

Memorandum

Tab 65

To: CHAIR AND COMMISSIONERS

CTC Meeting: August 17-18, 2016

Reference No.: 4.7
Action

From: SUSAN BRANSEN
Executive Director

Subject: **ADOPTION OF THE 2017 ACTIVE TRANSPORTATION PROGRAM MPO COMPETITIVE COMPONENT FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS RESOLUTION G-16-26**

ISSUE:

Senate Bill 99 (Chapter 359, Statutes of 2013) allows the California Transportation Commission (Commission) to adopt separate guidelines for administering the metropolitan planning organization (MPO) competitive component of the Active Transportation Program (ATP). The Southern California Association of Governments (SCAG) request that the Commission adopt regional guidelines for use in administering their MPO competitive selection process. Should the Commission adopt SCAG’s regional guidelines for use in the administration of SCAG’s MPO competitive selection process for the Active Transportation Program?

RECOMMENDATION:

Staff recommends that the Commission adopt 2017 ATP Regional Guidelines proposed by SCAG as set forth in Resolution G-16-26 and in the following attachment.

BACKGROUND:

The Commission adopted statewide guidelines for administering the 2017 Active Transportation Program at its March meeting. While the statewide guidelines may be used for administering the MPO competitive component of the Active Transportation Program, the nine MPOs charged with programming funds to projects in the MPO competitive component were provided discretion in Senate Bill 99 to develop MPO guidelines with regard to project selection. Guidelines prepared by the MPOs and adopted by the Commission may differ from the Commission’s adopted statewide guidelines in the following areas:

- Supplemental call for projects
- Definition of disadvantaged community
- Match requirement
- Selection criteria and weighting
- Minimum project size

Staff reviewed SCAG's guidelines with respect to the areas for which the Commission provided flexibility and found those areas consistent with the statewide ATP guidelines. The following summarizes the areas proposed for amendment:

Project Selection Criteria

SCAG's regional program will be segmented into the two project categories below:

Implementation Projects

The Implementation Project category includes infrastructure, non-infrastructure, and infrastructure projects with non-infrastructure components. In this category, SCAG will allow each of their county transportation commissions to assign up to an additional ten points to the project's statewide score if the project is consistent with plans adopted by local and regional governments within the county the project is proposed.

Planning and Capacity Building Projects

The Planning and Capacity Building Project category includes the development of non-infrastructure projects and plans. In this category SCAG will provide the option for project sponsors that have not received any prior ATP awards to apply for a supplemental call for projects. SCAG will use the project's statewide score to rank and select projects, alongside projects submitted through the supplemental call for projects. Project applications received through the supplemental call, as outlined below, will be scored using the same project selection criteria and weighting, match requirement, and definition of disadvantaged communities as used by the Commission in the statewide selection process.

Supplemental Call for Projects

As stated above, SCAG plans to hold a supplemental call for projects in their Planning and Capacity Building Projects category. This supplemental application option will only be available to project sponsors that have not received an ATP award in previous funding cycles and those seeking awards of less than \$200,000.

Attachment

- Resolution G-16-26

CALIFORNIA TRANSPORTATION COMMISSION
Adoption of the 2017 Regional Active Transportation Program Guidelines
Metropolitan Planning Organization Competitive Component –
Southern California Association of Governments
August 17-18, 2016

RESOLUTION G-16-26

- 1.1 **WHEREAS**, the Active Transportation Program was created by Senate Bill 99 (Chapter 359, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking, and
- 1.2 **WHEREAS**, Streets and Highways Code Section 2382(k) allows the California Transportation Commission (Commission) to adopt separate guidelines for the metropolitan planning organizations charged with allocating funds to projects pursuant to Streets and Highways Code Section 2381(a)(1) relative to project selection, and
- 1.3 **WHEREAS**, the Active Transportation Program Guidelines (Resolution G-16-07) requires the Commission to adopt a metropolitan planning organization's use of different project selection criteria or weighting, minimum project size, match requirement, or definition of disadvantaged communities, and
- 1.4 **WHEREAS**, the Active Transportation Program Guidelines (Resolution G-16-07) require metropolitan planning organizations to submit their guidelines to the Commission by June 1, 2016, and
- 1.5 **WHEREAS**, metropolitan planning organization guidelines were submitted by the Southern California Association of Governments on June 6, 2016.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the Commission adopts the project selection criteria proposed by the Southern California Association of Governments for administering their 2017 metropolitan planning organization competitive program, as presented by Commission Staff on August 17-18, 2016, and
- 2.2 **BE IT FURTHER RESOLVED** that these guidelines do not preclude any project nomination or any project selection that is consistent with the implementing legislation.



