmed Regional PPM amounts based on a letter of understanding from MTC's executive director Steve Heminger to the CMA directors in 2005. Regional PPM funds MTC staff and consultant activities to plan, program, and monitor projects. The letter based MTC's PPM amount on a base amount of \$500,000 in FY 2005-06 escalated annually thereafter. MTC has used a 3.5% escalation factor for calculating the annual funding levels based on the standard escalation rate used since FY 2005-06. New for the 2022 RTIP MTC will revise the Policies and Procedures to reflect a new escalation rate of 2%. The new escalation rate will apply to the two new fiscal years and beyond.

- **San Francisco Bay Area Regional Advance Mitigation Program**

As a part of *Plan Bay Area 2040* and through MTC Resolution No. 4290, MTC identified the Regional Advance Mitigation Program (RAMP) as a mitigation strategy for the Bay Area. RAMP would mitigate certain environmental impacts from groups of planned transportation projects, rather than mitigating on an inefficient per-project level. MTC strongly encourages counties to program RTIP funds to implement RAMP, especially in counties that have an approved Regional Conservation Investment Strategy (RCIS). RAMP activities could include purchasing mitigation land bank credits, establishing a greenfield mitigation site, contributing to an existing Habitat Conservation Plan, and purchasing conservation land easements and their endowments, as allowed under state and federal law. In instances where RTIP funds are not eligible for RAMP implementation, MTC encourages sponsors to exchange RTIP funds with eligible non-federal funds for RAMP. Such exchanges must be consistent with MTC's fund exchange policy, MTC Resolution No. 3331.

- **Regional Set-aside Summary**

The table below summarizes MTC's regional set-aside of the available \$49 million, which the Commission reserved for regional priorities. Of the total set-aside: \$31 million originates from the Caldecott Tunnel/ American Recovery and Reinvestment Act of 2009 (ARRA) Exchange, \$15 million is from funds redirected from San Francisco-Oakland Bay Bridge (SFOBB) Gateway Park project, and \$3.4 million from Sonoma County's STP/CMAQ exchange for the Marin-Sonoma Narrows (MSN) project, Segment B2 Phase 2. The Commission committed \$46 million of these funds for the Caltrain Peninsula Corridor Electrification Project (PCEP) contingency (first priority) and the OBAG2 Housing Incentive Program (second priority).

County	SFOBB Gateway Project	Caldecott Tunnel/ARRA Exchange	MSN STP/CMAQ Exchange	Available Total	Future San Francisco STP/CMAQ Exchange
Alameda	(3,063)	(2,000)	-	(5,063)	-
Contra Costa	(2,090)	(29,000)	-	(31,090)	-
Marin	(571)	-	-	(571)	-
Napa	(376)	-	-	(376)	-
San Francisco	(1,548)	-	-	(1,548)	<del>(34,000)</del> (31,000)
San Mateo	(1,598)	-	-	(1,598)	-
Santa Clara	(3,632)	-	-	(3,632)	-
Solano	(945)	-	-	(945)	-
Sonoma	(1,177)	-	(3,400)	(4,577)	-
<b>Total</b>	<b>(15,000)</b>	<b>(31,000)</b>	<b>(3,400)</b>	<b>(49,400)</b>	<b>(31,000)</b>

*All numbers in \$1,000s*

The table also highlights San Francisco's future commitment to program \$31 million in future STIP shares to regional Freeway Performance Initiative (FPI)/Columbus Day Initiative (CDI)/Express Lanes projects. MTC advanced \$34 million in STP/CMAQ funds for the Doyle Drive Replacement / Presidio Parkway project and in exchange San Francisco will commit \$31 million in STIP funds after programming and the remaining commitment to the Central Subway project (about \$29.7 million). MTC accepts a \$3 million reduction in San Francisco's commitment towards the STP/CMAQ advance in lieu of an additional MTC funding commitment and in support of the Caltrain Downtown Extension project. This reduction is conditioned upon the San Francisco County Transportation Authority allocating an equivalent amount of funds for this purpose.

Date: September 22, 2021  
W.I.: 1515  
Referred by: PAC

ABSTRACT

Resolution No. 4488

This resolution adopts the policies, procedures, and program of projects for the 2022 Regional Transportation Improvement Program (RTIP) for the San Francisco Bay Area, for submission to the California Transportation Commission (CTC), consistent with the provisions of Senate Bill 45 (Chapter 622, Statutes 1997).

- Attachment A – Policies and Procedures for the 2022 RTIP (with appendices)
- Attachment B – 2022 RTIP Program of Projects
- Attachment C – STIP Amendment / Extension Rules and Procedures

Further discussion of these actions is contained in the Summary Sheet to the MTC Programming and Allocations Committee dated September 8, 2021.

Date: September 22, 2021  
W.I.: 1515  
Referred by: PAC

RE: Adoption of 2022 Regional Transportation Improvement Program (RTIP)  
Program Policies, Procedures, Project Selection Criteria, and Program of Projects

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 4488

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC has adopted and periodically revises, pursuant to Government Code Sections 66508 and 65080, a Regional Transportation Plan (RTP); and

WHEREAS, MTC shares responsibility with the Association of Bay Area Governments (ABAG) for developing and implementing a Sustainable Communities Strategy (SCS) that integrates transportation, land use, and housing to meet greenhouse gas (GHG) reduction goals (Government Code Section 65080(b) 2(B)).

WHEREAS, MTC adopts, pursuant to Government Code Section 65082, a Regional Transportation Improvement Program (RTIP) when additional State Transportation Improvement Program funding is available, that is submitted, pursuant to Government Code Section 14527, to the California Transportation Commission (CTC) and the California Department of Transportation (Caltrans); and

WHEREAS, MTC has developed, in cooperation with Caltrans, operators of publicly owned mass transportation services, congestion management agencies, countywide transportation planning agencies, and local governments, policies, procedures and project selection criteria to be used in the development of the 2022 RTIP, and a five-year program for the funding made available for highways, roadways and state-funded mass transit guideways and other transit capital improvement projects, to include projects programmed in fiscal years 2022-23 through 2026-27; and

WHEREAS, using the process and criteria set forth in the Attachments to this resolution, attached hereto as though set forth at length, a set of capital priorities for the 2022 Regional Transportation Improvement Program (RTIP) was developed; and

WHEREAS, the 2022 RTIP has been developed consistent with the policies and procedures outlined in this resolution, and with the STIP Guidelines adopted by the CTC on August 18, 2021; and

WHEREAS, the 2022 RTIP will be subject to public review and comment; now, therefore, be it

RESOLVED, that MTC approves the process and criteria to be used in the evaluation of candidate projects for inclusion in the 2022 RTIP, as set forth in Attachment A of this resolution, and be it further

RESOLVED, that MTC adopts the 2022 RTIP Program of Projects, attached hereto as Attachment B and incorporated herein as though set forth at length, and finds it consistent with the RTP; and, be it further

RESOLVED, that MTC approves the STIP Amendment / Extension Rules and Procedures to be used in processing STIP amendment and extension requests, as set forth in Attachment C of this resolution, and be it further

RESOLVED, that the Executive Director may make adjustments to Attachment B in consultation with the respective Congestion Management Agency (CMA) or County Transportation Planning Agency, Collectively known as the Bay Area County Transportation Agencies (CTAs), to respond to direction from the California Transportation Commission and/or the California Department of Transportation; and, be it further

RESOLVED, that MTC's adoption of the programs and projects in the 2022 RTIP is for planning purposes only, with each project still subject to MTC's project review and application approval pursuant to MTC Resolution Nos. 3115 and 3757; and, be it further

RESOLVED, that the Executive Director shall forward a copy of this resolution, and such other information as may be required to the CTC, Caltrans, and to such other agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

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Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, on September 22, 2021.

Date: September 22, 2021  
W.I.: 1515  
Referred by: PAC

Attachment A  
Resolution No. 4488  
Page 1 of 30

**2022  
Regional Transportation Improvement Program**

**Policies and Procedures  
September 22, 2021**

**MTC Resolution No. 4488  
Attachment A**

**Metropolitan Transportation Commission  
Funding Policy and Programs Section  
<http://www.mtc.ca.gov/our-work/fund-invest>**

**2022 RTIP  
Regional Transportation Improvement Program  
Policies and Procedures  
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## **2022 Regional Transportation Improvement Program (RTIP) Policies and Procedures**

### **Background**

The State Transportation Improvement Program (STIP) provides funding for transportation projects around the State. As the Regional Transportation Planning Agency (RTPA) for the Bay Area, the Metropolitan Transportation Commission (MTC) is responsible for developing regional STIP project priorities for the nine counties of the Bay Area.

The Regional Transportation Improvement Program (RTIP) is the region's proposal to the State for STIP funding and is due to the California Transportation Commission (CTC) by December 15, 2021. The 2022 STIP will include programming for the five fiscal years from 2022-23 through 2026-27.

### **2022 RTIP Development**

The following principles will frame the development of MTC's 2022 RTIP, the region's contribution to the 2022 STIP.

- MTC will work with CTC staff, each Congestion Management Agency and Countywide Transportation Planning Agency, collectively known as the Bay Area County Transportation Agencies (CTAs), transit operators, Caltrans, and project sponsors to prepare the 2022 STIP.
- Investments made in the RTIP must carry out the objectives of the Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) and be consistent with its improvements and programs.
- MTC may choose to consult with counties to consider programming a portion of their RTIP shares for projects that meet a regional objective.
- MTC will continue to work with CTAs, transit operators, Caltrans and project sponsors to aggressively seek project delivery solutions. Through the use of AB 3090 authority, GARVEE financing, and federal, regional, and local funds and funding exchanges, MTC will work with its transportation partners to deliver projects in the region.
- Each county's project list must be constrained within the county share limits unless arrangements have been made with other counties to aggregate the county share targets. MTC continues to support aggregation of county share targets to deliver ready-to-go projects in the region. CTAs that submit a list that exceeds their county share must identify and prioritize those projects that exceed the county share target.

### **Key Policies and Guidance**

The following policies serve as the primary guidance in the development of the 2022 RTIP.

#### **Key Eligibility Policies**

##### **Consistency with Regional and Local Plans**

###### **RTP/SCS Consistency**

*Plan Bay Area 2040*, the Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS), lays out a vision of what the Bay Area land use patterns and transportation network could look like in 2040. An objective of *Plan Bay Area 2040* is to encourage and promote the safe and efficient management, operation and development of a regional intermodal transportation system

that will serve the mobility needs of people and goods. Programming policies governing the STIP and other flexible, multi-modal discretionary funding sources such as the federal Surface Transportation Block Grant Program (STBG), Congestion Mitigation and Air Quality Improvement (CMAQ), and Regional Transportation Improvement Program (RTIP) funds must be responsive to the strategies and goals of the Plan. MTC expects to adopt the new RTP/SCS, Plan Bay Area 2050, later in 2021. New projects submitted for RTIP consideration must be included in the current RTP and should include a statement addressing how the project meets the current and new RTP strategies and goals.

### **Local Plans**

Projects included in the RTIP must be included in a Congestion Management Plan (CMP) or Capital Improvement Program (CIP).

### **CTC Guidance**

The California Transportation Commission (CTC) 2022 STIP Guidelines were adopted on August 18, 2021. The MTC 2022 RTIP Policies and Procedures includes all changes in STIP policy implemented by the CTC. The entire CTC STIP Guidelines are available on the internet at: <https://dot.ca.gov/programs/financial-programming/office-of-capital-improvement-programming-ocip> or <https://catc.ca.gov/programs/state-transportation-improvement-program>. All CTAs and project sponsors must follow the MTC and CTC STIP Guidelines in the development and implementation of the 2022 RTIP/STIP.

### **2022 RTIP Development Schedule**

Development of the 2022 RTIP under these procedures will be done in accordance with the schedule outlined in Appendix A-1 of these policies and procedures.

### **RTIP County Share Targets**

Appendix A-2 of the Policies and Procedures provides the county share targets for each county for the 2022 RTIP. Each county's project list, due to MTC in draft form by October 6, 2021, should be constrained within these county share limits. It is expected that MTC's RTIP will be developed using a region-wide aggregate of county-share targets.

