Mountainland MPO
Technical Advisory Committee
Monday,
May 23, 2016
Mountainland Conference Room
586 East 800 North, Orem, UT
1:30 P.M.

1. Welcome and Introductions - Richard Nielson
2. Approve the March 28, 2016 Meeting Minutes - Richard Nielson
3. TIP Selection Funding List Approval - Shawn Eliot
4. Federal Funds Exchange - Bob Allen
5. UTA Core Routes and Service Planning – Christopher Chesnut
5. Other Business
   A. UDOT
   B. UTA
AGENDA ITEM  #3

DATE: 05/23/2016

SUBJECT: TIP PROJECT SELECTION FUNDING LIST

PREPARED BY: Shawn Eliot

BACKGROUND: SELECTION PROCESS: TIP Project Selection Process is the process through which regional transportation projects are selected, awarded MPO and county funds, and added to the TIP every two years. This process started at the MPO TAC and RPC meetings in January 2016. At these meetings the process was explained including the first step in the process, the Project Idea Form.

MPO staff met with each sponsor to go over their ideas before they submitted their Project Ideas. On 02/01/2016, 66 Project Ideas were submitted and reviewed by MPO TAC at an all-day meeting. The committee scored the projects and recommended that 35 of them move forward to the more data intensive Concept Report stage. This information was then presented to RPC 02/04/2016

MPO staff met again with each sponsor to go over their project concepts before they submitted their Concept Reports. On 03/24/2016, 33 Concept Reports were submitted. MPO staff reviewed each report and gave a score to each project based off the technical merits outlined in each report.

On 04/11/2016 MPO TAC conducted an all-day field review of each project.

On 04/18/2016 MPO TAC used the information from the Project Idea Forms, Concept Reports, MPO Staff Technical Scores and the Field Review to create the Project Priority List.

PROJECT PRIORITY LIST: The Project Priority List was approved by MPO RPC on 05/05/2016. It is used apply available MPO and county transportation funds (estimated at $41M) for the next 2 years.

FUNDING LIST: The draft Funding List is the Project Priority List funded from the top ranked priority projects down until funding is expended. MAG staff used the Project Priority List and create the Funding List using the 7 different funding sources available. This year MPO TAC asked that two different ways to apply county funds be explored. MPO staff reviewed whether to apply county funds to the highest ranked projects first or to apply county funds to the lowest cost projects first. The conclusion was there wasn’t enough low dollar projects to make using that option viable. More projects we’re delayed a year with less remaining funds in the balance to fund other projects on the project list when additional funds come available.

Once recommended by MPO TAC, MPO RPC can take action to approve the final funding list on 06/02/2016. The Utah County Commission has final approval of the county funded projects. Once the Funding List is approved, if within the next 2 years additional funds materialize, the next ranked unfunded project from the Project Priority List will be funded by TAC and RPC.
Funded Study: The Mountain View Corridor Southern Extension study through Saratoga Springs was recommended for approval by TAC back in February and is listed on the draft Funding List at $250k.

TAC and RPC Past Work:
On 04/18/2016 MPO TAC used the information from the Project Idea Forms, Concept Reports, MPO Staff Technical Scores and the Field Review to create the Project Priority List. This was done by electronic polling with each jurisdiction allowed one vote per project. MPO TAC reviewed the final rank order and unanimously approved the draft Project Priority List. MPO RPC reviewed the list and the MPO TAC recommendation and unanimously approved the Project Priority List at their 05/05/2016 meeting.

Staff Recommendation:
MPO staff recommends that the draft Funding List be approved by MPO TAC using the Top Ranked Projects use county funds method.

Suggested Motion:
I move that the MPO Technical Advisory Committee recommend to the MPO Regional Planning Committee approval of the draft Funding List using county funding on Top Ranked projects first as recommended by MPO staff. This funding list is the approved list of projects to fund in the TIP and will be used to fund unfunded projects if additional funds come available.