July 21, 2016

Ms. Susan Bransen
Executive Director
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

Dear Ms. Bransen,

Please find attached for the consideration and approval of the California Transportation Commission on the Southern California Association of Governments 2017 Active Transportation Program Regional Guidelines. The Regional Guidelines were developed through a collaborative process between SCAG county transportation commission staff and approved by the SCAG Regional Council. The Regional Guidelines outline the project selection process for programming approximately \$50 million through the MPO component (Regional Program) of the ATP.

PROPOSED APPROACH:

The proposed Regional Guidelines (Guidelines) retain most of the same components as in previous cycles, primarily relying upon and deferring to the Statewide Call for Proposals and scoring process to evaluate project proposals. We're excited to be adding a supplemental Call for Proposals for the first time to support the selection of planning and non-infrastructure projects. The supplemental Call for Proposals, which will be released in September, has been structured to meet all of the requirements of the Statewide ATP Guidelines, while also providing a simplified application for project's requesting relatively small awards for plans and programs.

Similar to previous cycles, the Regional Program establishes two categories of projects: (1) Implementation Projects and (2) Planning & Capacity Building Projects.

- **Implementation Projects:** No less than 95% of the funding will be recommended to proposals in this category. The selection process for Implementation Projects is the same as in previous cycles and is predominately managed by the county transportation commissions. Eligible applicants must apply for these funds by submitting an application through the statewide ATP call for projects. Base scores are established through the statewide ATP review process. The Regional Guidelines allow county transportation commissions to prioritize projects by adding up to ten (10) points, on a 110 point scale, to supplement the state-provided base scores. As in 2014 and 2015 ATP Regional Guidelines, the Board of each county transportation commission would be required to approve the methodology for assigning the ten (10) points, as well as, approve the final project scores. Total funding available in each county is based on population-based funding targets.
- **Planning & Capacity Building Projects:** No more than five percent (5%) of the funding will be recommended to proposals in this category with a cap of two percent (2%) on planning projects. As in previous cycles, the project selection process will rely on the statewide ATP application, scoring and ranking process. To reduce administrative burden and ensure disadvantaged communities can effectively participate in the process, SCAG will also provide the option for new project sponsors seeking awards of less than \$200,000 to apply through the supplemental call for projects. Each county transportation commission will take an active role in scoring and ranking the projects



submitted in their respective county through the supplemental call for projects. Total funding available for programming in each county will be based on population-based funding targets.

A staff recommended Regional Program of Projects, assembled by combining recommendations from the Implementation and Planning & Capability Building categories will be reviewed by the Chief Executive Officers of the county commissions to address any outstanding issues and achieve consensus prior to finalization. The Regional Program recommendations will be approved by the Boards or Chief Executive Officers of the county transportation commission's prior to consideration by SCAG's Regional Council and submission to the CTC.

Thank you for your collaboration and support in developing a set of guidelines that effectively balance state and regional needs. We look forward to continuing to work together toward the successful implementation of the 2017 Active Transportation Program. If you have any questions, please contact SCAG staff Stephen Patchan, Senior Regional Planner, patchan@scag.ca.gov, 213.236.1923.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hasan Ikhata'.

Hasan Ikhata
Executive Director

ATTACHMENT:
2017 Active Transportation Program Regional Guidelines

2017 Active Transportation Program

Southern California Association of Governments Regional Guidelines

Purpose

The intent of this document is to successfully implement the active transportation related programs and funding components of the Moving Ahead for Progress in the 21st Century Act (MAP-21) and California Senate Bill 99 (SB 99). The following 2017 Active Transportation Program Regional Guidelines (Regional Guidelines) outline the roles, responsibilities and processes for selecting projects to receive funding from the SCAG region's dedicated share of the 2017 California Active Transportation Program (ATP). The SCAG region's annual share is approximately \$25 million, which includes 100% of SCAG's federal Transportation Alternative Program apportionments (approximately \$14 million) plus approximately \$11 million/year from other federal and state funding programs that were consolidated by SB 99 into the ATP. These Guidelines relate to the 2017 California Active Transportation Program only, which includes two years of funding in Fiscal Years 2019/20 and 2020/21. The Regional Guidelines may be revisited and modified for future rounds of funding.