### **Project Eligibility**

SB 45 (Chapter 622, Statutes 1997) defines the range of projects that are eligible for consideration in the RTIP. Eligible projects include state highway improvements, local road improvements and rehabilitation, public transit, intercity rail, pedestrian, and bicycle facilities, and grade separation, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety projects.

### **RTIP Project Solicitation**

Each CTA is responsible for soliciting projects for its county share of the RTIP where the county target is greater than \$0. The CTA must notify all eligible project sponsors, including Caltrans and transit operators, of the process and deadlines for applying for RTIP funding. If the CTA does not conduct a solicitation of projects, that CTA must provide justification to MTC that conforms to the

public involvement process described in the next section and approved by that CTA's governing body.

### **Public Involvement Process**

MTC is committed to having the CTAs as full partners in development of the RTIP. That participation likewise requires the full commitment of the CTAs to a broad, inclusive public involvement process consistent with MTC's adopted Public Participation Plan (available online at <http://mtc.ca.gov/about-mtc/public-participation/public-participation-plan>) and federal regulations, including Title VI of the Federal Civil Rights Act of 1964. Federal regulations call for active outreach and public comment opportunities in any metropolitan planning process, and such opportunities an important step to any project selection process for the RTIP. CTAs shall document their public involvement opportunities, including how they included communities covered under Title VI, and submit the documentation along with their list of candidate projects.

### **RTIP Projects in the Transportation Improvement Program (TIP)**

In accordance with state and federal requirements, RTIP-funded projects must be programmed in the TIP prior to seeking a CTC allocation. In addition, a federal authorization to proceed (E-76) request must be submitted simultaneously with the RTIP allocation request to Caltrans and the CTC when the request includes federal funds. In the 2022 RTIP, all projects are subject to be a mix of federal and state funds and may require a federal authorization to proceed. Additionally, all STIP projects are to be included in the TIP and must have funds escalated to the year of expenditure, in accordance with federal regulations.

## **Regional Policies**

### **Regional Set-Aside Programming**

In order to expedite obligation and expenditure of American Recovery and Reinvestment Act of 2009 (ARRA) funds, and to address the State's lack of funding at the time, MTC programmed \$31 million in ARRA funds to backfill unavailable STIP funds for the Caldecott Tunnel Fourth Bore project. Of the \$31 million, \$29 million came from Contra Costa's STIP county share, and \$2 million from Alameda's STIP county share. Further, in 2012, MTC programmed \$15 million to the Improved Bicycle/Pedestrian Access to the San Francisco-Oakland Bay Bridge project from a portion of each county's STIP share (from former Transportation Enhancement (TE) funds). To address lack of funding in the 2016 STIP, MTC de-programmed both the \$31 million and \$15 million commitments to regional projects (total \$46 million). In January 2017 MTC committed the \$46 million to additional contingency for the Caltrain Peninsula Corridor Electrification Project (PCEP), through MTC Resolution No. 4267. If these funds are not needed for the PCEP, the RTIP funds will be re-programmed the Housing Production and Preservation Incentive Program (see next section), or to another regional priority project(s) at MTC's discretion. These funds have the highest priority for funding in the RTIP, after GARVEE, AB 3090, and PPM projects.

### **Housing Production and Preservation Incentive**

On October 24, 2018, MTC approved Resolution No. 4348, which establishes the framework and qualifying criteria for the Housing Incentive Pool (HIP), an incentive program to reward Bay Area

local jurisdictions that produce or preserve the most affordable housing. This resolution builds on the HIP established in OBAG 2, MTC Resolution No. 4202, Revised.

As part of the 2022 RTIP, the OBAG 2 Housing Production Incentive challenge grant program described immediately above is augmented with \$46 million of regionally-controlled RTIP funds identified in the regional set-aside programming section above, conditioned on these funds not being needed for Caltrain's project contingency, either because the project can be completed within budget or because substitute contingency funds are identified.

The RTIP funding provided may be either federal or state funds, must be used only for federally- or State Highway Account-eligible transportation purposes, and must meet CTC STIP Guideline requirements.

### **Senate Bill 1 Competitive Programs Match**

CTC's 2022 STIP guidelines again allow sponsors to match SB1 competitive program projects with STIP funds. If the CTC does not select a project for funding in a competitive SB1 program, and alternative funding is not identified within six months, a STIP amendment will be required to delete or substitute the project for another project with a full funding plan commitment. MTC strongly encourages sponsors to use RTIP funds to match SB1 competitive program applications and will require a match come from the RTIP before committing other regional discretionary funding. If a county's RTIP shares are pre-committed or otherwise unavailable, MTC expects the CTA to examine local funds as a match before MTC considers committing other regional discretionary funding.

### **County Programming Priorities**

#### *San Francisco County*

MTC Resolution No. 3925, Revised, which guides the programming and policies for the first cycle of federal Surface Transportation Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) funding, advanced \$34 million in federal funds for the Doyle Drive Replacement / Presidio Parkway project. In exchange, \$31 million of San Francisco's STIP share shall be reserved for regional Freeway Performance Initiative (FPI)/Columbus Day Initiative (CDI)/Express Lanes projects. San Francisco shall commit these funds after PPM programming and the remaining commitment to the Central Subway project (about \$29.7 million). Pursuant to MTC Resolution No. 4272 Revised, Attachment E, San Francisco must program \$12.8 million of the remaining balance to Transit Capital Priorities program eligible projects to honor commitments to the Central Subway. MTC accepts a \$3 million reduction in San Francisco's commitment towards the STP/CMAQ advance in lieu of an additional MTC funding commitment and in support of the Caltrain Downtown Extension project, conditioned upon the San Francisco County Transportation Authority allocating an equivalent amount of funds for this purpose.

**San Francisco County Remaining RTIP Priorities**

Priority	Project	Initial RTIP Commitment	Previously Allocated and Programmed RTIP Funds	Current Remaining RTIP Commitment
1st	Central Subway	92,000	62,330	29,670
2nd	MTC STP/CMAQ Advance for Presidio Parkway	34,000	-	34,000-31,000
3rd	Caltrain Downtown Extension to Transbay Transit Center	28,000	10,153	17,847
<b>Total</b>		<b>262,101</b>	<b>160,584</b>	<b>78,517</b>

*All numbers in \$1,000s*

*San Francisco, San Mateo, and Santa Clara Counties*

MTC Resolution No. 4267 identifies RTIP funds as a source to meet MTC's \$50 million contingency commitment to the Caltrain Peninsula Corridor Electrification Project, with the \$46 million identified in the "Regional Set-Aside Programming" section of these policies and procedures. If the PCEP cost exceeds the estimated project delivery cost and previously budgeted contingency, or a shortfall in revenue occurs, \$4 million would be reserved from future San Francisco, San Mateo, and Santa Clara county shares. If the \$50 million contingency commitment is not needed for PCEP, MTC will not withhold the \$4 million from the three counties' RTIP shares.

*Sonoma County*

MTC Resolution No. 4328, which established a funding exchange agreement with the Sonoma County Transportation Authority (SCTA), programmed \$3.4 million in STP/CMAQ to the US-101 Marin-Sonoma Narrows (MSN) project, Segment B2 Phase 2 in exchange for an equal amount of future Sonoma County RTIP funds. In exchange, \$3.4 million of Sonoma's STIP share shall be reserved for future MTC-identified priority projects. Sonoma shall commit these funds after programming PPM funds.

**Regional Advanced Mitigation Program (RAMP)**

As a part of *Plan Bay Area 2040* and through MTC Resolution No. 4290, MTC identified the Regional Advance Mitigation Program (RAMP) as a mitigation strategy for the Bay Area. RAMP would mitigate certain environmental impacts from groups of planned transportation projects, rather than mitigating on an inefficient per-project level. MTC strongly encourages counties to program RTIP funds to implement RAMP, especially in counties that have an approved Regional Conservation Investment Strategy (RCIS). RAMP activities could include purchasing mitigation land bank credits, establishing a greenfield mitigation site, contributing to an existing Habitat Conservation Plan, and purchasing conservation land easements and their endowments, as allowed under state and federal law. In instances where RTIP funds are not eligible for RAMP implementation, MTC encourages sponsors to exchange RTIP funds with eligible non-federal funds for RAMP. Such exchanges must be consistent with MTC's fund exchange policy, MTC Resolution No. 3331.

### **Regional Planning, Programming, and Monitoring (PPM) funds**

Passage of Assembly Bill 2538 (Wolk, 2006) allows all counties to program up to 5% of their county share to Planning, Programming, and Monitoring (PPM) purposes in the STIP. Appendix A-2 identifies PPM amounts each county may program. As agreed with the CTAs, MTC will program a portion of each county's PPM for regional PPM activities each year beginning with a base amount of \$500,000 in FY 2005-06 escalated 3.5% annually through FY 2024-25. Beginning in FY 2025-26 MTC will reduce the escalation rate to 2% annually. MTC's currently programmed amounts for regional PPM activities in FY 2022-23 through FY 2024-25 will not change in the 2022 RTIP; the CTAs may choose to redistribute their county portion of the PPM funds programmed in the current county share period through FY 2023-24 and in the county share period beginning in FY 2024-25. Due to county share period restrictions, new PPM amounts may only be programmed in the amounts and years identified in Attachment 2.

### **Caltrans Project Nomination**

Senate Bill 1768 (Chapter 472, Statutes 2002) authorizes the Department of Transportation to nominate or recommend projects to be included in the RTIP to improve state highways using regional transportation improvement funds. To be considered for funding in the RTIP, the Department must submit project nominations directly to the applicable CTA. The Department should also identify any additional state highway improvement needs within the county that could be programmed within the 3 years beyond the end of the current STIP period. The Department must submit these programming recommendations and identification of state highway improvement needs to the CTA within the timeframe and deadline prescribed by the applicable CTA. In addition, the Department must also provide a list of projects and funding amounts for projects currently planned on the State Highway System over the 2022 STIP period to be funded with local and regional funds.

### **Title VI Compliance**

Investments made in the RTIP must be consistent with federal Title VI requirements. Title VI prohibits discrimination on the basis of race, color, disability, and national origin in programs and activities receiving federal financial assistance. Public outreach to and involvement of individuals in low income and minority communities covered under Title VI of the Civil Rights Act and the Executive Order pertaining to Environmental Justice is critical to both local and regional decisions. The CTA must consider equitable solicitation and selection of project candidates in accordance with federal Title VI and Environmental Justice requirements.

### **Intelligent Transportation Systems Policy**

In collaboration with federal, state, and local partners, MTC developed the regional Intelligent Transportation Systems (ITS) Architecture. The San Francisco Bay Area Regional ITS Architecture is a roadmap for integrated and collaborative ITS projects in the Bay Area over the next 10 years and beyond. The Architecture provides the knowledge base necessary to make the most out of technological advances for planning and deployment of intelligent transportation systems that are connected and standardized across the region and beyond.

MTC, state and federal agencies require projects funded with federal highway trust funds to meet applicable ITS Architecture requirements. Since the 2006 RTIP, MTC requires all applicable

projects to conform to the regional ITS architecture. Through the on-line Fund Management System (FMS) application process, 2022 RTIP project sponsors will identify the appropriate ITS category, if applicable. Information on the regional ITS architecture can be found at:  
<https://mtc.ca.gov/operations/programs-projects/intelligent-transportation-systems/its-architecture>.

#### **MTC Resolution No. 4104 Compliance – Traffic Operations System Policy**

All major new freeway projects included in *Plan Bay Area 2040* and subsequent regional transportation plans shall include the installation and activation of freeway traffic operations system (TOS) elements to effectively operate the region's freeway system and coordinate with local transportation management systems. MTC requires all applicable RTIP projects to conform to the regional policy. For purposes of this policy, a major freeway project is a project that adds lanes to a freeway, constructs a new segment of freeway, upgrades a segment to freeway status, modifies a freeway interchange, modifies freeway ramps, or reconstructs an existing freeway. TOS elements may include, but are not limited to, changeable message signs, closed-circuit television cameras, traffic monitoring stations and detectors, highway advisory radio, and ramp meters.