Contact Person:
Shawn Eliot, 801-229-3841, seliot@mountainland.org

Attachments:
Draft Funding List and Map.
AGENDA ITEM # 4

DATE:      May 23, 2016

SUBJECT:  FEDERAL FUNDS EXCHANGE PROGRAM

PREPARED BY:  Bob Allen

BACKGROUND:  Mountainland has multiple federal funding categories that come with different federal regulations and requirements. Adhering to these requirements in programming projects and by project sponsors when constructing a project can be quite complicated and costly. UDOT has a program where they exchange federal transportation dollars for state dollars. This program has only been offered on a project by project basis.

PART A:  

MPO Federal Funds Exchange Program: UDOT and the MPO would like to exchange all MPO STP-Urban and STP-NonUrban funds for state dollars. The MPO would receive $.85 state funds for every $1 federal funds given to UDOT. The funds would be exchanged on an annual basis and given to the MPO to program, manage and expend.

Exchanging federal funds for state funds will result in significant project cost savings (18-30%) and faster delivery time by removing federal requirements that accompany federal funds. Project savings will be available to be reprogrammed by the MPO to more local projects.

STAFF RECOMMENDATION:  MAG staff recommends the MPO enter into the memorandum of agreement to exchange federal funding programs with UDOT for state funding.

SUGGESTED MOTION:  I move that TAC recommend to the RPC to enter into the memorandum of agreement between MPO and UDOT to exchange federal funds for state funds.

PART B:  

Joint MPO/County Project Management Process: UDOT currently manages all local TIP projects following the federally mandated process. After exchanging funds through the program in Part A, the MPO would be responsible for managing TIP projects funded using exchanged state dollars. Utah County currently manages TIP projects funded using county funds.

MPO staff and county staff have developed a joint project management process for projects funded using MPO state exchanged funds and county funds. This process is much simpler and allows more local control with increased accountability to MPO committees that awarded the funds. The federal process will be removed and state oversight will be limited to an advisory role to the MPO and county. All project funds awarded to UDOT or the Utah Transit Authority (UTA) will be managed by their respective agencies with an inter-local agreement.
STAFF RECOMMENDATION: MPO Staff recommends the MPO adopt the MPO/Utah County Joint Project Management Process.

SUGGESTED MOTION: I move that the Technical Advisory Committee recommend Regional Planning Committee adopt the MPO/Utah County Joint Project Management Process.

CONTACT PERSON: Bob Allen, 801-229-3813, rallen@mountainland.org

ATTACHMENTS: Exchange Program Memorandum of Agreement
Joint Project Management Process
MPO/UTAH COUNTY JOINT PROJECT MANAGEMENT PROCESS

For MPO State and County Local Funding Sources

The following policies and procedures apply to all local government projects funded through the Mountainland Metropolitan Planning Organization (MPO) using state transportation funds exchanged for federal funds with the Utah Department of Transportation (UDOT) and Utah County Transportation Sales Tax funds. All project funds awarded to UDOT or the Utah Transit Authority (UTA) will be managed by their respective agencies with an inter-local agreement and a required statement of completion.

Purpose

1) Help jurisdictions develop complete, efficiently delivered, lasting transportation projects.

2) Remain accountable to the MPO committees (Technical Advisory Committee (TAC) and the Regional Planning Committee (RPC) that awarded the funds.

   a) Ensure approved projects are completed in a timely manner.

   b) Help local jurisdictions overcome unforeseen project funding and or scoping issues.

   c) Follow proven project delivery processes and standards.

Funding – The MPO has multiple federal, state, and local transportation funds to program for regional transportation projects.

1) MPO Funds - The MPO has two federal funds (STP-Urban and STP-Small Urban) that the MPO and UDOT have entered into agreement to exchange the federal funds for state funds at an .85-cents to the dollar exchange rate. State funds are more flexible than federal funds when funding the smaller regional projects programmed through the MPO. They also have less regulations, projects typically are less expensive, and are completed in less time, all justifying the discounted exchange rate.
2) **Utah County Transportation Sales Tax Funds** - The MPO is also tasked with developing and recommending a list of projects that utilize the two county transportation sales taxes. The county commission has the final approval of these funds, but by state law can only approve or deny the MPO recommended project list.

3) **Funding Participation** - Both the MPO state funds and county sales tax funds require local or sponsor participation. The MPO/county will pay 93.23% of the total awarded project cost with the local jurisdiction or project sponsor required to pay 6.77% matching funds for each project.

