



AGENDA

Technical Steering Committee

2024 Committee Members

Jamie Lai, Chair
Mark Trestik, Vice Chair
Iris Lee, District 1
Nabil Saba, District 2
Tom Wheeler, District 3
Rudy Emami, District 4
Raja Sethuraman, District 5
Jacki Scott, At-Large
Robert McLean, At-Large

Orange County Transportation Authority
550 South Main Street, Room 07
Orange, California
March 19, 2024, 10:00 a.m.

Any person with a disability who requires a modification or accommodation to participate in this meeting should contact the Orange County Transportation Authority (OCTA) Measure M2 Local Programs section, telephone (714) 560-5528, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

Agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committee may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.octa.net or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

In-Person Comment

Members of the public may attend in-person and address the Committee regarding any item within the subject matter jurisdiction of the Orange County Transportation Authority. Speakers will be recognized by the Chair at the time the agenda item is to be considered.

Written Comment

Written public comments may also be submitted by emailing them to kmartinez@octa.net, and must be sent at least 90 minutes prior to the start time of the meeting. If you wish to comment on a specific agenda item, please identify the item number in your email. All public comments that are timely received will be part of the public record and distributed to the Committee. Public comments will be made available to the public upon request.



Call to Order

Self-Introductions

1. Approval of Minutes

Approval of Technical Steering Committee regular meeting minutes from the June 14, 2023 meeting.

Regular Items

2. 2024 CTFP Call for Projects – O and P Programming Recommendations

– Adrian Salazar

Overview

The Orange County Transportation Authority issued the 2024 annual Measure M2 Comprehensive Transportation Funding Programs Regional Capacity Program and Regional Traffic Signal Synchronization Program call for projects in August 2023. This call for projects makes grant funding available for regional roadway capacity and signal synchronization projects countywide. A list of projects recommended for funding is presented for review and approval.

Recommendations

- A. Recommend for Board of Directors approval the award of \$18.72 million in 2024 Regional Capacity Program (Project O) funds to six local agency projects.
- B. Recommend for Board of Directors approval the award of \$12.89 million in 2024 Regional Traffic Signal Synchronization Program (Project P) funds to five local agency projects.

3. Comprehensive Transportation Funding Programs Guidelines Off-Cycle Update

– Cynthia Morales

Overview

The Measure M2 Comprehensive Transportation Funding Programs guidelines provide the mechanism for administration of the competitive calls for projects for streets and roads, transit, and environmental cleanup funding programs. Staff has conducted an off-cycle review of the Comprehensive Transportation Funding Programs Guidelines and is seeking direction to advance these proposed revisions to the Orange County Transportation Authority's Technical Advisory Committee for consideration and approval.

Recommendation

Recommend approval and advancement of the proposed updates to the Comprehensive Transportation Funding Programs Guidelines to the Technical Advisory Committee for formal recommendation to the Board of Directors.



Discussion Items

4. Correspondence

OCTA Board Items of Interest – Please see Attachment A.
Announcements by Email – Please see Attachment B.

5. Committee Comments

- Recognition of Kurt Brotcke, Director of Strategic Planning

6. Staff Comments

7. Items for Future Agendas

8. Public Comments

9. Adjournment



AGENDA

Technical Steering Committee

The Technical Steering Committee is scheduled to convene on the second Wednesday of each month, at 1:30 p.m., at OCTA Headquarters.



June 14, 2023 Minutes



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Voting Representatives Present:

Raja Sethuraman, <i>Chair</i>	City of Costa Mesa	Orange County Transportation Authority
Iris Lee, <i>District 1</i>	City of Seal Beach	550 South Main Street, Room 09
Nabil Saba, <i>District 2</i>	City of Santa Ana	Orange, California
Tom Wheeler, <i>District 3</i>	City of Lake Forest	June 14, 2023, 1:30 p.m.
Rudy Emami, <i>District 4</i>	City of Anaheim	
Mark Trestik, <i>District 5</i>	City of Laguna Beach	
Jacki Scott, <i>At-Large</i>	City of Laguna Niguel	

Voting Representatives Absent:

Jamie Lai, <i>Vice Chair</i>	City of Yorba Linda
Robert McLean, <i>Interim At-Large</i>	County of Orange

Guests Present:

Brendan Dugan	City of Rancho Santa Margarita
Albert Mendoza	City of La Habra
Zak Ponsen	City of San Clemente
Gerald Tom	City of Laguna Woods
Jonathan Lawhead	Caltrans
Oliver Luu	Caltrans
Paul Rodriguez	Rodriguez Consulting Group
Traci Rodriguez	Rodriguez Consulting Group

Staff Present:

Kia Mortazavi
Adriann Cardoso
Charvalen Alacar
Ben Ku
Alicia Yang
Heidi Busslinger
Adrian Salazar
Jonathan Lee
Sofia Perez
Kristopher Martinez



Meeting was called to order by Mr. Sethuraman at 1:30 p.m. on June 14, 2023.

Self-Introductions

CONSENT CALENDAR

1. **The Minutes for the February 22, 2023 Meeting were approved.**

Mr. Wheeler motioned to approve the minutes.

Mr. Emami seconded the motion.

The Minutes were approved; there was no further discussion.

REGULAR ITEMS

2. **2024 Comprehensive Transportation Funding Programs Guidelines Update**
– Charvalen Alacar

Mr. Sethuraman provided opening remarks stating that there were limited Comprehensive Transportation Funding Programs (CTFP) guidelines revisions being put forward at this time and that there are other potential changes to the CTFP guidelines that will require more time and research before they can be suggested by Orange County Transportation Authority (OCTA) staff.

Mr. Sethuraman stated that OCTA will continue to look into incorporating recommendations from OCTA's internal auditor to include clarifications within the guidelines.

Mr. Sethuraman added that OCTA is working with the City Engineers Association of Orange County (CEAOC) and an independent third-party consultant to improve the CTFP payment process and that staff will be reviewing timely use of funds requirements and other M2 requirements to consider the Technical Advisory Committee (TAC) requested items such as more active transportation components in future calls.

Mr. Sethuraman explained that these are more time-intensive and significant items that should not be rushed.

Mr. Sethuraman added that this would work to not disrupt the consistency in the timing of the next call for projects (call) and that for that reason, minimal changes are included today in order to maintain the typical call issuance in August.



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Mr. Sethuraman concluded that staff will be conducting an off-cycle guidelines review in the late fall timeframe.

Mr. Salazar began his report on updates to the CTFP guidelines by explaining that the guidelines update happens on a yearly basis prior to release of the call and if approved by the Technical Steering Committee (TSC), OCTA staff would present the same updates with incorporated feedback to the TAC on June 28, 2023.

Mr. Salazar added that similarly, with feedback from the TAC, staff will present the guidelines update to the OCTA Board (Board) on August 14, 2023, with a recommendation for call release.

Mr. Salazar stated that the call would make approximately \$45 million available for Regional Capacity Program (RCP) and Regional Traffic Signal Synchronization Program (RTSSP) projects. He reported that Board authorization to issue the call would be requested on August 14, 2023, the application submittal deadline would be October 26, 2023, at 5:00 PM, and recommendations would be presented to the Board for approval in April or May of 2024.

Mr. Salazar reported that the most significant proposed revisions are providing clarification on the definition of “construction support” to better identify expenses as eligible and ineligible, and changes to the precept language. He explained that the proposed changes have not been finalized and that the current definition of construction support has been in use since at least 2012. Mr. Salazar added that while the definition may have been amended since then, the proposed changes are to ensure its definition is accurate and up to date.

Mr. Salazar stated that other guidelines changes are primarily related to RTSSP projects and to leverage signal timing efforts as part of the Countywide Signal Synchronization Baseline Project (Baseline Project) and provide more opportunities for agencies to upgrade signal equipment and devices. He explained that this is to incentivize agency participation in the Baseline Project.

Mr. Salazar stated that if all agencies within the project corridor are participating in the Baseline Project, incentives will include the option to waive the data collection, implementation, and timing development project tasks, as well as be awarded full points for offset signal participation.

Mr. Salazar added that offset signals will also be eligible for improvements within the existing funding cap. He clarified that no additional budget will be allowed for offset signals, the project will still need to complete a before and after study, and



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operations and maintenance will still need to be conducted following the primary implementation phase.

Mr. Salazar stated that similar to when OCTA leads a project, agencies cannot claim points for the completion of the implementation phase within 12 months.

Mr. Salazar stated that as Chair Sethuraman indicated that in order to address additional areas for improvement and keep the existing 2024 RCP and RTSSP call cycle on track, OCTA will be conducting an off-cycle comprehensive review of the guidelines. He explained that the off-cycle review will take place after recommendations are provided by the consultant, which is expected in late fall.

Mr. Salazar presented the revised definition of “construction management” and the corresponding precept language.

Mr. Emami requested clarification on why the definitions are being changed and asked if both construction management and construction support would be redefined.

Mr. Salazar explained that the primary objective is to ensure all outlined items are eligible for reimbursement.

Questions were asked by Mr. Wheeler and Mr. Sethuraman if materials testing would be excluded by the new definition and subject to the 15 percent cap. A question was also asked by Mr. Emami about how materials testing should be charged.

Ms. Cardoso answered that with this proposed change, materials testing would no longer be subject to the 15 percent cap and would be considered part of construction.

Mr. Wheeler inquired if it was defined as part of construction. He added that if materials testing is removed from the construction support or management definition, it needs to be added somewhere else. He explained that his first impression of the change was that materials testing would no longer be an eligible expense by the new definition. He stated that materials testing should be explicitly stated as an eligible construction expense.

Ms. Cardoso clarified that this precept is meant to be a limitation or cap and that removing materials testing from this definition does not make it ineligible but instead, it is no longer subject to the 15 percent cap.



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Mr. Wheeler explained his first impression of materials testing.

Ms. Cardoso stated that staff will find a place where materials testing can be explicitly stated as an eligible construction expense.

Mr. Wheeler asked if the same principle would apply to “engineering support.”

Ms. Cardoso asked for additional input and if engineering support should be included and subject to a 15 percent cap.

Mr. Wheeler and Mr. Sethuraman agreed that engineering support is kept open through construction.

Mr. Emami stated that his agency typically makes construction engineering part of the scope of the design contract. He added that it could be included as part of the design scope, but that it could affect the timing if they were trying to close out the design phase and go to construction, possibly keeping the design phase open until the construction phase is complete.

Mr. Emami offered that in order to maintain order between project phases, perhaps there could be a method for transferring the design scope into the construction phase and making it eligible for reimbursement.

Mr. Wheeler stated that similar to materials testing that will be added as eligible in the guidelines, engineering support should also be explicitly added as an eligible expense in the guidelines.

Ms. Alacar asked if it would be helpful to add engineering support under the “eligible activities” section on page 7-15 of the guidelines in order to clarify that it is not being deemed an ineligible expenditure.

Mr. Wheeler stated that it would be helpful so long as it is also specified that the 15 percent cap is only for construction management.

Mr. Sethuraman stated that construction support and construction engineering were similar.

Ms. Scott stated that many cities put construction management expenses such as a construction manager, inspector, materials testing, surveying, and all associated costs under the umbrella term of construction support. She offered that if the issue is keeping those expenses under the 15 percent cap, why not define it as



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construction support and raise the cap. She added that construction support on smaller projects, especially with smaller agencies can be as much as 25 percent.

Mr. Sethuraman stated that it is a tradeoff and that raising the cap would reduce the amount of funds that are left after construction support expenses.

Mr. Emami asked about raising the cap to 20 percent and leaving definitions the way they currently are.

Ms. Cardoso asked if it would be preferred to clearly define construction support to include the categories of expenses that were being discussed and increase the cap to 20 percent.

Mr. Emami stated that it would be consistent and allow for greater flexibility.

Ms. Iris Lee asked about the history of the cap and why there is one to begin with.

Ms. Cardoso explained that the cap was established at 15 percent of all construction support costs to be consistent with Caltrans and federal agencies.

Ms. Scott stated that at the state and federal level, projects are so big that 15 percent is more than adequate, but at the local level, some projects do not have the construction cost amount to where construction support can be kept under 15 percent.

Ms. Iris Lee added that for those smaller projects, 15 percent is not enough and asked for the cap limitation to be reconsidered. Removing the cap may result in less funds going towards the improvements themselves but added that labor and material costs are also becoming increasingly expensive.

Ms. Cardoso stated that the reason for the cap is wanting the funds to go towards the delivery and implementation of the project versus support costs.

Mr. Wheeler asked if it was more flexible to have the cap increased to 20 percent and have materials testing and engineering support fall under the cap or keep that cap at 15 percent only for construction support with the other costs directly under construction.

Ms. Iris Lee asked if the term construction support was well defined and if there was any ambiguity with its definition.



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Ms. Cardoso stated that OCTA would work on a better definition for construction support but may need TSC and TAC review because there has already been some confusion.

Ms. Iris Lee explained that construction management, construction support, and construction engineering could be interpreted in many ways and does not want confusion at the point of requesting funds.

Mr. Emami suggested increasing the cap to 20 percent and allowing agencies the opportunity to request a cap increase to 25 percent so long as they provide a justification. This solution would allow greater flexibility for the local agencies but understands the desire for funds to be more aimed at improvements.

Ms. Iris Lee stated that agencies do not want to spend their funds on soft costs.

Mr. Emami stated that local agencies face the greatest risk in the sense that if they spend their grant allocation on soft costs, they still need to finish their projects.

Ms. Cardoso explained that removing the cap entirely might be difficult to present to the Board.

Ms. Cardoso proposed coming back to the TAC with revised language and/or potential options for consideration.

Mr. Sethuraman proposed increasing the cap to 20 percent and categorizing materials testing as a construction expense.

Mr. Wheeler stated his support for Mr. Sethuraman's proposed solution and explained that it would allow for flexibility.

Ms. Cardoso stated that the requested language would be considered for incorporation.

Mr. Trestik stated that another option for solving the construction management issues would be, that if the new definition for construction management excludes materials testing, construction engineering, and construction support, then the 15 percent cap would be for construction management only, adding materials testing, construction engineering, and construction support as eligible costs.

Mr. Mortazavi added that with respect to the question of "the higher option," if the project comes in under budget would projects still get the maximum of 15 percent



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of the total grant amount or the total engineer's estimate when the project is submitted.

Mr. Mortazavi offered that it would make sense to base the maximum amount on the total eligible project costs at completion because at that point you know what the project cost is and the initial estimate is no longer relevant.

Mr. Wheeler stated that if you are setting up your contract with the engineer's estimate at the beginning, then you have a construction manager contract and several change orders then there is no way to account for the additional costs.

Ms. Iris Lee stated that an engineer's estimate could come in a variety of ways, with some being more generous and others more conservative. She asked whether the application amount or award amount should be used in order to be less arbitrary.

Mr. Emami stated that there is an argument for using the award amount instead of the final construction cost because an engineer's estimate now may be less expensive than it was a few months ago but the cost of the construction manager is not going to change if in the end, the final construction cost comes in lower, a portion of the award amount would be lost.

Mr. Mendoza mentioned using the Caltrans model and added that with Caltrans there is a finance letter for each phase of the project and if a project comes in under budget, the finance letter can always be revised. He noted that if there are savings in construction when bids are received, Caltrans allows for the cap to be set at a maximum of 15 percent or contemplate using it if they did not anticipate using a construction manager.

Ms. Alacar shared a public comment received from the City of Yorba Linda on June 14, 2023 at 11:27 AM from Rick Yee. The City of Yorba Linda had requested for the TSC to provide definitions in the guidelines for construction management, construction engineering, and construction support to better understand what OCTA would be willing to fund with respect to support costs during construction.

Ms. Scott stated that it was a challenge to keep support costs during construction under 15 percent and would like to achieve greater flexibility to reflect the true cost of project delivery.



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Ms. Cardoso stated that OCTA would come back to the TAC incorporating the feedback that was received. This may require reevaluating and modifying how the precept was written.

Mr. Sethuraman suggested creating a group and confirmed that representatives from the City of Anaheim, the City of Laguna Niguel, and the City of Yorba Linda offered to participate in review of the guidelines.

Mr. Salazar presented an additional slide on the current and proposed precept language to further clarify the reason for differentiating between phases.

Questions were asked by Mr. Emami and Mr. Trestik related to how Project P and Project V view project management and phase management.

Mr. Salazar presented a summary of the changes to Project P. For the scope of work, agencies will be able to waive the data collection, timing development, and timing implementation task if all participating agencies are also participating in the Baseline Project. He added that offset signals within the corridor are eligible for the same improvements in the program.

Mr. Sethuraman asked that by eliminating the timing implementation requirement, what is the purpose of the before and after study?

Ms. Yang answered stating that OCTA has sent out cooperative agreements for the Baseline Project and that OCTA wanted to have a call to take advantage of the Baseline Project.

Ms. Yang added that while that is ongoing, the goal is that when agencies submit their applications for a corridor, the before and after study would still be received when the Baseline Project goes through to show the improvements along with the infrastructure improvements that were added.

Ms. Yang stated that there is the option to do things as they have traditionally been done but there is also the added option to leverage participation in the Baseline Project instead of doing concurrent retiming efforts which would also allow for additional improvements on the corridor.

Ms. Yang added that by taking advantage of this option agencies would also be able to make improvements on offset signals that are within 2,700 feet of each side of the corridor.

Ms. Iris Lee asked if cooperative agreements have been sent out.



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Ms. Yang confirmed that cooperative agreements have been distributed to each agency's Traffic Forum members.

Mr. Salazar stated in reference to the scoring criteria, ten points will be awarded for participation in the Baseline Project under the transportation significance category.

Mr. Wheeler asked if the Baseline Project includes every agency in the county.

Ms. Yang confirmed that all agencies are encouraged to participate in the Baseline Project and added that the project is federally funded and does not require a match from the agencies for them to participate.

Mr. Wheeler asked if the local agencies have received the final version of the cooperative agreement.

Ms. Yang answered that the final version has not been issued as comments have been received in response to the versions that have been shared.

Mr. Salazar provided a reminder that offset signals will be eligible for improvements within the existing funding cap and that no additional budget will be allowed for offset signals.

Mr. Salazar clarified that the funding cap will be based on the project corridor signal count, not including any offset signals.

Mr. Sethuraman asked if the funding cap is based on the number of signals on the main corridor.

Mr. Salazar confirmed.

Mr. Sethuraman asked for clarification regarding whether funds for the main corridor signals can be used towards offset signals.

Mr. Salazar confirmed.

Ms. Scott asked if there would be enough time for the newly formed group to discuss the proposed guidelines revisions.

Ms. Alacar recommended removing the discussion of the terms, construction management and construction support, at this time and including it as a part of the



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off-cycle review process. She offered that this would allow the call to be issued, and in the off-cycle review focus on the more time intensive items.

Mr. Sethuraman inquired if by making changes after applications have been submitted, could the new guidelines revisions apply to projects that have already been approved.

Ms. Cardoso stated that it would be something for OCTA to determine but that it would be unusual to the way guidelines have been applied in the past.

Ms. Cardoso stated that with Project V there was an instance where a change was retroactively applied to all past projects.

Mr. Emami agreed to propose raising the cap to 20 percent at this time and working to provide clarification to the definitions of terms during the off-cycle revision.

Mr. Emami forwarded the motion.

Mr. Wheeler seconded the motion.

The motion was approved.

Ms. Scott stated the CEAOA approached OCTA several months ago to discuss the timeliness of payments and asked if the concerns identified by the City of Anaheim would still be resolved by the end of the year.

Mr. Emami stated that OCTA had a staffing and resource issue. He added that while progress has been made on one payment, the rest of the payments are still on hold.

Ms. Scott asked if that was acceptable.

Mr. Emami indicated that it was acceptable.

DISCUSSION ITEMS

3. Correspondence

- OCTA Board Items of Interest – See Agenda
- Announcements Sent by Email – See Agenda



4. Committee Comments – None

5. Staff Comments

Mr. Ku provided an update on the Pavement Management Relief Funding (PMRF) in light of the new federal rescission.

Mr. Ku reported that in October 2021 OCTA awarded \$9.9 million in Federal Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA) funds to 31 PMRF projects. Funds were meant to help mitigate revenue loss due to the coronavirus.

Mr. Ku added that on May 30, 2023, OCTA learned that there was legislation that would rescind unobligated CRRSAA Highway Infrastructure Program funds as a part of the debt ceiling compromise.

Mr. Ku reported that OCTA began working directly with Caltrans to mitigate this risk as much as possible and requested consideration of alternative funds for the unobligated PMRF projects.

Mr. Ku stated that on June 3, 2023, as a part of the debt compromise, President Biden signed into law the Fiscal Responsibility Act of 2023. A component of this law included the rescission of any CRRSAA funds that did not receive an approved obligation.

Mr. Ku reported that as of June 3, 2023, eight PMRF projects were successful in obligating funds as well as one project that is conditionally approved, accounting for \$3.6 million in CRRSAA funds.

Mr. Ku reported that Caltrans is looking at options to see if they will be able to fund any of the remaining projects. He stated that OCTA will continue to provide information as it becomes available.

Mr. Wheeler, Ms. Iris Lee, Ms. Scott, and Mr. Sethuraman noted the challenges of delivering projects through the federal process, requested additional information about alternative funding, asked about funding deadlines, and asked for a list of impacted projects and whether those projects should move forward.

Mr. Lawhead clarified that Caltrans is on pause regarding projects that have not been authorized and waiting to see if the state funds will become available. He stated that more answers would become available over the coming weeks.



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Mr. Ku stated that the original deadline for the PMRF program was July 1, 2023, which was then extended to September if the required submittals were provided to Caltrans by April.

Ms. Cardoso added that if there are any deadlines or timing requirements with whatever the new funding source is, those deadlines would be utilized to work with the local agencies. She also noted that Caltrans had indicated that there would be more clarity on the situation by the next TAC meeting.

Mr. Ku stated that he would be able to provide the list of agencies that were obligated funds to anyone who reaches out.

Mr. Ku added that there is an item going to the Legislative and Communications Committee that will provide a brief explanation from the legislative perspective and that the State and Federal Grants item that will be going in August 2023 will contain the list of projects that received alternative funding.

Mr. Emami stated that when these funds became available the standard formula allocation was not followed. He added that because it was federal funding it was anticipated to be difficult to administer, and a minimum of \$250,000 was awarded to each city, meaning that the larger cities subsidized the smaller cities. He stated that the County is losing millions of dollars. He suggested that moving forward projects already in the federal process should be prioritized so that they can allocate the funds immediately and prevent losing unused funds. He emphasized the regional goal that funds should be kept within the County.

- 6. Items for Future Agendas – None**
- 7. Public Comments – None**
- 8. The meeting was adjourned at 2:30 p.m.**



AGENDA

Technical Steering Committee

Item #2

2024 CTFP Call for Projects – O and P Programming Recommendations



March 19, 2024

To: Technical Steering Committee

From: Orange County Transportation Authority Staff

Subject: Comprehensive Transportation Funding Programs – 2024 Call for Projects Programming Recommendations

Overview

The Orange County Transportation Authority issued the 2024 annual Measure M2 Comprehensive Transportation Funding Programs Regional Capacity Program and Regional Traffic Signal Synchronization Program call for projects in August 2023. This call for projects makes grant funding available for regional roadway capacity and signal synchronization projects countywide. A list of projects recommended for funding is presented for review and approval.

Recommendations

- A. Recommend for Board of Directors approval the award of \$18.72 million in 2024 Regional Capacity Program (Project O) funds to six local agency projects.
- B. Recommend for Board of Directors approval the award of \$12.89 million in 2024 Regional Traffic Signal Synchronization Program (Project P) funds to five local agency projects.

Background

The Regional Capacity Program (RCP), Project O, is the Measure M2 (M2) competitive funding program through which the Orange County Transportation Authority (OCTA) supports streets and roads capital projects. The Regional Traffic Signal Synchronization Program (RTSSP), Project P, is the M2 competitive program which provides funding for signal synchronization projects.

Both programs are included in the Comprehensive Transportation Funding Programs (CTFP). The CTFP allocates funds through an annual competitive call for projects (call) based on a common set of guidelines and scoring criteria that are developed in collaboration with the OCTA Technical Advisory Committee (TAC), which is comprised of representatives from the 35 local jurisdictions. The guidelines and the call are ultimately approved for release by the OCTA Board of Directors (Board).

The CTFP guidelines for the 2024 call were approved by the OCTA Board on August 14, 2023. At that meeting, the Board also authorized issuance of the current call. The available funding, based on the cash flow that was prepared at that time, was reported as approximately \$45 million. The deadline to submit projects for consideration through this call was October 26, 2023.

Discussion

RCP

Through the RCP program, six applications were submitted to OCTA from six local jurisdictions requesting a total of \$21.41 million in RCP funding (see Attachment A). The applications were reviewed for eligibility, consistency, adherence to the guidelines, and overall M2 program objectives. Applications were evaluated and ranked based on the scoring criteria identified in the guidelines. During the review process, staff worked with local jurisdictions to address technical issues such as application scoring corrections, scope of work clarifications, and refinement of final project funding requests.

All six projects that were submitted are recommended to receive \$18.72 million. The recommended amount is lower than the originally requested amount, which is the result of OCTA's detailed application review. The revised recommended grant amount reflects only the project scope components and amounts that appear to be eligible per guidelines. Attachment B provides more detail on the programming recommendations. The recommended M2 RCP funding will support RCP projects in the cities of Dana Point, Garden Grove, Irvine, Laguna Niguel, Santa Ana, and Yorba Linda.

Of the six recommended projects, three will provide arterial capacity improvement benefits and three will provide intersection capacity enhancements. Implementation of these projects in aggregate is anticipated to produce notable congestion-reducing benefits in Orange County, while enhancing the arterial system overall.

RTSSP

With respect to the RTSSP, OCTA received six applications requesting a total of \$13.91 million in funding. During the application process, one project application was withdrawn by the local agency reducing the overall requested funding this call to \$13.53 million. Staff worked with the remaining local jurisdictions to address technical issues related to construction unit cost refinements, as well as project scope of work clarifications. Attachment A has more detail on the submitted projects and Attachment C includes programming recommendations per the guidelines.

Upon completion of these efforts, staff’s recommendation is to program \$12.89 million to fund five projects. All five of the recommended RTSSP projects are anticipated to be implemented by the local jurisdictions in fiscal year 2024-25. Additional details for the RTSSP recommended projects are provided in Attachment C.

The table below provides an overall summary of the funding recommendations:

2024 CTFP Call Summary (\$ in millions)			
	RCP	RTSSP	Total
Number of Applications Recommended for Approval	6	5	11
Amount Recommended for Approval (escalated)	\$18.72	\$12.89	\$31.61

Recommendations presented in this staff report are consistent with the 2024 guidelines approved by the Board. As such, staff recommends programming \$31.61 million for 11 projects under the RCP and RTSSP programs. Unallocated funds from the approximately \$45 million funding available will remain in the M2 Streets and Roads program for future calls. There is an anticipated funding need of roughly \$100 million in ROW and construction funding that will likely be requested within the next three call cycles. OCTA performs solicitation to the local agencies prior to foster application submission.

If approved by the Technical Steering Committee (TSC), TAC, and OCTA Board, these new projects will be incorporated into master funding agreements between OCTA and the appropriate local jurisdictions; and as these projects advance, staff will continue to monitor their status and project delivery through the semi-annual review process.

Summary

The proposed programming recommendations for projects in the RCP and RTSSP have been developed by staff. Funding for eleven projects totaling \$31.61 million in M2 funds is proposed. Staff is seeking TSC approval to advance these programming recommendations, as presented, to the OCTA TAC for further consideration and ultimately to the Board for approval.

Attachments

- A. 2024 Measure M2 Call for Projects – Applications Received
- B. 2024 M2 Regional Capacity Program (Project O) Call for Projects – Programming Recommendations
- C. 2024 M2 Regional Traffic Signal Synchronization Program (Project P) Call for Projects – Programming Recommendations

2024 Measure M2 Call for Projects – Applications Received

Regional Capacity Program (Project O) Applications							
Agency	Project	Fund	Phase	Match Rate	Total M2 Request	Match	Total Cost
Dana Point	Stonehill Drive Improvement Project	ACE	ENG	25%	\$ 515,250	\$ 171,750	\$ 687,000
Garden Grove	Garden Grove Boulevard/Harbor Boulevard Intersection Improvement	ICE	CON	25%	\$ 4,274,963	\$ 1,424,987	\$ 5,699,950
Irvine	Jeffery Road and Barranca Parkway Intersection Improvements	ICE	ROW, CON	25%	\$ 1,104,221	\$ 368,074	\$ 1,472,295
Laguna Niguel	Crown Valley Parkway Westbound Improvement Project	ACE	ROW, CON	25%	\$ 11,177,179	\$ 3,725,726	\$ 14,902,905
Santa Ana	Dyer Road Improvements (SR-55 to 700' E/O Pullman Street)	ACE	ENG	25%	\$ 2,365,200	\$ 788,400	\$ 3,153,600
Yorba Linda	Yorba Linda Boulevard/Savi Ranch Parkway Improvements	ICE	ROW	25%	\$ 1,971,000	\$ 657,000	\$ 2,628,000
REQUESTED TOTALS					\$ 21,407,813	\$ 7,135,937	\$ 28,543,750

Regional Traffic Signal Synchronzation Program (Project P) Applications							
Agency	Project ¹	Fund	Signals	Match Rate	Total M2 Request	Match	Total Cost
Anaheim	Ball Road-Taft Avenue Traffic Signal Synchronization Project	RTSSP	37	20%	\$ 1,756,774	\$ 439,194	\$ 2,195,968
Laguna Hills	Paseo De Valencia - Moulton Parkway Confluence Bypass Corridor	RTSSP	20	20%	\$ 1,498,451	\$ 374,613	\$ 1,873,064
Laguna Niguel	Alicia Parkway RTSSP Project	RTSSP	40	20%	\$ 2,974,355	\$ 743,589	\$ 3,717,944
Rancho Santa Margarita	Antonio Parkway - Avenida De Las Banderas - Avenida Empresa RTSSP Project	RTSSP	38	20%	\$ 2,655,656	\$ 663,914	\$ 3,319,570
Santa Ana	Kraemer Boulevard/Glassell Street/Grand Avenue RTSSP Corridor	RTSSP	62	20%	\$ 4,647,224	\$ 1,161,806	\$ 5,809,030
REQUESTED TOTALS					\$ 13,532,460	\$ 3,383,116	\$ 16,915,576

Acronyms:

- 700' E/O - 700 feet east of
- ACE - Arterial Capacity Enhancements
- CON - Construction
- ENG - Engineering
- ICE - Intersection Capacity Enhancements
- M2 - Measure M2
- OCTA - Orange County Transportation Authority
- ROW - Right of Way
- RTSSP - Regional Traffic Signal Synchronization Program
- SR-55 - State Route 55

1. The City of San Clemente submitted but then withdrew a Project P application totaling \$473k for timing work on El Camino Real that overlapped with OCTA's Countywide Baseline Project.