As set forth in MTC Resolution No. 4104, for any jurisdiction in which MTC finds that ramp metering and TOS elements are installed but not activated or in operation, MTC will consider suspending fund programming actions for STIP funding until the Ramp Metering Plan is implemented and the ramp meters and related TOS elements are activated and remain operational, and MTC deems the requirements of the regional TOS policy have been met. Furthermore, in any county in which a jurisdiction fails to include the installation and activation of TOS elements in an applicable freeway project, including ramp metering as identified in the Ramp Metering Plan, projects to install and activate the appropriate ramp meters and TOS elements omitted from the project shall have priority for programming of new STIP funding for that county. STIP projects that do not meet the provisions of MTC Resolution No. 4104 are subject to de-programming from the federal TIP.

#### **Regional Communications Infrastructure**

MTC Resolution No. 4104, Traffic Operations System Policy, requires the installation and activation of freeway traffic operations system elements. In order to facilitate implementation of technology-based strategies focused on enhancing safety, mobility and economic vitality of communities, and to expand interoperability among partner agencies, projects must install fiber communications conduit infrastructure if project limits overlap with a proposed project in the final 2019 Regional Communications Strategic Investment Plan, when both financially feasible and consistent with goals stated in the Bay Area Regional Communications Infrastructure Plan.

Projects proposed for programming in the 2022 RTIP, seeking funds for environmental or plans, specifications, and estimates (PS&E) phases should consider incorporating communications infrastructure into project design, ideally at the project scoping phase leading to programming. A checklist of technical recommendations are listed in the final 2019 Regional Communications Infrastructure Plan (available at the MTC website at <https://mtc.ca.gov/our-work/operate-coordinate/intelligent-transportation-systems/regional-communications-network>). For future RTIP funding commitments on new projects, projects sponsors should work with Caltrans and MTC to

identify the appropriate communications component to support the completion of regional communications network throughout the Bay Area. A project is considered “new” if it does not have an approved Project Study Report or applicable scoping document as of December 15, 2021.

#### **Bay Area Forward and Regional Express Lane (HOT) Network**

All projects on the state highway system must demonstrate a scope and funding plan that includes Traffic Operations System (TOS) elements, consistent with the section above. Projects must also include any additional traffic operations and advanced technology improvements, and transportation demand management recommendations resulting from MTC’s Bay Area Forward (BAF).

Additionally, projects on the State Highway System proposed for programming in the 2022 RTIP should be consistent with the planned Regional Express Lane (High-Occupancy Toll) Network. For new RTIP funding commitments on the Regional Express Lane Network, the CTAs should work with MTC to determine the appropriateness of advance construction elements (such as structures and conduit) to support the future conversion of general purpose/High-Occupancy Vehicle (HOV) lanes to express lanes if identified.

#### **Bay Area Interregional Transportation Improvement Program (ITIP) Priorities**

In order to support Caltrans District 4 in successfully programming ITIP projects in the Bay Area, MTC worked with the CTAs and District to formulate four guiding principles for prioritizing ITIP projects consistent with the 2015 ITSP. The principles are:

- Support high cost-benefit ratio projects on the State Highway System
- Support HOV lane gap closures, with emphasis on those that support the Regional Express Lane Network.
- Support high speed rail early investments and intercity/commuter rail
- Support future goods movement and trade corridors

These principles are consistent with *Plan Bay Area 2040* assumptions. Before adoption of the 2024 RTIP, MTC will work with Caltrans District 4 and the CTAs to update these principles to more closely align with the Climate Action Plan for Transportation Infrastructure (CAPTI) framework and the forthcoming 2021 Interregional Transportation Strategic Plan (ITSP).

#### **MTC Resolution No. 3866 Compliance – Transit Coordination Implementation Plan**

On February 24, 2010, MTC approved Resolution No. 3866, which documents coordination requirements for Bay Area transit operators to improve the transit customer experience when transferring between transit operators and in support of regional transit projects. *If a transit operator fails to comply with Res. 3866 requirements, MTC may withhold, restrict or reprogram funds or allocations.* Res. 3866 supersedes MTC’s earlier coordination plan, Res. 3055.

One goal in establishing Res. 3866 was to incorporate detailed project information through reference rather than directly in the resolution in order to facilitate future updates of project-specific requirements. Transit operators must comply with these more detailed documents in order to comply with Res. 3866. MTC may periodically update these documents in consultation with transit agencies.

### **Accommodations for Bicyclists, Pedestrians and Persons with Disabilities**

Federal, state and regional policies and directives emphasize the accommodation of bicyclists, pedestrians, and persons with disabilities when designing transportation facilities. Of particular note is Caltrans Deputy Directive 64 which stipulates: “pedestrians, bicyclists and persons with disabilities must be considered in all programming, planning, maintenance, construction, operations, and project development activities and products.” In addition, MTC’s Resolution No. 3765 requires project sponsors to complete a checklist that considers the needs of bicycles and pedestrians for applicable projects. MTC’s Regional Bicycle Plan, adopted as a component of the 2001 RTP, requires that “all regionally funded projects consider enhancement of bicycle transportation consistent with Deputy Directive 64”.

In selecting projects for inclusion in the RTIP, the CTAs and project sponsors must consider federal, state and regional policies and directives regarding non-motorized travel, including, but limited to, the following:

#### **Federal Policy Mandates**

The Federal Highways Administration Program Guidance on bicycle and pedestrian issues makes a number of clear statements of intent, and provides best practices concepts as outlined in the US DOT “Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations.”

([https://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/guidance/policy\\_accom.cfm](https://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/policy_accom.cfm))

#### **State Policy Mandates**

The California Complete Streets Act (AB 1358) of 2008 encourages cities to make the most efficient use of urban land and transportation infrastructure, and improve public health by encouraging physical activity to reduce vehicle miles traveled (VMT). Government Code Section 65302(b)(2)(A) and (B) states that any substantial revision of the circulation element of the General Plan to consider all users.

California Government Code Section 65089(b)(1)(B)(5) requires that the design, construction and implementation of roadway projects proposed for funding in the RTIP must consider maintaining bicycle access and safety at a level comparable to that which existed prior to the improvement or alteration.

Caltrans Deputy Directive 64, states: “the Department fully considers the needs of non-motorized travelers (including pedestrians, bicyclists, and persons with disabilities) in all programming, planning, maintenance, construction, operations, and project development activities and products. This includes incorporation of the best available standards in all of the Department’s practices. The Department adopts the best practices concept in the US DOT Policy Statement on Integrating Bicycling and Walking into Transportation Infrastructure.”

#### **Regional Policy Mandates**

All projects programmed during the RTIP must consider the impact to bicycle transportation, pedestrians and persons with disabilities, consistent with MTC Resolution No. 3765. The

Complete Streets Checklist (also known as “Routine Accommodations Checklist”) is incorporated as Part 5 of the Project Application. Furthermore, it is encouraged that all bicycle projects programmed in the RTIP support the Regional Bicycle Network. Guidance on considering bicycle transportation can be found in MTC’s 2009 Regional Bicycle Plan (a component of Transportation 2035) and Caltrans Deputy Directive 64. MTC’s Regional Bicycle Plan, containing federal, state and regional policies for accommodating bicycles and non-motorized travel, is available on MTC’s Web site at:

<https://mtc.ca.gov/planning/transportation/bicycle-pedestrian-micromobility>.

To be eligible for RTIP funds, a local jurisdiction with local streets and roads must have either a complete streets policy or resolution, or general plan updated after 2010, that complies with the Complete Streets Act of 2008 prior to January 31, 2016. Further information is available online at: [http://mtc.ca.gov/sites/default/files/OBAG\\_2\\_Reso\\_Guidance\\_Final.pdf](http://mtc.ca.gov/sites/default/files/OBAG_2_Reso_Guidance_Final.pdf).

## **State Policies**

### **Grant Anticipation Revenue Vehicle (GARVEE) Bonding**

Chapter 862 of the Statutes of 1999 (SB 928) authorizes the State Treasurer to issue GARVEE bonds and authorizes the California Transportation Commission (CTC) to select projects for accelerated construction from bond proceeds. Bond repayment is made through annual set asides of the county share of future State Transportation Improvement Program (STIP) funds. Bond repayments are typically made over several STIP programming periods.

In accordance with state statute and the CTC GARVEE guidelines, GARVEE debt repayment will be the highest priority for programming and allocation within the particular county Regional Improvement Program (RIP) share until the debt is repaid. In the event that the RIP county share balance is insufficient to cover the GARVEE debt service and payment obligations, the RIP county share balance for that particular county will become negative through the advancement of future RIP county share. Should a negative balance or advancement of capacity be unattainable, then funding for other projects using RIP county share within that particular county would need to be reprogrammed or deleted, to accommodate the GARVEE debt service and payment obligations.

The CTC is responsible for programming the funds, derived from federal sources, as GARVEE debt service and the State Treasurer is responsible for making the debt service payments for these projects. In the 2022 STIP, CTC will consider new GARVEE projects via STIP amendment only, and not during the 2022 STIP adoption process.

### **AB 3090 Project Replacement or Reimbursement**

AB 3090 (Statutes of 1992, Chapter 1243) allows a local jurisdiction to advance a project included in the STIP to an earlier fiscal year through the use of locally-controlled funds. With the concurrence of the appropriate CTA, MTC, the California Transportation Commission and Caltrans, one or more replacement state transportation project shall be identified and included in the STIP for an equivalent amount and in the originally scheduled fiscal year or a later year of the advanced project.

Alternately, the advanced project can be reimbursed in the originally scheduled fiscal year or a later year.

Projects approved for AB 3090 consideration must award a contract within six months of the CTC approval. The allocation of AB 3090 reimbursement projects is the highest priority in the MTC region. In the 2022 STIP, CTC will consider new AB 3090 requests via STIP amendment only, and not during the 2022 STIP adoption process. Sponsors wishing to use AB 3090s for their projects should contact MTC and CTC for inclusion in the AB 3090 Plan of Projects, which is updated on an as-needed basis.

#### **SB 184 Advance Expenditure of Funds**

SB 184 (Statutes of 2007, Chapter 462) authorizes a regional or local entity to expend its own funds for any component of a transportation project within its jurisdiction that is programmed in the current fiscal year and for which the Commission has not made an allocation. The amount expended would be authorized to be reimbursed by the state, subject to annual appropriation by the Legislature, if (1) the commission makes an allocation for, and the department executes a fund transfer agreement for, the project during the same fiscal year as when the regional or local expenditure was made; (2) expenditures made by the regional or local entity are eligible for reimbursement in accordance with state and federal laws and procedures; and (3) the regional or local entity complies with all legal requirements for the project, as specified.

MTC cautions against the use of SB 184 since allocation of funds is not guaranteed. If pursued, sponsors risk expending local funds with no guarantee that the STIP funds will be allocated.

Should a sponsor want to proceed with an SB 184 request, the sponsor must notify the CTA, MTC and Caltrans in writing on agency letterhead in accordance with Caltrans Local Assistance procedures.

#### **AB 608 Contract Award Provisions**

AB 608 authorizes the adjustment by the CTC of a programmed project amount in the STIP if the Caltrans-sponsored construction contract award amount for a project is less than 80% of the engineer's final estimate, excluding construction engineering.

The CTC will not approve any AB 608 request after 120 days from the contract award. Sponsors intending to take advantage of AB 608 project savings must notify Caltrans and the CTA within 30 days of the contract award, to ensure the request to the CTC can be processed in time to meet the CTC's deadline.

#### **Federal and State-Only Funding**

In 2017, the state adopted SB1, which stabilizes the excise tax on gasoline and pegs it to adjust with inflation. Excise taxes are deposited into the State Highway Account, which also includes federal funds. While SB1 stabilize STIP revenues, Caltrans determines the funding split between state-only and federal funding for projects funded in the STIP. Therefore, projects programmed in the 2022 STIP may receive a combination of state and federal funds. Project sponsors must federalize their projects by completing NEPA documentation and complying with federal project delivery rules, if they are assigned federal funds.