Background

- The goals of the ATP program are to:
 - Increase the proportion of trips accomplished by biking and walking.
 - Increase the safety and mobility of non-motorized users.
 - Advance the active transportation efforts of regional agencies to achieve greenhouse gas reductions goals as established pursuant to SB 375.
 - Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding.
 - Ensure that disadvantaged communities fully share in the benefits of the program.
 - Provide a broad spectrum of projects to benefit many types of active transportation users.
- The 2017 Active Transportation Program Statewide Guidelines, adopted by the California Transportation Commission on March 26, 2016 describe the policy, standards, criteria and procedures for the development, adoption and management of ATP.
- Per the requirements of SB 99 and Map-21, 40% of the funds for the ATP program must be distributed by Metropolitan Planning Organizations (MPO) in urban areas with populations greater than 200,000, with funds distributed to each MPO based on total MPO population.
- The funds distributed by the MPOs must be programmed and allocated to projects selected through a competitive process in accordance with the ATP Statewide Guidelines.
- The ATP Statewide Guidelines establish four eligible project types:
 - Infrastructure Projects: Capital improvements that will further the goals of this program. This typically includes the environmental, design, right-of-way, and construction phases of a capital (facilities) project. A new infrastructure project will not be programmed without a complete project study report (PSR) or PSR equivalent. The application will be considered a PSR equivalent if it defines and justifies the project scope, cost and schedule. Though the

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PSR or equivalent may focus on the project components proposed for programming, it must provide at least a preliminary estimate of costs for all components. PSR guidelines are posted on the Commission's website: <http://www.catc.ca.gov/programs/ATP.htm>.

A capital improvement that is required as a condition for private development approval or permits is not eligible for funding from the Active Transportation Program.

- Plans: The development of a community wide bicycle, pedestrian, safe routes to school, or active transportation plan in a disadvantaged community.
- Non-infrastructure Projects: Education, encouragement, and enforcement activities that further the goals of this program. The Commission intends to focus funding for non-infrastructure on start-up projects. A project is considered to be a start-up when no program currently exists. Start-up projects must demonstrate how the program is sustainable after ATP funding is exhausted. ATP funds cannot fund ongoing program operations. Non-infrastructure projects are not limited to those benefiting school students. Program expansions or new components of existing programs are eligible for ATP funds as long as the applicant can demonstrate that the existing program will be continued with non-ATP funds.
- Infrastructure projects with non-infrastructure components.
- Per SB 99 and the ATP Statewide Guidelines, the following requirements apply specifically to SCAG:
 - SCAG must consult with the county transportation commission, the California Transportation Commission (CTC), and the State Department of Transportation (Caltrans) in the development of the competitive project selection criteria. The criteria should include consideration of geographic equity, consistent with program objectives;
 - SCAG must place priority on projects that are consistent with plans adopted by local and regional governments within the county where the project is located; and
 - SCAG must obtain concurrence from the county transportation commissions.
- A MPO choosing to use the same project selection criteria and weighting, minimum project size, match requirement, and definition of disadvantaged communities as used by the CTC for the statewide competition may defer its project selection to the CTC.
- 25% of the regional funds must benefit disadvantaged communities.
- The ATP Statewide Guidelines allow for a large MPO to make up to 2% of its funding available for active transportation plans in disadvantaged communities; SB 99 does not impose a funding cap on planning nor does it limit the development of active transportation plans to disadvantaged communities.
- Pending legislation, including AB 2796, could impact the statewide guidelines by increasing funding thresholds for planning projects to 5% and establishing a 10% funding set-aside for non-infrastructure projects. If the legislation is approved, the proposed Regional Guidelines will be revised to meet all legislative requirements.

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Regional Program Project Selection

The Regional Program will be segmented into two categories. These categories include: 1. Implementation Projects and 2. Planning & Capacity Building Projects.

Implementation Projects may include Infrastructure, Non-Infrastructure, and Infrastructure projects with non-infrastructure components, as defined by the statewide ATP Guidelines and included in the Background (above). No less than 95% of the total regional funds will be dedicated to funding Implementation Projects.

Planning & Capacity Building Projects may include the development of Non-Infrastructure projects and Plans, as defined by the statewide ATP Guidelines and included in the Background (above). No more than 5% of the total regional funds will be allocated in this category with a maximum of 2% being dedicated to planning projects. In the event that the funding requested in this category is below the 5% threshold, and/or in consideration of geographic equity, the funding surplus will be directed accordingly to Implementation Projects.

Implementation Projects Category

In this category, SCAG intends to build upon the CTC statewide application, scoring and ranking process and forgo its option to issue a supplemental application and call for proposals. This means that an evaluation committee will not be required at the county or regional level within the SCAG region to separately score Implementation Projects. The selection process will occur as follows:

- Prior to scoring by the CTC, SCAG will provide each county with the Implementation Project applications submitted through the statewide call for proposals.
- The county transportation commissions will review the Implementation Project applications and determine which projects “are consistent with plans adopted by local and regional governments within the county” per the requirements of SB 99. If a project is consistent, the county may assign up to 10 points to each project.
- If a county transportation commission assigns additional points (up to 10, as noted above) to a project for which they are the lead applicant, an explanation must be provided to SCAG on how the scoring process resulted in an unbiased evaluation of the project.
- The Board of each respective county transportation commission will approve the scoring methodology/guidelines and point assignments, and submit the scores to SCAG for inclusion in the preliminary ranking of regional projects.
- SCAG will establish a preliminary regional Implementation Projects list based on the county’s submissions that will program no less than 95% of the total regional funds and rely on population-based funding targets to achieve geographic equity.