**2024 M2 Regional Capacity Program (Project O) Call for Projects -
Programming Recommendations**

Agency	Fiscal Year	Project	Fund	Phase	Score	M2 Funding Engineering	M2 Funding Right-of-Way	M2 Funding Construction*	Total M2 Funding	Estimated Match	Total Programming	Match Rate
Dana Point	24/25	Stonehill Drive Improvement Project ¹	ACE	ENG	40	\$ 330,000			\$ 330,000	\$ 110,000	\$ 440,000	25%
Garden Grove	25/26	Garden Grove Boulevard/Harbor Boulevard Intersection Improvement ²	ICE	CON	51			\$ 3,957,107	\$ 3,957,107	\$ 2,130,750	\$ 6,087,856	35%
Irvine	25/26	Jeffery Road and Barranca Parkway Intersection Improvements ³	ICE	ROW, CON	41		\$ 89,049	\$ 926,065	\$ 1,015,113	\$ 338,372	\$ 1,353,485	25%
Laguna Niguel	24/25, 25/26	Crown Valley Parkway Westbound Improvement Project ⁴	ACE	ROW, CON	59		\$ 1,781,514	\$ 7,671,014	\$ 9,452,528	\$ 3,150,842	\$ 12,603,371	25%
Santa Ana	24/25	Dyer Road Improvements (SR-55 to 700' E/O Pullman Street)	ACE	ENG	48			\$ 2,365,200	\$ 2,365,200	\$ 788,400	\$ 3,153,600	25%
Yorba Linda	24/25	Yorba Linda Boulevard/Savi Ranch Parkway Improvements ⁵	ICE	ROW	47		\$ 1,601,700		\$ 1,601,700	\$ 533,900	\$ 2,135,600	25%
PROGRAMMING TOTALS						\$ 330,000	\$ 3,472,263	\$ 14,919,385	\$ 18,721,648	\$ 7,052,264	\$ 25,773,912	

*Includes escalation of 2.6% for all right-of way and construction projects programmed for fiscal year 2025/26.

Acronyms:

- ACE - Arterial Capacity Enhancements
- CON - Construction
- ENG - Engineering
- ICE - Intersection Capacity Enhancements
- M2 - Measure M2

1. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope. Total project cost is \$687k. The OCTA grant plus local match is listed as \$440K, an additional \$247k will be needed from local sources.
2. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope and correct match reduction. Total project cost is \$6.48 million. The OCTA grant plus local match is listed as \$6.08 million, an additional \$548k is to come from local sources.
3. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope. Total project cost is \$1.47 million. The OCTA grant plus local match is \$1.35 million, an additional \$158k is to come from local sources.
4. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope. The recommended grant includes a minor exception to the CTFP guidelines to allow work within 600 feet from intersection for the benefit of the MPAH to reach a logical terminus on Forbes Road, south of the intersection. Total project cost is \$14.5 million. The OCTA grant plus local match is \$12.6 million, an additional \$2.21 million is to come from local sources.
5. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope. The recommended grant includes a minor exception to the CTFP guidelines to allow work within a 600 feet from intersection for the benefit of the MPAH to reach a logical terminus on Mirage Street. Total project cost is \$2.63 million. The OCTA grant plus local match is \$2.14 million, an additional \$492k is to come from local sources.

**2024 M2 Regional Traffic Signal Synchronization Program (Project P) Call for Projects -
Programming Recommendations**

Agency	Fiscal Year	Project ¹	Score	M2 Funding Primary Implementation	M2 Funding Operations & Maintenance	Total M2 Funding	Match	Total Programming	Match Rate
Anaheim	24/25	Ball Road-Taft Avenue Traffic Signal Synchronization Project	71	\$ 1,264,038	\$ 106,560	\$ 1,370,598	\$ 342,650	\$ 1,713,248	20%
Laguna Hills	24/25	Paseo De Valencia - Moulton Parkway Confluence Bypass Corridor ²	37	\$ 1,274,666	\$ 73,440	\$ 1,348,106	\$ 337,026	\$ 1,685,132	20%
Laguna Niguel	24/25	Alicia Parkway RTSSP Project	75	\$ 2,765,019	\$ 225,600	\$ 2,990,619	\$ 747,655	\$ 3,738,274	20%
Rancho Santa Margarita	24/25	Antonio Parkway - Avenida De Las Banderas - Avenida Empresa RTSSP Project	72	\$ 2,466,004	\$ 147,600	\$ 2,613,604	\$ 653,401	\$ 3,267,005	20%
Santa Ana	24/25	Kraemer Boulevard/Glassell Street/Grand Avenue RTSSP Corridor	75	\$ 4,425,166	\$ 143,360	\$ 4,568,526	\$ 1,142,132	\$ 5,710,658	20%
PROGRAMMING TOTALS				\$ 12,194,893	\$ 696,560	\$ 12,891,453	\$ 3,222,863	\$ 16,114,317	

Acronyms:

M2 - Measure M2

RTSSP - Regional Traffic Signal Synchronization Program

1. The City of San Clemente submitted but then withdrew a Project P application totaling \$473k for timing work on El Camino Real that overlapped with OCTA's Countywide Baseline Project.
2. Coordination with Alicia Parkway RTSSP project to achieve minimum signal count.



CTFP Guidelines Off-Cycle Update



March 19, 2024

To: Technical Steering Committee

From: Orange County Transportation Authority Staff

Subject: Measure M2 Comprehensive Transportation Funding Programs – Proposed Off-Cycle Guidelines Revisions

Overview

The Measure M2 Comprehensive Transportation Funding Programs guidelines provide the mechanism for administration of various competitive funding programs. Staff has updated the Comprehensive Transportation Funding Programs Guidelines through an off-cycle in-depth review and is seeking direction to advance these proposed revisions to the Technical Advisory Committee.

Recommendation

Approve the proposed revisions to the Comprehensive Transportation Funding Programs Guidelines for advancement to the Technical Advisory Committee for formal recommendation to the Board of Directors.

Background

The Comprehensive Transportation Funding Programs (CTFP) serves as the mechanism through which the Orange County Transportation Authority (OCTA) staff administer streets and roads (Project O and P), transit (projects S, T, and V, W), and environmental cleanup (Project X) programs.

The CTFP Guidelines (Guidelines) identify procedures and requirements that local jurisdictions must satisfy to apply for M2 funding and how project applications are evaluated. The Guidelines also define how local jurisdictions can seek reimbursement once funds are awarded. The Guidelines were first approved by the OCTA Board of Directors (Board) on March 22, 2010, and were most recently updated for the Environmental Cleanup Program on February 12, 2024. However, the Guidelines have not undergone a major review since M2 inception.

Discussion

As part of the original Guidelines approval in 2010, the Board made provisions to modify and adjust the guidelines as needed. In the past year, OCTA's internal auditor has made recommendations to include clarifications within the Guidelines. Additionally, feedback was provided by the City Engineers Association of Orange County and the Technical Steering Committee (TSC) to improve project delivery and streamline the CTFP payment process. In order to address these areas for improvement, staff has conducted an off-cycle review of the Guidelines and is recommending updates to better facilitate program administration.

A summary of the more significant recommended modifications is provided below. For a more detailed summary, see Attachment A, which provides a table of the seventy-nine proposed changes, as well as Attachment B, which provides a red-line version of all proposed Guidelines changes. It also should be noted that for simplicity, proposed revisions deemed non-substantive (i.e., wording/grammatical, streamlining, and minor clarifications) are generally not identified.

Guidelines updates for this off-cycle review include new and updated definitions, clarifications and changes to relevant precepts, changes to programming requirements, some clarification on scope changes for Project V, and changes related to required documentation for final payments. The most significant of the proposed revision are listed below:

- Definitions for construction support and construction/construction activities have been added to simplify calculation of construction support cost maximum.
- The definition for complete project considers required environmental mitigation.
- The definition for environmental mitigation has been updated based on definition provided by Caltrans.
- In order to eliminate any confusion, match or local match has been defined as meaning a cash match unless specifically noted as otherwise within the funding program chapter, such as Project P allowance for in-kind match.
- Precept 8 related to ensuring a competitive bidding environment for procurement has been updated to allow for an exception when agency workforce is used. This is to ensure that agency workforce is allowed for construction work and is not counted under construction support costs, unless appropriate and that local agencies are not required to competitively bid work being carried out by agency workforce.
- Precept 19 provides timely use of funds provision for all programs except for Project O and Project P.
- Precept 20 was created to provide more flexibility for the timely use of funds requirement for Project O and Project P. This was added to

accommodate projects with a longer schedule. 34% of Project O projects and 74% of Project P projects have required a timely use of funds extension. This will help reduce extensions being required through the semi-annual review. This change is also reflected in Chapter 2 under timely use of funds.

- Precept 29 has been updated to allow up to 20% of the grant award to be used toward construction support, subject to the match requirement. It also clarifies that agency workforce that is carrying out construction activities should not be counted within this limitation.
- Consistent with recommendations from Audit, additional information for scope changes is provided in both the definitions and in the Project V chapter.
- Clarification of required documentation for right of way reimbursement requests.
- For Project O construction phase, overall project costs for projects in which 20% or greater of the overall cost is not attributable to the MPAH facility, will be prorated consistent with the ratio of MPAH benefits compared to non-MPAH benefits. This is to clearly state when the proration of overall costs for Project O project costs is required and how the proration is carried out.
- Clarification of what is required for justification that agency workforce is more cost effective, more timely or other similar justification for use of agency workforce.

Next Steps

If the recommended changes in this report are approved by the TSC, they will be advanced to the TAC later this month for further consideration. With TAC approval, the recommended modifications will then be presented to the Board for approval in the May/June timeframe. If approved by the Board, the proposed changes would apply to projects awarded through the 2024 CTFP calls for projects and thereafter.

Summary

The CTFP Guidelines serve as the mechanism OCTA uses to administer various competitive funding programs. In response to recommendations made by OCTA's internal auditor and the local agencies, staff performed an off-cycle review of the guidelines and is seeking approval of proposed modifications. If approved by the TSC, these recommended updates will be submitted to the TAC and subsequently to the Board for review and final approval later this year.

Attachments

- A. 2024 CTFP Guidelines – Proposed Changes List
- B. Guidelines Excerpt, 2024 Comprehensive Transportation Funding Programs Guidelines, Proposed Revisions

2024 CTFP Guidelines (Off Cycle) - Proposed Changes List

Red text = changes

Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
1	II. Funding Sources	Renewed Measure M	viii	Use of funding on transportation activities consistent with Article XIX of the California Constitution (Article XIX)	Use of funding consistent with Article XIX of the California Constitution (Article XIX) unless otherwise allowed by the M2 Ordinance	Clarified that Local Fair Share funds are to be used for local transportation needs, unless otherwise allowed by the M2 Ordinance. In some cases, LFS funds have been used to support transit projects which would not be eligible through Article XIX.
2	II. Funding Sources	State/Federal Programs	ix	OCTA participates in state and federal transportation funding programs based on competitive and formula distributions. OCTA typically earmarks this funding for major regional transportation projects. From time to time, OCTA may set aside funding, where permitted, for use by local agencies through a competitive selection process.	OCTA participates in state and federal transportation funding programs based on competitive and formula distributions. OCTA typically earmarks this funding for major regional transportation projects. From time to time, OCTA may set aside funding, where permitted, for use by local agencies through a competitive selection process. If state and federal funds are provided, the funds would not flow through OCTA, except in very rare circumstances, but would be allocated directly by the state or federal agency to the local agency.	Per agreement following State Audit, OCTA will avoid passing funds through local agencies and will instead work to ensure the local agency is considered the implementing agency, if state funding is awarded, and receives the funds directly from the State.
3	II. Funding Sources	Call for Projects	ix	OCTA may conduct concurrent calls for projects when necessary. Detailed funding estimates, application submittal processes and due dates will be updated for each call for projects and will be included in section V of these guidelines.	OCTA may conduct concurrent calls for projects when necessary. General funding availability , application submittal processes and due dates will be updated for each call for projects. Information required to participate in the call for projects will be included and updated in Section V of these guidelines.	Updated "detailed funding estimates" to "general funding availability" to account for the use of funding targets not detailed estimates in the issuance of calls for projects.
4	III. Definitions	1. Agency	x	The term "agency," "agencies," "local agency", or any form thereof shall be described in Precept 2.	The term "agency," "agencies," "local agency," "local jurisdiction" or any form thereof shall be described in Precept 2.	Clarified that the term "local jurisdiction" is synonymous with "agency".
5	III. Definitions	2. Construction Support	x	No prior text.	The term "construction support" includes construction engineering which is design work carried out during construction, construction management, project management, materials testing, design support, and/or other specific activities that are carried out during construction and are related to but are not directly construction activities.	Added term and definition for "construction support" in response to discussion from the June 14, 2023 TSC meeting. This will assist OCTA and the local agency in reviewing and understanding the application of the term construction support with a goal of streamlining final payment.
6	III. Definitions	3. Construction	x	No prior text.	The term "construction" or "construction activities" typically means the building of something or may mean reconstruction of something and also includes any activities that directly allow for the building of something such as equipment mobilization, clearing a site including waste removal and other similar activities that make construction within an area possible. There may be multiple contracts and/or agency workforce involved in construction but there is usually one primary contract.	Added the term and definition for "construction" and "construction activities" in response to discussion from the June 14, 2023 TSC meeting. Defined as activities that directly allow for the building of something such as waste removal and other similar activities that make construction within an area possible. This helps clarify the calculation of "construction support" expenses versus "construction activities" with a goal of streamlining final payment.
7	III. Definitions	4. Complete Project	x	The term "complete project" is inclusive of acquiring environmental documents, preliminary engineering, Right-of-Way (ROW) acquisition, construction, and construction engineering.	The term "complete project" as in the entire project , is inclusive of acquiring environmental documents, preliminary engineering, final design/engineering , right-of-way (ROW) acquisition, construction, and construction support for infrastructure projects and may also mean the timeframe outlined in the grant for transit operations, or the acquisition and acceptance of equipment or vehicles which is then used for the intended transportation need.	This changed clarifies that the term "complete project" refers to the entire project, from environmental clearance through implementation, where applicable. Throughout the guidelines, the term is used in the call application process when requesting local agencies to identify costs for all phases required to implement a project. Language was also added to clarify that for transit operation grants, a "complete project" may mean the grant timeline or the acquisition and acceptance of equipment/vehicles.

Red text = changes

Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
8	III. Definitions	6. Encumbrance	x	The term "encumbrance" or any variation thereof shall mean the execution of a contract or other action (e.g. city council award of a primary contract or issuance of a purchase order and Notice to Proceed (NTP)) to be funded by Net Revenues.	The term "encumbrance," or any variation thereof shall mean the execution of a contract or other action (e.g., entering into a cooperative agreement to carry out work , city council award of a primary contract, or issuance of a purchase order and/or Notice to Proceed [NTP]) or other acceptable documentation for work to be funded by Net Revenues.	Clarified that other actions to demonstrate encumbrance include entering into an agreement to carry out work and that other forms of documentation not listed may be accepted. This change is being made due to some confusion about what can be used to determine the encumbrance and ultimately the timely use of funds deadline.
9	III. Definitions	9. Environmental mitigation	xi	The term "environmental mitigation" is referred to as environmental clean-up/preservation measures made as part of that project's environmental clearance.	The term "environmental mitigation" is the process by which project proponents apply measures to avoid, minimize, or compensate for the adverse effects and environmental impacts resulting from their projects. referred to as required Environmental mitigation may include environmental clean-up/preservation measures made as part of that project's environmental clearance and are typically included in the overall project scope of work. Environmental mitigation may be carried out as part of or immediately following construction phase.	Clarified the definition of environmental mitigation to be in line with Caltrans's definition. This is required due to a change in Precept 24 related to project phase completion.
10	III. Definitions	15. Lead Agency	xi	The term "lead agency" shall refer to the agency responsible for the submission of the grant application.	The term "lead agency" or "administering agency" shall refer to the agency responsible for the submission of the grant application.	Clarified that the term "administering agency" is synonymous with "administering agency" when referring to the entity responsible for the submission of the grant application.
11	III. Definitions	17. Match Rate	xi	The term "match rate", "local match", "local matching funds", or any variation thereof, refers to the match funding that an agency is pledging through the competitive process and disposed of through procedures in Chapter 9.	The term "match rate", "local match", "local matching funds", or any variation thereof, refers to the match funding that an agency is pledging through the competitive process and disposed of through procedures in Chapter 9. Unless otherwise specifically defined in program specific guidelines, this term refers to the cash contribution that is expected from the local agency in terms of dollars and cost share.	Added language to clarify that match commitments pledged by local agencies in calls for projects are to be fulfilled through cash contributions unless other acceptable methods are explicitly outlined in program specific guidelines.
12	III. Definitions	18. Micro-Purchase	xi	A "micro-purchase" is any purchase that does not exceed \$2,500. For the purposes of proof of payment, only an invoice is required.	A "micro-purchase" is any purchase that does not exceed \$2,500-\$5,000 . For the purposes of proof of payment, only an approved invoice is required .	Increased the amount of a micro-purchase from \$2,500 to \$5,000 to align with revisions to the OCTA Procurement Policies and Procedures approved by the OCTA Board on November 27, 2023.
13	III. Definitions	21. Primary Implementation (PI) Report	xi	"Primary Implementation (PI) Report" refers to the report required at the end of the PI phase. It is a technical report that documents the work completed during the PI phase, which contains the Before and After Study. This is a separate report from the project final report required by the M2 Ordinance, Attachment B, Section III.A.9.	"Primary Implementation (PI) Report" refers to the report required at the end of the PI phase for the Regional Traffic Signal Synchronization Program (RTSSP) . The PI Report is a technical report that documents the work completed during the PI phase, which contains the Before and After Study. This is a separate report from the project final report required by the M2 Ordinance, Attachment B, Section III.A.9.	Clarified that the PI report is for the Regional Traffic Signal Synchronization Program (Project P)
14	III. Definitions	22. Operations and Maintenance (O&M) Report	xii	"Operations and Maintenance (O&M) Report" refers to the report required at the conclusion of O&M phase. It is a technical report that documents the work completed during O&M phase. This is a separate report from the project final report required by the M2 Ordinance, Attachment B, Section III.A.9.	"Operations and Maintenance (O&M) Report" refers to the report required at the conclusion of the O&M phase for the RTSSP (Project P) . The O&M report is a technical report that documents the work completed during O&M phase. This is a separate report from the project final report required by the M2 Ordinance, Attachment B, Section III.A.9.	Clarified that the O&M report is for the Regional Traffic Signal Synchronization Program (Project P).

Red text = changes

Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
15	III. Definitions	23. Project Phase and Programming for RCP	xii	<p>23. The term "project phase" or any form thereof shall refer to the three distinct project phases (engineering, right-of-way, and construction) OCTA funds through the CTFP. Additionally, the "engineering phase" shall include the preparation of environmental documents, preliminary engineering, and ROW engineering. The "ROW phase" shall include ROW acquisition, utility relocation and adjustment to private property as contained in the ROW agreements, private improvements taken, Temporary Construction Easements (TCE), severance damages, relocation costs that are the legal obligation of the agency, as well as loss of good will, fixtures and equipment including legal cost. The "construction phase" shall include construction and construction engineering. A fourth phase defined as "Operations & Maintenance" applies to select programs and is described more fully in the applicable program chapter.</p> <p>24. Programming for RCP (Project O) follows a sequential process related to Planning and Implementation elements as described more fully in Chapter 2. The Planning step includes environmental evaluation, planning and engineering activities. The Implementation step includes ROW and construction activities.</p>	<p>23. The term "project phase" or any form thereof shall refer to the three distinct project phases (engineering, right-of-way, and construction) for infrastructure projects that OCTA funds through the CTFP. Additionally, the "engineering phase" shall include the preparation of environmental documents, preliminary engineering, final design or engineering and ROW engineering. The "ROW phase" shall include ROW support, ROW acquisition, utility relocation and adjustment to private property as contained in the ROW agreements, private improvements taken, Temporary Construction Easements (TCE), severance damages, relocation costs that are the legal obligation of the agency, as well as loss of good will, fixtures and equipment including legal cost and may include ROW engineering work. The "construction phase" shall include construction and construction engineering and may also include utility relocation if that is being carried out by the construction contractor. A fourth phase defined as "Operations & Maintenance" applies to select programs and is described more fully in the applicable program chapter.</p> <p>24- Programming for RCP (Project O) follows a sequential process related to Planning and Implementation-Pre-construction elements as described more fully in Chapter 2. The Planning step-Pre-construction includes environmental evaluation, planning and engineering activities. The Implementation step includes ROW and construction activities.</p>	<p>Combined the term "Project Phase" with the "Programming for RCP" term. Clarified that the term "project phase" refers to infrastructure projects. For the engineer phase, clarified that final design is included. For the ROW phase, clarified that ROW support is included and ROW engineering work may also be included. For the construction phase, clarified that utility relocation may be included if utility relocation work is being carried out by the construction contractor. Updated "Planning and Implementation" to "Pre-construction" to be consistent with language commonly used to describe development or preconstruction capital phases.</p>
16	III. Definitions	24. Project Phase Completion	xiii	<p>The term "project phase completion" refers to the date that the local agency has paid the final contractor/consultant invoice (including retention) for work performed and any pending litigation has been adjudicated for the engineering phase or for the ROW phase, and all liens/claims have been settled for the construction phase. The date of project phase completion will begin the 180-day requirement for the submission of a project final report as required by the M2 Ordinance, Attachment B, Section III.A.9.</p>	<p>The term "project phase completion" refers to the date that the local agency has paid the final contractor/consultant invoice (including retention) for work performed and any pending litigation has been adjudicated for the engineering phase or for the ROW phase, and all liens/claims have been settled for the construction phase. The date of project phase completion will begin the 180-day requirement for the submission of a project final report as required by the M2 Ordinance, Attachment B, Section III.A.9. For projects that include environmental mitigation there may be two project phase completion dates. Either date may be used for the 180-day requirement for the submission of a final report.</p>	<p>In response to an Internal Audit report, added language to specify that two project phase completion dates may be provided for construction projects with required environmental mitigation work. This is due to mitigation work typically beginning after construction work is completed.</p>
17	III. Definitions	Scope Change	xiii	<p>No prior text.</p>	<p>The term "scope change" or "scope modification" is defined as a material change to the original project scope committed to by the local agency in the project application approved by the Board for M2 grant funding.</p>	<p>In response to Internal Audit recommendation, added the term "scope change" or "scope modification." Defined term as a material change to the original scope identified in the local agency's original project application approved by the Board.</p>
18	V. Precepts	Precept 6	xix	<p>For transit programs not covered by the letter agreement process (e.g., Projects S, V, and W), pre-award authority is granted upon Board approval of the funding grant. See Precept 5 above for pre-award authority provisions.</p>	<p>For transit programs not covered by the letter agreement process (e.g., Projects S, V, and W), pre-award authority is granted upon Board approval of the funding grant. See Precept 5 above for pre-award authority provisions.</p>	<p>Clarified that pre-award authority is granted to funded transit projects upon Board approval of the M2 grant.</p>
19	V. Precepts	Precept 8	xix	<p>Local agencies should select consultants based upon established contract management and applicable public contracting practices, with qualification-based selection for architectural/engineering (A/E) services, and competitive bidding environments for construction contracts in accordance with the Public Contracts Code. Agencies must meet procurement and contracting requirements of non-M2 funding sources which may exceed those identified in the CTFP.</p>	<p>If not using agency work force, local agencies should select consultants based upon established contract management and applicable public contracting practices, with qualification-based selection for architectural/engineering (A/E) services, and competitive bidding environments for construction contracts in accordance with the Public Contracts Code. Agencies must meet procurement and contracting requirements of non-M2 funding sources which may exceed those identified in the CTFP. See Chapter 9 if using local work force.</p>	<p>In response to Internal Audit recommendation, clarified that if local agency staff is not being used, then consultants should be selected on a competitive bidding environment. However, if using local work force, additional provisions may apply in Chapter 9 Reimbursements. This allows agency workforces to perform construction work (e.g., waste removal) that is not considered "construction support," thus not subject to the construction support 20 percent (20%) limitation.</p>

Red text = changes

Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
20	V. Precepts	Precept 17	xx	Implementing agencies may request a one-time delay not exceeding a total of 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and seek approval of OCTA staff, the TAC, and the Board as part of the SAR process. Extension requests must be received no less than ninety (90) calendar days prior to the encumbrance deadline and are not permitted for projects that seek "fast track" grants.	Implementing agencies may request a one-time delay not exceeding a total of 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and seek approval of OCTA staff, the TAC, and the Board as part of the SAR process. Extension Delay requests must be received no less than ninety (90) calendar days prior to the encumbrance deadline and are not permitted for projects that seek "fast track" grants.	Changed term "extension" to "delay" for clarification and consistency.
21	V. Precepts	Precept 18	xxi	An administrative time extension may be granted for expiring M2 funds for a project that is clearly engaged in the procurement process (advertised but not yet awarded).	An administrative time-extension delay may be granted for expiring M2 funds for a project that is clearly engaged in the procurement process (advertised but not yet awarded).	Changed term "extension" to "delay" for clarification and consistency.
22	V. Precepts	Precept 19	xxi	Funds that have been encumbered shall be used in a timely fashion. For project phases, excluding ROW, funds will expire after 36 months from encumbrance. For the ROW phase, funds will expire after 36 months from the date of the first offer letter and/or, if contract services are required, 36 months from the contract NTP. Extensions up to 24 months may be granted through the SAR process. Extension requests must be received no less than ninety (90) calendar days prior to the encumbrance deadline.	Funds that have been encumbered shall be used in a timely fashion. There shall be one encumbrance date determined for each project phase. For project phases (excluding Projects O and P), funds must be expended within 36 months from encumbrance. Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received prior to the expenditure deadline. See Precept 20 for Project O and Project P.	In response to Internal Audit recommendation, specified that there will be one encumbrance date determined for each project phase. For project phases, excluding RCP and RTSSP projects, funds must be spent within 36 months from encumbrance. Funds extensions up to 24 months may be granted through the [semi-annual review] process. Extension requests must be received prior to the expenditure deadline.
23	V. Precepts	Precept 20	xxi	No prior text.	For Project O and Project P, funds that have been encumbered shall be used in a timely fashion. There shall be one encumbrance date determined for each project phase. For project phases, local agencies will have at least 36 months to complete a project phase and expend the funds. For project phases expected to be longer than 36 months, funds must be expended within 6 months from the scheduled completion date for that project phase. This schedule information is provided within the application. As an example, if an agency indicates construction will be completed within 40 months from encumbrance, the agency would have 46 months to complete the phase or request an extension. Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received prior to the expenditure deadline. For Project O construction phase funds, participating environmental mitigation activities (see Precept 27) may be reimbursed up to 48 months after adopted Notice of Completion (NOC), contingent upon verification of environmental mitigation requirements.	In response to Internal Audit recommendation, specified that there will be one encumbrance date determined for each RCP and RTSSP project phase and added precept for timely use for RCP and RTSSP projects to align with the M2 Ordinance timely-use of funds requirements. Revised basis of expenditure deadlines for RCP and RTSSP projects. Expenditure deadline determined based on the project schedule specified by a local agency within the call application. This will reduce the number of timely-use of funds extensions requested for project phases anticipated to take more than 36 months to complete.
24	V. Precepts	Precept 22	xxi	The implementing agency shall request OCTA furnished signage. OCTA signage specifications can be found on the Call for Projects Website (http://www.octa.net/Projects-and-Programs/Funding-Programs/Call-for-Projects/Overview). Agencies will be required to certify that these signage requirements have been met as part of the initial payment process (see Chapter 9).	The implementing agency shall request OCTA furnished signage. OCTA signage specifications can be found on the Call for Projects website (https://www.octa.net/pdf/CTFP_Project_O_SignageRequirements.pdf). Agencies will be required to certify that these signage requirements have been met as part of the initial payment process (see Chapter 9).	This change updated web address for Call for Projects website.

Red text = changes

Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
25	V. Precepts	Precept 23	xxi	OCTA shall reprogram funds derived from savings or project cancellation based upon final project status. An implementing agency may request to transfer 100 percent (100%) of savings of M2 funds between the phases within a project with approval from the TAC and Board. Funds can only be transferred to a phase that has already been awarded competitive funds. Such requests must be made prior to the acceptance of a final report and submitted as part of a SAR. State-Local Partnership Program (SLPP) funds are not eligible for transfer of savings. Agencies may only use savings as an aid for unanticipated cost overruns within the approved scope of work.	OCTA shall reprogram funds derived from savings or project cancellation based upon final project status. An implementing agency may request to transfer 100 percent (100%) of savings of M2 funds between the phases within a project with approval from the TAC and Board. Funds can only be transferred to a phase that has already been awarded competitive funds. Such requests must be made prior to the acceptance of a final report and submitted as part of a SAR. State-Local Partnership Program (SLPP) funds are not eligible for transfer of savings. Agencies may only use savings as an aid for unanticipated cost overruns within the approved scope of work.	Deleted sentence since SLPP funds are no longer programmed through the CTFP.
26	V. Precepts	Precept 29	xxii	Construction Engineering, Construction Management, Materials Testing, Engineering Support and/or Project Management shall not exceed 15 percent (15%) of the total eligible project cost based upon the engineers' estimate. The cap is applied to the sum of eligible expenses, contract change orders (within the scope of work), equipment and materials (e.g. eligible traffic signal equipment). Note: For the Project X Tier I program only, local agencies may include final design.	Construction support may be reimbursed up to 20 percent (20%) of the total M2 grant, with costs subject to the match requirements. Construction activities carried out by local agency workforces are not considered construction support.	In response to discussion from the June 14, 2023 TSC meeting, increased construction support limit to 20 percent (20%) from 15 percent (15%). This provides local agencies flexibility in soft costs to address the rising construction support costs. Consistent with TSC recommendation, simplified calculation of construction support by connecting the percentage to the total M2 grant amount due to the prior method causing confusion and uncertainty. Proposed increase to 20% is consistent with OCTA average construction support costs and would be more acceptable to the OCTA Board than a higher rate. This change is to streamline OCTA and local agency review for final payment.
27	V. Precepts	Precept 30	xxii	Contract change orders are only eligible for reimbursement of work due to unforeseen changed conditions within the original scope of work and not exceeding 10 percent (10%) contingency provided in the application cost estimate.	Contract change orders are only eligible for reimbursement of work within the original scope of work and not exceeding 10 percent (10%) of eligible construction costs or contingency provided in the application cost estimate, whichever amount is higher.	Added language stating contract change orders cannot exceed ten percent (10%) "of eligible construction cost" and "which ever amount is higher" to clarify how the 10% contract change order threshold will be calculated. This change is proposed to streamline OCTA and local agency review for final payment.
28	Chapter 2 Project Programming	Programming Policies	2-5	Changes in PI and O&M allocations can occur after programming approval for sixty (60) calendar days after contract award, in order to reflect actual contract award amounts.	Adjustments in grant funding between PI and O&M allocations can occur after programming approval for sixty (60) calendar days after contract award, in order to reflect actual contract award amounts.	Clarified that adjustments between PI and O&M can occur after programming approval for sixty calendar days after contract award, in order to reflect actual contract award amounts.
29	Chapter 2 Project Programming	Programming Policies	2-6	An agency must have a fully executed Letter Agreement prior to the obligation of funds.	An agency must have a fully executed Letter Agreement prior to the obligation of funds unless they have been approved for pre-award authority.	Clarified an agency must have a fully executed Letter Agreement prior to obligating funds unless they have been approved for pre-award authority.
30	Chapter 2 Project Programming	Programming Policies	2-6	All requests for changes in scope and limits must be submitted to OCTA in advance of the change. This request will be evaluated on a case-by-case basis and must be approved by the TAC and the Board prior to initiation of the change by the lead agency.	All requests for changes in scope and limits should must be submitted to OCTA in advance of the change. This request will be evaluated on a case-by-case basis and must be approved by the TAC and the Board prior to initiation of the change by the lead agency.	Removed TAC approval under scope change to avoid a hold in the approval process due to not meeting quorum.
31	Chapter 2 Project Programming	Schedule Change Request	2-6	Funding delays must be submitted to OCTA in conjunction with the SAR process. These reviews are typically held in Fall and Spring. Emergency extensions after the Spring SAR may be considered on a case-by-case basis, but no less than ninety (90) calendar days prior to the encumbrance deadline. The M2 Ordinance permits a delay for up to 24 months. Implementing agencies may request a one-time delay of up to 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and seek approval of OCTA staff, the TAC and Board as part of the SAR process.	Funding delays must be submitted to OCTA in conjunction with the SAR process. These reviews are typically held in Fall and Spring. Emergency extensions delays after the Spring SAR may be considered on a case-by-case basis, but no less than ninety (90) calendar days prior to the encumbrance deadline. The M2 Ordinance permits a delay for up to 24 months. Implementing agencies may request a one-time one-time delay of up to 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and seek approval of provide documentation justifying the delay to OCTA staff, the TAC and Board as part of the SAR process.	Deleted "extensions" and added "delays" for consistency and clarified that agencies shall provide documentation justifying the delay request.