### **Article XIX Compliance for Transit Projects**

Article XIX of the California State Constitution restricts the use of State Highway Account (SHA) funds on transit projects. In order for existing and new projects to be programmed in the STIP, the project sponsor or the CTA must provide documentation that verifies the STIP transit project is either 1) eligible for federal funds, or 2) meets Article XIX requirements that only fixed guideway projects in a county that has passed a measure authorizing the use of SHA funds on transit projects may use SHA funds. Also refer to the next section regarding “Matching Requirements.”

### **Matching Requirements on Highway and Transit Projects**

A local match is not required for projects programmed in the STIP, except under special situations affecting projects subject to Article XIX restrictions established by the State Constitution. Article XIX limits the use of state revenues in the State Highway Account (SHA) to state highways, local roads, and fixed guideway facilities. Other projects, such as rail rolling stock and buses, are not eligible to receive state funds from the SHA. Article XIX restricted projects must therefore be funded with either a combination of federal STIP funding and matching STIP funds from the Public Transportation Account (PTA), or with 100 percent federal STIP funds in the State Highway Account (which requires a non-federal local match of 11.47% from a non-STIP local funding source or approved use of toll credits).

Project sponsors wishing to use STIP PTA funds as matching funds for Article XIX restricted projects must note such a request in the “Fund Code” notes section of the RTIP electronic Project Programming Request (ePPR) form and obtain approval from Caltrans through the state-only approval process as previously described. Caltrans has not identified any PTA capacity for the 2022 STIP. Therefore, the CTC will assume any Article XIX restricted STIP project will be funded with 100 percent federal funds using toll credits, or have the appropriate local match.

### **Governor’s Executive Orders**

The STIP Guidelines adopted by the CTC recognizes two proclamations and executive orders by Governor Brown. First, in recognition of the historic drought, the CTC expects any landscape projects currently programmed but not yet allocated and awarded, or any new landscape projects, will include drought tolerant plants and irrigation. Second, consistent with Executive Order B-30-15 (April 29, 2015), projects proposed for RTIP funds must consider the State’s greenhouse gas emission reduction targets. Projects subject to a project-level performance evaluation are expected to include measures and analyses that address greenhouse gas emission reductions.

## **General Guidance**

### **Project Advancements**

If a project or project component is ready for implementation earlier than the fiscal year that it is programmed in the STIP, the implementing agency may request an allocation in advance of the programmed year. The CTC will consider making advanced allocations based on a finding that the allocation will not delay availability of funding for other projects programmed in earlier years than the project to be advanced and with the approval of the responsible regional agency if county share funds

are to be advanced. In project and financial planning, sponsors should not expect the CTC to advance any projects.

#### **Advance Project Development Element (APDE)**

The 2022 STIP Fund Estimate does not identify funding for APDE. APDE funds may not be proposed in any year of the 2022 STIP.

#### **Unprogrammed Shares**

The counties and the region may propose to leave county share STIP funds unprogrammed for a time to allow adequate consideration of funding options for future projects. The CTC particularly encourages Caltrans and the regional agencies to engage in early consultations to coordinate their ITIP and RTIP proposals for such projects. Counties intending to maintain an unprogrammed balance of its county share for future program amendments prior to the next STIP must include a statement of the intentions for the funds, including the anticipated use of the funds, as well as the amount and timing of the intended STIP amendment(s). However, access to any unprogrammed balance is subject to availability of funds, and may not be approved by the CTC until the next STIP programming cycle.

#### **Countywide RTIP Listing**

By October 6, 2021, each CTA must submit to MTC a draft proposed countywide RTIP project listing showing the proposed programming of county shares. The final list is due to MTC by November 1, 2021, and must include the final project applications for any new projects added to the STIP (or any significantly revised existing STIP projects), details of projects completed since the last STIP, and appropriate project level performance measure analysis.

#### **Project Screening Criteria, Including Readiness**

In addition to the CTC Guidelines, all projects included in the 2022 RTIP must meet all MTC project-screening criteria listed in Appendix A-3 of this guidance, including the planning and the project readiness requirements.

#### **RTIP Applications**

Project sponsors must complete an application for each new project proposed for funding in the RTIP, consisting of the items included in Appendix A-4 of this guidance. In addition to MTC's Fund Management System (FMS) application, project sponsors must use the latest Project Programming Request (PPR) forms provided by Caltrans for all projects. CTAs should submit PPRs for all projects (including existing projects with no changes) on the revised form provided by Caltrans. The nomination sheet must be submitted electronically for upload into the regional and statewide databases. Existing projects already programmed in the STIP with proposed changes should propose an amendment in MTC's FMS, and submit both electronically and in hard copy a revised PPR provided by Caltrans.

#### **STIP Performance Measures: Regional and Project-Level Analyses**

The CTC continues to require performance measures in the RTIP and ITIP review process for the 2022 RTIP. According to the STIP Guidelines, a regional, system-level performance report must be

submitted along with the RTIP submission. MTC staff will compile this report, focusing on applying the measures at the Regional Transportation Plan (RTP) level.

In addition, the 2022 STIP Guidelines require a project-level performance measure evaluation on all projects with total project costs over \$50 million or over \$15 million in STIP funds programmed. The project-level evaluation should address performance indicators and measures listed in the 2022 STIP Guidelines (see Section 19, Part D). The evaluation should also include a Caltrans-generated benefit/cost estimate, estimated impacts the project will have on the annual cost of operating and maintaining the state's transportation system, and estimated impact to greenhouse gas reduction efforts. The project-level evaluation must also be completed, if it has not already, on existing STIP projects with construction programmed, that exceed \$50 million in total project cost/\$15 million in STIP programming, and have had CEQA completed after December 2011. The CTAs are required to submit the project-level performance measures to MTC by the final application due date.

### **Completed Project Reporting**

The 2022 STIP Guidelines require a report on all RTIP projects over \$20 million in total project cost completed between the adoption of the RTIP and the adoption of the previous RTIP (from December 2019 to December 2021). The report must include a summary of the funding plan and programming/allocation/expenditure history, as well as a discussion of project benefits that were anticipated prior to construction compared with an estimate of the actual benefits achieved. The CTAs are required to submit the completed project reporting information to MTC by the final application due date.

### **Regional Projects**

Applications for projects with regionwide or multi-county benefits should be submitted to both MTC and the affected county CTAs for review. Regional projects will be considered for programming in the context of other county project priorities. MTC staff will work with the interested parties (CTAs and project sponsors) to determine the appropriate level of funding for these projects and negotiate county contributions of the project cost. County contributions would be based on population shares of the affected counties, or other agreed upon distribution formulas.

### **85-115% Adjustments**

MTC may, pursuant to Streets and Highways Code Section 188.8 (k), pool the county shares within the region, provided that each county shall receive no less than 85 percent and not more than 115 percent of its county share for any single STIP programming period and 100 percent of its county share over two STIP programming cycles.

MTC may recommend use of the 85%-115% rule provided for in SB 45 to ensure, as needed, that the proper scope of projects submitted for programming can be accommodated. MTC will also work with CTAs to recommend other options, such as phased programming across STIP cycles, to ensure that sufficient funding and concerns such as timely use of funds are adequately addressed.

### **MTC Resolution No. 3606 Compliance – Regional Project Delivery Policy**

SB 45 established strict timely use of funds and project delivery requirements for transportation projects programmed in the STIP. Missing critical milestones could result in deletion of the project from the STIP, and a permanent loss of the funds to the county and region. Therefore, these timely use of funds deadlines must be considered in programming the various project phases in the STIP. While SB 45 provides some flexibility with respect to these deadlines by allowing for deadline extensions under certain circumstances, the CTC is very clear that deadline extensions will be the exception rather than the rule. MTC Resolution No. 3606, Revised, details the Regional Project Delivery Policy for Regional Discretionary Funding, which are more restrictive than the State's delivery policy. For instance, MTC expects STIP projects to request allocation of funds by January 31<sup>st</sup> of the programmed fiscal year. Further, MTC expects regular status reports from sponsors that will feed into the region's state allocation plan. See Attachment C to MTC Resolution No. 4488 for additional extension and amendment procedures.

### **Allocation of Funds - Requirements**

To ensure there is no delay in the award of the construction contract (which CTC guidelines and MTC Resolution No. 3606 require within six months of allocation), STIP allocation requests for the construction phase of federally-funded projects must be accompanied by the complete and accurate Request for Authorization (RFA) package (also known as the E-76 package). Concurrent submittal of the CTC allocation request and the RFA will minimize delays in contract award. Additionally, for the allocation of any non-environmental phase funds (such as for final design, right of way, or construction), the project sponsor must demonstrate that both CEQA and NEPA documents are completed and certified for federalized projects.

### **Notice of Cost Increase**

For projects with a total estimated cost over \$25 million, the implementing agency must perform quarterly project cost evaluations. If a cost increase greater than 10 percent of the total estimated cost of the particular phase is identified, the implementing agency must notify and submit an updated Project Programming Request (PPR) form to the appropriate CTA and MTC. In the event that a project is divided into sub-elements, the implementing agency will include all project sub-elements (i.e. landscaping, soundwalls, adjacent local road improvements) in the quarterly cost evaluation.

Early notification of cost increases allows the CTA and MTC to assist in developing strategies to manage cost increases and plan for future county share programming.

### **Cost Escalation for Caltrans-Implemented Projects**

CTC remains very critical of unexpected cost increases to projects funded by the STIP. To ensure that the amounts programmed in the STIP are accurate, MTC encourages the CTAs to consult with Caltrans and increase Caltrans project costs by an agreed-upon escalation rate if funds are proposed to be shifted to a later year. This will currently only apply to projects implemented by Caltrans.

### **Notice of Contract Award**

Caltrans has developed a procedure (Local Programs Procedures LPP-01-06) requiring project sponsors to notify Caltrans immediately after the award of a contract. Furthermore, Caltrans will not

make any reimbursements for expenditures until such information is provided. Project sponsors must also notify MTC and the appropriate CTA immediately after the award of a contract. To ensure proper monitoring of the Timely Use of Funds provisions of SB 45, project sponsors are required to provide MTC and the county CTA with a copy of the LPP-01-06 “Award Information for STIP Projects – Attachment A” form, when it is submitted to Caltrans. This will assist MTC and the CTA in maintaining the regional project monitoring database, and ensure accurate reporting on the status of projects in advance of potential funding lapses. In accordance with CTC and Caltrans policies, construction funds must be encumbered in a contract within six months of allocation.

<b>METROPOLITAN TRANSPORTATION COMMISSION</b> <b>2022 Regional Transportation Improvement Program</b> <b>Development Schedule (Subject to Change)</b> <b>September 8, 2021</b>	
March 24, 2021	Caltrans presentation of draft STIP Fund Estimate Assumptions (CTC Meeting)
May 12, 2021	CTC adoption of STIP Fund Estimate Assumptions (CTC Meeting)
June 23, 2021	Caltrans presentation of the draft STIP Fund Estimate and draft STIP Guidelines (CTC Meeting)
June 24, 2021	Local Streets and Roads/Programming and Delivery Working Group (LSRPDWG) discussion and review of initial schedule for 2022 RTIP
June 30, 2021	Governor signs State Budget
July 19, 2021	STIP Fund Estimate and Guidelines Workshop
August 18, 2021	CTC adopts STIP Fund Estimate and STIP Guidelines (CTC Meeting)
September 1, 2021	Draft RTIP Policies and Procedures published online and emailed to stakeholders for public comment
September 8, 2021	MTC Programming and Allocations Committee (PAC) scheduled review and recommendation of final proposed RTIP Policies and Procedures
September 22, 2021	MTC Commission scheduled adoption of RTIP Policies and Procedures
October 6, 2021	BACTAs submit to MTC, RTIP projects summary listings and identification of projects requiring project-level performance measure analysis. Deadline to submit Complete Streets Checklist for new projects.
November 1, 2021	Final Project Programming Request (PPR) forms due to MTC. Final RTIP project listing and performance measure analysis due to MTC. Final PSR (or PSR Equivalent), Resolution of Local Support, and Certification of Assurances due to MTC ( <b>Final Complete Applications due</b> )
December 1, 2021	Draft RTIP scheduled to be available for public review
December 8, 2021	PAC scheduled review of RTIP and referral to Commission for approval
December 15, 2021	MTC Commission scheduled approval of 2022 RTIP (Full RTIP to be transmitted to CTC within one week of Commission approval)
December 15, 2021	2022 RTIP due to CTC
January 27, 2022	CTC 2022 STIP Hearing – Northern California (TBD)
February 3, 2022	CTC 2022 STIP Hearing – Southern California (TBD)
February 28, 2022	CTC Staff Recommendations on 2022 STIP released
March 23, 2022	CTC adopts 2022 STIP (CTC Meeting)

Shaded Area – Actions by Caltrans or CTC

**2022 RTIP Fund Estimate County Targets**

8/31/2021

All numbers in thousands

*Table 1: County Share Targets*

Draft	Through FY 2026-27 New Distrib.	Advanced, Carryover, and Lapsed	Regional Set-aside*	MTC PPM** FY 2025-26 & FY 2026-27	2022 STIP CTA Target***
Alameda	22,035	0	(5,063)	(355)	16,617
Contra Costa	15,118	45,890	(31,090)	(230)	29,688
Marin	4,131	(22,406)	(571)	(65)	0
Napa	2,724	(19,683)	(376)	(40)	0
San Francisco	11,202	1,548	(1,548)	(180)	11,022
San Mateo	11,415	3,912	(1,598)	(186)	13,543
Santa Clara	26,162	5,932	(3,632)	(414)	28,048
Solano	6,854	(29,263)	(945)	(109)	0
Sonoma	8,423	231	(4,577)	(131)	3,946
<b>County Totals</b>	<b>108,064</b>	<b>(13,839)</b>	<b>(49,400)</b>	<b>(1,710)</b>	<b>102,864</b>

Note: Counties with negative balance have a "\$0" new share.