4) **Soft Match** - A soft match that claims work done by the sponsor, Right-of-Way (ROW) acquisition, or other approved related incurred costs may be used toward the 6.77% matching funds if established within the inter-local agreement.

5) **Additional Funds** - The local jurisdiction can pledge additional funds above the required cash match to fund different aspects of the project including betterments. These funds add value to the total project, but do not require additional cash match.

**Responsible Agency** - The Project Management Process for MPO state funds will be managed by the MPO with County sales tax funds managed by Utah County. A project sponsor will work directly with the MPO or county based on which funding source a project is awarded. The MPO or the county will manage each project as outlined below from the beginning of the Inter-Local Agreement, to approving and paying invoices, to project completion. Both the MPO and the county will collaboratively share information about the projects they manage to allow accountability to the MPO committees and the county commission on all approved projects.

**Process** – The process to start, design, construct and fund a project is as follows:

1) **Inter-Local Agreement** – The MPO/county and local jurisdiction, UDOT or UTA will enter into an inter-local agreement confirming the total project funds awarded by the MPO, matching funds, other pledged funds, soft match, project scope and adherence to the project management process herein.

2) **Project Initiation** - The local jurisdiction will designate a qualified project engineer from its staff or hire a project engineer from the prequalified UDOT pool, who will be responsible for project delivery. MPO staff will assist in the process of hiring a project engineer if necessary. The designated project engineer will be responsible for the completion of the project.

3) **Project Development** - The Local Jurisdiction will acquire the necessary ROW, design, bid out and manage the construction of the project.
Design: The project design will adhere to American Association of State Highway and Transportation Officials (AASHTO), UDOT, American Public Works Association (APWA), or other applicable local/state/national standards.

i) The local jurisdiction and the project engineer will acquire the appropriate clearances and permits through the design process.

ii) The local jurisdiction will involve designated MPO/county staff and a designated UDOT staff member at the following design milestones:

(1) Kickoff Meeting,

(2) 30% Scope and Schedule Review,

(3) 60% On Site Plan Review,

(4) 90% Plans, Specifications and Estimate,

b) ROW Acquisition - The local jurisdiction will acquire all necessary ROW adhering to the local jurisdictions established ROW acquisition process.

c) Procurement - Advertising of the project will follow the local jurisdiction’s established procurement policies. All construction bids will include a 10% construction contingency. The local jurisdiction will provide a copy of the notice of award to the MPO/county.

4) Construction Process: The local jurisdiction will manage the construction process.

a) MPO/county staff will be notified of any changes that effect:

   i) Scope of the project.

   ii) Cost of construction in excess of the 10% construction contingency.

5) Project Completion- MPO/county staff will be notified and allowed to attend the final inspection of the completed project.

6) Reimbursement to Local Jurisdiction for Approved Project Costs - The local jurisdiction will provide the MPO/county with one monthly itemized invoice detailing actual costs for the ROW acquisition, design, utility relocation, construction, or other approved elements of the project. Appropriate backup materials
shall also be supplied. The MPO/county will reimburse the local jurisdiction as outlined within the inter-local agreement.

a) The maximum amount of reimbursement from the MPO/county to the local jurisdiction will not exceed the total project funds awarded by the MPO.

b) Any costs which exceed the total project funds awarded by the MPO will be the responsibility of the local jurisdiction.

c) Any surplus MPO/county funds remaining after the completion of the project will be retained by the MPO to be reallocated to other projects selected through the MPO project selection process.

d) The MPO maintains a contingency fund for local projects. The local jurisdiction can request up to an additional 10% of the original project cost from MPO staff for cost overruns to the original project scope. Any request above $500,000 requires MPO committee approval.

e) The local jurisdiction, UDOT, or UTA shall provide a statement of completion noting any deviations from the approved scope to be sent with the final invoice.
Memorandum of Agreement

Now, therefore, the parties agree as follows:

I. Programmatic STP Fund Exchange Program
   Mountainland Association of Governments as the Metropolitan Planning Organization (MPO) for Utah County and the Utah Department of Transportation (UDOT) are conducting a pilot program to exchange MPO federal transportation funding for state funding.