Red text = changes

Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
32	Chapter 2 Project Programming	Timely-Use of Funds	2-7	For project phases, excluding ROW, funds will expire after 36 months from encumbrance. For the ROW phase, funds will expire after 36 months from the date of the first offer letter. Extensions up to 24 months may be granted through the SAR. Extension requests must be received no less than ninety (90) calendar days prior to the encumbrance deadline. Additional extensions may be considered on a case by case basis for the RCP (Project O) and the RTSSP (Project P).	<p>For project phases (RCP and RTSSP projects see paragraph below) excluding ROW, funds must be expensed within 36 months from encumbrance. For the ROW phase, funds will expire after 36 months from the date of the first offer letter. Funds Extensions up to 24 months may be granted through the SAR. Extension requests must be received no less than ninety (90) calendar days prior to the expenditure encumbrance deadline. Additional extensions may be considered on a case-by-case basis for the RCP (Project O) and the RTSSP (Project P).</p> <p>For RCP and RTSSP project phases, funds must be expensed based on the project phase schedule that is provided at the time of application plus 6 months (see Precept 20). Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received prior to the expenditure deadline. Additional extensions may be considered on a case-by-case basis for RCP and RTSSP projects.</p>	<p>Updated language to be in line with revisions made under the precepts as follows: For project phases (RCP and RTSSP projects see paragraph below), funds must be expensed within 36 months from encumbrance. Funds extensions up to 24 months may be granted through the SAR. Extension requests must be received prior to the expenditure deadline.</p> <p>In response to Internal Audit recommendations, added new language for RCP and RTSSP project phases specifying that funds will expire based on the project phase schedule that is provided at the time of application plus 6 months (see Precept 20). Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received prior to the expenditure deadline. Additional extensions may be considered on a case-by-case basis for RCP and RTSSP projects. This change is proposed to streamline OCTA and local agency review for final payment and to reduce timely use of funds extension requests.</p>
33	Chapter 2 Project Programming	Project Advancements	2-7	Should OCTA be unable to accommodate an advancement request due to cash flow constraints, the agency may still move forward with the project using local funding. (See Precept 6) The lead agency must have a fully executed letter agreement prior to beginning work. The lead agency may subsequently seek reimbursement of CTFP funds in the fiscal year in which funds are programmed. Reimbursement shall follow the standard CTFP process (see Chapter 9). Prior approval is not necessary if the project is being advanced through local funds.	<p>Should OCTA be unable to accommodate an advancement request due to cash flow constraints, the agency may still move forward with the project using local funding (See Precept 6). The lead agency must have a fully executed letter agreement prior to beginning work. The lead agency may subsequently seek reimbursement of CTFP funds in the fiscal year in which funds are programmed. Reimbursement shall follow the standard CTFP process (see Chapter 9). Prior approval is not necessary if the project is being advanced through local funds.</p> <p>However, if the local agency intends to receive match credit for local funds spent, prior approval is required.</p>	<p>In instances when OCTA cannot approve advancement of M2 funds, this change clarifies that local funds spent as part of project advancements may be used as match, as long as OCTA approves this revised match. This may help encourage advancement of projects even when M2 funds cannot be advanced.</p>

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Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
34	Chapter 6 Community-Based Transit/Circulators (Project V)	Scope Reductions/ Modifications and Cost Savings	6-16	No prior text.	<p>Agencies may request a scope change so long as the overall project benefits committed to in the Board-approved application can still be delivered. Any requests for scope modifications of an approved project must be submitted to OCTA staff in advance of the change to ensure consistency with the program requirements. Requests must include the status of the Project V grant, detailed description of the modification, rationale for the proposed modification, and potential impacts to the community and funding. Note: Requests to change the category of service (i.e., Traditional and On-Demand) will not be considered.</p> <p>For scope changes that do not have significant impacts to Project V service operations, such as changes to stop locations along the same route or adjustments to operating hours on regularly scheduled days, OCTA staff will review and provide notification to the local agency of either approval or rejection of the scope change or if the modification warrants Board approval.</p> <p>For all other scope changes, OCTA staff will review the modification against the original project scoring criteria, ensure that the proposed change delivers comparable or better benefits to the public, and confirm consistency with Project V Program requirements. Contingent on staff's evaluation, the scope modification will be presented to the Board for review and approval.</p> <p>Factors that may be considered in determining when a scope change may be presented to the Board may also include the following from OCTA's service and fare change policy. This primarily applies to fixed route or seasonal services but may be adapted as applicable to other service types:</p> <p>A Major Service or Scope Change is defined as a numerical standard, as expressed by the distribution of routes as measured against the existing level of service. The following is considered a major service change:</p> <ol style="list-style-type: none"> 1. Route Alignment Reduction or Elimination – Reducing an existing route by more than 50 percent of directional route miles or reducing an existing route by more than 50 percent of bus stops. 2. Route Alignment Extension or New Route – Adding a new route or a route segment that increases directional route miles of an existing route by more than 50 percent and when more than 50 percent of the new service bus stops are along currently unserved street segments. 3. Route Level Service Hour Change – Increase or decrease of the following levels of service on a route within 12 months: Weekday service increase or decrease of 25 percent or more annualized vehicle revenue hours, or weekend service increase or decrease of 25 percent or more annualized vehicle revenue hours. 4. Systemwide Service Hour Change – Increase or decrease of 25 percent of annualized vehicle revenue hours for all routes within 12 months. <p>If the proposed scope modification is approved by OCTA, any cost savings will be proportionally shared between OCTA and the grantee; for example, a reduction in Project V funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Project V Program for reallocation for subsequent calls.</p>	In response to Internal Audit recommendation, added language on the scope change review and approval process for Project V grants. Procedures related to review of scope change and staff or board action will also be outlined in the instructions for the semi-annual review and through staff standard operating procedures.
35	Chapter 6 Community-Based Transit/Circulators (Project V)	Project Cancellations	6-17	Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.	Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination. Cancellation by the local agency does not require OCTA approval but the local agency must notify OCTA as soon as possible.	This change clarifies that an agency may cancel service without OCTA Board approval.

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Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
36	Chapter 7 Regional Capacity Program (Project O)	Project Cost Estimate Form	7-8	Construction should include a listing of all bid items including a maximum 10 percent (10%) allowance for contingencies and a maximum 15 percent (15%) allowance for construction engineering/project management.	Construction should include a listing of all bid items including a maximum 10 percent (10%) allowance for contingencies and a maximum 20 45 percent (20 45%) of M2 grant allowance for construction support subject to match requirements .	Updated language to be in line with revisions made under the precepts as follows: 20% allowance of the M2 grant for construction support subject to match requirements. This change is also proposed to streamline OCTA and local agency review for final payment.
37	Chapter 7 Regional Capacity Program (Project O)	Utility Relocations	7-17, 7-34, 7-44	Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted with an initial payment request (see Chapter 9).	Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted at the time of a with an initial payment request (see Chapter 9).	Changes the phrase "with an initial payment" to "at time of a request" due to not all agencies requesting an initial payment.
38	Chapter 7 Regional Capacity Program (Project O)	Ineligible Expenditures	7-18	Items that are not eligible under the ACE Program are... <ul style="list-style-type: none"> • <input type="checkbox"/> Rehabilitation • <input type="checkbox"/> Reconstruction... 	Items that are not eligible under the ACE Program are... <ul style="list-style-type: none"> • <input type="checkbox"/> Rehabilitation (unless performed as component of capacity enhancement project) • <input type="checkbox"/> Reconstruction (unless performed as component of capacity enhancement project) 	For rehabilitation, removed "unless performed as component of capacity enhancement project" due to this falling under maintenance. Added in "unless there is a change in profile and cross section" to be consistent with Potentially Eligible Items section of the guidelines For reconstruction, removed "unless performed as component of capacity enhancement project" due to this falling under maintenance. Added "unless in ROW agreement or within project scope" to be consistent with Potentially Eligible Items section of the guidelines.
39	Chapter 7 Regional Capacity Program (Project O)	Ineligible Expenditures	7-18	Items that are not eligible under the ACE Program are... <ul style="list-style-type: none"> • <input type="checkbox"/> Grade Separation Projects... 	Items that are not eligible under the ACE Program are... <ul style="list-style-type: none"> • New Railroad Grade Separation Projects 	For grade separation projects added "defined as new railroad and roadway grade separations". This clarifies that widening of existing bridges on the MPAH over the railroad would be eligible for reimbursement similar to any other bridge improvements required to improve the MPAH. This change is also proposed to streamline OCTA and local agency review for final payment.
40	Chapter 7 Regional Capacity Program (Project O)	Ineligible Expenditures	7-18	No prior text.	Items that are not eligible under the ACE Program are... <ul style="list-style-type: none"> • Class 1 and Class 4 bike lanes 	Clarified that Class 1 and Class 4 bike lanes are ineligible expenses for M2 funding although they may receive points in the scoring process.
41	Chapter 7 Regional Capacity Program (Project O)	Selection Criteria	7-24	Operational Attributes (within the roadway)... <ul style="list-style-type: none"> • <input type="checkbox"/> Bike Lanes: Installation of new bike lanes 	Operational Attributes (within the roadway)... <ul style="list-style-type: none"> • <input type="checkbox"/> Bike Lanes: Installation of new bike lanes constructed in roadway right of way 	Clarified that bike lanes that are constructed in the roadway right of way can receive points under operational attributes.
42	Chapter 8 Regional Traffic Signal Synchronization Program (Project P)	2024 Call for Projects, Project Definition, Eligible Activities	8-3 & 8-8	A waiver will only be accepted if all participating agencies execute a cooperative agreement with OCTA by no later than the date the funding recommendations are presented to the TSC, as these tasks will be covered in the Baseline Project... All participating agencies in the application must be participants of the OCTA Baseline Project in order to be eligible to waive the data collection, timing development, and timing implementation tasks of the Project P project.. These tasks may be waived if the applicants are participating in the Baseline Project.	A waiver will only be accepted if all participating agencies (excluding Caltrans) execute a cooperative agreement with OCTA by no later than the date the funding recommendations are presented to the TSC, as these tasks will be covered in the Baseline Project... All participating agencies (except Caltrans) in the application must be participants of the OCTA Baseline Project in order to be eligible to waive the data collection, timing development, and timing implementation tasks of the Project P project.. These tasks may be waived if the applicants (excluding Caltrans) are participating in the Baseline Project.	This change clarifies that Caltrans does not need to be a participant of the Baseline project in order to claim Baseline participation.
43	Chapter 8 Regional Traffic Signal Synchronization Program (Project P)	Matching Funds	8-20	As indicated in the Precepts, "Construction Engineering, Construction Management, Material Testing, Engineering Support, and/or Project Management shall not exceed 15 percent (15%) of the total eligible project cost"	As indicated in the Precepts, "Construction Engineering, Construction Management, Material Testing, Engineering Support, and/or Project Management construction support shall not exceed 20 45 percent (20 45%) of the total eligible project cost" M2 grant, subject to the match requirement .	This change updated language to be in line with revisions made under the precept 29 as follows: construction support shall not exceed 20% of the M2 grant subject to match requirement. This change is proposed to streamline OCTA and local agency review for final payment.
44	Chapter 9 Reimbursements and Reporting	Procedures for Receiving Funds	9-1	OCTA will release funds through two payments. The initial payment will provide up to 75 percent (75%) of the contract award or programmed amount, whichever is less. OCTA will disburse the final payment, 25 percent (25%) of eligible funds, after it approves the final report (See Precept 34).	OCTA will release funds through two payments. The initial payment will provide up to 75 percent (75%) of the CTFP grant share of the contract award or grant programmed amount, whichever is less. OCTA will disburse the final payment, 25 percent (25%) of eligible funds, after it approves the final report (See Precept 34).	This change clarifies that the 75% initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.

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Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
45	Chapter 9 Reimbursements and Reporting	Payment Request	9-3	An agency shall use the report and checklist provided in the CTFP Payment Supplement (see https://ocfundtracker.octa.net/report_payment_excel.asp) in order to determine the reporting and documentation requirements for initial payment requests. Payment requirements are located in the Guidelines.	An agency shall use the report and checklist provided in the CTFP Payment Supplement (see https://ocfundtracker.octa.net/report_payment_excel.asp) in order to determine the reporting and documentation requirements for initial payment requests. Payment requirements are located in the Guidelines. Staff may request additional documentation that is not listed on the checklist prior to approving the request.	Deleted "an agency shall use the report checklist provided in the CTFP Payment Supplement see https://ocfundtracker.octa.net/report_payment_excel.asp) in order to determine the reporting and documentation requirements for initial payment requests" due to CTFP Payment Supplement packages no longer in use or supplied.
46	Chapter 9 Reimbursements and Reporting	Payment Request	9-3	The interactive electronic versions of all payment forms can be downloaded via OCFundTracker at http://ocfundtracker.octa.net .	The checklists and interactive electronic versions of all payment forms can be downloaded via OCFundTracker at http://ocfundtracker.octa.net .	Added "checklist" to clarify that both the checklist and interactive electronic versions of all payment forms can be downloaded via OCFundTracker.
47	Chapter 9 Reimbursements and Reporting	Payment Request	9-3	Invoice – For initial payments, an agency shall invoice for 75 percent (75%) of the primary contract amount or programmed amount, whichever is less. For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase but shall in no case be less than 10 percent (10%) of the grant for that phase.	Invoice – For initial payments, an agency shall invoice for 75 percent (75%) of the CTFP grant share of the primary contract(s) amount or grant programmed amount, whichever is less. For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase but shall in no case be less than 10 percent (10%) of the grant for that phase.	This change clarifies that the 75% initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
48	Chapter 9 Reimbursements and Reporting	Payment Request	9-4	ROW Documents – Each parcel shall include an appraiser's report, written offer letter, plat map, and legal description. Agencies attempting to acquire five or more parcels for a project shall include a parcel location map. Initial payments for ROW will be considered after submittal of a signed ROW agreement with the property owners and/or upon City Council Resolution initiating a property acquisition in accordance with the Code of Civil Procedure per §1230.010, et. seq.	ROW Documents – Each parcel shall include an appraiser's report, written offer letter, legal description with map, square footage of parcel(s), plat map (where applicable), and parcel map (where applicable). Agencies may submit equivalent documentation for OCTA's consideration on a case-by-case basis. Agencies attempting to acquire five or more parcels for a project shall include a parcel location map. Initial payments for ROW will be considered after submittal of documentation of an issuance of an offer ROW agreement with the property owners and/or upon City Council Resolution initiating a property acquisition in accordance with the Code of Civil Procedure per §1230.010, et. seq.	This change clarifies what is required for documentation for costs in right of way phase. It also adds an allowance that agencies may submit equivalent documentation for OCTA's consideration on a case-by-case basis. Finally, it updates that initial payments for ROW will be considered after submittal of documentation of an issuance of an offer which is more consistent with practice. This change is also proposed to streamline OCTA and local agency review for final payment.
49	Chapter 9 Reimbursements and Reporting	Calculation of Payment	9-5	Once an agency encumbers Measure M funds, the agency may request a maximum of 75 percent (75%) of the contract award amount or programmed amount, whichever is less.	Once an agency encumbers Measure M funds, the agency may request a maximum of 75 percent (75%) of the CTFP share of the contract award amount or grant programmed amount, whichever is less.	This change clarifies that the 75% initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
50	Chapter 9 Reimbursements and Reporting	Final Payment Documentation Requirements	9-6	For final payments, an agency shall invoice for the remaining balance of the contract amount or programmed amount, whichever is less.	For final payments, an agency shall invoice for the remaining balance of the OCTA share of eligible costs contract amount or up to the grant programmed amount.	This change clarifies that the final payment is based on the OCTA share of eligible costs or up to the grant amount. This change is also proposed to streamline OCTA and local agency review for final payment.
51	Chapter 9 Reimbursements and Reporting	Final Payment Documentation Requirements	9-7	Agencies that use on-call consultants shall submit a purchase order that includes the scope of work for the contractor.	Agencies that use on-call consultants shall would need to submit a purchase order or NTP that includes the scope of work for the contractor.	Added "NTP" under documentation of the contract award as documentation needed for on-call consultants.
52	Chapter 9 Reimbursements and Reporting	Final Payment Documentation Requirements	9-7	Division of Costs – The Division of Costs Form 10-6. Supportive material shall equal the division of costs totals that are located in the final report form.	Division of Costs – The Division of Costs Form 10-6. Supportive material shall equal the Division of Costs Form 10-6 totals that are located in the final report form.	Deleted "the Division of Cost Form 10-6" and added it to "supportive materials shall equal the Division of Cost form 10-6 totals that are located in the final report form". This change is proposed to streamline OCTA and local agency review for final payment.
53	Chapter 9 Reimbursements and Reporting	Final Payment Documentation Requirements	9-7	OCTA shall reimburse general lump sum pay items, appraisal cost, design, and construction engineering in the same ratio as the total ROW acquisition or construction costs.	OCTA shall reimburse general lump sum pay items, appraisal cost, design, and construction engineering in the same ratio as the total ROW acquisition or construction costs. Where ineligible costs are twenty percent (20%) or greater of the overall project cost, indicating considerable work outside of the goal and purpose of Project O, shared project costs that cannot be directly attributed to the eligible or ineligible work, will be prorated based on the share of the project that is eligible compared to ineligible.	Clarified for Project O construction phases, overall project costs for projects in which 20% or greater of the overall cost is not attributable to the MPAH facility, will be prorated consistent with the ratio of MPAH benefits compared to non-MPAH benefits. This change is proposed to ensure when overall costs will be prorated in order to streamline OCTA and local agency review for final payment.

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Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
54	Chapter 9 Reimbursements and Reporting	Final Payment Documentation Requirements	9-7	Layout Plans – An agency shall not submit layout plans that print on paper larger than 11 inches by 17 inches (where applicable).	Layout Plans – An agency shall not submit layout plans that print on paper larger than 11 inches by 17 inches (where applicable). Agencies shall submit the most recently updated final design plans or "as-built" plans.	Added "agencies shall submit the most recently updated final design plans or "as-built" plans". This change is proposed to clarify what OCTA needs in order to streamline OCTA and local agency review for final payment.
55	Chapter 9 Reimbursements and Reporting	Final Payment Documentation Requirements	9-7	Documentation of Decision to Use Local Agency Forces – For all project phases, for any work performed by local agency forces in lieu of a primary contract, local agency must document that local agency forces could perform the work more cost effectively or timely than a contractor; and documentation of this decision can be supplied in case of audit.	Documentation of Decision to Use Local Agency Forces or Agency Workforce – For all project phases, for any work performed by local agency forces or agency workforce in lieu of a primary contract for that phase, local agency must document that local agency forces could perform the work more cost effectively or, more timely than a contractor or provide other appropriate justification. and Documentation of this decision can be supplied in case of would also be required for audit.	This change clarifies what is required for justification that agency workforce is more cost effective and more timely. This change is proposed to streamline OCTA and local agency review for final payment.
56	Chapter 9 Reimbursements and Reporting	Final Payment Documentation Requirements	9-7	ROW Documents – Each parcel shall include an appraiser's report, written offer letter, plat map, and legal description. Agencies attempting to acquire five or more parcels for a project shall include a parcel location map.	ROW Documents – Each parcel shall include an appraiser's report, written offer letter, legal description with map, square footage of parcel(s), plat map (where applicable), and parcel map (where applicable). plat map, and legal description. Agencies may submit equivalent documentation for OCTA's considerations on a case-by-case basis. Agencies attempting to acquire five or more parcels for a project shall include a parcel location map.	This change clarifies language to state "legal description with map, square footage of parcel(s), plat map (where applicable), and parcel map (where applicable). Agencies may submit equivalent documentation for OCTA's consideration on a case-by-case basis". The provides some flexibility in what can be submitted with a goal to streamline OCTA and local agency review for final payment.
57	Chapter 9 Reimbursements and Reporting	Final Payment Documentation Requirements	9-8	Before and After Project Photos (where applicable) – photographs showing the project before and after the improvements.	Before and After Project Photos (implementation and construction phases where applicable) – photographs showing the project before and after the improvements. Photographs should be high quality resolution images in JPEG or PNG file formats.	This change specifies that before and after photographs should be high quality resolution images in JPEG or PNG file formats for implementation and construction phases.
58	Chapter 9 Reimbursements and Reporting	Final Payment Documentation Requirements	9-11	An agency must provide supporting documentation for work completed by agency staff. It is recommended that a unique project job key be created for each project and all project charges be billed under that job code. The agency shall multiply the fully burdened labor rate by the number of hours for each staff person assigned to the project. An agency may add actual overhead costs at an allowable rate up to 30 percent (30%) of payroll and fringe benefits. Where an agency due to size cannot calculate its specific overhead rate, an agency may refer to the Cost Accounting Policies and Procedures Manual (CAPP) of the California Uniform Public Construction Cost Accounting Commission, which allows for a fixed overhead rate billing dependent on city size. Where an agency has actual overhead costs that exceed 30 percent (30%), these will be accepted when a fully audited cost allocation plan is provided and approved by the appropriate governmental entity listed in the CAPP or 2 Code of Federal Regulations Part 225.	An agency must provide supporting documentation for work completed by agency staff or the use of agency workforce. The decision or justification that local agency forces could perform the work more cost effectively, more timely than a contractor or other justification must be documented. It is recommended that a unique project job key be created for each project and all project charges be billed under that job code. The agency shall multiply the fully burdened labor rate by the number of hours for each staff person assigned to the project. An agency may add overhead costs at an allowable rate up to 30 percent (30%) of payroll and fringe benefits. Where an agency due to size cannot calculate its specific overhead rate, an agency may refer to the Cost Accounting Policies and Procedures Manual (CAPP) of the California Uniform Public Construction Cost Accounting Commission, which allows for a fixed overhead rate billing dependent on city size. Where an agency has actual overhead costs that exceed 30 percent (30%), these will be accepted when a fully audited cost allocation plan is provided and approved by the appropriate governmental entity listed in the CAPP or 2 Code of Federal Regulations Part 225.	Clarified what is required for justification that agency workforce is more cost effective and more timely. This change is proposed to streamline OCTA and local agency review for final payment and ensure required justification is provided and on file.
59	Chapter 9 Reimbursements and Reporting	Reporting of Local Fair Share (LFS)	9-12	If LFS funds are used for projects, the local agency shall also include a list of those funds and/or other Measure M2 funds in the Project Final Report cited in Section III(B)(9).	If LFS funds are used for projects, the local agency shall also include a list of those projects and the utilized LFS funds and/or other Measure M2 funds in the Project Final Report cited in Section III(B)(9) Measure M2 expenditure report.	This change clarifies that utilized LFS funds shall be included in the Measure M2 expenditure report oppose to the project final report
60	Chapter 9 Reimbursements and Reporting	Initial Payment Requests for Primary Implementation	9-13	The electronic versions of the forms are available through OCFundTracker. Below is additional information regarding documentation requirements for RTSSP payment requests. The CTFP Payment Supplement provides instructions and sample forms for the items listed.	The checklist and electronic versions of the forms are available through OCFundTracker. Below is additional information regarding documentation requirements for RTSSP payment requests. The CTFP Payment Supplement provides instructions and sample forms for the items listed.	This change adds "checklist" to clarify that both the checklist and interactive electronic versions of all payment forms can be downloaded via OCFundTracker. It also deletes "the CTFP Payment Supplement provides instructions and sample forms for the items listed"
61	Chapter 9 Reimbursements and Reporting	Initial Payment Requests for Primary Implementation	9-14	For initial payments, the lead agency shall invoice for 75 percent (75%) of the contract amount or programmed amount of the project's PI, whichever is less.	For initial payments, the lead agency shall invoice for 75 percent (75%) of the CTFP grant share of the contract amount or grant programmed amount of the project's PI, whichever is less.	This change clarifies that the 75% initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less

Red text = changes

Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
62	Chapter 9 Reimbursements and Reporting	Initial Payment Requests for Primary Implementation	9-14	No prior text.	Before and After Project Photos (PI phase) – photographs showing the project before and after the improvements. Photographs should be high quality resolution images in JPEG or PNG file formats (final).	This change provides parameters for Before and After Project Photos to be consistent with other CTFP programs.
63	Chapter 9 Reimbursements and Reporting	Project X- Environmental Cleanup Program Reimbursement & Reporting Requirements	9-17	The CTFP Payment Supplement provides instructions and sample forms for ECP (Project X) projects. The interactive electronic versions of all payment forms can be downloaded via OCFundTracker.	The CTFP Payment Supplement provides instructions and sample forms for ECP (Project X) projects. The interactive electronic versions of all payment forms can be downloaded via OCFundTracker.	This change deletes "the CTFP Payment Supplement provides instructions and sample forms for ECP (Project X) projects" because there is no longer a "CTFP Payment Supplement".
64	Chapter 9 Reimbursements and Reporting	Initial Payments	9-17	For initial payments, an agency shall invoice for 75 percent (75%) of the contract amount or programmed amount, whichever is less.	For initial payments, an agency shall invoice for 75 percent (75%) of the CTFP grant share of the contract amount or grant programmed amount, whichever is less.	This change clarifies that the 75% initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
65	Chapter 9 Reimbursements and Reporting	Initial Payments	9-17	PS&E Certification Form 10-4.	Form 10-4 The agency shall provide PS&E certification using the PS&E Certification Form 10-4. The agency engineer shall certify that the local agency properly prepared and approved plans and specifications in accordance with authorized procedures and adopted standards,	This change clarifies the requirements for the PS&E certification. This change is proposed to streamline OCTA and local agency review for final payment.
66	Chapter 9 Reimbursements and Reporting	Initial Payments	9-17	The ECP (Project X) Initial Report Form 10-15 must be submitted	The ECP (Project X) Initial Report Payment - The agency shall prepare an initial payment report form using the ECP Initial Payment Report 10-5A.	This change clarifies the requirements for the Initial Report Form. This change is proposed to streamline OCTA and local agency review for final payment.
67	Chapter 9 Reimbursements and Reporting	Initial Payments	9-18	Location Maps of Installation.	Location Maps of Installation – The agency shall provide a map that shows the specific locations Best Management Practices (BMP) devices were installed with catch basin identification numbers, as applicable.	This change clarifies the requirements for the Location Map of Installation. This change is proposed to streamline OCTA and local agency review for final payment.
68	Chapter 9 Reimbursements and Reporting	Final Report Process	9-18	For final payments, an agency shall invoice for the remaining balance of the contract amount or programmed amount, whichever is less.	For final payments, an agency shall invoice for the remaining balance of the OCTA share of eligible costs or up to the grant programmed- amount, whichever is less.	This change clarifies that the final payment is based on the OCTA share of eligible costs or up to the grant amount. This change is proposed to streamline OCTA and local agency review for final payment.
69	Chapter 9 Reimbursements and Reporting	Final Report Process	9-17	Agencies that use on-call consultants shall submit a purchase order that includes the scope of work for the contractor.	Agencies that use on-call consultants shall would need to submit a purchase order or NTP that includes the scope of work for the contractor	This change adds "NTP" under documentation of the contract award as documentation needed for on-call consultants. This change is proposed to streamline OCTA and local agency review for final payment.
70	Chapter 9 Reimbursements and Reporting	Final Report Process	9-18	The ECP (Project X) Final Report Form 10-16.	The ECP (Project X) Final Report Form 10-16 – The agency shall prepare a final report form using the ECP Final Report Form 10-16.	This change clarifies the requirements for the Final Report Form. This change is proposed to streamline OCTA and local agency review for final payment.
71	Chapter 9 Reimbursements and Reporting	Final Report Process	9-19	Location Maps of Installation.	Location Maps of Installation – The agency shall provide a map that shows the specific locations Best Management Practices (BMP) devices were installed with catch basin identification numbers, as applicable.	This change clarifies the requirements for the Location Map of Installation. This change is proposed to streamline OCTA and local agency review for final payment.
72	Chapter 10 Audits	Materials and Other	10-2	3. Evidence of reasonableness of price, if total cost of purchase is over \$1,000	3. Evidence of reasonableness of price, if total cost of purchase is over \$1,000 \$5,000	Updated evidence of reasonableness of price from \$1,000 to \$5,000 due to revisions made to micro-purchase threshold by the OCTA Board in November, 2023.
73	Chapter 10 Audits	Local Agency Work	10-2	Local agency force work For all construction phase work performed by local agency forces and the decision that local agency forces could perform the work more cost effectively or timely than a contractor must be documented.	Local agency force workforce For all construction phase work performed by local agency workforces and , the decision that local agency forces could perform the work more cost effectively, or more timely than a contractor or other justification must be documented.	This change clarifies justification for use of agency workforce. This change is proposed to streamline OCTA and local agency review for final payment and ensure required justification is provided and on file.
74	Chapter 11 Environmental Cleanup Program (Project X)	Tier 1 Project Types	11-3	Irrigation system retrofits to reduce runoff: these projects decrease runoff from highway medians by using more efficient irrigation systems and/or replacing existing landscape to reduce the amount of water used in irrigation.	Irrigation system retrofits with non-spraying heads to reduce runoff: these projects decrease runoff from highway medians by using more efficient irrigation systems and/or replacing existing landscape to reduce the amount of water used in irrigation.	This change adds "with non-spraying heads" to irrigation systems retrofits in order to clarify the acceptable project types. This change is proposed to streamline OCTA and local agency review for final payment.
75	Chapter 11 Environmental Cleanup Program (Project X)	Reimbursements	11-5	For the Tier 1 Grant Program, OCTA release funds through two payments. The initial payment will constitute 75 percent (75%) of the contract award or programmed amount at time of award, whichever is lower.	For the Tier 1 Grant Program, OCTA release funds through two payments. The initial payment will constitute 75 percent (75%) of the CTFP grant share of the contract award or grant programmed- amount at time of award, whichever is less.	This change clarifies that the 75% initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less

Red text = changes

Revision in response to Internal Audit recommendation

Revision in response to TSC/TAC comments

No.	Chapter	Section	Page No.	Current Text	Recommended Changes	Justification
76	Chapter 11 Environmental Cleanup Program (Project X)	Scope Reductions/ Modifications and Cost Savings	11-5	<p>Any proposed scope modifications, such as a change in BMP device quantities and/or the adjustment of device locations of an approved project must be submitted to OCTA for review and approval in advance of the change to ensure consistency with Tier 1 Grant Program requirements. The proposed modifications must mitigate the same pollutants, affect the same waterways, and meet all other provisions as stipulated in these guidelines.</p> <p>If the proposed scope modification is approved by OCTA, any cost savings will be proportionally shared between OCTA and the grantee; for example, a reduction in Project X funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 1 Grant Program for reallocation for subsequent calls for projects.</p>	<p>Any proposed scope modifications, such as a change in BMP device quantities and/or the adjustment of device locations of an approved project must be submitted to OCTA staff for review and approval in advance of the change to ensure consistency with Tier 1 Grant Program requirements. The proposed modifications must mitigate the same pollutants, affect the same waterways, and meet all other provisions as stipulated in these guidelines.</p> <p>OCTA staff will review and provide notification to the local agency of either approval or rejection of the scope change or if the modification warrants Board approval. If the proposed scope modification is approved by OCTA, any cost savings will be proportionally shared between OCTA and the grantee; for example, a reduction in Project X funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 1 Grant Program for reallocation for subsequent calls for projects.</p>	Updated scope change language to be consistent with Project V scope language. Language change for scope is related to an audit recommendation.
77	Chapter 11 Environmental Cleanup Program (Project X)	Eligible Expenditures	11-13	<p>Eligible Expenditures</p> <ul style="list-style-type: none"> •Tier 1 projects must meet the transportation nexus as outlined previously in this chapter. •Project X funds must be for capital improvements. •For construction management, project management and final design (for Project X Tier 1 projects only), combined costs cannot exceed 15 percent (15%) of total construction cost. 	<p>Eligible Expenditures</p> <ul style="list-style-type: none"> •Tier 1 projects must meet the transportation nexus as outlined previously in this chapter. •Project X funds must be for capital improvements. •For Tier 1, construction support construction management, project management and final design (for Project X Tier 1 projects only), combined costs cannot exceed 20 45 percent (20 45%) of the M2 grant subject to match requirement total construction cost 	This change updates construction support percentage to be in line with revisions made in the precept 29. This change is based on recommendation from the TSC from June 14, 2023. This change is proposed to streamline OCTA and local agency review for final payment.
78	Chapter 11 Environmental Cleanup Program (Project X)	Eligible Expenditures	11-18	<p>Eligible Expenditures...</p> <ul style="list-style-type: none"> •□ Project X funds are designed to fund capital improvements. Tier 2 funds are designed to be strictly used for project construction costs, although up to ten percent (10%) of the total grant may be used for preliminary project design, environmental, and engineering costs. • For Tier 2, construction management and project management cannot exceed 15 percent (15%) of the total construction costs. 	<p>Eligible Expenditures...</p> <ul style="list-style-type: none"> •□ Project X funds are designed to fund capital improvements. Tier 2 funds are designed to be strictly used for project construction costs, although up to ten percent (10%) of the total grant may be used for preliminary project design, environmental, and engineering costs. • For Tier 2, construction support management and project management costs cannot exceed 20 45 percent (20 45%) of the M2 grant subject to match requirement total construction cost 	This change updates construction support percentage to be in line with revisions made in the precept 29. This change is based on recommendation from the TSC from June 14, 2023. This change is proposed to streamline OCTA and local agency review for final payment.
79	Chapter 11 Environmental Cleanup Program (Project X)	Reimbursements	11-19	For the Tier 2 Grant Program, OCTA will typically release funds through two payments. The initial payment will constitute 75 percent (75%) of the contract award or programmed amount at time of award, whichever is lower.	For the Tier 2 Grant Program, OCTA will typically release funds through two payments. The initial payment will constitute 75 percent (75%) of the CFTP grant share of the contract award or grant programmed amount at time of award, whichever is lower.	This change clarifies that the 75% initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.