\* Regional set-aside includes \$31M from ARRA/Caldecott payback, \$15M from SFOBB Bike/Ped

Access projects, and \$3.4M from MSN B2 payback (SON)

\*\* Assumes 2% Escalation Rate for New Fys (reduced from 3.5%)

\*\*\* Does not include new CTA PPM programming

*Table 2: Planning, Programming, and Monitoring Amounts  
FY 2022-23, FY 2023-24*

	PPM Limit FY 2022-23 through FY 2023-24	MTC PPM FY 2022-23 through FY 2023-24	Programmed CTA PPM Current Share Period		PPM FY 2022-23 through FY 2023-24 CTA Share
			FY 2022-23	FY 2023-24	
Alameda	327	327	0	0	0
Contra Costa	636	212	356	68	0
Marin	61	61	0	0	0
Napa	139	37	51	51	0
San Francisco	472	167	259	46	0
San Mateo	481	173	262	46	0
Santa Clara	494	382	112	0	0
Solano	288	100	159	29	0
Sonoma	398	120	278	0	0
<b>County Totals</b>	<b>3,296</b>	<b>1,579</b>	<b>1,477</b>	<b>240</b>	<b>0</b>

Note: Counties may redistribute PPM amounts across both fiscal years

*Table 3: Planning, Programming, and Monitoring Amounts  
FY 2024-25, FY 2025-26, FY 2026-27*

	PPM Limit FY 2024-25 through FY 2026-27	MTC PPM FY 2024-25 through FY 2026-27	Programmed CTA PPM FY25 to FY28 Share Period			PPM Available for FY25 to FY28 Share Period CTA Share***
			FY 2024-25	FY 2025-26	FY 2026-27	
Alameda	1,668	527	394	0	0	747
Contra Costa	1,143	342	275	0	0	526
Marin	313	97	74	0	0	142
Napa	206	60	50	0	0	96
San Francisco	847	268	199	0	0	380
San Mateo	863	277	201	0	0	385
Santa Clara	1,978	615	469	0	0	894
Solano	518	162	123	0	0	233
Sonoma	637	194	153	0	0	290
<b>County Totals</b>	<b>8,173</b>	<b>2,542</b>	<b>1,938</b>	<b>0</b>	<b>0</b>	<b>3,693</b>

Note: Counties may redistribute and program PPM share across all three fiscal years

\*\*\* CTA PPM share has not been subtracted from 2022 STIP CTA target identified in Table 1

**2022 Regional Transportation Improvement Program  
Policies and Procedures  
Appendix A-3: 2022 RTIP Project Screening Criteria**

**Eligible Projects**

- A. Eligible Projects.** SB 45 (Chapter 622, Statutes 1997) defined the range of projects that are eligible for consideration in the RTIP. Eligible projects include, state highway improvements, local road improvements and rehabilitation, public transit, intercity rail, grade separation, pedestrian and bicycle facilities, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety projects. Due to the current fund make up of the STIP, sponsors should expect that all projects programmed in the STIP include a mix of state and federal funds.

**Planning Prerequisites**

- B. RTP Consistency.** Projects included in the RTIP must be consistent with the adopted Regional Transportation Plan (RTP), which state law requires to be consistent with federal planning and programming requirements. Each project to be included in the RTIP must identify its relationship with meeting the goals and objectives of the RTP, and where applicable, the RTP ID number.
- C. CMP Consistency.** Local projects must also be included in a County Congestion Management Plan (CMP), or in an adopted Capital Improvement Program (CIP) for counties that have opted out of the CMP requirement, prior to inclusion in the RTIP.
- D. PSR or PSR Equivalent is Required.** Projects in the STIP must have a complete Project Study Report (PSR) or, for a project that is not on a state highway, a project study report equivalent or major investment study. The intent of this requirement is to ensure that the project scope, cost and schedule have been adequately defined and justified. Projects with a circulating draft or final environmental document do not need a PSR. This requirement is particularly important in light of SB 45 timely use of funds requirements, discussed below.

The required format of a PSR or PSR equivalent varies by project type. Additional guidance on how to prepare these documents is available on the internet at the addresses indicated within Part 3 (PSR, or equivalent) of Appendix A-4: 2022 RTIP Project Application, which includes a table categorizing PSR and PSR equivalent requirements by project type.

**Project Costs and Phases**

- E. Escalated Costs.** All projects will count against share balances on the basis of their fully escalated (inflated) costs. All RTIP project costs must be escalated to the year of expenditure.

As required by law, inflation estimates for Caltrans operations (capital outlay support) costs are based on the annual escalation rate established by the Department of Finance. Local project sponsors

may use the state escalation rates or their own rates in determining the escalated project cost in the year programmed.

**F. Project Phases.** Projects must be separated into the following project components:

1. Completion of all studies, permits and environmental studies (ENV)
2. Preparation of all Plans, Specifications, and Estimates (PS&E)
3. Acquisition of right-of-way (ROW)
4. Construction and construction management and engineering, including surveys and inspections.” (CON)

*Note: Right-of-way and construction components on Caltrans projects must be further separated into capital costs and Caltrans support costs (ROW-CT and CON-CT).*

The project sponsor/CTA must display the project in these four components (six for Caltrans projects) in the final submittal. STIP funding amounts programmed for any component shall be rounded to the nearest \$1,000. Additionally, unless substantially justified, no project may program more than one project phase in a single fiscal year. Caltrans-sponsored projects are exempt from this prohibition. Additionally, right of way (ROW) funds may be programmed in the same year as final design (PS&E) if the environmental document is approved. ROW funds may be programmed in the same year as construction (CON) only if the project does not have significant right of way acquisition or construction costs that require more than a simple Categorical Exemption or basic permitting approvals (see section L). The CTC will not allocate PS&E, ROW, or CON funding until CEQA and NEPA (if federalized) documents are complete and submitted to CTC.

All requests for funding in the RTIP for projects on the state highway system and implemented by an agency other than the Department must include any oversight fees within each project component cost, as applicable and as identified in the cooperative agreement. This is to ensure sufficient funding is available for the project component.

**G. Minimum Project Size.** New projects or the sum of all project components per project cannot be programmed for less than \$500,000 for counties with a population over 1 million (from 2010 U.S. Census data: Alameda, Contra Costa, and Santa Clara Counties), and \$250,000 for counties with a population under 1 million (Marin, Napa, San Francisco, San Mateo, Solano, and Sonoma Counties), with the following exceptions:

- (a) Funds used to match federal funds;
- (b) Planning, Programming and Monitoring (PPM);
- (c) Projects for landscaping and mitigation of State highway projects, including soundwalls;
- (d) Caltrans project support components not allocated by the Commission; and
- (e) Right-of-way capital outlay for Caltrans, which is not allocated by the Commission on a project basis.

Other exceptions may be made on a case-by-case basis.

**H. Fiscal Years of Programming.** The 2022 STIP covers the five-year period from FY 2022-23 through 2026-27. If a project will not be ready for allocation in a certain year, project sponsors should delay funds to a later year of the five-year STIP period.

## **Readiness Standards**

- I. Project Phases Must Be Ready in the Year Proposed.** Funds designated for each project component will only be available for allocation until the end of the fiscal year in which the funds are programmed in the STIP. Once allocated, the sponsor will have two additional years beyond the end of the programmed fiscal year to expend pre-construction STIP funds. For construction, the sponsor will have six months to award a contract and three years to expend funds after project award. Project sponsors must invoice at least once in a six-month period following the allocation of funds. It is therefore very important that projects be ready to proceed in the year programmed.
- J. Completion of Environmental Process.** Government Code Section 14529(c) requires that funding for right-of-way acquisition and construction for a project may be included in the STIP only if the CTC makes a finding that the sponsoring agency will complete the environmental process and can proceed with right-of-way acquisition or construction within the five year STIP period. Furthermore, in compliance with Section 21150 of the Public Resources Code, the CTC may not allocate funds to local agencies for design, right-of-way, or construction prior to documentation of environmental clearance under the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) for federally-funded projects. Therefore, project sponsors must demonstrate to MTC that these requirements can be reasonably expected to be met prior to programming final design, right-of-way, or construction funds in the RTIP. Final CEQA documents (aside from Categorical Exemptions, or CEs) must be submitted to CTC prior to allocation. Additional information is available at: <https://catc.ca.gov/programs/environmental>.
- K. Programming Project Components in Sequential STIP Cycles.** Project components may be programmed sequentially. That is, a project may be programmed for environmental work only, without being programmed for plans, specifications, and estimates (design). A project may be programmed for design without being programmed for right-of-way or construction. A project may be programmed for right-of-way without being programmed for construction. The CTC recognizes a particular benefit in programming projects for environmental work only, since projects costs and particularly project scheduling often cannot be determined with meaningful accuracy until environmental studies have been completed. As the cost, scope and schedule of the project is refined, the next phases of the project may be programmed with an amendment or in a subsequent STIP.

When proposing to program only preconstruction components for a project, the implementing agency must demonstrate the means by which it intends to fund the construction of a useable segment, consistent with the regional transportation plan or the Caltrans interregional transportation strategic plan. The anticipated total project cost and source of any uncommitted future funding must be identified.

- L. Sequential Phasing.** For most projects, the different project phases should be programmed sequentially in the STIP, i.e. environmental before design before right of way before construction. Projects with significant right of way acquisition or construction costs that require more than a simple Categorical Exemption or basic permitting approvals, must not be programmed with the right of way and construction components in the same year as the environmental. Project sponsors must provide sufficient time between the scheduled allocation of environmental funds and the start of

design, right of way or construction. As prescribed in Section F, projects may not have more than one phase programmed per fiscal year, with the exceptions of Caltrans-sponsored preconstruction phases, and right of way (ROW) funds programmed with final design (PS&E) or construction (CON) where there are no significant ROW acquisitions necessary.

**M. The Project Must Have a Complete Funding Commitment Plan.** All local projects must be accompanied by an authorizing resolution stating the sponsor's commitment to complete the project as scoped with the funds requested. A model resolution including the information required is outlined in Appendix A-4 - Part 1 of this guidance.

The CTC may program a project component funded from a combination of committed and uncommitted funds. Uncommitted funds may only be nominated from the following competitive programs: Local Partnership Program, Solutions for Congested Corridors Program, or Trade Corridor Enhancement Program. All local projects requesting to be programmed with uncommitted funds must be accompanied with a plan for securing a funding commitment, explain the risk of not securing that commitment, and its plan for securing an alternate source of funding should the commitment not be obtained. If the funding commitment is not secured with the adoption of these programs and alternative funding is not identified within six months, the projects will be subject to deletion by the Commission. Projects programmed by the Commission in the STIP will not be given priority for funding in other programs under the Commission's purview.