II. Basis for the Program
   A. A Metropolitan Planning Organization is established to allow local decision makers to play a role in transportation decisions. The MPO agrees with UDOT that having the MPO manage MPO funded projects would allow local government decisions makers to expedite the delivery of the MPO funded projects.
   B. Transferring project oversight to MPO staff from UDOT staff on the smaller MPO projects will allow UDOT to better focus on the larger regional and statewide priorities.
   C. Federal regulations and requirements are better addressed by larger regional and statewide projects. Federal requirements on multiple smaller regional projects is not efficient.
   D. The current UDOT Federal/State Exchange Program exchanges funds on a project by project basis. The Programmatic STP Fund Exchange Program transfers entire funding categories of MPO federal funds to UDOT in exchange for state funds and allow the MPO to program individual projects with state funds. This allows cost overruns and cost savings to be managed by the MPO.
   E. The MPO is agreeable in trading MPO federal funds to UDOT and allowing the MPO federal funds to be spent in any area statewide where UDOT deems appropriate.

III. Funding
   A. All federal dollars exchanged to the MPO will be exchanged at a rate of 100% federal funds to 85% state funds.
   B. The program will commence once an annual appropriation of funding is made available by the Federal Highway Administration (FHWA), and the programmatic exchange is approved by the Transportation Commission and MPO.
C. State funding would be transferred to the MPO annually in one lump sum for Federal Fiscal Year (FFY)2017 and FFY2018. The transfer will occur at the beginning of the federal fiscal year or when FHWA confirms annual funding is available. Any prior balance of MPO federal funds agreed upon by the MPO and UDOT needed to fund projects will be transferred with the FFY2017 lump sum.

D. UDOT and the MPO will develop a list of federally funded projects that have not yet commenced and exchange these funds for state funding as part of this program.

E. At the end of each federal fiscal year, the program will be evaluated by UDOT and the MPO to determine if modifications to the exchange program are recommended.

F. Prior to approving a new STIP program, UDOT and the MPO will determine the funding to exchange for the added outer years allowing each entity to program new projects for the STIP cycle. The MPO will administer the transferred state funds, keep balances, program projects and address scope changes. The MPO will keep an accounting of all transferred funds.

G. UDOT will continue to program the MPO state funded projects in ePM and within the STIP.

H. If a transportation bill or an annual allotment of funding is not appropriated on the normal annual cycle by FHWA, UDOT and the MPO shall consult with each other on an agreeable transfer date.

I. In the event that annual funding is not available on the normal appropriation cycle, the balance in the MPO state funds account shall be used to fund project phases already commenced rather than start new projects. Local Cash Match shall be determined by the MPO.

IV. Funding Categories to Exchange

A. The MPO and UDOT have agreed to exchange all Provo/Orem Urban STP funds and MAG Small Urban STP funds.

B. The MPO and UDOT will continue to explore exchanging other MPO federal funds including transferring up to 50% of the MPO Congestion Mitigation/Air Quality (CMAQ) funds to STP funds.
V. Program Management and Oversight

A. The MPO will establish an adopted Project Management Process for projects using the exchanged funds.

B. UDOT will continue to assign a Project Manager to each MPO funded project to advise and assist MPO staff with project management.

C. The UDOT PM shall be available for consultation to the local governments as the local governments manage their projects. If the project is on a State Route, UDOT will take the project management lead.

D. The MPO will regularly evaluate the Project Management Process. It is assumed that the MPO process will be significantly less burdensome than the UDOT or federal process and expedite efficient project delivery.

VI. Eligibility

A. The MPO will continue to use funding eligibility standards which include:

1. Transportation projects that are associated with roads shown on the Utah State Highway Functional Classification Map

2. Projects that are listed or supported in the MPO Regional Transportation Plan

3. Regional transportation studies

4. Transit projects, programs and operational assistance

5. Regional active transportation projects

6. MPO staff and administration

7. Air quality reduction and congestion mitigation projects

8. Intermodal projects

9. Intelligent Transportation Systems projects
VII. Signatures

Mountainland Association of Governments

By _______________ Date __________
Andrew Jackson - Executive AOG Director

Utah Department of Transportation

By _______________ Date __________
Carlos Braceras - Executive Director