GUIDELINES EXCERPT COMPREHENSIVE TRANSPORTATION FUNDING PROGRAMS GUIDELINES

2024 CALL FOR PROJECTS

Orange County Transportation Authority



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II. Funding Sources

Renewed Measure M

M2 is a 30-year, multibillion-dollar program extension of the original Measure M (approved in 1990) with a new slate of planned projects and programs. These include improvements to the County freeway system, streets and roads network, expansion of the Metrolink system, more transit services for seniors and the disabled as well as funding for the cleanup of roadway storm water runoff.

OCTA shall select projects through a competitive process for the Regional Capacity Program (RCP) (Project O), the Regional Traffic Signal Synchronization Program (RTSSP) (Project P), the various transit programs (Projects S, T, V and W), and the Environmental Cleanup Program (ECP) (Project X). Each program has a specific focus and evaluation criteria as outlined in the guidelines.

OCTA shall distribute Local Fair Share (LFS) Program (Project Q) funds on a formula basis to eligible local agencies. The program receives 18 percent (18%) of Net Revenues. The formula is based upon three components:

- Fifty percent (50%) based upon population
- Twenty-five percent (25%) based upon centerline miles on the existing MPAH
- Twenty-five percent (25%) based upon local agency's share of countywide taxable sales

Projects that are wholly funded by M2 LFS revenues and/or local sources are not subject to a competitive process. However, program expenditures must maintain certain criteria as outlined in the Ordinance and M2 Eligibility Guidelines. Local agencies must conform to annual eligibility requirements in order to receive LFS funding and participate in the CTFP funding process. Key requirements include:

- Timely use of funds (expend within three years of receipt)
- Meet maintenance of effort requirements
- Use of funding ~~on transportation activities~~ consistent with Article XIX of the California Constitution (Article XIX) unless otherwise allowed by the M2 Ordinance
- Include project in seven-year Capital Improvement Plan (CIP)
- Consistency with MPAH, Pavement Management Program, and Signal Synchronization Master Plan

As indicated above, M2 LFS revenues are subject to timely-use of funds provisions (must be expended within three years of receipt). If an agency is unable to meet this provision, an extension of up to 24 months can be granted. Requests for extension ~~on for~~ the timely use of M2 Fair Share revenues will be made as part of the Semi-Annual Review (SAR)

process. In addition to a written request, the agency will also submit an expenditure plan of how the funds will be expended.

State/Federal Programs

OCTA participates in state and federal transportation funding programs based on competitive and formula distributions. OCTA typically earmarks this funding for major regional transportation projects. From time to time, OCTA may set aside funding, where permitted, for use by local agencies through a competitive selection process. If state and federal funds are provided, the funds would not flow through OCTA, except in very rare circumstances, but would be allocated directly by the state or federal agency to the local agency.

Call for Projects

OCTA issues calls for projects annually or on an as needed basis. Secure revenue sources, such as M2, will provide funding opportunities on an annual basis. OCTA will update program guidelines and selection criteria periodically. OCTA may offer limited opportunity funding, such as a state-wide bond issuance or federal grants, consistent with funding source requirements. OCTA may conduct concurrent calls for projects when necessary. ~~Detailed funding estimates, General funding availability,~~ application submittal processes and due dates will be updated for each call for projects. Information required to participate in the call for projects will be- and will be-included and updated in Section V of these guidelines.

III. Definitions

1. The term "agency," "agencies," "local agency," "local jurisdiction" or any form thereof shall be described in Precept 2.
2. The term "construction support" includes "construction engineering which is design carried out during construction, " ~~or "construction management, project management," or "construction support"~~ includes activities such as direct management of construction activities materials testing, design support, and/or other specific activities that are carried out during construction and are related to but are not directly construction activities. ~~Construction activities.~~
- 1.3. The term "construction" or "construction activities" typically means the building of something or may mean reconstruction of something and also includes any activities that directly allow for the building of something such as equipment mobilization, clearing a site including waste removal and other similar activities that make construction within an area possible. There may be multiple contracts and/or agency workforce involved in construction but there is usually one primary contract.
- 2.4. "Competitive funds" refers to funding grants received through the Comprehensive Transportation Funding Programs (CTFP).
- 3.5. The term "complete project" as in the entire project, is inclusive of ~~acquiring~~ environmental documents, preliminary engineering, final design/engineering, right-of-way (ROW) acquisition, construction, and construction ~~engineeringsupport for infrastructure projects and may also mean the timeframe outlined in the grant for transit operations, or the acquisition and acceptance of equipment or vehicles which is then used for the intended transportation need.~~
- 4.6. The term "cost overrun" in reference to projects awarded through the CTFP shall refer to any and all costs beyond the original estimate that are necessary to complete the approved project scope.
- 5.7. The term "encumbrance," or any variation thereof shall mean the execution of a contract or other action (e.g., entering into a cooperative agreement to carry out work, city council award of a ~~primary~~ contract, or issuance of a purchase order and/or Notice to Proceed [NTP]) or other acceptable documentation for work to be funded by Net Revenues.
- 6.8. The term "escalation" or "escalate" is the inflationary adjustment, as determined by the Engineering News Record (ENR) Construction Cost Index (CCI) 20-city average, added to the application funding request (current year basis) for ROW and construction phases (see Precept 12).

- ~~7.9.~~ The term “environmental mitigation” is the process by which project proponents apply measures to avoid, minimize, or compensate for the adverse effects and environmental impacts resulting from their projects. referred to as required Environmental mitigation may include environmental clean-up/preservation measures made as part of that project’s environmental clearance and are typically included in the overall project scope of work. Environmental mitigation may be carried out as part of or immediately following construction phase.
- ~~8.10.~~ For the purpose of these guidelines, the terms “excess right-of-way” and “surplus right-of-way” shall interchangeably refer to ROW acquired for a specific transportation purpose that is not needed for that purpose. ROW designation shall be acknowledged by applicant to OCTA within sixty (60) calendar days of designation. Furthermore, surplus property plan must also be provided to OCTA at time of designation.
- ~~9.11.~~ The term “Fast Track” shall refer to projects that apply for both planning and implementation phase funding in a single competitive application/call for projects.
- ~~10.12.~~ The term “Fully Burdened Labor Rates” include Workforce Labor Rate (WFLR) plus overhead (see Chapter 9).
- ~~11.13.~~ The term “funding grant,” “grant,” “project funding,” “competitive funds,” or “project programming” shall refer to the total amount of funds approved by the Board through the CTFP competitive process.
- ~~12.14.~~ The term “Gap Closure” shall refer to the construction of a roadway to its full MPAH build-out for the purpose of connecting two existing ends of that roadway by filling in a missing segment or for completing the terminus of an MPAH roadway. This applies to increased roadway capacity only as it relates to vehicular traffic.
- ~~13.15.~~ The term “implementing agency” is the agency responsible for managing the scope, cost and schedule of the proposed project as defined in the grant application.
- ~~14.16.~~ The term “lead agency” or “administering agency” shall refer to the agency responsible for the submission of the grant application.
- ~~15.17.~~ The term “Master Funding Agreements” or any form thereof shall refer to cooperative funding agreements described in Precepts 3 and 4.
- ~~16.18.~~ The term “match rate”, “local match”, “local matching funds”, or any variation thereof, refers to the match funding that an agency is pledging through the competitive process and disposed of through procedures in Chapter 9. Unless otherwise specifically defined in program specific guidelines, this term refers to the cash contribution that is expected from the local agency in terms of dollars and cost share.

- ~~17-19.~~ A “micro-purchase” is any purchase that does not exceed \$~~2,500,000~~. For the purposes of proof of payment, only an approved invoice is required.
- ~~18-20.~~ The term “obligate”, or any variation thereof shall refer to the process of encumbering funds.
- ~~19-21.~~ “OCFundtracker” refers to the online grant application and payment system used by OCTA to administer the competitive programs awarded through the CTFP. Refer to <https://ocfundtracker.octa.net/>.
- ~~20-22.~~ “Primary Implementation (PI) Report” refers to the report required at the end of the PI phase for the Regional Traffic Signal Synchronization Program (RTSSP). It is a technical report that documents the work completed during the PI phase, which contains the Before and After Study. ~~This~~ The PI Report is a separate report from the project final report required by the M2 Ordinance, Attachment B, Section ~~III.A.9~~.
- ~~21-23.~~ “Operations and Maintenance (O&M) Report” refers to the report required at the conclusion of the O&M phase for the RTSSP (Project P). It is a technical report that documents the work completed during the O&M phase. This is a separate report from the project final report required by the M2 Ordinance, Attachment B, Section III.A.9.
- The term “project phase” or any form thereof shall refer to the three distinct project phases (engineering, right-of-way, and construction) for infrastructure projects that OCTA funds through the CTFP. Additionally, the “engineering phase” ~~shall~~ includes the preparation of environmental documents, preliminary engineering, final design or engineering and ROW engineering. The “ROW phase” ~~shall~~ includes ROW support, ROW acquisition, utility relocation and adjustment to private property as contained in the ROW agreements, private improvements taken, Temporary Construction Easements (TCE), severance damages, relocation costs that are the legal obligation of the agency, as well as loss of good will, fixtures and equipment including legal cost and may include ROW engineering work. The “construction phase” ~~shall~~ includes construction and construction engineeringsupport and may also include utility relocation if that is being carried out by the construction contractor. A fourth phase defined as “Operations & Maintenance” applies to select programs and is described more fully in the applicable program chapter.
- ~~22.~~ —
- ~~23-24.~~ Programming for RCP (Project O) follows a sequential process related to Pre-construction Planning and Implementation elements as described more fully in Chapter 2. Pre-construction ~~The Planning step~~ includes environmental evaluation, planning and engineering activities. The Implementation step includes ROW and construction activities.

- 24-25.** The term “project phase completion” refers to the date that the local agency has paid the final contractor/consultant invoice (including retention) for work performed and any pending litigation has been adjudicated for the engineering phase or for the ROW phase, and all liens/claims have been settled for the construction phase. The date of project phase completion will begin the 180-day requirement for the submission of a project final report as required by the M2 Ordinance, Attachment B, Section III.A.9. For projects that include environmental mitigation there may be two project phase completion dates. Either date may be used for the 180-day requirement for the submission of a final report.
- 25-26.** The term “Public-Private Partnerships” is defined as direct financial contributions, sponsorships or ROW dedications for eligible program activities.
- 26-27.** The term “reasonable” in reference to project phase costs shall refer to a cost that, in its nature and amount, does not exceed that which would normally be incurred under the circumstances prevailing at the time the decision was made to incur the cost. Factors that influence the reasonableness of costs: whether the cost is of a type generally recognized as ordinary and necessary for the completion of the work effort and market prices for comparable goods or services.
- 27-28.** The term “savings” or “project savings” in reference to projects awarded through the CTFP are any grant funds remaining on a particular project phase after all eligible items within the approved project scope have been reimbursed.
- 29.** The term “scope change” or “scope modification” is defined as a material change to the original project scope committed to by the local agency in the project application approved by the Board for M2 grant funding.
- 28-30.** “Sustainability”, as it applies to capacity enhancing infrastructure projects, refers to project elements that support environmental benefits such as use of renewable or recycled resources.
- 29-31.** The term “Workforce Labor Rates (WFLR)” include direct salaries plus direct fringe benefits.
- 30-32.** The term “offset intersection” or “offset signal” refers to traffic signalized intersections on the MPAH that are within 2,700 feet from either direction of the project corridor (Project P Only).

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V. Precepts

The OCTA Board of Directors (Board) approved these guidelines on March 22, 2010. The guidelines subsequently have been amended and approved by the Board as needed. The purpose is to provide procedures that assist in the administration of the CTFP under M2 where other superseding documents lack specificity. OCTA, or an agent acting on the authority's behalf, shall enforce these guidelines.

1. All eligible Orange County cities and the County of Orange (County) may participate in the M2 competitive programs and federal funding programs included in the CTFP. Other agencies (e.g., California Department of Transportation [Caltrans] or local jurisdiction) may participate on a project; however, one local agency shall be designated as the implementing agency, shall be responsible for all funding requirements associated with the project, and shall be the recipient of funds through the program.
2. To participate in the CTFP, OCTA must declare that an agency is eligible to receive M2 Net Revenues which include LFS distributions. Failure to meet minimum eligibility requirements after programming of funds will result in deferral or cancellation of funding.
3. The lead agency must execute a Master Funding Agreement with OCTA. OCTA and lead agencies will periodically amend the agreement via letter to reflect funding changes through competitive calls for projects.
4. A separate cooperative funding agreement will be issued for Project V funded projects and any OCTA-led Project P (RTSSP) funded projects.
5. An agency must have a fully executed letter agreement prior to the obligation of funds. Local agencies may be granted pre-award authority for M2 funded projects. Local agencies, at their own risk, may use this pre-award authority to obligate funds for an M2 funded project prior to the programmed year. Expenditures actualized prior to the Board approved programmed year will not be eligible for reimbursement (see Chapter 9).
6. For transit programs ~~not covered by the letter agreement process~~ (e.g., Projects S, V, and W), pre-award authority is granted upon Board approval of the funding grant. See Precept 5 above for pre-award authority provisions.
7. Local agencies shall scope projects, prepare estimates, and conduct design in cooperation with and in accordance with the standards and procedures required by the local agencies involved with the project (e.g., Caltrans, County, state/federal resource agencies).
8. If not using agency workforce, local agencies should select consultants based upon established contract management and applicable public contracting practices, with

qualification-based selection for architectural/engineering (A/E) services, and competitive bidding environments for construction contracts in accordance with the Public Contracts Code. Agencies must meet procurement and contracting requirements of non-M2 funding sources which may exceed those identified in the CTFP. [See Chapter 9 if using local workforce.](#)

9. Based upon funding availability, a "Call for Projects" shall be considered annually but may be issued less frequently.
10. In each call cycle, OCTA shall program projects for a three-year period, based upon an estimate of available funds.
11. OCTA will base funding grants on project cost estimates including up to 10 percent (10%) contingency for construction. During the programming process, OCTA adds an inflationary adjustment, as appropriate.
12. OCTA shall escalate project grants for years two and three for ROW and construction phases only. OCTA will base escalation rates on the [Engineering News Record \(ENR\)](#) CCI 20-city average.
13. Match rate commitments identified by implementing agencies in the project grant application shall remain constant throughout the funded project phase. This includes projects where the programming has been escalated for future years. OCTA and implementing agencies shall not reduce match rate commitments or split the match rate by phase. Actual project contributions by the local agency or OCTA are dependent on final project costs and may not be equal to the match rate if a local agency overmatch exists. Local agency contributions may exceed the committed local match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures cannot be considered when calculating the local match rate.
14. Where a project experiences savings, the local match percentage must be maintained.
15. OCTA shall program funds by fiscal year for each phase of a project.
16. A grant for a specific project shall be cancelled if the funds are not encumbered within the fiscal year the funds are programmed, unless the OCTA Board has granted a delay.
17. Implementing agencies may request a one-time delay not exceeding a total of 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and seek approval of OCTA staff, the TAC, and the Board as part of the SAR process. ~~Extension-Delay~~ requests must be received no less than ninety (90) calendar days prior to the encumbrance deadline and are not permitted for projects that seek "fast track" grants.

18. An administrative ~~delay time extension~~ may be granted for expiring M2 funds for a project that is clearly engaged in the procurement process (advertised but not yet awarded).
19. Funds that have been encumbered shall be used in a timely fashion. There shall be one encumbrance date determined for each project phase. For project phases (~~excluding Project O and Project P for RCP and RTSSP projects see paragraph below~~), ~~excluding ROW, funds will expire~~ must be expensed within after 36 months from encumbrance. ~~For the ROW phase, funds will expire after 36 months from the date of the first offer letter and/or, if contract services are required, 36 months from the contract NTP.~~ Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received no less than ninety (90) calendar days prior to the expenditure encumbrance deadline. See Precept 20 for Project O and Project P.
- ~~19-20.~~ For Project O and Project P, funds that have been encumbered shall be used in a timely fashion. There shall be one encumbrance date determined for each project phase. For RCP and RTSSP project phases, all phases local agencies have at least 36 months from encumbrance to complete a project phase and expend the funds. For project phases expected to be longer than 36 months, funds will expire must be expensed within 6 months from based on the project phase scheduled completion date for that project phase plus 6 months. This schedule information is provided within the application. As an example, if an agency indicates construction will be completed within 40 months from encumbrance, the agency would have 46 months to complete the phase or request an extension. Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received prior to the expenditure deadline. For Project O construction phase funds, participating environmental mitigation activities (see Precept 27) may be reimbursed up to 48 months after adopted Notice of Completion (NOC), contingent upon verification of environmental mitigation requirements.
- ~~20-21.~~ Preliminary Engineering allocations can be programmed in two different fiscal years depending on the project schedule and when certain engineering costs will need to occur during the project development and implementation phases. Local agencies can issue a separate NTP on a single contract to ensure compliance with the timely use of funds requirement. Local agencies may also issue separate contracts for the funds programmed in different fiscal years. Local agencies are required to obligate the funds within the same fiscal year of the programming or request a delay at least 90 days prior to the obligation deadline.
- ~~21-22.~~ For all construction projects awarded CTFP funds in excess of \$500,000 and/or exceeding a 90-day construction period schedule, the local agency shall install and remove signage in accordance with OCTA specifications during the construction

period. The implementing agency shall request OCTA furnished signage. OCTA signage specifications can be found on the Call for Projects website (https://www.octa.net/pdf/CTFP_Project_O_SignageRequirements.pdf). Agencies will be required to certify that these signage requirements have been met as part of the initial payment process (see Chapter 9).

22.23. OCTA shall reprogram funds derived from savings or project cancellation based upon final project status. An implementing agency may request to transfer 100 percent (100%) of savings of M2 funds between the phases within a project with approval from the TAC and Board. Funds can only be transferred to a phase that has already been awarded competitive funds. Such requests must be made prior to the acceptance of a final report and submitted as part of a SAR. ~~State-Local Partnership Program (SLPP) funds are not eligible for transfer of savings.~~ Agencies may only use savings as an aid for unanticipated cost overruns within the approved scope of work.

23.24. Where the actual conditions of a roadway differ from the MPAH classification (e.g., number of through lanes), OCTA shall use the actual conditions for the purposes of competitive scoring. An agency may appeal to the TAC to request that the MPAH classification be adjusted/reconsidered.

24.25. For the purpose of calculated Level of Service (LOS), the capacity used in the volume over capacity calculation shall be 100 percent (100%) capacity, or LOS level "E". Intersection Capacity Utilization (ICU) calculations shall use 1,700 vehicles per hour per lane with a .05 clearance interval.

25.26. OCTA shall consider matching fund credit(s) for an implementing agency's proposed projects current and applicable environmental clearance expenditures. OCTA will review and consider these expenditures on a case-by-case basis at the time of funding approval.

26.27. An approved CTFP project may be determined ineligible for funding at any time if it is found that M2 funding has replaced all or a portion of funds or commitments that were to be provided by other sources such as: development conditions of approval, development deposits, fee programs, redevelopment programs or other dedicated local funding sources (i.e., assessment districts, community facilities districts, bonds, certificates of participation, etc.). Appeals may be made in accordance with Precept 39.

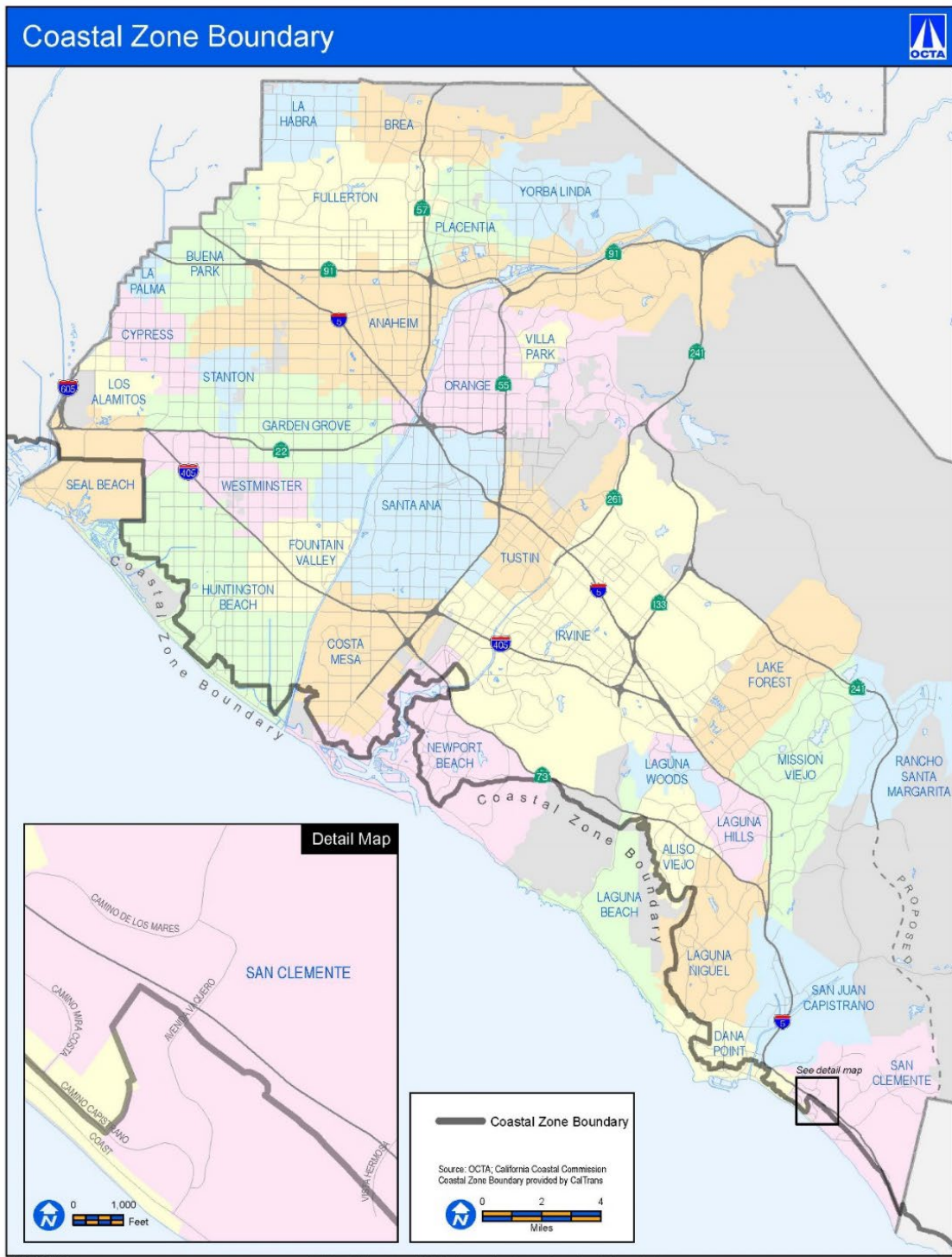
27.28. OCTA may fund environmental mitigation, up to 25 percent (25%) of the total eligible project cost by phase, as required for the proposed project contained in the environmental document. Participating environmental mitigation expenditures are eligible for funding under certain programs, but not all.

- ~~Construction support Engineering, Construction Management, Materials Testing, Engineering Support and/or Project Management shall not be reimbursed up to exceed 15 percent (15%) of the total eligible project cost based upon the engineers' estimate. may not be reimbursed up to exceed 20 percent (20%) of the total M2 grant, with costs subject to the match requirements. The cap is applied to the sum of eligible expenses, contract change orders (within the scope of work), equipment and materials (e.g., eligible traffic signal equipment). Note: For the Project X Tier I program only, local agencies may include final design.~~
- ~~29. Construction activities carried out by local agency work-forces are not subject to this limitation considered construction support.~~
- ~~28.30. Contract change orders are only eligible for reimbursement of work due to unforeseen changed conditions within the original scope of work and not exceeding 10 percent (10%) of eligible construction costs or contingency provided in the application cost estimate, whichever amount is higher.~~
- ~~29.31. OCTA shall evaluate "whole" projects during the initial review process. Subsequent phase application reviews shall not include prior phases in the evaluation unless locally funded and pledged as a match and are subject to OCTA verification. The criteria for ranking project applications is included in these guidelines as part of each program component chapter.~~
- ~~30.32. Projects that receive competitive CTFP funds shall not use other M2 competitive funds as a local match source. Lead agencies may request project consolidation. The TAC and Board must approve consolidation requests. OCTA shall use the weighted average match rate of the consolidated project's individual segments.~~
- ~~31.33. OCTA shall conduct a SAR of all active CTFP projects. All agencies shall participate in these sessions through a process established by OCTA. Currently, OCTA administers the SAR through OCFundtracker. OCTA's intent is to: 1) verify project schedule, 2) confirm project's continued viability, 3) discuss project changes to ensure successful and timely implementation, 4) request sufficient information from agencies to administer the CTFP, and 5) address any potential issues with external fund sources committed as match against the competitive funds.~~
- ~~32.34. For any project experiencing cost increases exceeding 10 percent (10%) of the originally contracted amount, a revised cost estimate must be submitted to OCTA as part of the SAR process. This is applicable even if the increase is within the overall grant amount.~~

- 33-35.** Agencies shall submit payment requests to OCTA in a timely fashion. Agencies may request an initial payment for M2 (generally up to 75 percent (75%) of programmed amount or eligible expenditures, see Chapter 9) once the funds have been encumbered. The final 25 percent (25%) of the available programmed balance will be released upon the submission of an approved final report.
- 34-36.** For situations where a grant amount exceeds \$2,000,000, the amount withheld pending the submittal of an approved final report shall be capped at \$500,000 per project phase but shall in no case be less than 10 percent (10%) of the grant or the contract amount, whichever is less. Should the 75 percent/25 percent (75%/25%) payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent (10%) threshold is reached. At no time will the final payment retention be less than 10 percent (10%).
- 35-37.** When a project phase is complete, an agency ~~should~~ notify OCTA in writing within thirty (30) calendar days of completion. The date of project phase completion will begin the 180-day requirement for the submission of a project final report as required by the M2 Ordinance, Attachment B, Section III.A.9.
- 36-38.** An agency shall provide final accounting in an approved final report format (see Chapter 9) within 180 calendar days of project phase completion. The process for untimely final reports is described in Chapter 9. Failure to provide a final accounting shall result in repayment of applicable M2 funds received for the project phase in a manner consistent with the Master Funding Agreement. Projects funded with M2 funding require a project final report within 180 calendar days of project phase completion as part of eligibility compliance. Failure to meet eligibility requirements, including submittal of final reports within 180 calendar days of project phase completion may result in suspension of all net revenues including fair share funds.
- 37-39.** The payment distribution ratio referenced in Precept 35 may be modified to a reimbursement process, at the discretion of the Board, in the event that financing, or bonding is required to meet OCTA's cash flow needs.
- 38-40.** Agencies may appeal to the TAC on issues that the agency and OCTA staff cannot resolve. An agency may file an appeal by submitting a brief written statement of the facts and circumstances to OCTA staff. The appellant local agency must submit a written statement which proposes an action for TAC consideration. The TSC shall recommend specific action for an appeal to the TAC. The Board shall have final approval on appeals.
- 39-41.** Projects within the Coastal Zone Boundary, as a requirement of a Coast Development Permit, may be required to replace existing on-street parking on a one-for-one basis for spaces removed as a result of a roadway widening project.

ROW costs to replace the existing on-street parking can be considered mitigation for coastal zone cities only (see exhibit IV-1). The mitigation activities can be covered up to 25 percent (25%) of the total eligible cost consistent with Precept 27. Jurisdictional boundaries are more fully described in the Public Resource Code, Division 20, California Coastal Act (2016) Sections 30168 & 30169. OCTA staff will work with the local agency staff during the project application process to determine eligibility of these costs and to identify any excess ROW that will require a disposal plan. OCTA and the local agency will also establish any savings that will revert back to the Measure M Program after project completion. The cost of right of-way required to replace parking should be fair and reasonable in comparison to the total cost of the project.

Exhibit IV-1



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Chapter 1 - Eligibility

Overview

To apply for the CTFP, local agencies must fulfill an annual eligibility process. OCTA established this process to ensure that improvements are consistent with regional plans. The cities and county approved a process reflecting the eligibility criteria found in Measure M. Eligibility packages are due to OCTA by June 30 of each year.

In order to receive CTFP and M2 LFS funds, OCTA must deem agencies as eligible. OCTA shall annually distribute an eligibility information package to local agencies. Below is a brief list of requirements:

- Adoption of a Capital Improvement Program (CIP)
- Adoption of a General Plan Circulation Element which does not preclude implementation of the MPAH
- Adoption of a Pavement Management Plan (PMP)
- Adoption of a Local Traffic Signal Synchronization Plan (LSSP)
- Satisfied Maintenance of Effort requirements
- Approved agreement to expend funds within three years of receipt (based upon award date for competitive M2 projects and based on the date OCTA issues check to local agency for LFS and Senior Mobility Programs)
- Adopt an annual Expenditure Report
- Submit Project Final Report for all Net Revenue projects

The M2 Eligibility Guidelines outline the eligibility requirements in detail. OCTA updates the Eligibility Preparation Manual annually and encourages agencies to use it as a reference when preparing items to meet eligibility requirements (see <http://www.octa.net/pdf/M2EligibilityGuidelines.pdf>). Agencies will submit a CIP through an electronic database application (see <http://ocfundtracker.octa.net>). OCTA develops a manual and workshops to prepare local agency staff for the annual eligibility process.