The CTC will regard non-STIP funds as committed when the agency with discretionary authority over the funds has made its commitment to the project by ordinance or resolution. For federal formula funds, including STP, CMAQ, and Federal formula transit funds, the commitment may be by Federal TIP adoption. For federal discretionary funds, the commitment may be by federal approval of a full funding grant agreement or by grant approval.

All regional agencies with rail transit projects shall submit full funding plans describing each overall project and/or useable project segment. Each plan shall list Federal, State, and local funding categories by fiscal year over the time-frame that funding is sought, including funding for initial operating costs. Moreover, should the project schedule exceed the funding horizon, then the amount needed beyond what is currently requested shall be indicated. This information may be incorporated in the project application nomination sheets.

**N. Field Review for Federally Funded Local Projects.** One way to avoid unnecessary STIP amendment and extension requests is to conduct a field review with Caltrans as early as possible, so potential issues may be identified with sufficient time for resolution.

For all projects in the 2022 RTIP (anticipated to be a mix of federal and state funding), the project sponsor agrees to contact Caltrans and schedule and make a good faith effort to complete a project field review within 6-months of the project being included in the Transportation Improvement Program (TIP). For the 2022 STIP, Caltrans field reviews should be completed by September 1, 2022 for federal aid projects programmed in 2022-23 and 2023-24. The requirement does not apply to planning activities, state-only funded projects, or STIP funds to be transferred to the Federal Transit Administration (FTA).

### **Other Requirements**

- O. Availability for Audits.** Sponsors must agree to be available for an audit if requested. Government Code Section 14529.1 “The commission [CTC] shall request that the entity receiving funds accept an audit of funds allocated to it by the commission, if an audit is deemed necessary.”
- P. Interregional Projects May Be Proposed Under Some Restrictive Circumstances.** The project must be a usable segment and be more cost-effective than a Caltrans alternative project. Government Code Section 14527 (c) “A project recommended for funding by the RTPA in the Interregional Improvement Program shall constitute a usable segment, and shall not be a condition for inclusion of other projects in the RTIP.” Government Code Section 14529 (k) “... the commission [CTC] must make a finding, based on an objective analysis, that the recommended project is more cost-effective than a project submitted by the department....”
- Q. Premature Commitment of Funds.** The project sponsor may not be reimbursed for expenditures made prior to the allocation of funds by the CTC (or by Caltrans under delegation authority), unless the provisions of Senate Bill 184 are met in accordance with the CTC Guidelines for Implementation of SB 184. Under no circumstances may funds be reimbursed for expenditures made prior to the funds being programmed in the STIP or prior to the fiscal year in which the project phase is programmed. In addition, the sponsor must make a written request to Caltrans prior to incurring costs, in accordance with Caltrans Local Assistance Procedures for SB 184 implementation.
- R. State-Only Funding.** The 2022 RTIP is expected to be funded with a mix of federal and state funds. Project sponsors must federalize their projects by completing NEPA documentation and complying with federal project delivery rules. Project sponsors are expected to meet all requirements of Article XIX in selecting projects receiving state-only funding. This includes sponsors or the CTA providing documentation verifying the county passed a measure allowing for the use of state-only State Highway Account funds on fixed guideway projects, should RTIP funds be proposed for use on non-federalized fixed guideway transit projects.
- S. Federal Transportation Improvement Program.** All projects programmed in the STIP must also be programmed in the federal Transportation Improvement Program (TIP), regardless of fund source. Project sponsors are encouraged to submit TIP amendment requests immediately following inclusion of the project into the STIP by the CTC. The project listing in the TIP must include total project cost by phase regardless of the phase actually funded by the CTC. STIP projects using federal funds will not receive federal authorization to proceed without the project being properly listed in the TIP.
- T. Agency Single Point of Contact.** Project sponsors shall assign a single point of contact within the agency to address programming and project delivery issues that may arise during the project life cycle. The name, title, and contact information of this person shall be furnished to the CTA and MTC at the time of project application submittal. This shall also serve as the agency contact for all FHWA-funded projects.

**2022 Regional Transportation Improvement Program (RTIP)**  
**Appendix A-4: 2022 RTIP Project Application**

Project sponsors must submit a completed project application for each project proposed for funding in the 2022 RTIP. The application consists of the following five parts and are available on the Internet (as applicable) at: <http://www.mtc.ca.gov/funding/>

1. Resolution of local support
2. Project Study Report (PSR), or equivalent
3. RTIP Electronic Project Programming Request (ePPR) form (must be submitted electronically)
4. Performance Measures Worksheet (if applicable)
5. Complete Streets Checklist (if applicable: check with CTA or on MTC's website, listed above)

**Part 1: Sample Resolution of Local Support**

Note: Use the latest version of the Resolution of Local Support at:

<https://mtc.ca.gov/our-work/fund-invest/federal-funding/obag-2>

**Resolution No. \_\_\_\_\_**

**Authorizing the filing of an application for funding assigned to MTC and committing any necessary matching funds and stating assurance to complete the project**

**WHEREAS**, (INSERT APPLICANT NAME HERE) (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for (INSERT FUNDING \$ AMOUNT HERE) in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the (INSERT PROJECT TITLE(S) HERE) (herein referred to as PROJECT) for the (INSERT MTC PROGRAM(S) HERE) (herein referred to as PROGRAM); and

**WHEREAS**, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

**WHEREAS**, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

**WHEREAS**, pursuant to the FEDERAL TRANSPORTATION ACT, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

**WHEREAS**, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

**WHEREAS**, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

**WHEREAS**, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

**WHEREAS**, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
- that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and
- in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

**WHEREAS**, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

**WHEREAS**, there is no legal impediment to APPLICANT making applications for the funds; and

**WHEREAS**, there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and

**WHEREAS**, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

**WHEREAS**, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

**NOW, THEREFORE, BE IT RESOLVED** that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or continued funding; and be it further

**RESOLVED** that APPLICANT will provide any required matching funds; and be it further

**RESOLVED** that APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for

the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it further

**RESOLVED** that APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it further

**RESOLVED** that PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

**RESOLVED** that APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and be it further

**RESOLVED** that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it further

**RESOLVED** that, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further

**RESOLVED** that, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it further

**RESOLVED** that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

**RESOLVED** that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

**RESOLVED** that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

**RESOLVED** that there is no legal impediment to APPLICANT making applications for the funds; and be it further

**RESOLVED** that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

**RESOLVED** that APPLICANT authorizes its Executive Director, General Manager, City Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

**RESOLVED** that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

**RESOLVED** that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

## RTIP Project Application

### **Part 2: Project Study Report (PSR), or equivalent**

The required format of a PSR or PSR equivalent varies by project type. The following table categorizes PSR and PSR equivalent requirements by project type. The PSR or PSR equivalent must be prepared by a registered engineer and contain the proper approvals including approval of Executive Director, Deputy Director, Division Chief or District Director, of the nominating agency and the implementing agency. For a rail project where the implementing agency is Union Pacific or BNSF, their signature will not be required in a PSR equivalent. Additional guidance on how to prepare these documents is available on the Internet at the addresses indicated below, or from MTC.

#### Project Study Report (PSR) Requirements PSR and Equivalents by Project Type

Project Type	Type of Document Required *	Where to get more information
State Highway	Full PSR or PD/ENV Only	<a href="https://dot.ca.gov/-/media/dot-media/programs/design/documents/apdx-l-template.docx">https://dot.ca.gov/-/media/dot-media/programs/design/documents/apdx-l-template.docx</a>
Local Roadway a. rehabilitation b. capacity increasing or other project	PSR for local rehabilitation PSR equivalent – project specific study with detailed scope and cost estimate	In most cases completing the Preliminary Environmental Study and Field Review forms in the Local Assistance Procedures Manual should be sufficient. These forms can be found at: <u>Preliminary Environmental--</u> <a href="https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm">https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm</a> then look in chapter 6 pg 6-31. <u>Field Review --</u> <a href="https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm">https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm</a> then look in chapter 7 pg 7-13.
Transit	State of California Uniform Transit Application	<a href="https://dot.ca.gov/-/media/dot-media/programs/rail-mass-transportation/documents/f0010035-state-uta-instruc-091906-a11y.docx">https://dot.ca.gov/-/media/dot-media/programs/rail-mass-transportation/documents/f0010035-state-uta-instruc-091906-a11y.docx</a>
Other	PSR equivalent with detailed scope and cost estimate	To be determined on a case-by-case basis

\* In some instances a Major Investment Study (MIS) prepared under federal guidance may serve as a PSR equivalent where information provided is adequate for programming purposes.

## **RTIP Project Application**

### **Part 3: Electronic Project Programming Request (ePPR) Form**

Applicants are required to submit an electronic Project Programming Request (ePPR) form in order to be considered for funding from the 2022 RTIP.

The ePPR for new projects will be made available at the following location:

<https://dot.ca.gov/programs/financial-programming/office-of-capital-improvement-programming-ocip>

The ePPRs must also be submitted for existing projects and can be downloaded at the following location:

<https://dot.ca.gov/programs/financial-programming/office-of-capital-improvement-programming-ocip>

### **Part 4: Performance Measures Worksheet**

Applicants submitting nominations for projects with total project costs exceeding \$50 million, or have over \$15 million in STIP funds programmed, are required to submit a Performance Measure Worksheet.

The Worksheet template is available at the following location:

<https://catc.ca.gov/programs/state-transportation-improvement-program>

Select the “2022 STIP Guidelines” document. The template begins on page 11 and continues on page 50 of the guidelines, under “Appendix B: Performance Indicators and Measures”.

### **Part 5: Complete Streets Checklist**

Applicants are required to include the Complete Streets (Routine Accommodations) Checklist with the application submittal to MTC for projects that will have an impact on bicycles or pedestrians. The Checklist is available from the Congestion Management Agencies and at the MTC website at

<https://mtc.ca.gov/planning/transportation/complete-streets>.

## MTC 2022 Regional Transportation Improvement Program

September 22, 2021  
(all numbers in thousands)

County	Agency	PPNO	Project	2022 RTIP Total	2022 RTIP Funding by Fiscal Year					Outside RTIP
					22-23	23-24	24-25	25-26	26-27	
<b>Alameda County Shares</b>										
<b>Alameda County Total</b>				-	-	-	-	-	-	-
<b>Contra Costa County Shares</b>										
<b>Contra Costa Total</b>				-	-	-	-	-	-	-
<b>Marin County Shares</b>										
<b>Marin County Total</b>				-	-	-	-	-	-	-
<b>Napa County Shares</b>										
<b>Napa County Total</b>				-	-	-	-	-	-	-
<b>San Francisco County Shares</b>										
<b>San Francisco County Total</b>				-	-	-	-	-	-	-
<b>San Mateo County Shares</b>										
<b>San Mateo County Total</b>				-	-	-	-	-	-	-
<b>Santa Clara County Shares</b>										
<b>Santa Clara County Total</b>				-	-	-	-	-	-	-
<b>Solano County Shares</b>										
<b>Solano County Total</b>				-	-	-	-	-	-	-
<b>Sonoma County Shares</b>										
<b>Sonoma County Total</b>				-	-	-	-	-	-	-
<b>2022 RTIP Total - Bay Area</b>				-	-	-	-	-	-	-

Note: Detail on project programming by year and phase will be submitted to CTC

## MTC 2022 Regional Transportation Improvement Program

### 2022 RTIP Contingency Projects

September 22, 2021  
(all numbers in thousands)