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Planning & Capacity Building Projects Category

In this category, SCAG intends to build upon the CTC application, scoring and ranking process for the selection of planning and non-infrastructure projects. To reduce administrative burden and ensure disadvantaged communities can effectively participate in the process, SCAG will provide the option for “new” project sponsors seeking awards of less than \$200,000 to apply through a supplemental call for projects. This supplemental application option will only be available to project sponsors that have not received an ATP award in previous funding cycles.

- Application Process:
 - All eligible applicants are encouraged to first submit proposals for planning and non-infrastructure projects to the CTC to be considered for funding in the statewide funding program. Projects seeking more than \$200,000 or project sponsors that have previously been awarded ATP grants are required to submit a proposal through the CTC application process to be eligible for funding awards in the Regional Program. Projects submitted but not funded through the statewide process, will be considered for funding in the Regional Program. SCAG intends to use the scores provided by the statewide review process to rank and select projects, alongside projects submitted through the supplemental call as described below.
 - A supplemental call for projects and application process will be available to “new” project sponsors for projects seeking funding requests of less than \$200,000. To qualify as “new”, a project sponsor must not have received funds in a previous ATP funding cycle. There will be no minimum project size.
 - Proposals received through the supplemental call will be scored using the same project selection criteria and weighting, match requirement, and definition of disadvantaged communities as used by the CTC in the statewide selection process.
 - SCAG in consultation with the counties and a multi-disciplinary working group will develop supplemental call for project applications to score the proposals that are submitted through the supplemental call.
 - County-specific evaluation committees comprised of county transportation commission and SCAG staff will be assembled to score the projects submitted in each county through the supplemental call.
 - Project sponsors that have submitted projects in the statewide competition, but were unsuccessful, may also choose to complete a supplemental application, if desired. If a supplemental application is not provided, SCAG will rely on the scores provided by the CTC through the statewide review process to rank and select projects, alongside projects submitted through the supplemental call. The \$200,000 cap will not be applied to projects that first submitted an application through the statewide call for projects.

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- To establish a preliminary Planning & Capacity Building project list, project proposals will be ranked by county and prioritized by score and in consideration of the following principles:
 - The total funding recommended in this category will not exceed 5% of the total Regional Program. Planning projects funding shall not exceed 2% of the total Regional Program.
 - Each county shall receive its population based share of funds available in this category.

Recommended Regional Program of Projects

SCAG shall create a draft Regional Program List that incorporates the preliminary project lists from the Implementation and Planning & Capacity Building project categories.

SCAG will analyze the draft Regional Program list to ensure it meets the disadvantaged communities' requirements by allocating at least 25% to disadvantaged communities' projects (as defined by the state guidelines).

If the total is less than 25%, SCAG will modify the preliminary regional project list to ensure the 25% mark is achieved, as follows:

- Across all counties, the highest scored disadvantaged communities' project that is below the funding mark will be added to the regional project list. This project will displace the lowest scoring project that is above the funding mark and does not benefit a disadvantaged community, regardless of the county.
- This process will be repeated until the 25% target is met.
- This process may lead to an outcome where a county receives less than its population-based share of the funding, but is necessary to ensure the disadvantaged communities' requirements for the regional program are met.

The final recommended Regional Program of Projects will be reviewed by the CEOs of the county commissions, Caltrans and CTC staff to make any final adjustments and achieve consensus prior to submitting the Regional Program recommendations to SCAG's Regional Council and the Boards or Chief Executive Officers of the county transportation commissions for approval and submission to the CTC.

Technical Adjustments: The SCAG CEO, the CEO of each County Transportation Commission, and their designees may make technical changes to the program as needed to ensure the timely delivery of the regionally-selected projects.

Schedule

- July-August 2016 Planning & Capacity Building Application Development and Stakeholder Engagement

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- September 2016 Issue Planning & Capacity Building Call for Projects.
- November 18, 2016 Application Deadline
- December 21, 2016 Staff recommended Application Scores/Draft Regional Program
- December-January 27 2017—County Transportation Commission Regional Program Approvals
- February 2, 2017 Regional Council Approval of 2017 Regional Program
- February 6, 2017 Submit Regional Program to CTC
- March 2017 CTC adopts Regional Program