MPAH Consistency Review and Amendment Process

Through a transfer agreement with the County of Orange, OCTA assumed responsibility for administering the MPAH starting in mid-1995. As the administrator, OCTA is responsible for maintaining the integrity of the MPAH through coordination with cities and the County and shall determine an agency's consistency with the MPAH. In order to provide a mechanism to communicate MPAH policies and procedures, OCTA prepared the Guidance for the Administration of the Orange County Master Plan of Arterial Highways (see http://www.octa.net/pdf/mpah_guidlines.pdf). The guidance document is to assist OCTA, the County, and the cities of Orange County to maintain the MPAH as a vital

component of transportation planning in the County. The guidance document outlines, in detail, the MPAH consistency review and amendment process. Agencies can find contact information for OCTA staff assigned to MPAH administration in the manual.

Additional Information Regarding MPAH

The agency's General Plan Circulation Element must be consistent with the MPAH. In order for an agency's circulation element to be consistent with the MPAH, it shall have a planned-carrying capacity equivalent to the MPAH for all MPAH links within the agency's jurisdiction. "Planned capacity" shall be measured by the number of through lanes on each arterial highway as shown on the local circulation element. Agencies are not considered "inconsistent" as a result of existing capacity limitations on arterials which are not yet constructed to the circulation element design.

The agency must also submit a resolution attesting that no unilateral reduction in lanes has been made on any MPAH arterials. For a sample resolution, see the [Measure M2 Eligibility Guidelines](#).

Chapter 2 – Project Programming

Program Consolidation

The M2 RCP improvement categories (see Chapter 7) will combine projects into one application review process. The programs of the CTFP will act as the project funding source. The consolidation of programs will help eliminate confusion among the various requirements and allow the greatest flexibility for programming projects. Other funding programs (Projects S, T, V, W, and X) have similar eligibility requirements, but OCTA will evaluate and approve these projects through a separate process.

Sequential Programming Process – RCP

Timely and efficient use of funding is a critical success factor for the CTFP. Historically, agencies were encouraged to develop long term projects spanning three or more years which often led to delays in implementing final project phases. This dynamic led to larger-than-anticipated funding program cash balances and an inability to fund smaller time sensitive projects in the interim.

In response to concerns raised by the Board and the Taxpayers Oversight Committee responsible for M2 oversight, OCTA will use annual calls that serve a near term programming window (3 years), as well as a sequential funding approach for M2 projects. OCTA expects this new approach to aid in a timelier use of funding and limit the potential for unanticipated project completion delays inherent with long lead time projects.

Sequential funding is a two-step process. Step One, also known as the planning phase, includes funding requests for planning/environmental, engineering and ROW engineering activities. Step Two, also known as the implementation phase, includes ROW engineering/acquisition and construction activities. ROW engineering can be requested in either the planning or implementation phases. Projects must complete the planning phase before an agency requests implementation phase funding during a call for projects. Exceptions to this rule include the following:

- An agency may request implementation funding prior to completion of the planning phase if the jurisdiction can demonstrate that the planning phase activities are underway, are substantially complete and the agency will complete the activities within six months of the start of the new phase programmed year.

OR

- An agency may request a Fast Track approach, seeking funds for planning and implementation phase at the same time. The agency must demonstrate that the policy variance is necessary due to the project schedule and waiting until the next annual call for projects to apply for implementation phase funding presents undue hardship or could jeopardize the overall project delivery and milestones. The

agency will waive the opportunity to request a project delay under this approach. The Fast Track approach is permitted only for projects that do not have ROW acquisition needs. If seeking engineering funds, the local agency must have received environmental clearance and demonstrate that all necessary easements and titles are in place for local agency use. Under no circumstances will the Fast Track option be considered for local agency convenience as this could delay implementation of other projects that are shelf ready.

Each call for projects will cover a three-year period that overlaps subsequent future cycles. Funding targets for each cycle are based upon prior funding commitments, anticipated revenues, reprogramming of unused grants (cancellations and savings), and a set aside for future funding cycles.

As part of each call for projects, OCTA will determine an appropriate balance between grants made for the planning and implementation phases.

Tiered Funding

Project funding for RCP (Project O) will follow a tiered funding process that differentiates between large and small projects. The tiered process is described in detail in Chapter 7.

Funding Projections – Call for Projects

Revenue estimates for M2 are updated annually. Programming decisions are based upon conservative economic assumptions provided by Southern California academic institutions. In the future, OCTA will add project cancellations and realized savings from completed projects to anticipated revenues for redistribution in the first year of each funding cycle.

Project Cost Escalation

OCTA will escalate approved ROW and construction projects in years two and three. The match rate percentage identified by implementing agencies in the project grant application shall remain constant throughout the project. This includes projects where the programming has been escalated for future years. OCTA will base escalation rates for future years on ENR CCI 20 City Average escalation rates.

Programming Adjustments

OCTA bases funding grants on cost estimates that agencies provide and that OCTA validates against industry norms during the evaluation process. Agencies must provide estimates in current year dollars.

Projects programmed in Year Two or Year Three of each funding cycle include an [ENR](#) CCI-based adjustment factor for the ROW and construction phases only. Lead agencies shall not receive grant increases. Cost overruns are the responsibility of local

agencies and may count against agencies' match rate commitment for eligible activities. Local agencies may request scope adjustments to meet budget shortfalls when the agency can demonstrate substantial consistency and attainment of proposed transportation benefits compared to the original project scope.

When agencies are preparing applications, **all cost estimates must be in current year dollars with Month and Year cited.** OCTA will review each cost estimate thoroughly and will escalate ROW and construction costs based on the year OCTA programs the project grant. For example, if an agency's cost estimate lists construction costs for a project and OCTA programs the project for Year Three of the funding cycle, then OCTA will escalate the costs by the CCI-based adjustment factor, compounded annually, beginning in Year One of the funding cycle.

Project Readiness

In an effort to better utilize project funding and maintain project schedules, programming of funding for CTFP under the sequential approach has been revised. In general, to program grants for Step Two (ROW or construction phases), a project must either have:

1. Project-level approval for environmental clearance, California Environmental Quality Act (CEQA), for M2 programs, (National Environmental Policy Act (NEPA) and CEQA for federally funded programs), or;
2. Exempt (categorically or statutorily) under CEQA and/or NEPA (as applicable).

OCTA will not consider any projects for funding for ROW and construction without final adopted project level environmental clearance documentation at the time of application.

Programming Policies

OCTA will not increase grants after the initial programming for each phase except through project savings transfers, where applicable. Project savings are defined as the grant value remaining after one project phase (such as engineering) has been completed. Transfers should be identified during the SAR phase. Formal request of savings transfers must be accompanied by updated information and justification for the intended phase. Scope reductions are not considered project savings. ~~Adjustments Changes-in grant funding between-in~~ PI and O&M ~~allocations~~ can occur after programming approval for sixty (60) calendar days after contract award, in order to reflect actual contract award amounts. Overall projects savings at the conclusion of a project are returned to the original program for reprogramming in a subsequent call for projects. This section is intended to clarify rather than replace the transfer policy identified in Precept 22.

In order to receive ROW and construction grants, a project must have all environmental clearances in place. OCTA shall not release final payment for the planning stage (includes final design) until confirmation of environmental clearance is provided.

Agencies are responsible for costs that exceed the project grant, maintaining the project schedule, and maintaining the project scope.

An agency's grant will be cancelled if the agency does not encumber the funds within the programmed fiscal year. An agency may request a delay in accordance with the time extension policy described in the precepts.

An agency must have a fully executed Letter Agreement prior to the obligation of funds unless they have been approved for pre-award authority.

As stated above, an agency's grant is based on the project's cost as requested and programmed with established escalation rates. If project costs escalate beyond original estimates and the agency is unable to cover additional costs, a request to reduce the project scope or limits will be considered where feasible. For the RTSSP (Project P), changes to the project costs with respect to the phase allocations will be considered based upon the issuance of the CTO, provided that the readjusted phase allocations do not increase the overall grant. All requests for changes in scope and limits ~~should~~**must** be submitted to OCTA in advance of the change. This request will be evaluated on a case-by-case basis and must be approved by ~~the TAC and~~ the Board prior to initiation of the change by the lead agency. The lead agency must submit a letter to OCTA no later than June 30th of the year in which funds are programmed stating the reasons for cost increases, a proposal for project scope or limit reduction, and an explanation of why approval of the request is warranted. The review process is similar to the appeals process mentioned above.

Schedule Change Requests

Grants approved as part of the CTFP process are subject to timely delivery requirements. Implementation schedules are determined by the lead agency (applicant). Contract work must be awarded prior to the end of the programmed fiscal year to encumber the funds. If work cannot be initiated within this time frame, a request to defer funding may be submitted to OCTA for consideration. Project status is reviewed every six months during the SAR process. Expired project funding is subject to withdrawal from project and reprogramming in a subsequent call for projects.

Funding delays must be submitted to OCTA in conjunction with the SAR process. These reviews are typically held in Fall and Spring. Emergency ~~extensions~~**delays** after the Spring SAR may be considered on a case-by-case basis, but no less than ninety (90) calendar days prior to the encumbrance deadline. The M2 Ordinance permits a delay for up to 24 months. Implementing agencies may request a ~~one-time~~ delay of up to 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and ~~seek approval of~~**provide documentation justifying delay to** OCTA staff, the TAC and Board as part of the SAR process. Projects that are expected to incur extensive delays beyond the parameters of the program should consider cancellation and

reapplication at a future date. Advancement requests may be considered during the review process and may be approved subject to funding availability.

Timely-Use of Funds

For project phases ~~7~~ (RCP and RTSSP projects see paragraph below) ~~excluding ROW~~, funds ~~will expire after~~ must be expensed within 36 months from encumbrance. ~~For the ROW phase, funds will expire after 36 months from the date of the first offer letter. Funds e~~Extensions up to 24 months may be granted through the SAR. Extension requests must be received ~~no less than ninety (90) calendar days~~ prior to the expenditure encumbrance deadline. ~~Additional extensions may be considered on a case-by-case basis for the RCP (Project O) and the RTSSP (Project P).~~

For RCP and RTSSP project phases, funds must be expensed based on the project phase schedule that is provided at the time of application plus 6 months (see Precept 20). Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received prior to the expenditure deadline. Additional extensions may be considered on a case-by-case basis for RCP and RTSSP projects.

Project Advancements

Agencies wishing to advance a project by one fiscal year, or more may request project advancement. Advancement requests will be considered only if program funds are available. The grant will be de-escalated according to the original escalation rate.

Requests must be submitted as part of the SAR. All advancements will be reviewed by the TAC and approved by the Board. If approved, the agency and project will be required to meet the new fiscal year award or encumbrance deadline.

Should OCTA be unable to accommodate an advancement request due to cash flow constraints, the agency may still move forward with the project using local funding (see Precept 6). The lead agency must have a fully executed letter agreement prior to beginning work. The lead agency may subsequently seek reimbursement of CTFP funds in the fiscal year in which funds are programmed. Reimbursement shall follow the standard CTFP process (see Chapter 9). Prior approval is not necessary if the project is being advanced through local funds. However, if the local agency intends to receive match credit for local funds spent, prior approval is required.

Semi-Annual Review

OCTA staff will conduct a comprehensive review of CTFP projects on a semi-annual basis to determine the status of projects. Project updates will be provided by the local agencies and uploaded to OCFundtracker. Follow-up meetings to these updates will be held as needed. Semi-annual project reviews are usually scheduled to occur in March and September of each year.

Projects are reviewed to:

1. Update project cost estimates. For any project experiencing cost increases exceeding 10 percent (10%) of the originally contracted amount, a revised cost estimate must be submitted to OCTA. This is applicable even if the increase is within the overall grant amount.
2. Review the project delivery schedule
3. Determine the project's continued viability
4. Verify project O&M expenditures (e.g. ECP (Project X))
5. Discuss any potential issues with external fund sources committed as match against the competitive funds

Prior to each review meeting, OCTA staff will distribute a list of active projects to each local agency. Each agency will be contacted as needed and asked to participate in the upcoming review where each agency's project schedules, cost estimates, and scope will be reviewed. Agencies will be given the opportunity to request program changes (e.g. delaying and advancing funds from one fiscal year to another) and each adjustment will be considered on a case-by-case basis. The agency should be prepared to explain any changes and provide all necessary supporting documentation. Generally, the local agency is responsible for the implementation of the projects as approved by OCTA, however consideration will be given for circumstances beyond the lead agency's control that affect scope, cost, or schedule.

Based on the semi-annual review meetings, OCTA staff will develop and present recommendations for project adjustments to the TAC. Requests for project changes (delays, advancements, scope modifications, etc.) will be considered on an individual basis. The following action plan has been developed for the semi-annual review process:

- Require local agencies to submit status reports, project worksheets, and supporting documentation to OCTA for all project adjustments.
- Require local agencies to abide by the **Time Extension Policy**:
- Agencies may request a delay of up to 24 months per grant. Local agencies will be required to justify this request and seek approval of OCTA staff, the TAC, and the Board as part of the semi-annual review process.
- Approved schedule changes will require an update of the local jurisdiction's seven-year CIP and the OCTA cooperative funding agreement.
- Evidence of Council approval (resolution, minute order, or notification) must be provided prior to Board approval of delays.
- An administrative extension may be granted for expiring M2 funds for a project phase that is clearly engaged in the procurement process (advertised but not yet awarded). The local agency must notify OCTA, submit a written request, for an **administrative** extension, and provide evidence of advertisement prior to the award deadline.
- Agencies that have requested Fast Track funding cannot request time extensions.

Environmental Cleanup Program Operations and Maintenance Reporting

For Tier 1 of the ECP (Project X), cash match is required. Ongoing Operations and Maintenance (O&M) of the project can no longer be pledged as a match.

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Chapter 5 – Metrolink Gateways (Project T)

Overview

This M2 program establishes a competitive process for local agencies to convert Metrolink stations into regional gateways for enhanced operations related to high-speed rail service. Projects must meet specific criteria in order to compete for funding through this program. In addition, local agencies will be required to demonstrate the ability to fully fund operations on an ongoing basis using non-OCTA resources. Public-private partnerships are encouraged but not required.

Objectives

- Convert Metrolink stations(s) to regional gateways that connect Orange County with planned future high-speed rail systems.
- Deliver improvements that are necessary to connect planned future high-speed rail systems to stations(s) on the Orange County Metrolink route.

Project Participation Categories

Multi-modal transit facilities provide expanded transportation options for regional and long-distance travel. These “hubs” provide a vital link in the mobility chain. Availability of viable stations is a critical consideration for high speed rail service implementation. Each host community has unique needs and expectations related to high-speed rail systems. Conditions will differ from one location to the next and projects pursued under this program have significant latitude in how they address the challenge of delivering supporting facilities for high speed rail services. Converting a station may include modifying and/or relocating the station. The program categories listed below identify key project elements that can be pursued through the Project T funding source. Public-private partnerships and local funding sources may be used to leverage these elements.

- Station and passenger facilities necessary to support planned high-speed rail system³
- Parking structures related to expanded high-speed rail service
- Track improvements (e.g., track, switching, signal equipment)
- Traffic control enhancements for ingress/egress from public roadways
- Aesthetics limited to 10 percent (10%) of the Project T funds (specifically limited to: landscaping, non-standard lighting, and on-site signage)

³ Program should not build retail or other leasable space. Mixed Use and TOD elements will be the responsibility of others.

- On-site public art expenses limited to one percent (1%) of Measure M funds in order to improve the appearance and safety of the facility
- Off-site improvements cannot exceed 5 percent (5%) of Measure M funding request⁴
- Bond financing costs
- Construction Management Support (not to exceed 15-twenty percent (1520%) of construction cost grant award)

Commercial facilities that are not transit related are not eligible for Measure M funds.

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent, effective manner. There is no guarantee that funding will be approved during a particular call for projects. If no acceptable project is identified during a funding cycle, a subsequent call for projects will be scheduled at an appropriate time.

- Station must be included as part of a planned future high-speed rail system.
- Station must be identified in constrained or unconstrained chapters of the 2008 Regional Transportation Plan for the initial M2 funding cycle
- Agency must demonstrate sufficient funding for first five years of operation with financial plan outlining funding strategy for ongoing O&M (cannot include OCTA funding sources)
- Project applications must be for complete projects (environmental clearance through construction)
- Project application must meet minimum competitive score to be deemed eligible and "of merit" (as determined by OCTA Board of Directors)
- Capital improvements must adhere to public bidding requirements
- Complete applications must be approved by the applicant City Council prior to submittal to OCTA to demonstrate adequate community and elected official support for initial consideration
- Applicant must be eligible to receive Measure M funding (established on an annual basis) to participate in this program

⁴ "Off-site" improvements adjacent to the project site such as monumentation, traffic control, etc.

Funding Estimates

The program will make an estimated \$186 million (nominal dollars) available during the initial 21-year period of the program (FY2011 through FY 2031). For the initial call for projects, bonds were issued in FY 2011 and FY 2012, making the maximum net programming amount of \$82.3 million available after deducting for bond costs. Funding for the remaining nine-year period of M2 will not be programmed until a future call for projects is warranted. This approach provides a hedge against economic uncertainty and preserves funding for future system expansion.

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on projects with firm funding commitments and overall project readiness as shown on Table 5-1. In addition, projects will be evaluated based upon existing and future transit usage, intermodal connectivity, and community land use attributes. Although a local match commitment is not required, projects that leverage M2 funds with at least 10 percent (10%) from other sources are encouraged and will be more competitive.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal as outline below.

Complete information application

- Provide funding/operations plan
- Grants subject to a cooperative funding agreement

A call for projects for the initial funding cycle was issued in January 2009. The need for a future call will be determined by the OCTA Board of Directors. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

The funding plan shall include, at a minimum, the following information:

- Financials (Funding needs, match rate funding availability, operations funding assurances, public-private partnership arrangements, bond financing projections)
- Project development and implementation schedule
- High speed rail ridership projections
- Any additional information deemed relevant by the applicant

Applications will be reviewed by the Authority for consistency, accuracy and concurrence. Once applications have been completed in accordance with the program requirements,

the projects will be scored, ranked and submitted to the T2020 Committee and Board of Directors for consideration and funding approval.

The final approved application (including Financial Plan) will serve as the basis for any funding agreement required under the program.

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning design, ROW acquisition, and related bond financing costs. Reimbursements will be disbursed upon review and approval of a complete expense report, performance report, and consistent with the executed cooperative agreement.

Status Reports

Projects selected for funding will be subject to submittal of an annual financial plan update in order to receive project reimbursement payments during the following fiscal year. The updated financial plan will be due as a supplement to the annual Measure M eligibility process (typically due on June 30th).

Project Cancellation

Projects deemed infeasible during the planning process will be cancelled and further expenditures will be prohibited (except where necessitated to bring the current phase to a logical conclusion). ROW acquired for projects which are cancelled prior to construction will require repayment to the contributing funding program(s) within a reasonable time as determined by the Board.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the OCTA Board of Directors.

Proceeds from the sale of excess ROW acquired with program funding must be paid back to the project fund as described in the executed funding agreement.

Application Guidelines

Funding grants provided through M2 are determined through a competitive application process. Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable an adequate evaluation of the application. Each jurisdiction is provided broad latitude in formatting, content and approach. However, key elements described below must be clearly and concisely presented to enable timely and accurate assessment of the project.

Financial Details

Each candidate project must include all phases through construction of facilities and implementation of service. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (planning, environmental, permitting, design, ROW acquisition, construction, and project oversight)
- Funding request for each phase of project implementation with match funding amounts and sources clearly identified
- Realistic project schedule for each project phase
- Demonstrated financial commitments for match funding and ongoing operations (through first five years of operation)
- Discussion of contingency planning for revenue shortfalls
- Revenue projections and methodology where on-site commercial activity or advertising revenue is expected to support implementation and/or operations costs
- ROW status and strategy for acquisition
- Revenue sharing proposals (where applicable)

Technical Attributes

The formal application must include feasibility and efficacy components to demonstrate transportation benefit to ensure the selected project(s) meet the spirit and intent of M2. Merit will be demonstrated through technical attributes and industry standard methodologies. The following site-specific data will be included and fully discussed in the application:

- Current employment estimates within five-mile radius of project site (cite reference)
- Freeway lane miles within five-mile radius of site (provided by OCTA upon request)
- Planned job density within 1,500' radius of project boundary based upon current General Plan
- Planned housing density within 1,500' radius of project boundary based upon current General Plan

- Daily transit boardings within five-mile radius of project boundary (include rail and fixed route bus/shuttle)
- Daily transit boardings growth within five-mile radius of project boundary with projection methodology fully presented for opening day operations
- Description of all transit modes serviced by the site at time of application
- Discussion of new transit modes (including high speed rail) served by the site as a result of proposed project (opening day)
- Service coordination plan (how will proposed project facilitate transfer between transit services?)

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Resolution: A Council Resolution authorizing request for funding consideration with a commitment of project match funding (local sources) and operating funds as shown in the funding plan.

Lease/Cost Sharing Agreements: Copies of leases, cost sharing (match funding), and/or land dedication documents. Confidential agreements may be included by reference when accompanied by affidavit from City Treasurer or Finance Director.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. The applicant will be asked for detailed information only if necessary, to adequately evaluate the project application.

TABLE 5-1

**Point Breakdown for Metrolink Gateways (Project T)
Maximum Points = 100**

Financial Commitment (30 points)		Transit Usage (20 points)	
Total Project Cost (information only)		Existing transit boardings (within 5 miles)	
\$ (capital)	(No Points)	>75,000 a day	4 points
		50,000 to 75,000 a day	3 points
		25,000 to 49,000 a day	2 points
		<25,000 a day	1 point
Percent of M2 for capital		Transit boardings growth (within 5 miles)	
50% or less	16 points	>20,000 daily increase	8 points
51% to 65%	12 points	15,000 to 20,000 daily increase	6 points
66% to 80%	8 points	10,000 to 14,900 daily increase	4 points
81% to 90%	4 points	<10,000 daily increase	2 points
Level of commitment from private partners		Consistent ridership projections	
Investment agreement (binding)	8 points	100% to 110% of OCTAM*	
Commitment letters	2 points	111% to 120% of OCTAM	
		121% to 140% of OCTAM	
		<i>*Projections below OCTAM get 8 points</i>	
OCTA concurrence with financial assumptions/analysis		Readiness (20 points)	
Yes	6 points	High-speed rail system status	
No	0 points	In constrained 2008 RTP	
		10 points	
		Added in unconstrained RTP	
		2 points	
		Land acquired for total project	
		Yes	
		5 points	
		No	
		0 points	
		Project design status	
		Design complete	
		5 points	
		Environmental complete	
		3 points	
		PSR equivalent complete	
		1 point	
Regional Markets / Land Use (12 points)		Intermodal Connections (18 points)	
Adjacent freeway lane miles (within five miles)		Number of current transit modes provided	
>500 lane miles		>6	
3 points		5 points	
400 to 500 lane miles		4 to 6	
2 points		3 points	
<400 lane miles		<4	
1 point		1 point	
Current employment (within 5 miles)		Future increase in the number of transit modes	
>350,000		>5 added	
3 points		10 points	
200,000 to 350,000		3 to 5 added	
2 points		6 points	
<200,000		<3 added	
1 point		2 points	
Planned job density within 1,500 feet		OCTA concurrence with intermodal analysis	
>2.0 avg. floor area ratio		Yes	
3 points		3 points	
1.5 to 2.0 avg. floor area ratio		No	
2 points		0 points	
<1.5 avg. floor area ratio			
1 point			
Planned housing density within 1,500 feet			
>35 dwelling units/acre			
20 to 35 dwelling units/acre			
<20 dwelling units/acre			

* OCTAM - Orange County Transportation Analysis Model

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Chapter 6 – Community-Based Transit/Circulators (Project V)

Overview

The M2 Community-Based Transit/Circulators Program, referred to as Project V, establishes a competitive process to enable local jurisdictions to develop community-based, local transit services that complement regional transit services and meet needs in areas not adequately serviced by regional transit. Project V services cannot duplicate or compete with existing OC Bus services or other existing services. Exceptions to this policy may be considered on a case-by-case basis.

Regional Transit: Regional Transit services are provided by OCTA, specifically through OC Bus routes 1 through 99 (and excluding those route sections that perform less than 10 boardings per RVH). Additional information on OCTA routes and schedules can be accessed from the OCTA website at www.octa.net.

Projects must meet specific criteria in order to compete for funding through this program. In addition, local jurisdictions will be required to demonstrate the ability to provide funding match for capital and ongoing local share of operations and maintenance (O&M) using non-OCTA resources. Public-private partnerships are encouraged but not required. However, such efforts need to be applied for by a CTFP eligible local agency. Local jurisdictions are also encouraged to partner and coordinate with each other.

General Program Objectives

- To provide community transit service that is safe, clean, and convenient.
- To encourage new, well-coordinated, flexible transportation systems customized to each community's needs.
- To develop financially sustainable local transit services that complement regional bus and rail service.
- To meet transportation needs in areas not served by regional transit with reliable and viable transit services.

Eligible Service Categories

The services currently eligible for this program generally fall into two service categories defined as Traditional Project V transit services and On-Demand mobility services. These categories allow for special operating characteristics to be considered in the evaluation and administration of distinctive transit delivery models. The eligible service types under each category are as follows:

Traditional Project V transit services include the following service types:

- fixed route
- deviated fixed route
- circulators and rubber-tire trolleys
- point-to-point shuttle services (event parking shuttles)

On-Demand (mobility) services¹ include the following service types:

- ride-hailing or transportation network companies (TNC)
- microtransit

Note: Emerging technology has enabled users (frequently through smart phones and app-based programs) to inform their mobility choices resulting in greater access and efficiency. To be considered for Project V funding, all On-Demand services must only be provided in a shared ride platform.

All Project V services must meet the Americans with Disabilities Act (ADA) requirements, which extend to ride-hailing or scheduling.

2024 Call for Projects Objectives (in order)

1. To continue funding existing projects² that are expiring.
2. To support expansion of existing projects² services.
3. To support new Traditional Project V services.
4. To allow for on-demand services that provide shared ride options.

Other Priorities to Promote Fiscal Responsibility:

- To consolidate continuing existing services into one grant as the project is extended.
- To engage in competitive procurements for service providers of all service types and re-procurements of service providers for all continuing existing services.

¹ On-Demand services involve similar service designs and characteristics including, but not limited to:

- Based on contracted mobility providers responding to user-initiated requests for transportation (ride-hailing).
- User trips occur within a designated service area or boundary.
- May include designated user pickup/drop-off locations within a suitable distance from desired destinations.
- Users have an expectation of ridesharing where all trips may include diversions and deviations to serve other user-requested trips in an efficient and effective manner.

² Existing Projects are defined as previously funded ongoing Project V services, which may expire and at minimum, meet the cost per boarding requirement.

2024 Call for Projects

The 2024 Call for Projects (call) will provide community-based transit/circulators across Orange County, which meet program objectives (emphasis will be focused on 2024 call objectives). For this call, OCTA shall program projects up to a seven-year period, from fiscal year (FY) 2024/25 – FY 2030/31. Specifics on the funding policies that apply to this call are identified in subsequent paragraphs. Each section should be read thoroughly before applying for funding. Applications should be prepared for the service type(s) that best fit the proposed projects.

Applications

In order for OCTA to consider a project for funding, applications will be prepared by the local agency utilizing the project application form, available electronically from OCTA. Agencies are required to submit electronic and hardcopy applications for the 2024 call by **5:00 PM PST on Thursday, January 25, 2024**. Late submittals will not be reviewed or considered. The local agency responsible for the project application must submit the application and any supporting documentation via OCFundtracker as outlined below.

A separate application package must be completed for each service category (Traditional Project V transit service or On-Demand service) and uploaded to OCFundtracker (<https://ocfundtracker.octa.net>). **One electronic copy via file upload to OCFundtracker and one (1) unbound printed hardcopy** of each application and any supporting documentation including KMZ files, must be submitted to OCTA by the application deadline. Hardcopy application packages shall be mailed or delivered in person to:

By mail:

Adrian Salazar
Orange County Transportation Authority
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
Tel: (714) 560-5363

In person:

Orange County Transportation Authority
600 South Main Street
Orange, CA 92863-1584

Application Process

Project V allocations are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal. An application for any proposed service must include a detailed funding/operations plan.

The project application shall include, at a minimum, the following information (see Scoring Criteria section for further information):

- Project need, goals and objectives.
- Project development and implementation schedule.
- Funding plan (funding needs, match funding commitment and source, operations funding assurances, passenger fare rate schedule, public-private partnership arrangements, and ADA considerations, if applicable).
- Proposed and/or ongoing service and operations plan.
- O&M facility management and vehicle storage or parking.
- KMZ file(s) of proposed service area and route boundaries, sufficient to support OCTA geocoding efforts.
- Ridership projections.
- Service Coordination Plan demonstrating support of proposed Project V service(s) with existing services such as OCTA transit services, existing Project V services, Metrolink, I-Shuttle, Anaheim Transportation Network and/or Senior Mobility Program (Project U).
- Request to merge existing and or new grants, include a multi-year corresponding financial plan by FY that shows the total combined revenues, expenditures and revenue vehicle service hours by year.
- Confirmation of competitive procurement or re-procurement plan. Services that are provided with agency employees are exempt from this requirement.
- Any additional information deemed relevant by the applicant and/or OCTA.

Complete project applications must be submitted by the established due date to be eligible for consideration.

Applications will be reviewed by OCTA for alignment and consistency with program requirements and goals. For applications completed in accordance with the program requirements, the projects will be scored, ranked, and, if score dictates, submitted to the Transit Committee and the Board for consideration and potential funding approval. The process is expected to be concluded by Spring 2024.

The final approved application (including funding plan) will serve as the basis for any cooperative agreements required under the program. The approved projects will be subject to the CTFP Guidelines for project delivery requirements.

Application Guidelines

Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable adequate evaluation of the application. Each agency is provided broad latitude in

formatting, content, and approach. Please ensure all required information listed under the preceding Application Process section is included. Key elements must be clearly and concisely presented to enable timely and accurate assessment of project applications.

Financial Details

Each candidate project application must include all phases through construction of facilities. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (Initial/Startup Marketing Cost to Establish Service, Capital — including equipment and vehicle acquisition, construction, if applicable, O&M, ongoing marketing, and project oversight).
- Preliminary cost estimates for O&M should be coordinated with OCTA and be based upon realistic estimates provided by applicable potential vendors.
- Funding request phase of project implementation with match funding amounts, match rate (%), and funding sources clearly identified.
- Consideration of ADA costs, if applicable.
- Demonstrated financial commitments for match funding and ongoing operations.
- User fare subsidy paid by the agency and intended for reimbursement through Project V, if applicable.
- Discussion of contingency planning for revenue shortfalls.
- Revenue projections and methodology where commercial activity is expected to support implementation and/or operations costs.
- Project readiness status.
- Realistic project schedule for each project phase.

Scoring Criteria

Specific scoring criteria will be used to evaluate the competitive program project applications. Emphasis will be placed on projects with firm financial commitments, overall project readiness, and consistency with the 2024 call objectives. In addition, projects will be evaluated based upon ridership projections, areas served, cost effectiveness, and local/regional benefits.