County	Agency	PPNO	Project	2022 RTIP Total	2022 RTIP Funding by Fiscal Year					Outside RTIP
					22-23	23-24	24-25	25-26	26-27	
<b>Alameda County Shares</b>										
<b>Alameda County Total</b>				-	-	-	-	-	-	-
<b>Contra Costa County Shares</b>										
<b>Contra Costa Total</b>				-	-	-	-	-	-	-
<b>Marin County Shares</b>										
<b>Marin County Total</b>				-	-	-	-	-	-	-
<b>Napa County Shares</b>										
<b>Napa County Total</b>				-	-	-	-	-	-	-
<b>San Francisco County Shares</b>										
<b>San Francisco County Total</b>				-	-	-	-	-	-	-
<b>San Mateo County Shares</b>										
<b>San Mateo County Total</b>				-	-	-	-	-	-	-
<b>Santa Clara County Shares</b>										
<b>Santa Clara County Total</b>				-	-	-	-	-	-	-
<b>Solano County Shares</b>										
<b>Solano County Total</b>				-	-	-	-	-	-	-
<b>Sonoma County Shares</b>										
<b>Sonoma County Total</b>				-	-	-	-	-	-	-
<b>2022 RTIP Total - Bay Area</b>				-	-	-	-	-	-	-

Note: Detail on project programming by year and phase will be submitted to CTC

J:\PROJECT\Funding\RTIP\22 RTIP\IP&Ps\I\mp-4488\_B\_Program of Projects.xlsx\MTC 2021-09

Date: September 22, 2021  
W.I.: 1515  
Referred by: PAC

Attachment C  
Resolution No. 4488  
Page 1 of 13

**2022**  
**Regional Transportation Improvement Program**

**STIP Amendments / Extensions**  
**Rules and Procedures**

**September 22, 2021**

**MTC Resolution No. 4488**  
**Attachment C**

**Metropolitan Transportation Commission**  
**Funding Policy and Programs Section**  
<http://mtc.ca.gov/our-work/fund-invest>

**RTIP**  
**Regional Transportation Improvement Program**  
**STIP Amendments / Extensions**  
**Rules and Procedures**  
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## **Regional Transportation Improvement Program (RTIP) STIP Amendments / Extensions Rules and Procedures**

### **What is the STIP?**

The State Transportation Improvement Program (STIP) is the State's spending program for state and federal funding. The STIP is comprised of the Regional Transportation Improvement Program (RTIP) and the Interregional Transportation Improvement Program (ITIP). The program is updated every two years and covers a five-year period. STIP funded projects, like all other state and federally funded projects, must be listed in the TIP in order for the sponsor to access the funding.

Seventy-five percent (75%) of the funding in the STIP flows to regions by formula through their RTIPs. Regions throughout the state are charged with developing an expenditure plan for the funds. Eligible project types include improvements to state highways, local roads, public transit, intercity rail, pedestrian and bicycle facilities, grade separations, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety.

The remaining 25% of the funding flows to the ITIP, which is a statewide program managed by Caltrans. This funding is directed to projects that improve interregional transportation and is closely linked to Caltrans's Interregional Transportation Strategic Plan (ITSP). Eligible project types include intercity passenger rail, mass transit guideways, grade separation, and state highways.

### **When are Amendments and Extensions Allowed?**

#### **STIP Amendments**

An amendment may change the cost, scope or schedule of a STIP project and its components. For instance, if the final cost estimate for a project is higher (or lower) than the amount programmed, a STIP amendment may be requested to increase or (decrease) the amount programmed. Or, as a project progresses through project development, it may be time to add the next component or phase. Likewise, if the project schedule is delayed significantly, an amendment may be warranted to request a change in program year of the funding in order to prevent a funding lapse. STIP amendments may also be requested to delete project funding or to add a new project into the STIP.

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**Important Tip:** Once a state fiscal year (July 1 – June 30) has begun, the CTC will not allow STIP amendments to delete or change the funding programmed in that fiscal year. Instead, the project sponsor may request a one-time extension as described below.

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#### **One-time Extension Requests**

SB 45 established deadlines for allocation, contract award, expenditure and reimbursement of funds for all projects programmed in the STIP. The CTC may, upon request, grant a one-time extension to each of these deadlines for up to 20 months. However, the CTC will only grant

an extension if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. Furthermore, the extension will not exceed the period of delay directly attributable to the extraordinary circumstance. Generally, the CTC does not grant extensions longer than 12 months. Additionally, project sponsors must be present at the CTC meeting where action is taken on any extension request, to answer questions the CTC staff or commissioners may have.

### **Roles and Responsibilities**

The STIP Amendment and Extensions process requires review and approval by various agencies to ensure the action requested is appropriate, and consistent with state statutes, CTC guidance, Caltrans procedures and regional policies. Projects must be included in a county Congestion Management Program (CMP) or county Capital Improvement Program (CIP), and must be consistent with the Regional Transportation Plan (RTP) to be programmed in the RTIP. Therefore, any additions or changes that may impact the priorities established within these documents must be reviewed and approved by the appropriate agency. Furthermore, improperly programmed funds or missed deadlines could result in funding being permanently lost to the region.

***Project sponsors*** are responsible for reviewing and understanding the procedures, guidance and regulations affecting projects programmed in the STIP. Project sponsors must also assign a Single Point of Contact – an individual responsible for submitting documentation for STIP amendments and extensions that must have read and understood these policies and procedures, particularly the CTC STIP Guidelines available on the internet at <https://dot.ca.gov/programs/financial-programming/office-of-capital-improvement-programming-ocip> and the MTC RTIP Policies and Application Procedures posted on the internet at: <http://mtc.ca.gov/our-work/fund-invest/investment-strategies-commitments/transit-21st-century/funding-sales-tax-and>. Project sponsors are ultimately responsible for ensuring the required documentation is provided to Caltrans by the deadlines established by MTC's Regional Project Delivery Policy (MTC Resolution No. 3606) and Caltrans for all allocations, extensions, and additional supplemental funds requests.

***The Congestion Management Agencies/Transportation Authorities***, collectively known as the Bay Area County Transportation Agencies (CTAs), are responsible for ensuring the packages submitted by the project sponsors are complete, and the proposed changes are consistent with the Regional Transportation Plan (RTP), and Congestion Management Plans (CMPs) or Capital Improvement Program (CIP). The CTAs check to ensure the proposed changes meet MTC, CTC and other state or federal guidance and regulations. As mentioned in the Guiding Principles of the 2022 RTIP Policies and Procedures, the CTA must consider equitable distribution of projects in accordance with Title VI. Following CTA concurrence of the request, the complete package is forwarded to MTC.

***The Metropolitan Transportation Commission (MTC)***, as the Regional Transportation Planning Agency (RTPA) for the nine counties of the San Francisco Bay Area, provides concurrence for the STIP requests and formally submits all STIP Amendments to Caltrans for approval by the CTC. MTC also verifies compliance with established state and regional policies. Although MTC provides concurrence on extensions, additional supplemental funds

requests and some allocation requests, it is the responsibility of the project sponsor, not MTC, to ensure the required documentation is submitted to Caltrans by the established deadlines for these action requests.

*The California Department of Transportation (Caltrans)* processes the requests and makes recommendations to the California Transportation Commission (CTC) in accordance with Department procedures and CTC policies and guidelines.

*The California Transportation Commission (CTC)* approves or rejects the requests based on state statutes and its own established guidance and procedures.

### **Requesting STIP Amendments and Extensions**

As described below, the procedures for processing STIP amendments and extensions vary depending on whether the project is sponsored by Caltrans or a local agency, and whether it has already received STIP funding. Extension Requests and STIP Amendments to delay projects programmed in the following fiscal year must be submitted to MTC and Caltrans by January 31 for CTC action no later than April.

### **Step 1: Project Sponsor Requests STIP Amendment or Extension**

#### **For currently programmed Caltrans projects:**

- Caltrans and the appropriate CTA identify and discuss the issue(s) that may require an amendment or extension and notify MTC Funding Policy and Programs (FPP) Section staff that a change to the current STIP may be necessary and is being considered.
- Caltrans and CTA agree on proposed change(s).
- Where necessary, CTA staff requests policy board approval of proposed change.
- Once approved by the CTA, CTA notifies Caltrans in writing of the county's concurrence, with a copy sent to MTC FPP.
- Caltrans requests MTC concurrence for the STIP Amendment/Extension by transmitting the following to MTC FPP:
  - Letter requesting the STIP Amendment or Extension with explanation and justification of the need for the action with the following attachments:

#### **For a STIP Amendment:**

- Copy of CTA's letter of concurrence
- Revised electronic Project Programming Request (ePPR) Form – <https://dot.ca.gov/programs/financial-programming/office-of-capital-improvement-programming-ocip>
- Submittal of TIP Revision Request through FMS – <http://fms.mtc.ca.gov>
- A construction 'STIP History' for each amendment that would delay the year of construction. The 'STIP History' outlines the project's construction history as programmed in the STIP with particular attention to any previous delays

and reason for the previous and current delay. It must note the original inclusion of the project construction component in the STIP and each prior project construction STIP amendment delay including for each, the amendment date, the dollar amount programmed for construction, and the scheduled year of construction delay. It must also include a statement on the financial impact of the construction delay on the project, and an estimated funding source for the additional funds necessary to complete the project under the delayed schedule. (A STIP History is only required for amendments to delay the year of construction.)

**For an Extension:**

- Copy of CTA's letter of concurrence
- A construction 'STIP History' for each extension that would delay construction as described above for a STIP Amendment.

**For currently programmed local projects:**

- Sponsor and the appropriate CTA identify and discuss the issue(s) that may require an amendment or extension and notify Caltrans and MTC Funding Policy and Programs Section staff that a change to the current STIP may be necessary and is being considered.
- Sponsor and CTA agree on proposed change(s).
- Sponsor requests CTA concurrence for the STIP Amendment/Extension by submitting the following to the CTA by January 31:
  - Letter requesting the STIP Amendment or Extension with explanation and justification of the need for the action with the following attachments:

**For a STIP Amendment:**

- Revised electronic Project Programming Request (ePPR) Form - <https://dot.ca.gov/programs/financial-programming/office-of-capital-improvement-programming-ocip>
- Submittal of TIP Revision Request through FMS – <http://fms.mtc.ca.gov>
- A construction 'STIP History' for each amendment that would delay the year of construction. The 'STIP History' outlines the project's construction history as programmed in the STIP with particular attention to any previous delays and reason for previous and current delay. It must note the original inclusion of the project construction component in the STIP and each prior project construction STIP amendment delay including for each, the amendment date, the dollar amount programmed for construction, and the scheduled year of construction delay. It must also include a statement on the financial impact of the construction delay on the project, and an estimated funding source for the additional funds necessary to complete the project under the delayed schedule. (A STIP History is only required for amendments to delay the year of construction.)
- Any other documentation required by the CTA or Caltrans

**For an Extension:**

- Copy of completed Request for Time Extension form (Exhibit 25-A, located on the internet at: <https://dot.ca.gov/programs/local-assistance/forms/local-assistance-program-guidelines-forms>).
  - A construction ‘STIP History’ for each extension that would delay construction, as described above for a STIP Amendment.
  - A listing showing the status of all SB 45 and regional project delivery policy (MTC Resolution 3606) deadlines for all of the project sponsors’ allocated STIP projects, and all active projects funded through the Federal Highway Administration (FHWA), including but not limited to Surface Transportation Program (STP), Congestion Mitigation Air Quality Improvement (CMAQ), and Active Transportation Program (ATP) projects. This is to ensure project sponsors are aware of the other deadlines facing other projects, and so that sponsors will work to meet those deadlines. A template is available online at: [http://mtc.ca.gov/sites/default/files/Template\\_FHWA\\_Funded\\_Projects\\_Status.xlsx](http://mtc.ca.gov/sites/default/files/Template_FHWA_Funded_Projects_Status.xlsx).
  - Any other documentation required by the CTA or Caltrans
- Where necessary, CTA staff requests policy board approval of proposed request.
  - Sponsor submits Caltrans’ “Request for Time Extension” form and any other required documentation to Caltrans.
  - CTA requests MTC concurrence for the STIP Amendment/Extension by transmitting a letter to MTC FPP requesting the STIP Amendment or Extension with explanation and justification of the need for the action along with the documentation submitted by the project sponsor. A copy of the request is also sent to Caltrans.
  - Sponsor must be present at the CTC meeting where action is being taken on the extension request to justify the reasons for the extension. Failure to be present may result in the CTC denying the extension request, and risk losing the programmed funds permanently due to missed deadlines. In limited instances, a project sponsor may request that their CTA be available in place of the project sponsor. The CTA and MTC must concur with this request via email.

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**Important Tip:** For STIP Extensions, the CTC will only grant an extension if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. Furthermore, the extension will not exceed the period of delay directly attributable to the extraordinary circumstance, up to a maximum of 20 months (although the Commission generally does not grant any extension longer than 12 months). It is therefore absolutely necessary that the letter and supporting documentation clearly explains and justifies the extension request. Failure to provide adequate justification and not being present at the CTC meeting will most likely result in an extension not being approved.

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**For all new projects:**

- Sponsor and the appropriate CTA identify and discuss the issue(s) that may require a new project to be added to the STIP and notify Caltrans and MTC Funding Policy and Programs Section staff an amendment to the current STIP may be necessary and is being considered.
- Sponsor and CTA agree on proposed addition.
- Sponsor requests CTA concurrence for the STIP Amendment by submitting the following to the CTA:
  - Letter requesting the STIP Amendment with explanation and justification of the need for the project to be added to the STIP.
  - Submittal of TIP Revision Request through FMS – <http://fms.mtc.ca.gov>
  - RTIP Application form including: - <https://mtc.ca.gov/funding/state-funding/state-transportation-improvement-program-stip>
    - Resolution of local support
    - Electronic Project Programming Request (ePPR) forms (with maps)
    - Transportation Improvement Program (TIP) amendment
    - Project Study Report (PSR), or equivalent.
    - Complete Streets Checklist and Performance Measures form, as applicable
    - Copy of State-Only Funding Request Exception Form (Only if requesting state-only funding and project is not on pre-approved state-only eligible funding list. Original request is to be submitted directly to Caltrans HQ Budgets for processing and approval prior to MTC submittal of the request to Caltrans/CTC).
- CTA staff obtains policy board approval of proposed addition.
- CTA requests MTC concurrence for the new project by transmitting a letter to MTC FPP requesting the STIP Amendment with an explanation and justification of the need for the project along with a copy of the CTA Resolution approving the project, and the documentation listed above provided by the project sponsor.

**Step 2: MTC Review and Concurrence**

- Once a complete request has been received, MTC FPP staff will place the request on the MTC Programming and Allocations Committee (PAC) meeting agenda for concurrence of major changes, or prepare a letter of concurrence for the Executive Director's signature for minor changes.
- Following approval by PAC and/or the Executive Director, MTC will send a Letter of Concurrence to Caltrans District 4 with a copy to the appropriate CTA. (District 4 will ensure that the request is copied to the appropriate contacts at Caltrans Headquarters and CTC.) MTC may concur with minor extensions administratively at the staff level, and with minor changes on Caltrans-sponsored projects administratively via email.

### **Major versus minor changes**

- All major changes, including any requests to program a new project, will be presented to MTC's Programming and Allocations Committee (PAC) to determine MTC's concurrence. Major changes include:
    - request to program a new project (or delete a project)
    - schedule delay that affects air quality conformity analysis
    - project advance with reimbursement or replacement project per AB 3090
    - request to use Grant Anticipation Revenue Vehicle (GARVEE) financing
  - For minor changes, MTC staff may write a letter of concurrence for the Executive Director's signature. Minor changes include:
    - Extension requests for allocation, award, expenditure and reimbursement/project completion deadlines (minor extensions may be concurred administratively by MTC staff)
    - schedule changes, except where change implies major cost or delivery ramifications
    - changes in implementing agency or project sponsor
    - changes to project budget that are less than 20% of the total project cost or less than \$1 million.
    - redirection of funds from one project component to another (e.g. from project engineering into environmental)
    - changes considered routine and not impacting project delivery
- \* Amendments or extensions based on new federal or state requirements may need to go to MTC's PAC

### **Additional/Supplemental Funds**

On occasion it may be necessary to provide additional 'Supplemental' funding to a project as a result of cost increases or revised cost estimates. There are several different processes to follow depending on where the project is within its delivery schedule. The various methods to add STIP funding to a project are as follow:

**Biennial STIP Cycle:** If additional funding is identified years before the actual allocation, the project sponsor may request the funding through the biennial STIP adoption process. This process is outlined in MTC's RTIP Policies and Application Procedures, and is the preferred method of requesting additional/supplemental funds.

**STIP Amendment:** If additional funding is identified prior to the allocation of funds, but is required prior to the next biennial STIP adoption, a STIP amendment adding the funds to the project may be requested as outlined in the STIP Amendment procedures above. However, in most cases the additional funds could be added at the time of allocation, thus foregoing the STIP amendment process.

**Additional Funds at Time of Allocation:** Often the simplest way to add supplemental funds is at the time of allocation. The process is the same as the procedures outlined above for a time extension (Exhibit 25-A, located on the internet at: <https://dot.ca.gov/programs/local-assistance/forms/local-assistance-program-guidelines-forms>). In all supplemental funding requests, the additional funding must be approved by the CTC.

**Additional Funds After Allocation:** It may be necessary to seek additional funds after an allocation, either to award the project or due to unforeseen cost increases while the project is under construction. In either case, an analysis should be performed to determine whether re-engineering (sometimes called “value engineering”) could achieve cost reductions to accommodate the increase. If additional funds are still necessary, a funding source outside the STIP should be pursued prior to seeking additional STIP funding. If it is determined that additional STIP funds are needed, then the project sponsor should proceed as with the procedures outlined for “Additional Funds at Time of Allocation”. It should be noted that once the funds are allocated, the project sponsor does not have the option to add the funds through a STIP amendment since the CTC does not allow amendments to change the programming for a given component after the funds have been allocated.

### **Allocation of Funds**

Project sponsors request an allocation of funds directly to Caltrans, with Caltrans placing the request on the CTC Agenda for approval. The completed request package is due to Caltrans 60 days prior to the CTC meeting where the funds are anticipated to be allocated. MTC requires sponsors to obtain MTC concurrence on allocation requests in addition to the circumstances noted below:

**Local Road Rehabilitation Projects:** Allocation of funds for local road rehabilitation projects requires certification from MTC. Project sponsors should submit the “Pavement Management System Certification” form with the “Local Road Rehabilitation Project Certification” form attached (Exhibits 25-L and 25-K, both found on the internet at: <https://dot.ca.gov/programs/local-assistance/forms/local-assistance-program-guidelines-forms>) directly to MTC for signature. MTC will then transmit the signed form to Caltrans District 4 – Local Assistance. All other allocation request documentation should be sent directly to Caltrans District 4 – Local Assistance.

**Allocation of State-Only Funds:** MTC concurs with all State-Only funds allocations that are listed in the STIP as State-Only. Projects without State-Only funding pre-approved by CTC must request a State-Only Funding Exception form (Exhibit 25-E, found on the internet at: <https://dot.ca.gov/programs/local-assistance/forms/local-assistance-program-guidelines-forms>). MTC must concur with the exception request, and the form is submitted to Caltrans.

**Funds Allocated Differently than Programmed:** In some instances it may be necessary to allocate funds differently from what is programmed in the STIP. These situations generally still require MTC concurrence. Fortunately a STIP amendment may not be

required, and the funding may be revised at the time of the allocation, thus avoiding the long STIP amendment process. However, A TIP amendment is still required, especially if federal funds are involved. Changes that are allowed at the time of allocation are noted below; however, project sponsors should consult with Caltrans District 4 Local Assistance, the CTA and/or MTC to determine whether a change at the time of allocation is permissible before preparing the allocation request.

- Change in implementing agency
- Cost savings (allocation less than program amount)
- Redirection of funds among project components or phases within the project as long as total STIP funding has not increased or previously been allocated.
- Advancement of funding from future years (transit projects with funds to be transferred to FTA require a TIP amendment to advance funds)
- Change in funding type (a change to state-only funding requires approval from Caltrans with their “State-Only Funding Request Exception” form if the project type is not on the pre-approved state-only eligible funding list – see “Allocation of State-Only Funds” above).

**STP/CMAQ Match Reserve:** Project sponsors must work with the applicable CTA to obtain programming approval for STP/CMAQ match made available in the STIP. The CTA develops a countywide list for the use of the reserved funds and submits the list to MTC, who in turns provides Caltrans with the region-wide Match Program. Any deviation from this program, whether in the funding amount, project sponsor, or funding year, requires the CTA to resubmit an updated plan for the county to MTC. Caltrans cannot allocate the matching funds if they are inconsistent with the approved STIP - STP/CMAQ Match Program.

**Funds allocated as programmed in the STIP:** The allocation of funds as they are programmed in the STIP and TIP should receive MTC concurrence. Project sponsors work with Caltrans District 4 local assistance and MTC programming staff in obtaining the allocation. STIP projects using federal funds will not receive federal authorizations to proceed without the project being properly listed in the TIP. Federal authorization to proceed (E-76) requests must be submitted to Caltrans concurrently with the STIP allocation package to avoid delays to authorization.

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**Important Tip:** Although some minor changes in the allocation of funds may not require a full STIP amendment, most changes still require MTC concurrence, and possibly a TIP amendment and a vote of the CTC. Project sponsors are encouraged to consult with the CTA, and Caltrans District 4 prior to preparing any allocation request, to ensure sufficient time is allowed for processing the allocation request, particularly toward the end of the year when the Timely Use of Funds provisions of SB 45 are of critical concern.

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### **Timeline for STIP Amendment/Extension Approval**

Completed documentation requesting MTC concurrence must be received by MTC staff no later than the first day of the month prior to the month in which the request will be heard by the Programming and Allocations Committee (PAC). (For example, requests received by January 1 will be reviewed at the February PAC meeting). Subsequently, requests with completed documentation and MTC concurrence must be submitted to the Caltrans District Office 60 to 90 days prior to the CTC meeting where the item will be considered. Therefore, requests for concurrence need to be submitted to MTC generally 150 days prior to CTC action for STIP Amendments and 120 days prior to CTC action for extensions.

For example, a STIP amendment request to add a new STIP project (considered a major amendment) is due to MTC by January 1, so it may be approved at the February PAC Meeting, and then submitted to Caltrans in time for the 60-day due date of March 21, so it may be noticed at the May 18 CTC meeting for action at the June 29 CTC meeting.

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**Important Tip:** The CTC will not amend the STIP to delete or change the funding for any project component after the beginning of the fiscal year in which the funding is programmed. Therefore, all amendments to delay a project component must be approved by the CTC by the June meeting in the year prior to the programmed year of funding. To meet this deadline, amendments to delay delivery must be submitted to MTC no later than January 1 of the fiscal year prior to the fiscal year of the funding subject to delay.

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### **Timely Delivery of Programmed Funds**

Projects programmed in the STIP must adhere to the delivery policies established in MTC Resolution 3606. Unless coordination with other funding sources and programs require a later date, requests for STIP extensions, amendments to delay existing STIP projects and STIP allocations are due to Caltrans Local Assistance no later than January 31 of the fiscal year the funds are programmed in the STIP. This is to ensure STIP projects do not miss the June 30 end-of year delivery deadlines imposed by the CTC.

A due date schedule is prepared each year for the submittal of STIP requests. This schedule is posted on the internet at: <https://dot.ca.gov/programs/financial-programming/office-of-capital-improvement-programming-ocip> In addition, [MTC Resolution 3606](#) imposes regional deadlines in advance of state and federal timely use of funds deadlines, to ensure funds are not lost to the region.

### **STIP Amendment Form/TIP Amendment Form**

The forms necessary to initiate the STIP Amendment process may be downloaded from the MTC website at: <https://mtc.ca.gov/funding/state-funding/state-transportation-improvement-program-stip>. TIP Amendments should be processed through the Fund Management System, also available at the website mentioned above.

**Contacts for STIP Amendments/Extensions:**

Name	Area	Phone	Email
Karl Anderson	STIP/TIP Amendments	415.778.6645	<a href="mailto:kanderson@bayareametro.gov">kanderson@bayareametro.gov</a>
Kenneth Kao	STIP	415.778.6768	<a href="mailto:kkao@bayareametro.gov">kkao@bayareametro.gov</a>
Adam Crenshaw	TIP Amendments	415.778.6794	<a href="mailto:acrenshaw@bayareametro.gov">acrenshaw@bayareametro.gov</a>