The formal application must include feasibility and efficacy components in order to demonstrate transportation benefits and to also ensure that selected project(s) meet the spirit and intent of M2.

Merit will be demonstrated through technical attributes and industry standard methodologies. The following data will be included and fully discussed in the application:

- Matching rate and funds.
- Level of commitment from non-applicant partners.
- Estimated capital, initial marketing, and continuing O&M costs.

- Projected daily boardings with projection methodology fully presented.
- Estimated operating cost per boarding and per RVH.
- Project readiness defined by a clear, accurate and reasonable operations plan, also includes initial operating period and service implementation startup plan for seasonal services or special event readiness.
- Community connections; connections to fixed route bus and rail.
- Projected annual visitors served by seasonal route(s).
- Community outreach supporting the proposed service.
- Agency experience deploying comparable services.

Each application can receive a maximum of 100 points. See Table 6-2 for scoring categories and percentage distribution.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the information described above, local agencies will be required to submit the following materials:

Council Resolution: A council resolution or minute action authorizing request for funding consideration with a commitment of project match funding (local sources) and operating funds as shown in the funding plan. A resolution or minute action must be approved by the local agency's governing body. The resolution or minute action shall serve as the local agency's formal request for Project V funds and must state that matching funds will be provided by the agency. All funding requests must be listed in the resolution or minute action.

At minimum, a draft resolution must be submitted with the application by the January 25th deadline. **A final adopted resolution (or minute action) must be submitted to OCTA by Thursday, February 15, 2024, to be considered for funding recommendation.** A sample resolution is included in Exhibit 6-2. Local agencies, at a minimum, must include items a-m in Exhibit 6-2.

Lease/Cost Sharing Agreements: Copies of leases, sponsorship, and/or advertising revenue documents, including appropriate vehicle specifications and safety features. Confidential agreements may be included for reference when accompanied by affidavit from city treasurer or finance director.

Project Documentation: If the proposed project has completed initial planning activities, evidence of plan approval should be included with the application. Satisfactory evidence includes sponsor agency council or board action approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion of planning

phases. The applicant will be asked for detailed information only if necessary, to adequately evaluate the project application.

Operations Plan: In addition to the financial details indicated in this chapter, the operations plan submitted shall include the following technical data: a route map and geocoded service area, stop or pick up location listing, draft timetable that includes begin/end dates, frequency and cycle time, days of the week, start and end times; summary of vehicle types and specifications, fleet size, and vehicle maintenance plan, if applicable; projected annual revenue vehicle hours; ride-hailing or ride request process; ADA accommodations or comparable alternative; any other applicable supporting documentation.

Pre-Award Activities

Pre-award activities are allowable under Precept 6. A grantee may, at its own risk and without an executed OCTA Cooperative Agreement, obligate funds. Expenditures that are paid prior to an executed OCTA Cooperative Agreement, but after July 1 of the programmed FY must be identified in the grant application and must be submitted to OCTA for administrative approval prior to the implementation of the project.

OCTA staff is available to respond to applicant questions and provide guidance regarding Project V applications prior to the submittal deadline, upon request. In order to ensure the best use of M2 funds and assist eligible jurisdictions, applicants may engage in a pre-application process with OCTA staff in project planning, cost estimate development, and determination of likely projected competitiveness. Specific meeting times will be established once the call is initiated.

Application Review and Program Adoption

Applications will be reviewed by OCTA for consistency, accuracy, and concurrence. Applications determined to be complete and in accordance with program requirements and objectives will be scored, ranked, and submitted to the OCTA Transit Committee and OCTA Board for final consideration and funding approval.

The call schedule is detailed below:

Board authorization to issue call: November 13, 2023

Application submittal deadline: Thursday, January 25, 2024 at 5:00 PM PST

Final adopted resolution (or minute action) deadline: Thursday, February 15, 2024

Transit Committee/Board approval: Spring 2024

Funding Information

Agencies may be awarded, no more than \$592,000 annually for Traditional Project V services or service expansion, based on proposed RVH³ and no more than \$296,000 for On-Demand services in Year 1 of the call cycle. See Table 6-1 below for the maximum annual allocation for the 2024 call programming period. Funding will be available starting in FY 2024-25 and shall not extend beyond seven years. The minimum local match is ten percent (10%) for Traditional Project V services and capital/equipment and fifty (50%) for On-Demand services. Agencies will receive points for committing to a higher match rate. Agencies can consolidate existing continuing grants in the 2024 call to simplify project administration and can exceed the maximum annual allocations listed for continuing services, when merging multiple grants.

Table 6-1 Maximum Annual Project V Funding Allocation

Grant Year	Fiscal Year	Traditional Services	On-Demand Services
Year 1	FY 25	\$592,000	\$296,000
Year 2	FY 26	\$610,000	\$305,000
Year 3	FY 27	\$628,000	\$314,000
Year 4	FY 28	\$647,000	\$323,500
Year 5	FY 29	\$665,000	\$332,500
Year 6	FY 30	\$685,000	\$342,500
Year 7	FY 31	\$705,000	\$352,500

Note: FY 25 funds will be available July 1, 2024. Expenses incurred before this date will not be eligible for reimbursement.

Project Participation Categories

Transit needs may differ from one location to the next, and projects pursued under this program have significant latitude on how the challenge of providing community-based transit will be delivered. However, emphasis upon program 2024 call objectives is highly encouraged. The program categories listed below identify key project elements that can be pursued through Project V. The program categories eligible for funding through Project V are:

Capital – Eligible Expenditures

- Bus and vehicle leases/purchases for the purposes of providing Traditional Project V transit or microtransit services. If the purchase of vehicles is more cost

³ OCTA uses reported costs per RVH from FY 22-23 to determine annual maximum. Agency to populate proposed operations plan in application.

efficient than a lease, justification and supporting documentation must be provided. Vehicle purchase requests will be evaluated by OCTA for approval on the basis of cost effectiveness.

- Equipment for the deployment, implementation and use of Project V-funded services, including but not limited to:
 - Bike racks
 - Dispatch/routing software
 - Communications/passenger information equipment
 - Fare collection equipment
 - Reasonable passenger amenities, generally consistent with Chapter 3 (Project W eligible items)
 - ADA equipment for vehicles
- Major revenue service vehicle maintenance and repairs (e.g., replacement of transmission, engine, etc.).
- Maintenance facilities and fueling stations required for new and/or substantially revised or modified transit service and directly related to Project V service.
- Reasonable stop improvements and amenities (generally including signage, furniture and shelters and consistent with Chapter 3 Project W eligible items) for Project V-funded service stops only.
- Service vehicle wraps (including replacement).

If capital purchases (bus/vehicles, equipment, facilities, bus stop amenities, etc.) are provided with Project V funds, there is an expectation that these capital items will be used for their entire useful life and/or through the termination of the service. If termination occurs prior to the completion of the capital item's useful life and/or grant term, the local agency shall repay OCTA the same percentage of the sale price (or estimated value of the asset(s) based on straight line depreciation of the asset[s]), consistent with the Project V percentage of the initial purchase. Useful life shall be based upon OCTA's policy for service life, where applicable.

Initial/Start-up Marketing Costs to Establish Service – Eligible Expenditures

- Print copy, digital artwork and identity creation associated with publication, marketing, and initial deployment of service.
- Initial/start-up marketing costs to establish and publicize new and/or expanded services will be capped at \$80,000 (total).

Initial/Start-up Marketing costs will not be considered in the calculation of the O&M cost per boarding subsidy limitations outlined below. However, costs submitted for reimbursement would still require a minimum local match of ten percent (10%). OCTA will provide M2 (OC Go) logo decals for all Traditional Project V transit and microtransit service vehicles, as needed.

Operations and Maintenance (O&M) – Eligible Expenditures (Costs to Perform Service)

- Fixed route and deviated fixed route local circulator and trolley services.
- Special event shuttle services for events that will create significant congestion.
- Approved On-Demand services (contingent on proposed service plan, anticipated service performance, consistency with 2024 call objectives, and demonstration that ADA requirements can be met). Additional information on On-Demand services provided in subsequent paragraphs.
- Transportation services with prescribed periods (i.e., daily, weekend, seasonal, and/or special event) and spans (timeframes) of operations.
- Transportation services provided must be operated non-OCTA service providers.
- Expansion of existing services will only be considered if the existing service has clearly met minimum performance standards and will expire within the current call period.
- Ongoing vehicle maintenance (does not include capital replacement. e.g., engines, transmissions, etc.).
- Temporary off-site parking for special events subject to agreement with the property owner and approved by OCTA.
- Parking leases and vehicle storage fees for service operating fleet. Proportional reimbursement for vehicle storage at agency facility or property, with OCTA approval.
- Regular and ongoing marketing efforts, including expenditures related to seasonal or special event service schedules, marketing materials such as flyers, brochures and community outreach efforts.

O&M costs are subject to OCTA cost per boarding subsidy limitations discussed in subsequent sections. Reimbursement for regular and ongoing marketing efforts will be capped at \$25,000 annually and are included as part of the O&M cost.

Agencies using a contracted service provider are required to competitively procure.

Additional Information (On-Demand Services):

- Microtransit services may provide passenger pickup and drop-off at exclusively designated locations; or include door-to-door service within the proposed service area boundary.
- Ride-hailing services primarily consist of operators who are independent contractors providing door-to-door service within the service area boundary.
 - May have implications on contracts, cost, insurance, liability, performance, operations, etc.
- Some mobility providers for shared ride-hailing services may have age restrictions for youth travel.

- Considerations for microtransit service scalability and flexible deployment are required to right-size fleet to the desired service area and travel demand volumes/patterns.
- Agencies proposing shared ride-hailing services are encouraged to consider demand management options.
- Agencies using a contracted service provider are required to competitively procure.

Ineligible Categories

Project V funds may not be used for the following:

- Planning for new service (NOT AVAILABLE FOR 2024 CALL)
- Micromobility services (e.g., shared bicycle, scooters)
- Right-of-way (ROW) acquisition
- Services that duplicate or compete with existing transit services
 - In order to justify transit service is not being supplanted, local agencies must document and explain how their proposal will not compete with the existing transit services. Final determination of duplication of or competing with existing transit service will be determined by OCTA staff on a case-by-case basis.
- Fare subsidies (free shuttles are not considered subsidized fare for this program)
- Indirect costs

Project Requirements

All projects funded through Project V must comply with the CTFP Guidelines, unless specifically noted in the agreement with the local agency, and must comply with applicable state and federal laws, including ADA requirements for transit services.

Capital – Project Requirements

Project V funding is available to offset the costs of purchasing or leasing vehicles, equipment and other appropriate and reasonable capital amenities as described in Chapter 3, under eligible costs. Progress on capital projects must be reported to OCTA through the CTFP semi-annual review process. Agencies must inspect vehicle(s) to ensure they meet specifications prior to final acceptance and withhold retention until warranty issues and/or final acceptance is met and approved by the local agency.

If capital purchases (bus/vehicles, equipment, facilities, bus stop amenities, etc.) are provided with Project V funds, there is an expectation that these capital items will be used for their entire useful life and/or through the termination of the service. If termination occurs prior to the completion of the capital item's useful life and/or grant

term, the local agency shall repay OCTA the same percentage of the sale price (or estimated value of the asset(s) based on straight line depreciation of the asset[s]), consistent with the Project V percentage of the initial purchase. Useful life shall be based upon OCTA's policy for service life, where applicable.

O&M – Project Requirements

OCTA has established an operating reserve as part of this program that may be used to support the costs of O&M for Traditional Project V transit and On-Demand services. The operating reserve is subject to the following requirements:

- The OCTA subsidy allows awarded agencies to be reimbursed on a pro-rata basis, but not to exceed \$10.81 per boarding/user or 90 percent (90%) of net operating and maintenance costs⁴ for Traditional services and fifty percent (50%) of net operating costs for On-Demand services (after deducting fares and non-OCTA subsidies), whichever is less⁵.
- Project V service shall meet the minimum performance standard, which is a maximum cost per boarding of twice the per boarding subsidy. Should the service's cost per boarding exceed twice the per boarding subsidy as reported quarterly, OCTA will provide written notice to the local agency and request a City Council/ Board of Supervisor's response with direction to continue, restructure, or cancel the service. Only one written notification per fiscal year will be sent to allow sufficient time for the agency to make its decision. Performance standards for On-Demand shared ride-hailing or TNC services will be determined specifically for each service and may be based on cost per user, cost per mile, cost per hour, or other applicable performance measure.
- As part of the Project V service, local agencies must develop methods to measure ridership satisfaction and customer satisfaction (CS) based on customer surveys and on-time performance (OTP) based upon local service objectives. OCTA will work with agencies to establish appropriate OTP and CS performance metrics.
- Awarded agencies must submit monthly O&M costs and ridership and fare performance data to OCTA on a quarterly basis. This information will be used to provide a report to the OCTA Transit Committee and Board, which is anticipated to be provided on a semi-annual basis.
- Consistent with Federal law, ADA complementary paratransit or ADA comparable service is required for certain types of Project V funded services.

⁴ Net Operating Costs include regular and ongoing marketing expenses for reimbursement purposes.

⁵ Note: Reimbursement for Planning for New Service, Capital, and Initial Marketing Costs to Establish Service are not subject to OCTA cost per boarding subsidy limitations and may be reimbursed at up to 90% of total eligible phase costs, depending upon the local agencies' match commitment.

- For Project V-funded fixed-route services within the existing OC Access paratransit service areas, OC Access paratransit services will be provided independently with Project V-funds through OCTA Board policy.
- For Project V-funded non-fixed route services (i.e., on-demand, ride-hailing) or fixed route services that do not meet the criteria listed above, the local agency will be required to provide ADA comparable services and include cost for service or a funding plan as part of the project application.
- Agencies receiving Project V funds may be required to adopt a paratransit plan prior to starting operations.
- Agencies receiving Project V funds for scheduled fixed route services are required to provide scheduling information in the required format for General Transit Feed Specification (GTFS).
- In order to allow for market competition, new, ongoing, or continuing services must re-bid for a service contractor or service provider as soon as the current term expires or by June 30, 2026, whichever is earlier, unless the agency can provide documentation that they have gone through a competitive procurement process in FY 2022-23 or later. Project V services should be rebid through competitive procurement every three to seven years to ensure the agency is receiving the best rates. This requirement would not apply to services that are being provided by local agency staff.

Agency Match Requirements

Agencies are required to provide a minimum ten percent (10%) non-OCTA local match (net any fares collected) for Traditional Project V transit services O&M and capital. A minimum match of fifty percent (50%) is required for new or continuing On-Demand services funded through the 2024 call. The match may be comprised of any combination of private contributions, advertising revenues, and local discretionary funds. The match must be a local agency contribution and may not be made up of in-kind services. Capital match funding commitments in excess of ten percent (10%) are eligible for additional points. Traditional Project V transit services O&M match funding commitments in excess of twenty percent (20%) and On-Demand services O&M match funding commitments in excess of sixty percent (60%) are eligible for additional points in the application. The OCTA contribution for O&M will not exceed \$10.81 per boarding/user. Therefore, the actual match provided by the local agency may be greater than ten percent (10%) or fifty percent (50%) depending upon service type and ridership. Agency match commitments will be incorporated into cooperative agreements.

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the M2 Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent and effective manner. There is no guarantee that funding will be approved during a particular call. If no acceptable project is identified during a funding cycle, a subsequent call may be scheduled at an appropriate time.

- Applicant must be eligible to receive M2 funding (established on an annual basis) to participate in this program.
- Support recommendations from OC Transit Vision, local transit planning efforts and goals of the Sustainable Communities Strategy, and 2024 call objectives.
- Supplement existing transit services (and commitments) and emphasize service to areas not served by transit.
- Proposed services may not duplicate or compete with existing transit services.
- Demonstrate availability of local share of O&M funding for the application's specific time horizon.
- Demonstration of cost reasonableness.
- Agency must have a financial plan outlining a funding strategy for ongoing O&M (maximum of seven years).
- Local agency will be required to enter into a cooperative funding agreement with OCTA.
- The project description must include information on how service is meeting ADA complementary or comparable service requirements noted under O&M in the Project Requirements section above, and these costs must be included in the project application.
- Complete applications must be approved by the City Council/Board of Supervisors and partner jurisdictions, if applicable, as part of the submittal to OCTA to demonstrate adequate community and elected official support, consistent with the resolution submittal deadline, for eligibility consideration.
- Local agencies will be required to submit National Transit Database data to OCTA, or local agency's operator must submit directly to the National Transit Database, if applicable.
- Proposed vehicle types must have appropriate specifications and safety equipment for service type and anticipated passenger loads.
- Must demonstrate that project meets competitive procurement requirement previously noted under the O&M – Project Requirements section.

Reimbursements

The initial marketing costs to establish service, capital, and O&M phases will be administered on a reimbursement basis. Initial marketing costs to establish service, capital, and O&M reimbursements will be disbursed upon review and approval of a complete invoice and accompanying expense reports uploaded to OCFundtracker, performance report, and consistent with cooperative funding agreement requirements and specifications.

OCTA’s operating subsidy for O&M will be no more than Ten Dollars and Eighty-One cents (\$10.81) per boarding/user or Ninety Percent (90%) of net O&M costs, whichever is lower for Traditional Project V transit services and Fifty Percent (50%) of net costs for On-Demand services (after deducting fares and non-OCTA subsidies), whichever is less. Local agency matching commitment to OCTA for ongoing operating assistance will be in accordance with terms identified in the cooperative funding agreement.

Calculation of Payment

OCTA’s operating subsidy will be no more than Ten Dollars and Eighty-One cents (\$10.81) per boarding/user OR Ninety Percent (90%) of net O&M costs for Traditional Project V transit services, whichever is lower. An example of a payment calculation to differentiate between the two scenarios is provided as follows:

SAMPLE PAYMENT CALCULATION	
ASSUMPTIONS: 10% MATCH and 1,500 BOARDINGS	
Operating Cost	\$23,000
Fare Revenue (deduct)	-\$ 3,000
Net Operating Cost	\$20,000
Agency Match (10%)	\$ 2,000
Agency Reimbursement (90% of net O&M)	\$18,000
or	
Operating Cost	\$23,000
Fare Revenue (deduct)	-\$ 3,000
Net Operating Cost	\$20,000
\$10.81 x Boardings (\$10.81 x 1,500)	\$16,215
Agency Match	\$ 3,785
Agency Reimbursement (\$10.81 per boarding/user)	\$16,215

Note: In this case, the local agency would be reimbursed for the **lower**, \$10.81 per boarding/user amount.

Scope Reductions/Modifications and Cost Savings

Agencies may request a scope change so long as the overall project benefits committed to in the Board-approved application can still be delivered. Any requests for scope modifications of an approved project must be submitted to OCTA staff in advance of the change to ensure consistency with the program requirements. Requests must include the status of the Project V grant, detailed description of the modification, rationale for the proposed modification, and potential impacts to the community and funding. Note: Requests to change the category of service (i.e., Traditional and On-Demand) will not be considered.

For scope changes that do not have significant impacts to Project V service operations, such as changes to stop locations along the same route or adjustments to operating hours on regularly scheduled days, OCTA staff will review and provide notification to the local agency of either approval or rejection of the scope change or if the modification warrants Board approval.

For all other scope changes, OCTA staff will review the modification against the original project scoring criteria, ensure that the proposed change delivers comparable or better benefits to the public, and confirm consistency with Project V Program requirements. Contingent on staff's evaluation, the scope modification will be presented to the Board for review and approval.

Factors that may be considered in determining when a scope change may be presented to the Board may also include the following from OCTA's service and fare change policy. This primarily applies to fixed route or seasonal services but may be adapted as applicable to other service types:

A Major Service or Scope Change is defined as a numerical standard, as expressed by the distribution of routes as measured against the existing level of service. The following is considered a major service change:

1. Route Alignment Reduction or Elimination –

Reducing an existing route by more than 50 percent of directional route miles or; or reducing an existing route by more than 50 percent of bus stops.

2. Route Alignment Extension or New Route –

Adding a new route or a route segment that increases directional route miles of an existing route by more than 50 percent and when more than 50 percent of the new service bus stops are along currently unserved street segments.

3. Route Level Service Hour Change –

Increase or decrease of the following levels of service on a route within 12 months:
Weekday service increase or decrease of 25 percent or more annualized vehicle revenue hours, or weekend service increase or decrease of 25 percent or more annualized vehicle revenue hours.

4. Systemwide Service Hour Change –

Increase or decrease of 25 percent of annualized vehicle revenue hours for all routes within 12 months.

If the proposed scope modification is approved by OCTA, any cost savings will be proportionally shared between OCTA and the grantee; for example, a reduction in Project V funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Project V Program for reallocation for subsequent calls.

Project Cancellation

Projects deemed infeasible during the planning or implementation process will be cancelled and further expenditures will be prohibited except where necessitated to bring the current phase to a logical conclusion.

For vehicles or capital equipment owned by local agencies that were funded through Project V, if the service is discontinued, agencies shall repay OCTA for the vehicles or capital equipment at the same percentage of the sale price, or estimated value based on straight line depreciation of the asset(s) consistent with the Project V percentage of the initial purchase. Useful life shall be based upon OCTA's policy for service/asset life, where applicable.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination. Cancellation by the local agency does not require OCTA approval but the local agency must notify OCTA as soon as possible.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall allocation, and/or other sanctions to be determined. Audits shall be

conducted by the OCTA Internal Audit Department or other authorized agent either through the normal annual process or on a schedule to be determined by the OCTA Board.

Project V Branding

Projects awarded Project V funding are required to place M2 (OC Go) decals on the vehicles used for fixed-route, community shuttles, seasonal services and regular microtransit. Local agencies will coordinate with OCTA in regard to the sizing, placement, and furnishing of decals. The implementing agency will be required to certify actual placement and visibility on a reasonable basis.

For all awarded services, local agencies are required to place M2 logos on marketing and related service publication materials, including software applications.

Promotion of the OC Go logo is not intended to overpower or take away from the service operated by the local agency but is intended to ensure transparency regarding the local sales tax measure expenditures.

An example of the M2 OC Go logo is shown as follows:



**Table 6-2
Community-Based Transit/Circulators (Project V)
Scoring Criteria**

Category	Points Possible	Percent
Financial Commitment		15%
Matching Funds	15	
Cost Effectiveness		10%
Estimated Operating Cost per Boarding and per RVH	7	
Supporting Documentation for Projected Costs	3	
Project Readiness		10%
Project Implementation Schedule and Service Startup Plan	7	
Project Feasibility or Planning Study Completed	3	
Operations Plan/Service Type		25%
Service Type	10	
Draft Timetable, Frequencies, Headways, and Round-Trip Cycle Times	3	
Fleet Size, Vehicle Types & Specifications	3	
Route Map and KMZ file w/ Existing Transit Service and Stop Locations	3	
Estimation of Revenue Service Hours	2	
ADA Service Plan / Paratransit Plan	2	
Contingency Plan for Revenue Shortfalls	2	
Ridership Projection		5%
Funding Plan		10%
Partnership Arrangements	4	
Service Coordination Plan	3	
Cost of ADA Services Considered/Addressed	3	
Community Benefit		25%
Local and Regional Benefits	20	
Documented Outreach and Community Support	5	
Total	100	100%

Exhibit 6-1

Point Breakdown & Application Checklist for Community-Based Transit/Circulators (Project V)

Point Breakdown & Application Checklist can be found on the OCTA Project V Website:

www.octa.net/programs-projects/programs/funding-programs/call-for-projects/ctfp/community-based-circulators/

Exhibit 6-2

Sample Resolution for Community-Based Transit/Circulators Program (Project V)

Sample resolution template can be found on the OCTA Project V Website:

www.octa.net/programs-projects/programs/funding-programs/call-for-projects/ctfp/community-based-circulators/

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Chapter 7 – Regional Capacity Program (Project O)

Overview

The RCP (Project O) is a competitive program that will provide more than \$1 billion over a thirty-year period. The RCP replaces the Measure M local and regional streets and roads competitive programs (1991-2011).

Although each improvement category described in this chapter has specific eligible activities, the use of RCP funding is restricted to and must be consistent with the provisions outlined in Article XIX and the California State Controller’s [Guidelines Relating to Gas Tax Expenditures](#) (March 2019). These Guidelines are available at the following link: https://www.sco.ca.gov/Files-AUD/Gas_Tax_Fund_Guidelines.pdf.

The MPAH serves as the backbone of Orange County’s arterial street network. Improvements to the network are required to meet existing needs and address future demand. The RCP is made up of three (3) individual program categories which provide improvements to the network:

- The ACE improvement category complements freeway improvement initiatives underway and supplements development mitigation opportunities on arterials throughout the MPAH.
- The ICE improvement category provides funding for operational and capacity improvements at intersecting MPAH roadways.
- The FAST focuses upon street to freeway interchanges and includes added emphasis upon arterial transitions to interchanges.

Projects in the arterial, intersection, and interchange improvement categories are selected on a competitive basis. All projects must meet specific criteria in order to compete for funding through this program.

Also included under the RCP is the Regional Grade Separation Program (RGSP), which is meant to address vehicle delays and safety issues related to at-grade rail crossings. Seven rail crossing projects along the MPAH network were identified by the California Transportation Commission (CTC) to receive TCIF. TCIF allocations required an additional local funding commitment. The RGSP captures these prior funding commitments. Future calls for projects for grade separations are not anticipated.

Funding Estimates

Funding will be provided on a pay-as-you-go basis. The RCP will make an estimated \$1.5 billion (in 2022 dollars) available during the 30-year M2 program. Programming estimates are developed in conjunction with periodic calls for projects. Funding is shared with intersection, interchange and grade separation improvement categories. No predetermined funding has been set aside or established for street widening.

Programming Approach

Programming decisions are based upon project prioritization ranking, feasibility and readiness. Each round of funding has resulted in a diverse range of activities, cost and competitive score. Funding applications may seek financial assistance for planning, engineering, ROW, construction or a combination of these activities. Effective grant programs include a combination of project development as well as implementation projects. In order to ensure continued distribution of funding opportunities between small and large-scale projects, a tiered funding approach will be used.

Typically, OCTA has made approximately \$32 million available for each RCP (Project O) programming cycle. Category 1 projects are limited to those projects requesting \$5 million or less. Category 2 projects are defined as those requesting more than \$5 million in Measure M2 funds.

Tiered Funding Approach: The two-tiered funding (Tier 1 and Tier 2) approach will only be applicable to the RCP. This approach is proposed to prioritize high scoring projects while providing a balanced program with funding availability for small and large projects. The first tier is for projects scoring 50 points or higher, and the second tier is for all projects after first satisfying the Tier I ranking. Within Tier 1, two categories would be established with 60 percent (60%) (Category 1) of the M2 funds available for smaller projects (requesting \$5 million or less), and 40 percent (40%) (Category 2) of the M2 funds available for larger projects (requesting \$5 million or more). This approach is intended to broaden the distribution of M2 funds to higher scoring/lower cost projects and retain the ability to fund larger projects without placing formal funding caps on allocations. Any M2 funds not programmed in Tier I will be designated for Tier 2 allocation. A funding split between small and large projects is not recommended for Tier 2.

Applications may be for any project phase provided it represents a meaningful, logical terminus and is consistent with scoping from a previously funded project if applicable (i.e., if engineering was previously funded, the ROW and/or construction request must be for the same project scope).

	Category 1 (60%)	Category 2 (40%)
Tier I >=50	<ul style="list-style-type: none"> • \$0 - \$5 million • Score at least 50 points • Logical, standalone project • Unallocated balance shifts to Tier II for programming 	<ul style="list-style-type: none"> • \$5+ million request • Score at least 50 points • Logical, standalone project • Unallocated balance shifts to Tier II for programming
Tier II	<ul style="list-style-type: none"> • Balance of unallocated funds from Tier I prioritization • Request can be of any dollar value to compete in Tier II • Multiple segments of the same project cannot be submitted under both categories. 	

2024 Call for Projects

Funding will be provided for the three RCP funding programs: ACE, ICE, and FAST. Chapter 7 details the specific program’s intent, eligible project expenditures, ineligible project expenditures, and additional information that may be needed when applying for funds. Each section should be read thoroughly before applying for funding. Application should be prepared for the program that best fits the proposed project.

For this call, OCTA shall program projects for a three-year period (FY 24/25 – 26/27), based upon the current estimate of available funds. For specifics on the funding policies that apply to this call, refer to the Program Precepts as found in Section V of these guidelines.

Applications

In order for OCTA to consider a project for funding, applications will be prepared by the lead agency. A separate application package must be completed for each individual project. Multiple variations of the same project (i.e. with different local match rates) will not be considered. If funding is requested under multiple program components for a single project (i.e. arterials and intersections) a separate application must be prepared for each request. OCTA shall require agencies to submit both online and hardcopy applications for the 2024 call for projects by **5:00 p.m. on Thursday, October 26, 2023. Late and/or incomplete submittals will not be accepted.**

Since each funding program has slightly different application requirements, an "Internal Application Checklist Guide" has been provided for the three programs under the RCP

(Exhibits 7-1, 7-2, and 7-3). The checklist guide identifies the basic forms and documentation required for each of the program components. In addition, items required at the time of project submittal are differentiated from supplemental items due later. The appropriate **checklist must be provided as a cover sheet for each application submitted**. For any items that are required for the candidate project or program that are missing or incomplete, an explanation should be included in a cover letter with the application. In addition to this checklist guide, please review the **Attachments/Additional Information** section of each program component for a description of supplementary documentation which may be required to support your agency's project application in specific cases.

Additionally, **one (1) unbound hardcopy and one electronic copy on a USB, thumb drive, memory stick, or via electronic file upload and/or email** of the application and any supporting documentation must be submitted to OCTA by the application deadline. Please note, hardcopies of the supporting plans, drawings and/or specifications are to be in a minimum size of 11 x 17 inches.

Hardcopy applications should be mailed to:

OCTA
Attention: Adrian Salazar
600 S. Main Street
P.O. Box 14184 Orange, CA 92863-1584

Hardcopy applications can be hand delivered to:

600 S. Main Street
Orange, CA 92868

Electronic application copies can be sent via email to: asalazar@octa.net

Exhibit 7-1

Arterial Capacity Enhancement (ACE)

CTFP Application Checklist Guide

Planning – Environmental & Engineering

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- ADT Counts and LOS Calculations
- Aerial Photo w/ Proposed Improvements Shown

Right-of-Way

- CTFP Online Application – submitted through OCFundtracker
- Project Description Detail (include plat maps and legal descriptions for proposed acquisitions)
- Detailed right-of-way Acquisition/Disposal Plan using the OCTA provided right-of-way acquisition/disposal plan form available for download at <https://ocfundtracker.octa.net>.
- Cost Estimate for Complete Project - ALL PHASES
 - Estimated right-of-way Cost by Parcel (Land, Improvements Taken, Severance, Goodwill, Incidental Expenses)*
- General Application Sample Resolution
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Aerial Strip Map w/ Existing and Proposed Improvements Shown
 - Include right-of-way Improvements and Parcels to be Acquired
- Preliminary Construction Layout Plans*
- ADT and LOS Calculations

Construction

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Project Construction Specifications
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Project Development Documents - Project Report or Materials Report *
- Approved Project Construction Plans*
- ADT and LOS Calculations

NOTE: To qualify for the 10 percent (10%) local match discount for measurable improvement of PCI, please include documentation from the last two PMP biennial Measure M Eligibility submittals that provide average PCI for Overall System.

****Items are due after first application review. OCTA staff will contact you regarding those projects that will require this additional information.***

Exhibit 7-2

Intersection Capacity Enhancement (ICE)

CTFP Application Checklist Guide

Planning – Environmental & Engineering

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- Aerial Photo w/ Proposed Improvements Shown

Right-of-Way

- CTFP Online Application – submitted through OCFundtracker
- Project Description Detail (include plat maps and legal descriptions for proposed acquisitions)
- Detailed right-of-way Acquisition/Disposal Plan using the OCTA provided right-of-way acquisition/disposal plan form available for download at <https://ocfundtracker.octa.net>.
- Cost Estimate for Complete Project - ALL PHASES
 - Estimated right-of-way Cost by Parcel (Land, Improvements Taken, Severance, Goodwill, Incidental Expenses) *
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS/ICU Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Aerial Strip Map w/ Existing and Proposed Improvements Shown
 - Include right-of-way Improvements and Parcels to be Acquired
- Preliminary Construction Layout Plans*

Construction

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Project Construction Specifications
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Project Development Documents - Project Report or Materials Report *
- Approved Project Construction Plans*

NOTE: To qualify for the 10 percent (10%) local match discount for measurable improvement of PCI, please include documentation from the last two PMP biennial Measure M Eligibility submittals that provide average PCI for Overall System.

****Items are due after first application review. OCTA staff will contact you regarding those projects that will require this additional information.***

Exhibit 7-3

Freeway Arterial/Streets Transition (FAST)

CTFP Application Checklist Guide

Planning – Environmental & Engineering

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, ADT for arterial and ramp exit volumes
- Caltrans Letter of Support
- Aerial Photo w/ Proposed Improvements Shown

Right-of-Way

- CTFP Online Application – submitted through OCFundtracker
- Project Description Detail (include plat maps and legal descriptions for proposed acquisitions)
- Detailed right-of-way Acquisition/Disposal Plan using the OCTA provided right-of-way acquisition/disposal plan form available for download at <https://ocfundtracker.octa.net>.
- Cost Estimate for Complete Project - ALL PHASES
 - Estimated right-of-way Cost by Parcel (Land, Improvements Taken, Severance, Goodwill, Incidental Expenses) *
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Aerial Strip Map w/ Existing and Proposed Improvements Shown
 - Include right-of-way Improvements and Parcels to be Acquired
- Preliminary Construction Layout Plans*

Construction

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Project Construction Specifications
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Project Development Documents - Project Report or Materials Report*
- Approved Project Construction Plans*
- Appropriate agreements between Caltrans and the project lead agency need to be in draft form and/or in place.

NOTE: To qualify for the 10 percent (10%) local match discount for measurable improvement of PCI, please include documentation from the last two PMP biennial Measure M Eligibility submittals that provide average PCI for Overall System.

****Items are due after first application review. OCTA staff will contact you regarding those projects that will require this additional information.***

Attachments

OCFundtracker Application

Agencies must submit a copy of the OCFundtracker application and scoring information with all application submittals. This document is created within the OCFundtracker web-based application.

"Project Cost Estimate" Form

Include a separate attachment listing all expenditures and costs for the project using the Revised Cost Estimate Form 10-3 provided by OCTA and available for download at <https://ocfundtracker.octa.net>. Another attachment may be included in addition if desired. Accurate unit prices and a detailed description of work, including design, will be critical when the candidate project is reviewed. For example, design applications should include major tasks that will be performed. ROW cost estimate should include parcel information (including project area needed), improvements taken, severance damages, ROW engineering, appraisal and legal costs. Construction should include a listing of all bid items including a maximum 10 percent (10%) allowance for contingencies and a maximum ~~15–20~~ percent (~~20~~15%) of M2 grant allowance for construction engineering/project managementsupport, except for Project O construction phases which have a maximum 20 percent (20%) allowance subject to match requirements. The anticipated disbursement of costs (e.g., Agency, Other, Non-Eligible) must also be completed. Agencies should reference the program from which funding is expected to be allocated when completing this portion of the form. Each of the funding programs described in these guidelines may have differing matching fund requirements.

If more than one project phase is requested to be funded, a separate project cost estimate form is to be completed for each phase, or each phase must be clearly indicated, and a subtotal prepared on this form. Separate forms should also be prepared if funding for project phases is being requested over multiple fiscal years.

"Sample Resolution" Form

A resolution or minute action must be approved by the local jurisdiction's governing body prior to the Board approval of grant funds. A sample resolution is included as Exhibit 7-4. Local agencies, at a minimum, must include items a-h. The mechanism selected shall serve as a formal request for CTFP funds and states that matching funds will be provided by the agency, if necessary. All project requests must be included in this action. **If a draft copy of the resolution is provided, the local jurisdiction must also provide the date the resolution will be finalized by the local jurisdiction's governing body.**

ROW Acquisition/Disposal Plan

For all projects requesting ROW phase funding, a detailed plan for acquisition/disposal of excess right-of-way, along with any reasonable labor costs expected, must be included. The ROW acquisition/disposal plan and labor cost estimate must be submitted using the "ROW acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.

Project Summary Information

For each application that is recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for TAC review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

Pavement Management Supporting Documentation

The M2 Ordinance provides for a 10 percent (10%) reduction in the required local match if the agency can either:

- a. Show measurable improvement of paved road conditions during the previous reporting period defined as an overall weighted (by area) average system improvement of one Pavement Condition Index (PCI) point with no reduction in the overall weighted (by area) average PCI in the MPAH or local street categories;

or

- b. Road pavement conditions during the previous reporting period within the highest 20% (20 percent) of the scale for road pavement conditions in conformance with OCTA Ordinance No. 3, defined as a PCI of 75 or higher, otherwise defined as in "good condition".

If an agency is electing to take the 10 percent (10%) local match reduction, **supporting documentation indicating either the PCI improvement or PCI scale must be provided.**

Additional Information

The following documentation should be included with your completed project application:

If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as lead agency and must provide a resolution of support from the other agency.

1. Letters of support for the candidate project (optional). As part of the application submittal projects that require Caltrans consent, review, or approval must have a letter of support or acknowledgement.
2. Geotechnical\materials reports for all applicable candidate projects (e.g., widening, intersection improvement, new roadway). The reports should contain sufficient detail for an accurate assessment of improvements needed and costs, since funding will be jeopardized if a project is unable to meet proposed schedule and costs.
3. Preliminary plans, if available for the project. The plans (1"=40' preferred) should be included in hard copy attachments at a minimum size of 11 x 17 inches and include:
 - a. Existing and proposed ROW (include plat maps and legal descriptions for proposed acquisitions).
 - b. Agency boundaries, dimensions and station numbers.
 - c. Existing and proposed project features such as: pavement width and edge of pavement, curb, gutter and sidewalk, raised median, driveway reconstruction, signal pole locations, etc.
 - d. Typical cross sections.
 - e. Proposed striping.
 - f. Structural sections per the materials report.
 - g. Proposed traffic signals, storm drains, bridges, railroad crossing improvements, safety lighting, etc.
 - h. If requesting funds for traffic signals, include traffic signal warrant(s) prepared by the City Traffic Engineer or City Engineer.
 - i. If the project includes construction, relocation, alteration or widening of any railroad crossing or facility, include a copy of the letter of intent sent to the railroad, a copy of which must be sent to the Public Utilities Commission (PUC). Any project including work of interest to a railroad will not be considered for eligibility until the railroad and PUC have been notified.
 - j. If the project is proposed as a staged project and additional funds will be necessary in subsequent calls for projects, the preliminary project statement should be accompanied with a complete preliminary estimate and schedule for the completion of the entire project.
 - k. If the project is proposed as a safety improvement, provide justifying accident data for the past three years and show the expected decrease in intersection or mid-block accident rate.

4. Current 24-hour traffic counts (taken for a typical mid-week period within the preceding 12-month period) for the proposed segment. Projects submitted without "current counts" will be considered incomplete and non-responsive.

Exhibit 7-4

**Sample Resolution for Candidate Orange County
Comprehensive Transportation Programs Projects**

A resolution of the _____ City Council approving the submittal of _____ improvement project(s) to the Orange County Transportation Authority for funding under the Comprehensive Transportation Program

THE CITY COUNCIL OF THE CITY OF _____ HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS THAT:

- (a) WHEREAS, the City of _____ desires to implement the transportation improvements listed below; and
- (b) WHEREAS, the City of _____ has been declared by the Orange County Transportation Authority to meet the eligibility requirements to receive M2 "Fair Share" funds; and
- (c) WHEREAS, the City's Circulation Element is consistent with the County of Orange Master Plan of Arterial Highways; and
- (d) WHEREAS, the City of _____ will not use M2 funds to supplant Developer Fees or other commitments;
- (e) WHEREAS, the City/County must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Measure M2 Ordinance eligibility requirement.
- (f) WHEREAS, the City of _____ will provide a minimum in __% in matching funds for the _____ project as required by the Orange County Comprehensive Transportation Funding Programs Guidelines; and
- (g) WHEREAS, the Orange County Transportation Authority intends to allocate funds for transportation improvement projects, if approved, within the incorporated cities and the County; and
- (h) WHEREAS, the City/County authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors, if necessary.

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of _____ hereby requests the Orange County Transportation Authority allocate funds in the amounts specified in the City's application to said City from the Comprehensive Transportation Funding Programs. Said funds, if approved, shall be matched by funds from said City as required and shall be used as supplemental funding to aid the City in the improvement of the following street(s):

ADOPTED BY THE CITY COUNCIL on _____, 20____.

SIGNED AND APPROVED on _____, 20____.

City Clerk

Mayor

*Required language a-h

Application Review Process

OCTA staff will conduct a preliminary review of all applications for completeness and accuracy, request supplemental information (i.e., plans, aerial/strip maps, CEQA forms) for projects that appear to rank well during initial staff evaluations, and prepare a recommended program for the TSC. In addition, OCTA may hire a consultant(s) to verify information within individual applications such as, but not limited to, project scope, cost estimates, ADT and LOS. These applications will be selected through a random process.

The following guidelines will be used in reviewing project applications. Any application that does not meet these minimum guidelines must include an explanation of why the guidelines were not met:

1. The travel lane width should be no less than 11 feet (12 feet if adjacent to a raised median or other obstruction) for all arterial highways.
2. For divided roadways, the minimum median width should be no less than 10 feet to allow for turning movements. Divided roadways are defined as those with either a painted or raised median.
3. Arterial highways that are designated for uses in addition to automobile travel (e.g., bicycle, pedestrian, parking) shall provide additional ROW consistent with local jurisdiction standards to facilitate such uses.
4. An eight-lane roadway should provide for a continuous median, protected dual or single left-turn pockets as warranted at signalized intersections, single left-turn pockets at non-signalized intersections, and a right-turn lane at signalized intersections where determined necessary by traffic volumes. ROW for a free right-turn lane should be provided at locations warranted by traffic demand.
5. A six-lane divided roadway should provide a continuous median, protected dual or single left-turn pockets as warranted by existing traffic at all signalized intersections, and single left-turn pockets at non-signalized intersections. A right-turn option lane should also be provided as warranted by traffic demand.
6. A four-lane divided roadway should provide a continuous median, protected dual or single left-turn pockets at all signalized intersections, and a left-turn pocket at all non-signalized intersections. A right-turn lane should also be provided as warranted by traffic demand.
7. A four-lane undivided roadway shall provide for a single left-turn pocket at all intersections as warranted by traffic demand.

Applications will be reviewed by OCTA for consistency, accuracy and concurrence. Applications determined complete in accordance with the program requirements will be scored, ranked and submitted to the TSC, TAC and Board for consideration and funding approval.

Local agencies awarded funding will be notified as to which projects have been funded and from what sources after the Board takes action. A tentative call schedule is detailed below:

Board authorization to issue call: August 14, 2023

Application submittal deadline: October 26, 2023

TSC/TAC Review: February/March 2024

Committee/Board approval: April/May 2024

Funding

M2 RCP (Project O) funding will be used for this call.

The CTFP Guidelines include a provision that allows applicants to request ROW and/or construction funding prior to completion of the planning phase (including final design) provided that the phase is underway, substantially complete and the agency will complete the activities within six months of the start of the new phase programmed year. **A thorough review of eligible activities is not always possible during the call for projects evaluation period. As a result, it is possible that cost elements contained within an application and included in a funding recommendation may ultimately be deemed ineligible for program participation. The applicant is responsible for ensuring projects are implemented according to eligible activities contained within the program guidelines.**

Arterial Capacity Enhancements (ACE)

Overview

The MPAH serves as the backbone of Orange County's arterial street network. Improvements to the network are required to meet existing needs and address future traffic demand. The ACE improvement category complements freeway improvement initiatives underway, supplements development mitigation activities and enables improvements based upon existing deficiencies.

Projects in the ACE improvement category are selected on a competitive basis. Projects must meet specific criteria in order to compete for funding through this program.

Objectives

- Complete MPAH network through gap closures and construction of missing segments
- Relieve congestion by providing additional roadway capacity where needed
- Provide timely investment of M2 Revenues
- Leverage funding from other sources

Project Participation Categories

The ACE category provides capital improvement funding (including planning, design, ROW acquisition and construction) for capacity enhancements on the MPAH for the following:

- Gap closures – the construction of a roadway to its full MPAH build-out for the purpose of connecting two existing ends of that roadway by filling in a missing segment or for completing the terminus of an MPAH roadway. This applies to increased roadway capacity only as it relates to vehicular traffic.
- Roadway widening where additional capacity is needed
- New roads / extension of existing MPAH facility

Eligible Activities

- Planning, environmental clearance
- Design
- ROW acquisition
- Construction (including curb-to-curb, lighting, drainage, etc.)

Potentially Eligible Items

Below is a list of potentially eligible items. However, final determination of the eligibility of all project related costs will be made at the time of reimbursement. Prior to the submittal of an application for funding, or at any point in the project life cycle, local agencies may meet with OCTA staff to review the eligibility of project related costs.

Application review and approval does not guarantee the eligibility of all items.

- Direct environmental mitigation for projects funded by ACE (subject to limitations identified in precepts)
- Storm drains/catch basins/detention basins/bioswales/other pollutant discharge mitigation devices
- Sound walls (in conjunction with roadway improvement mitigation measures)
- Aesthetic improvements including landscaping within the project ROW (eligible improvements up to 10 percent (10%) of construction costs, provided costs are reasonable for the transportation benefit)
- ITS infrastructure (advance placement in anticipation of future project)
- Rehabilitation and/or resurfacing of existing pavement when necessitated by proposed improvement (such as change in profile and cross section)
- Improvements to private property if part of a ROW settlement agreement
- Utility relocation where the serving utility has prior rights as evidenced by a recorded legal document
- Roadway grading within the ROW (inclusive of any TCE and/or ROW agreement related improvements) should not exceed a depth for normal roadway excavation (e.g., structural section). Additional grading will be considered on a case-by-case basis. Agencies shall provide supporting documentation (e.g., soils reports, ROW agreements) to justify the additional grading.
- Additional ROW to accommodate significant pedestrian volumes or bikeways shown on a Master Plan of Bikeways or in conjunction with the "Complete Streets" effort. These will be considered for eligibility on a case-by-case basis during the application process.
- Installation of a pedestrian activated traffic signal where necessitated by pedestrian traffic warrants or other engineering criteria.

Environmental mitigation will be allowed only as required for the proposed roadway improvement, and only as contained in the environmental document. Program participation in environmental mitigation shall not exceed 25 percent (25%) of the total eligible construction costs.

Longitudinal storm drains are eligible for program participation when the storm drain is an incidental part (cost is less than 25 percent (25%) of the total eligible construction cost) of an eligible improvement. Program participation shall not exceed 10 percent (10%) of the cost of storm drain longitudinal/parallel and main lines. Storm drain inlets, connectors, laterals and cross culverts shall have full participation in ACE Program funding. Storm drains outside standard MPAH ROW widths are not eligible, excluding catch basins within reasonable distance and in general proximity to a project intersection (e.g., within ten feet of the curb return). Catch basins and drainage systems extending into adjacent areas (including public streets) shall not be eligible past the first catch basin designated by aforementioned criteria.

The relocation of detention basins/bioswales are potentially eligible dependent on prior rights and will be given consideration on a case-by-case basis (see Utility Relocations below).

Soundwalls are eligible only if they are required as part of the environmental mitigation for the proposed project and the Measure M contribution to the cost of soundwalls shall not exceed 25 percent (25%) of the total eligible construction costs. Aesthetic enhancements and landscaping in excess of minimum environmental mitigation requirements are subject to limitations described in this section above.

Roadway grading is eligible for structural sections if within the standard MPAH cross section for the facility (inclusive of any TCEs). Rough grading can be considered eligible, so long as it supports MPAH improvement(s) within the ROW and does not supplant developer (or any other project obligations). Any proposed rough grading outside of the MPAH ROW will be evaluated by OCTA on a case-by-case basis but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).

Utility Relocations

The expenses associated with the relocation of utilities are eligible for RCP reimbursement only when all conditions listed below have been met:

- The relocation is made necessary due to conflict with proposed improvements.
- The facility to be relocated is within the project right-of-way.
- It has been determined that the local agency is legally liable for either a portion of or all of the relocation costs.

Liability can be determined by property rights, franchise rights/agreements, state and local statutes/ordinances, permits, a finding by the local agency's counsel, or other recorded legal document. Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted at the time of a ~~with an initial~~ payment request (see Chapter 9). Utilities funded through enterprise funds shall not be eligible for reimbursement.

If a relocation is eligible to be reimbursed, and to be performed by the utility owner or by the utility owner's contractor, the work should be included in the ROW phase costs and clearly identified in the project application submittal. For eligible relocations to be performed during the construction phase by the local agency's contractor, the work should be included in the plans and specifications similar to other construction activities. Adjustment of existing utilities to grade (e.g., water valves, manhole frames and covers), due to new roadway cross sections are either eligible or not eligible in the construction phase subject to the limitations previously described (e.g., prior rights). New or relocated fire hydrants are ineligible.

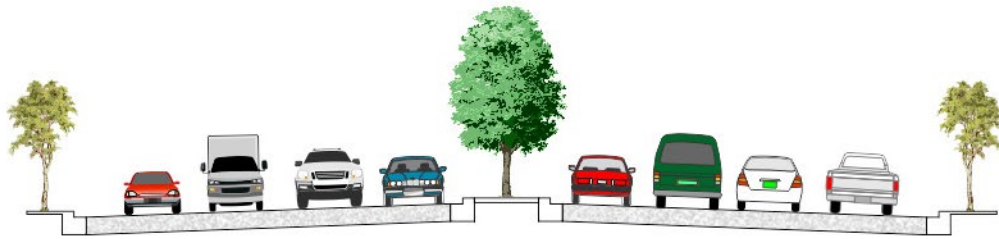
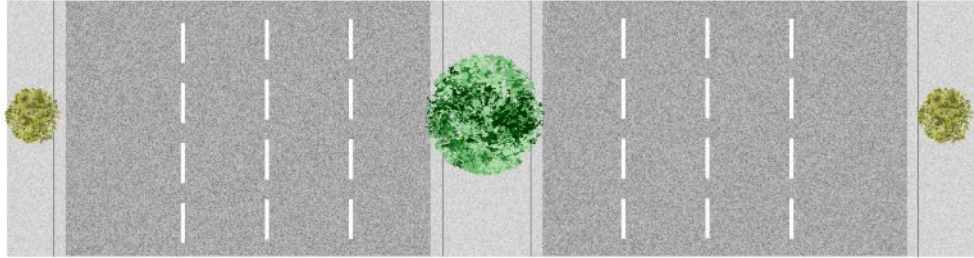
In all cases, eligible costs shall only include "in-kind" relocation. No reimbursements will be made for betterments above the cost of "in-kind" relocation. Additionally, costs submitted for program reimbursement must include any salvage credits received.

Ineligible Expenditures

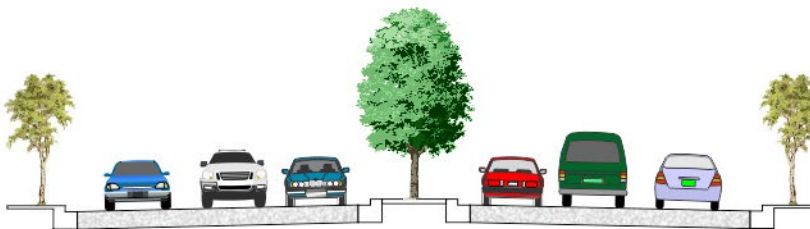
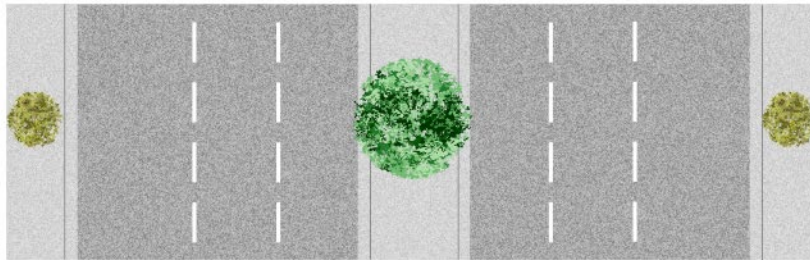
Items that are not eligible under the ACE Program are:

- Grading outside of the roadway ROW not related to a TCE or ROW agreement is generally considered ineligible but can be evaluated by OCTA on a case by case basis, but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).
- Rehabilitation ~~(unless there is a change in profile and cross section unless performed as component of capacity enhancement project)~~
- Reconstruction ~~(unless in ROW agreement or within project scope)(unless performed as component of capacity enhancement project)~~
- New Railroad Grade Separation Projects, ~~defined as new railroad and roadway grade separations~~
- Enhanced landscaping, aesthetics and gateway treatments (landscaping that exceeds that necessary for normal erosion control and ornamental hardscape)
- ROW acquisition and construction costs for improvements greater than the typical ROW width for the applicable MPAH Roadway Classification. (See standard MPAH cross sections in Exhibit 7-5) Where full parcel acquisitions are necessary to meet typical ROW requirements for the MPAH classification, any excess parcels shall be disposed of in accordance with the provisions of these guidelines, State statutes as outlined in Article XIX and the California State Controllers Guidelines Relating to Gas Tax Expenditures.
- Utility Betterments
- Construction of new utilities
- Class 1 and Class 4 bike lanes

Exhibit 7-5
Standard MPAH Cross Sections

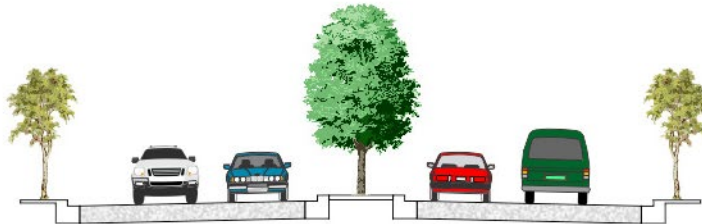
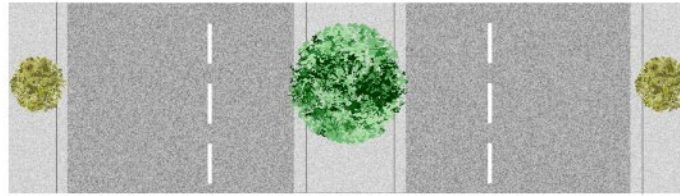


PRINCIPAL
144 FT
(8 LANES, DIVIDED)

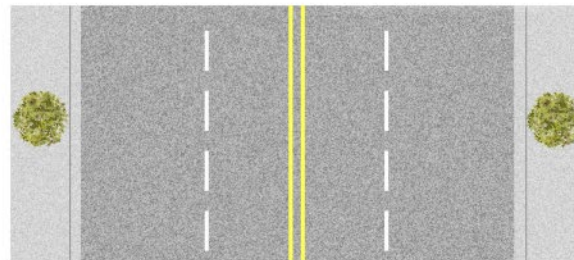


MAJOR
120FT
(6 LANES, DIVIDED)

Exhibit 7-5 *continued*
Standard MPAH Cross Sections

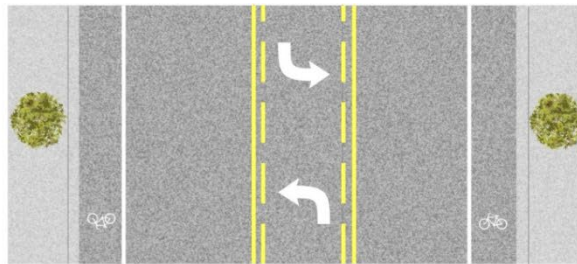


PRIMARY
100 FT
(4 LANES, DIVIDED)

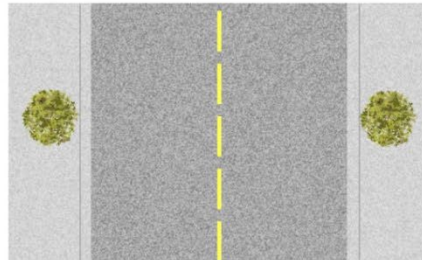


SECONDARY
80 FT
(4 LANES, UNDIVIDED)

Exhibit 7-5 continued
Standard MPAH Cross Sections



DIVIDED COLLECTOR
80 FT
(2 LANES, DIVIDED)



COLLECTOR
56 FT
(2 LANES, UNDIVIDED)

Master Plan of Arterial Highway Capacities

Below are the approximate roadway capacities that will be used in the determination of LOS:

<u>Type of Arterial</u>	<u>Level of Service (LOS)</u>				
	A .51 - .60 v/c	B .61 - .70 v/c	C .71 - .80 v/c	D .81 - .90 v/c	E .91 - 1.00 v/c
8 Lanes Divided	45,000	52,500	60,000	67,500	75,000
6 Lanes Divided	33,900	39,400	45,000	50,600	56,300
4 Lanes Divided	22,500	26,300	30,000	33,800	37,500
4 Lanes (Undivided)	15,000	17,500	20,000	22,500	25,000
2 Lanes Divided	9,000	12,000	15,000	20,000	22,000
2 Lanes (Undivided)	7,500	8,800	10,000	11,300	12,500

Note: Values are maximum Average Daily Traffic

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on existing usage, proposed Vehicle Miles Traveled (VMT), level of services benefits, local match rate funding and overall facility importance. Technical categories and point values are shown on Tables 7-1 and 7-2. Data sources and methodology are described below.

Projected/Current Average Daily Trips (ADT): Current ADT is the preferred method of measuring congestion. However, traffic counts projected to the year of opening for the project will be allowed as part of the competitive evaluation. These must be submitted along with current 24-hour traffic counts for the proposed segment for comparison purposes. The agency must submit the project’s projected ADT, current ADT, the delta, and justification of the increase. Regarding “current” counts, these are defined as those taken for a typical mid-week period within the preceding 12-months. Projects submitted without “current counts” will be considered incomplete and non-responsive. Project applications using projected ADT must use traffic counts taken within the preceding 12 months. Project applications not using projected ADT may use traffic counts taken within the 36 months preceding the release date of the current call. **Note:** New facilities must be modeled through OCTAM and requests should be submitted to OCTA a minimum of six (6) weeks prior to application submittal deadline. **The OCTAM modeling request**

deadline is September 14, 2023 for the 2024 Call for Projects. If modeling requests are not submitted six (6) weeks prior to the application submittal deadline, the application will not be considered. For agencies where event, weekend, or seasonal traffic presents a significant issue, Average Annual Daily Traffic (AADT) counts can be used, provided the agency gives sufficient justification for the use of AADT.

VMT: Centerline length of segment proposed for improvement multiplied by the existing ADT for the proposed segment length. Measurements must be taken proximate to capacity increase. VMT for improvements covering multiple discrete count segments are calculated on a weighted average basis.

Current Project Readiness: This category is additive. Points are earned for the highest qualifying designation at the time applications are submitted. Local agency should select the most current phase of the project.

- Environmental Approvals – applies where all environmental clearances have been obtained on the project.
- Preliminary design (35 percent (35%) level) – will require certification from the City Engineer and is subject to verification.
- Final Design (PS&E) – applies where the jurisdiction’s City Engineer or other authorized person has approved the final design.
- ROW (all offers issued) – applies where offers have been made for every parcel where acquisition is required and/or offers of dedication or orders of immediate possession have been received by the jurisdiction. Documentation of ROW possession will be required with application submittal.
- ROW (all easements and titles) – applies where no ROW is needed for the project or where all ROW has been acquired/dedicated.

Cost Benefit: Total project cost (including unfunded phases) divided by the existing ADT (or modeled ADT for new segments).

Funding Over-Match: The percentages shown apply to match rates above a jurisdiction’s minimum local match rate requirement. M2 requires a 50 percent (50%) local match for RCP projects. This minimum match can be reduced by up to 25 percentage points if certain eligible components are met. If a jurisdiction’s minimum match target is 30 percent (30%) and a local match of 45 percent (45%) is pledged, points are earned for the 15 percent (15%) over-match differential. The pledged amount is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project.

Transportation Significance: Roadway classification as shown in the current MPAH.

Operational Attributes (within the roadway): This category is additive. Each category, except Active Transit Routes, must be a new feature added as a part of the proposed

project. Only one feature can be selected for any qualifying category. For example, installation of a bike lane that is identified in an adopted ATP plan can be awarded points under "Bike Lanes" or "Active Transportation Focused Plan Elements," but not both.

- Pedestrian Facilities: Placement of a new sidewalk where **none currently exists** along an entire segment of proposed project.
- Meets MPAH configuration: Improvement of roadway to full MPAH standard for the segment classification.
- Active Transit Route(s): Segments served by fixed route public transit service.
- Bus Turnouts: Construction of bus turnouts.
- Bike Lanes: Installation of new bike lanes constructed in roadway right of way.
- Median (Raised): Installation of a mid-block raised median where none exists today. Can be provided in conjunction with meeting MPAH standards.
- Safety Improvements: Project features that increase the safety of pedestrians. These elements can include the new installation of: median barriers, curb extensions, residential traffic diverters, pedestrian crossing islands, pedestrian activated signals, crosswalk enhancements, safety signage, and the addition, modification, or improvement of existing pedestrian signals. Other elements of safety may be considered on a case-by-case basis.
- Elements of Approved Active Transportation Plan/Active Transportation Focused Sections of other Types of Mobility Plans: Incorporate project features that are approved in an active transportation plan or if very focused, in active transportation focused sections of other types of plans that improve mobility. These elements can include bike infrastructure and pedestrian elements. Other elements of an active transportation plan may be considered on a case-by-case basis. Documentation of approved plan will be required with application submittal and assignment of points for active transportation focused sections of other types of plans will be considered on a case-by-case basis.
- Sustainability Elements: Includes the use of multiple complete street elements, the installation of solar lighting within the roadway cross section, or water conservation elements that reduce water consumption, compared to current usage within project limits; such as the replacement of existing landscaping with hardscape and/or "California Native" drought tolerant type landscaping; the replacement of existing sprinklers with drip irrigation systems; the installation of new "grey" or recycled water systems where such does not currently exist. Other elements of sustainability may be considered on a case-by-case basis. Points are awarded at construction phase only.
- Other (e.g., Golf cart paths in conformance with California Vehicle Code and which are demonstrated to remove vehicle trips from roadway).

Improvement Characteristics: Select one characteristic which best describes the project:

- Gap Closures: the construction of a roadway to its full MPAH build-out for the purpose of connecting two existing ends of that roadway by filling in a missing segment or for completing the terminus of an MPAH roadway. This applies to increased roadway capacity only as it relates to vehicular traffic.
- New Facility/Extensions: Construction of new roadways.
- Bridge crossing: Widening of bridge crossing within the project limits to full MPAH width. Widening beyond MPAH shall not qualify for Project O funding.
- Adds capacity: Addition of through traffic lanes.
- Improves traffic flow: Installation of a median, restricting cross street traffic, adding midblock turn lanes, or elimination of driveways.

LOS Improvement: This category is a product of the existing or projected LOS based upon volume/capacity -- or v/c -- and LOS improvement "with project". **Projects must meet a minimum existing or projected LOS of "D" (.81 v/c) "without project" condition to qualify for priority consideration for funding.** Existing LOS is determined using current 24-hour traffic counts for the proposed segment. However, for projects where traffic volumes follow unconventional patterns, unidirectional volumes may be proposed as an acceptable alternate methodology for determining LOS. If unidirectional volumes are used for LOS calculations, ADT for the proposed direction of improvement shall serve as the basis for ADT, cost benefit and vehicle miles travelled (VMT) scoring categories. Projects that do not meet the minimum LOS "D" can be submitted but are not guaranteed consideration as part of the competitive process.

If during the competitive process, it is determined that additional programming capacity exists after all eligible projects with LOS "D" have been funded, a consideration of projects with a minimum LOS "C" (.71 v/c) may be undertaken. Such consideration will be at the discretion of OCTA. Projects with a LOS better than "C" (.70 v/c) will not be considered.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to evaluate the project proposal as outlined below. Detailed instructions and checklists are provided in this chapter.

Complete application

- Funding needs by phase and fiscal year
- Local committed match funding source, confirmed through city council resolution or minute order
- Supporting technical information (including current traffic counts)
- Project development and implementation schedule

- ROW status and detailed plan for acquisition/disposal of excess right-of-way. The ROW acquisition/disposal plan must be submitted using the "ROW acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.
- Any additional information deemed relevant by the applicant
- Grants subject to Master Funding Agreement

Calls are expected to be issued on an annual basis, or as determined by the Board. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

Minimum Eligibility Requirements

Projects must have an existing or projected LOS "D" (.81 v/c) or worse to qualify for priority consideration for funding in this program.

All project roadways must be identified on the MPAH network. Local streets not shown on the MPAH are not eligible for funding through this program.

New Facilities

New facilities must be modeled through OCTAM. A local agency planning on submitting a request for funding for a new facility must submit a modeling request a minimum of six (6) weeks prior to the application submittal deadline. If modeling requests are not submitted six (6) weeks prior to the application submittal deadline, the application associated with the related project will not be considered. Any request for modeling **must be submitted to OCTA no later than September 14, 2023** for the 2024 Call for Projects.

Facility Modeling: For consistency purposes, all proposed new facilities will be modeled by OCTA using the most current version of OCTAM. Applicants may supplement their application with a locally-derived model with OCTAM used for validation purposes. The facility will be modeled with the lane capacity reflected in the application.

Average Daily Trips Determination: OCTAM will provide an "existing" ADT using a "with project" model run under current conditions. The ADT for the proposed segment will serve as the ADT value to be considered in the application.

LOS Improvement: LOS on existing facilities may be positively or negatively affected by a proposed new roadway segment through trip redistribution. A current condition model run is generated "with" and "without" the proposed project. The intent is to test the efficacy of the proposed segment. A comparison of these before and after project runs (using current traffic volumes) yields potential discernable changes in LOS. The greatest benefit is generally on a parallel facility directly adjacent to the proposed project. Trip distribution changes generally dissipate farther from the project. For evaluation purposes,

the segment LOS (determined through a simple volume / capacity calculation) for the “with” and “without project” will be used for the existing LOS and LOS improvement calculations.

Matching Funds

Local agencies are required to provide local match funding for each phase of the project. As prescribed by the M2 Ordinance, the minimum local match requirement is 50 percent (50%) with potential to reduce this amount if certain eligibility requirements are met. The amount pledged during the application process is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project. Actual project contributions by the local agency are dependent on final project costs and may not be equal to the committed match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures do not contribute to the local match rate.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Approval: A Council Resolution or Minute Order action authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency’s governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA’s Board of Directors.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. An electronic copy of the PSR and/or environmental document must be supplied as applicable. The applicant will be asked for additional detailed information if necessary, to adequately evaluate the project application.

Project Summary Information: With each application being recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning, design, and ROW acquisition. Reimbursements will be disbursed upon review and approval of an acceptable initial payment submittal, final report, and consistency with Master Funding Agreement or cooperative agreement if federal funds are awarded. The reimbursement process is more fully described in Chapter 9 of this manual.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. All ROW funding received for property acquisition prior to cancellation shall be repaid upon cancellation even if property has been acquired. All construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible to reapply upon resolution of issues that led to original project termination. Agencies can resubmit an application for funding consideration once either the cancellation of the existing funding grant has been approved by the OCTA Board or is in the process of approval through the semi-annual review. In the event the OCTA Board does not approve the cancellation, the lead agency will be required to withdraw the application.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation, which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA's Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board (see Chapter 10).

Proceeds from the sale of excess ROW acquired with program funding must be paid back to the project fund as described in Chapter 9 and the Master Funding Agreement.

**Table 7-1
Regional Capacity Program
Street Widening Selection Criteria**

Category	Points Possible	Percentage
Facility Usage		25%
Existing ADT & VMT	15	15%
Current Project Readiness	10	10%
Economic Effectiveness		15%
Cost Benefit	10	10%
Funding Over-Match	5	5%
Facility Importance		25%
Transportation Significance	10	10%
Operational Efficiency	15	15%
Benefit		35%
Improvement Characteristics	10	10%
Level of Improvement and Service	25	25%
Total	100	100%

Table 7-2 Street Widening Point Breakdown

ACE SCORING CRITERIA Point Breakdown for Arterial Capacity Enhancement Projects Maximum Points = 100

Facility Usage			Points: 25
Existing ADT & VMT			Max Points: 15
Existing ADT Range			Points
45+	thousand		10
40 – 44	thousand		8
35 – 39	thousand		6
30 – 34	thousand		5
25 – 29	thousand		4
20 – 24	thousand		3
15 – 19	thousand		2
10 – 14	thousand		1
<10	thousand		0
VMT Range			Points
31+	thousand		10
26 – 30	thousand		8
22 – 25	thousand		6
18 – 21	thousand		5
14 – 17	thousand		4
11 – 13	thousand		3
08 – 10	thousand		2
04 – 07	thousand		1
<4	thousand		0
Current Project Readiness			Max Points: 10
ROW (All Easement and Titles)			5
Final Design (PS&E)			4
Environmental Approvals			2
Preliminary Design (35%)			2
ROW (All Offers Issued)			2
Economic Effectiveness			Points: 15
Cost Benefit (Total \$/ADT)			
Range*			Points
< 49			10
50 – 74			9
75 – 99			7
100 – 149			5
150 – 199			4
200 – 249			3
250 – 299			2
300 – 349			1
350+			0
Funding Over-Match (local match/project cost) minus minimum local match requirement.			
Range*			Points
25+%			5
20 – 24%			4
15 – 19%			3
10 – 14%			2
05 – 09%			1
00 – 04%			0
*Range refers to % points above agency minimum requirement.			

Facility Importance		Points: 25	
Transportation Significance Range		Points	
Principal or CMP Route		10	
Major		8	
Primary		6	
Secondary		4	
Collector		2	
Operational Attributes (within the roadway)		Max Points: 15	
Meets MPAH Configs.		4	
Pedestrian Facilities (New)		4	
Bike Lanes (New)		4	
Active Transit Route(s)		2	
Bus Turnouts		2	
Median (Raised)		2	
Safety Improvements		3	
Active Transportation Focused Plan Elements		2	
Sustainability Elements		2	
Other		2	
Benefit		Points: 35	
Improve Characteristics		Points	
Gap Closure		10	
New Facility/Extension		8	
Bridge Crossing		8	
Adds Capacity		6	
Improves Traffic Flow		2	
LOS Improvement		Max Points: 25	
Existing LOS Starting Point Range (LOS Imp x LOS Starting Pt)		Points	
1.01+		5	
.96 – 1.00		4	
.91 – .95		3	
.86 – .90		2	
.81 – .85		1	
<.81		0	
LOS Improvements with Project (exist. Volume)			
Existing LOS Starting Point Range		Points	
.20+		5	
.16 – .20		4	
.10 – .15		3	
.05 – .09		2	
.01 – .05		1	
<.01		0	

Intersection Capacity Enhancements (ICE)

Overview

The MPAH serves as the backbone of Orange County's arterial street network. Intersections at each intersecting MPAH arterial throughout the County will continue to require improvements to mitigate current and future needs. The ICE improvement category complements roadway improvement initiatives underway and supplements development mitigation opportunities.

Projects in the ICE improvement category are selected on a competitive basis. Projects must meet specific criteria in order to compete for funding through this program.

For the purposes of the ICE improvement category, the limits of an intersection shall be defined as the area that includes all necessary (or planned) through lanes, turn pockets, and associated transitions required for the intersection. Project limits of up to a maximum of 600 feet for each intersection leg are allowable. Projects that, due to special circumstances, must exceed the 600-foot limit, shall include in their application the request for a technical variance. The project shall be presented to the TSC by the local agency to request approval of the variance.

Objectives

- Improve MPAH network capacity and throughput along MPAH facilities
- Relieve congestion at MPAH intersections by providing additional turn and through lane capacity
- Improve connectivity between neighboring jurisdictions by improving operations
- Provide timely investment of M2 revenues

Project Participation Categories

The ICE category provides capital improvement funding (including planning, design, ROW acquisition and construction) for intersection improvements on the MPAH network for the following:

- Intersection widening – constructing additional through lanes and turn lanes, extending turn lanes where appropriate, and signal equipment
- Street to street grade separation projects

Eligible Activities

- Planning, environmental clearance
- Design (plans, specifications, and estimates)
- ROW acquisition
- Construction (including bus turnouts, curb ramps, median, and striping)

Potentially Eligible Items

Below is a list of potentially eligible items. However, final determination of the eligibility of all project related costs will be made at the time of reimbursement. Prior to the submittal of an application for funding, or at any point in the project life cycle, local agencies may meet with OCTA staff to review the eligibility of project related costs.

Application review and approval does not guarantee the eligibility of all items.

- Required environmental mitigation for projects funded by ICE
- Storm drains/catch basins/detention basins/bioswales/other pollutant discharge mitigation devices
- Sound walls (in conjunction with roadway improvement mitigation measures)
- Aesthetic improvements including landscaping within the project ROW (eligible improvements up to 10 percent (10%) of construction costs, provided costs are reasonable for the transportation benefit)
- Signal equipment (as incidental component of program), including the installation or upgrade of pedestrian countdown heads
- Bicycle detection systems
- Rehabilitation and/or resurfacing of existing pavement when necessitated by proposed improvement (such as change in profile and cross section)
- Improvements to private property if part of a ROW settlement agreement
- Utility relocation where the serving utility has prior rights as evidenced by a recorded legal document and are located within the roadway right-of-way.
- Roadway grading within the ROW (inclusive of any TCEs and/or ROW agreement related improvements) should not exceed a depth for normal roadway excavation (e.g., structural section). Additional grading will be considered on a case-by-case basis. Agencies shall provide supporting documentation (e.g., soils reports, ROW agreements) to justify the additional grading.

Ineligible Items

- Grading outside of the roadway ROW not related to a TCE or ROW agreement is generally assumed to be ineligible but can be evaluated by OCTA on a case by case basis, but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).
- ROW acquisition greater than the typical ROW width for the applicable MPAH Roadway Classification. Additional turn lanes not exceeding 12 feet in width needed to maintain an intersection LOS D requiring ROW in excess of the typical ROW width for the applicable MPAH classification shall be fully eligible. Where full parcel acquisitions are necessary to meet typical ROW requirements for the MPAH classification any excess parcels shall be disposed of in accordance with State

statutes and the acquisition/disposal plan submitted in accordance with these guidelines.

- Enhanced landscaping and aesthetic improvements (landscaping that exceeds that necessary for normal erosion control and ornamental hardscape).

Environmental mitigation will be allowed only as required for the proposed roadway improvement and only as contained in the environmental document. Program participation in environmental mitigation shall not exceed 25 percent (25%) of the total eligible project costs.

Longitudinal storm drains are eligible for program participation when the storm drain is an incidental part (cost is less than 25 percent (25%) of the total eligible improvement cost) of an eligible improvement. Program participation shall not exceed 10 percent (10%) of the cost of storm drain longitudinal/parallel and main lines. Storm drain inlets, connectors, laterals and cross culverts shall have full participation in ICE improvement category funding. Storm drains outside standard MPAH ROW widths are not eligible, excluding catch basins within reasonable distance and in general proximity to a project intersection (e.g., within ten feet of the curb return). Catch basins and drainage systems extending into adjacent areas (including public streets) shall not be eligible past the first catch basin.

Soundwalls are eligible only if they are required as part of the environmental clearance for the proposed project and shall not exceed 25 percent (25%) of the total eligible project costs. Aesthetic enhancements and landscaping in excess of minimum environmental mitigation requirements are subject to limitations described in the "Potentially Eligible Item" section above.

The relocation of detention basins/bioswales/other pollutant discharge mitigation devices are potentially eligible dependent on who has prior rights and will be given consideration on a case-by-case basis (see utility relocations below).

Roadway grading is eligible for structural sections if within the standard MPAH cross section for the facility (inclusive of any TCEs). Rough grading can be considered eligible, so long as it supports MPAH improvement(s) within the ROW and does not supplant developer (or any other project obligations). Any proposed rough grading outside of the MPAH ROW, will be evaluated by OCTA on a case-by-case basis but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).

Utility Relocations

The expenses associated with the relocation of utilities are eligible for RCP reimbursement only when all conditions listed below have been met:

- The relocation is made necessary due to conflict with proposed improvements.
- The facility to be relocated is within the project right-of-way.

- It has been determined that the local agency is legally liable for either a portion of or all of the relocation costs.

Liability can be determined by property rights, franchise rights/agreements, state and local statutes/ordinances, permits, a finding by the local agency's counsel, or other recorded legal document. Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted at the time of a ~~with an initial~~ payment request (see Chapter 9). Utilities funded through enterprise funds shall not be eligible for reimbursement.

If a relocation is eligible to be reimbursed, and to be performed by the utility owner or by the utility owner's contractor, the work should be included in the ROW phase costs and clearly identified in the project application submittal. For eligible relocations to be performed during the construction phase by the local agency's contractor, the work should be included in the plans and specifications similar to other construction activities. Adjustment of existing utilities to grade (e.g., water valves, manhole frames and covers), due to new roadway cross sections are either eligible or not eligible in the construction phase subject to the limitations previously described (e.g., prior rights). New or relocated fire hydrants are ineligible.

In all cases, eligible costs shall only include "in-kind" relocation. No reimbursements will be made for betterments above the cost of "in-kind" relocation. Additionally, costs submitted for program reimbursement must include any salvage credits received.

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on existing usage, LOS benefits, local match funding, and overall facility importance. Technical categories and point values are shown on Tables 7-3 and 7-4. Data sources and methodology are described below.

Projected/Current Average Daily Trips (ADT): Current ADT is the preferred method of measuring congestion. However, traffic counts projected to the year of opening for the project will be allowed as part of the competitive evaluation. These must be submitted along with current 24-hour traffic counts for the proposed segment for comparison purposes. The agency must submit the project's projected ADT, current ADT, the delta, and justification of the increase. Regarding "current" counts, these are defined as those taken for a typical mid-week period within the preceding 12-months. Project applications using projected ADT must use traffic counts taken within the preceding 12 months. Project applications not using projected ADT may use traffic counts taken within the preceding 36 months. Project applications without "current" counts will be deemed incomplete and non-responsive. Average ADT for the east and west legs of the intersection will be added to the average ADT for the north and south legs.

For agencies where event or seasonal traffic presents a significant issue, AADT counts can be used, provided the agency gives sufficient justification for the use of AADT.

Current Project Readiness: This category is additive. Points are earned for each satisfied readiness stage at the time applications are submitted. Local agency should select the most current phase of the project.

- Environmental Approvals – applies where all environmental clearances have been obtained on the project.
- Preliminary design (35 percent (35%) level) – will require certification from the City Engineer and is subject to verification.
- Final Design (PS&E) – applies where the jurisdiction’s City Engineer or other authorized person has approved the final design.
- ROW (all offers issued) – applies where offers have been made for every parcel where acquisition is required and/or offers of dedication or orders of immediate possession have been received by the jurisdiction. Documentation of ROW possession will be required with application submittal.
- ROW (all easements and titles) – applies where no ROW is needed for the project or where all ROW has been acquired/dedicated.

Cost Benefit: Total project cost (included unfunded phases) divided by the existing ADT (or modeled ADT for new segments).

Funding Over-Match: The percentages shown apply to match rates above a jurisdiction’s minimum match rate requirement. M2 requires a 50 percent (50%) local match for RCP projects. This minimum match can be reduced by up to 25 percentage points if certain eligible components are met. If a jurisdiction’s minimum match target is 30 percent (30%) and a local match of 45 percent (45%) is pledged, points are earned for the 15 percent (15%) over-match. The pledged amount is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project.

Coordination with Contiguous project: Projects that complement a proposed arterial improvement project with a similar implementation schedule earn points in this category. This category is intended to recognize large projects that segregate intersection components from arterial components for funding purposes.

Transportation Significance: Roadway classification as shown in the current MPAH.

Operational Attributes (within the roadway): This category is additive. Each category must be a new feature added as a part of the proposed project. Only one feature can be selected for any qualifying category. For example, installation of a bike lane that is identified in an adopted ATP plan can be awarded points under "Bike Lanes" or "Active Transportation Focused Plan Elements," but not both.

- Bike Lanes: Extension of bike lanes through intersection
- Bus Turnouts: Construction of a bus turnout as a new feature.
- Lowers density: Addition of through travel lanes.
- Channels traffic: Addition and/or extension of turn pockets (other than free right turn).
- Free right turn: installation of new free right or conversion of an existing right turn to free right
- Protected/permissive left turn: Convert from protected to protected/permissive
- Pedestrian Facilities: Placement of a new sidewalk if none currently exists.
- Grade separations: Street to street grade separations and do not apply to rail grade separation projects which are covered by the grade separation program category.
- Safety Improvements: Project features that increase the safety of pedestrians. These elements can include the new installation of: median barriers, curb extensions, residential traffic diverters, pedestrian crossing islands, pedestrian activated signals, crosswalk enhancements, safety signage, and the addition, modification, or improvement of existing pedestrian signals. Other elements of safety may be considered on a case-by-case basis.
- Elements of Approved Active Transportation Plan/Active Transportation Focused Sections of other Types of Mobility Plans: Incorporate project features that are approved in an active transportation plan or if very focused, in active transportation focused sections of other types of plans that improve mobility. These elements can include bike infrastructure and pedestrian elements. Other elements of an active transportation plan may be considered on a case-by-case basis. Documentation of approved plan will be required with application submittal and assignment of points for active transportation focused sections of other types of plans will be considered on a case by case basis.
- Sustainability Elements: Includes the use of multiple complete street elements, the installation of solar lighting within the roadway cross section, or water conservation elements that reduce water consumption, compared to current usage within project limits; such as the replacement of existing landscaping with hardscape and/or "California Native" drought tolerant type landscaping; the replacement of existing sprinklers with drip irrigation systems; the installation of new "grey" or recycled water systems where such does not currently exist. Other elements of sustainability may be considered on a case-by-case basis. Points are awarded at construction phase only.

LOS Improvement: This category is a product of the existing or projected LOS based upon v/c and LOS improvement "with project" using ICU calculation with 1,700 vehicles per lane per hour and a .05 clearance interval. Calculations will be based upon "current" arterial link and turning movement counts projected to opening year. **Projects must**

meet a minimum existing or projected LOS of "D" (.81 v/c) to qualify for priority consideration for funding. Existing LOS is determined using peak hour traffic counts/turning movements AM/PM peak periods for the proposed segment utilizing ICU methodology and using 1,700 vehicles per lane/per hour and a .05 clearance interval.

For projects where traffic volumes follow unconventional patterns (e.g. unidirectional congestion, large disparity between AM and PM peaks, etc.) HCM 2010 may be proposed as an alternate methodology for determining LOS. HCM calculations must use SYNCHRO and be supported with complete calculation documentation using standard industry approaches and current signal timing plans. If an alternative methodology is proposed, all analysis **must be submitted to OCTA for review no later than September 14, 2023** for the 2024 Call for Projects. OCTA will contract with an independent third-party firm to review the technical analysis. The cost for the review will be charged to the applicant.

Projects that do not meet the minimum LOS "D" can be submitted but are not guaranteed consideration as part of the competitive process.

If during the competitive process, it is determined that additional programming capacity exists after all eligible projects with LOS "D" have been funded, a consideration of projects with a minimum LOS "C" (.71 v/c) may be undertaken. Such consideration will be at the discretion of OCTA. Projects with a LOS better than "C" (.70 v/c) will not be considered.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to evaluate the project proposal as outlined below. Detailed instructions and checklists are provided in this chapter.

Complete application

- Funding needs by phase and fiscal year
- Local match funding source, confirmed through city council resolution or minute order
- Supporting technical information (including current arterial link and turning movement counts)
- Project development and implementation schedule
- ROW status and a detailed plan for acquisition/disposal of excess right-of-way. The ROW acquisition/disposal plan must be submitted using the "ROW acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.
- Any additional information deemed relevant by the applicant
 - Grants subject to master funding agreement

Calls for projects are expected to be issued on an annual basis, or as determined by the Board. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

Minimum Eligibility Requirements

Projects must have an existing or projected LOS "D" (.81 v/c) or worse to qualify for priority consideration for funding in this program.

All project roadways must be identified on the MPAH network. Local streets not shown on the MPAH are not eligible for funding through this program.

Matching Funds

Local agencies are required to provide local match funding for each phase of the project. As prescribed by the M2 Ordinance, the minimum local match requirement is 50 percent (50%) with potential to reduce this amount if certain eligibility requirements are met. The amount pledged during the application process is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project. Actual project contributions by the local agency are dependent on final project costs and may not be equal to the committed match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures do not contribute to the local match rate.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Approval: A Council Resolution or Minute Order action authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. An electronic copy of the PSR and/or environmental document must be supplied as applicable. The applicant will be asked for additional detailed information only if necessary, to adequately evaluate the project application.

Project Summary Information: With each application being recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning, design, and ROW acquisition. Reimbursements will be disbursed upon review and approval of an acceptable initial payment submittal, final report and consistency with Master Funding Agreement or cooperative agreement. The reimbursement process is more fully described in Chapter 9 of this manual.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. ROW funding received for property acquisition prior to cancellation shall be repaid upon cancellation even if property has been acquired. Construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA's Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board (see Chapter 10).

Proceeds from the sale of excess ROW acquired with program funding must be paid back to the project fund as described in Chapter 9 and the Master Funding Agreement.

**Table 7-3
Regional Capacity Program
Intersection Improvement Selection Criteria**

Category	Points Possible	Percentage
Facility Usage		25%
Existing ADT	15	15%
Current Project Readiness	10	10%
Economic Effectiveness		20%
Cost Benefit	10	10%
Funding Over-Match	5	5%
Coordination with Contiguous Project	5	5%
Facility Importance		30%
Transportation Significance	10	10%
Operational Efficiency	20	20%
Benefit		25%
LOS Improvement	25	25%
Total	100	100%

Table 7-4 Intersection Widening Point Breakdown

ICE SCORING CRITERIA

Point Breakdown for Intersection Capacity Enhancement Projects Maximum Points = 100

Facility Usage Points: 25			Facility Importance Points: 30		
ADT Range*			Transportation Significance Range		
		Points			Points
60+	thousand	15	Principal or CMP Route		10
55 – 59	thousand	13	Major		8
50 – 54	thousand	11	Primary		6
45 – 49	thousand	9	Secondary		4
40 – 44	thousand	7	Collector		2
35 – 39	thousand	5			
30 – 34	thousand	3			
25 – 29	thousand	1			
*AVG ADT for east and west legs plus AVG ADT for north and south legs of intersection.			Operational Attributes (within the roadway) Max Points: 20		
Current Project Readiness Max Points: 10			Grade Separations		10
ROW (All Easement and Titles)		5	Bike Lanes		5
Final Design (PS&E)		4	Pedestrian Facilities (New)		5
Environmental Approvals		2	Bus Turnouts		4
Preliminary Design (35%)		2	Free Right		4
ROW (All Offers Issued)		2	Lowers Density		3
Points are additive. Design and ROW limited to highest qualifying designation.			Channels Traffic		3
			Protected/Permissive Left Turn		2
			Safety Improvements		3
			Active Transportation Focused Plan Elements		2
			Sustainability Elements		2
Economic Effectiveness Points: 20			Benefit Points: 25		
Cost Benefit (Total \$/ADT) Range*			LOS Improvement Max Points: 25		
		Points	Calculation: LOS Imp x LOS Starting Point		
< 20		10	Existing LOS (Peak Hour) Range		
21 – 30		9			Points
31 – 50		7	1.01+		5
51 – 75		5	.96 – 1.00		4
76 – 100		3	.91 – .95		3
>100		1	.86 – .90		2
* = Total Cost/Average ADT			.81 – .85		1
Funding Over-Match (local match/project cost) minus minimum local match requirement.			<.81		0
			LOS Reduction w/ Project (existing Volume) Range		
		Points			Points
25+%		5	.20+		5
20 – 24%		4	.16 – .20		4
15 – 19%		3	.10 – .15		3
10 – 14%		2	.05 – .09		2
05 – 09%		1	.01 – .04		1
00 – 04%		0	<.01		0
Coordination with Contiguous Project Range					
		Points			
Yes		5			
No		0			
Coordination with ACE Project with similar implementation schedule.					

Freeway Arterial/Streets Transitions (FAST)

Overview

The MPAH serves as the backbone of Orange County's arterial street network. Current and future needs at existing interchanges along MPAH highways and freeways will need to be addressed in order to improve connectivity between freeways and MPAH arterials. The interchange improvement program complements roadway improvement initiatives underway as well, and supplements development mitigation opportunities.

Projects in the FAST improvement category are selected on a competitive basis. Projects must meet specific criteria in order to compete for funding through this program.

Objectives

- Improve transition to and from Orange County freeways with emphasis on MPAH performance
- Provide timely investment of M2 revenues

Project Participation Categories

The FAST category provides capital improvement funding (including planning, design, ROW acquisition and construction) for interchange improvements on the MPAH network for the following:

- MPAH facility interchange connections to Orange County freeways (including on-ramp, off-ramp and arterial improvements)

Eligible Activities

- Planning, environmental clearance
- Design
- ROW acquisition
- Construction (including ramps, intersection and structural improvements/reconstruction incidental to project)
- Signal equipment (as incidental component of the program)

Potentially Eligible Items

Below is a list of potentially eligible items. However, final determination of the eligibility of all project related costs will be made at the time of reimbursement. Prior to the submittal of an application for funding, or at any point in the project life cycle, local agencies may meet with OCTA staff to review the eligibility of project related costs.

Application review and approval does not guarantee the eligibility of all items.

- Direct environmental mitigation for projects funded by FAST (details below)
- Storm drains/catch basins/detention basins/bioswales/other pollutant discharge mitigation devices (details below)
- Aesthetic improvements including landscaping within the project ROW (eligible improvements up to 10 percent (10%) of construction costs, provided costs are reasonable for the transportation benefit)
- Rehabilitation and/or resurfacing of existing pavement when necessitated by proposed improvement (such as change in profile and cross section)
- Improvements to private property if part of a ROW settlement agreement
- Utility relocation where the serving utility has prior rights as evidenced by a recorded legal document
- Roadway grading within the ROW shall not exceed a depth for normal roadway excavation (e.g. structural section) or as required by TCEs, and/or ROW agreement related improvements. Additional grading will be considered on a case by case basis. Agencies shall provide supporting documentation (e.g. soils reports, ROW agreements) to justify the additional grading.
- Auxiliary lanes if necessitated by interchange improvements
- Soundwalls (in conjunction with roadway improvement mitigation measures)

Environmental mitigation will be allowed only as required for the proposed roadway improvement, and only as contained in the environmental document. Program participation in environmental mitigation shall not exceed 25 percent (25%) of the total eligible project costs.

Longitudinal storm drains are eligible for program participation when the storm drain is an incidental part (cost is less than 25 percent (25%) of the total eligible improvement cost) of an eligible improvement. Program participation shall not exceed 10 percent (10%) of the cost of storm drain longitudinal/parallel and main lines. Storm drain inlets, connectors, laterals and cross culverts shall have full participation in FAST improvement category funding. Storm drains outside standard MPAH ROW widths are not eligible, excluding catch basins within reasonable distance and in general proximity to a project intersection (e.g. within ten feet of the curb return). Catch basins and drainage systems extending into adjacent areas (including public streets) shall not be eligible past the first catch basin.

Soundwalls are eligible only if they are required as part of the environmental mitigation for the proposed project and shall not exceed 25 percent (25%) of the total eligible project cost. Aesthetic enhancements and landscaping in excess of minimum environmental mitigation requirements are eligible at up to 10 percent (10%) of the total eligible construction costs, provided costs are reasonable for the transportation benefit.

The relocation of detention basins/bioswales are potentially eligible dependent on prior rights and will be giving consideration on a case by case basis (see utility relocations below).

Roadway grading is eligible for structural sections if within the standard MPAH cross section for the facility (inclusive of any TCEs). Rough grading can be considered eligible, so long as it supports MPAH improvement(s) within the ROW and does not supplant developer (or any other project obligations). Any proposed rough grading outside of the MPAH ROW, will be evaluated by OCTA on a case-by-case basis but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).

Utility Relocations

The expenses associated with the relocation of utilities are eligible for RCP reimbursement only when:

- The relocation is made necessary due to conflict with proposed improvements.
- The facility to be relocated is within the project right-of-way.
- It has been determined that the local agency is legally liable for either a portion of or all of the relocation costs.

Liability can be determined by property rights, franchise rights/agreements, state and local statutes/ordinances, permits, a finding by the local agency's counsel, or other recorded legal document. Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted at the time of a ~~with an initial~~ payment request (see Chapter 9). Utilities funded through enterprise funds shall not be eligible for reimbursement.

If a relocation is eligible to be reimbursed, and to be performed by the utility owner or by the utility owner's contractor, the work should be included in the ROW phase costs and clearly identified in the project application submittal. For eligible relocations to be performed during the construction phase by the local agency's contractor, the work should be included in the plans and specifications similar to other construction activities. Adjustment of existing utilities to grade (e.g. water valves, manhole frames and covers), due to new roadway cross sections are either eligible or not eligible in the construction phase subject to the limitations previously described (e.g. prior rights). New or relocated fire hydrants are ineligible.

In all cases, eligible costs shall only include "in-kind" relocation. No reimbursements will be made for betterments above the cost of "in-kind" relocation. Additionally, costs submitted for program reimbursement must be reduced by any salvage credits received.

Ineligible Projects

- Seismic retrofit projects (unless combined with eligible capacity enhancements)

- Grading outside of the roadway ROW not related to a TCE or ROW agreement is generally assumed to be ineligible but can be evaluated by OCTA on a case by case basis but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).
- Enhanced landscaping, aesthetics and gateway treatments (landscaping that exceeds that necessary for normal erosion control and ornamental hardscape).

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on existing usage, level of services benefits, local match funding and overall facility importance. Technical categories and point values are shown on Tables 7-5 and 7-6. Data sources and methodology are described below.

Projected/Current Average Daily Trips (ADT): Current ADT is the preferred method of measuring congestion. However, traffic counts and ramp volumes projected to the year of opening for the project will be allowed as part of the competitive evaluation. These must be submitted along with current 24-hour traffic counts for the proposed segment for comparison purposes. The agency must submit the project's projected ADT, current ADT, the delta, and justification of the increase. Regarding "current" counts, these are defined as those taken for a typical mid-week period within the preceding 12 months. Project applications using projected ADT must use traffic counts taken within the preceding 12 months. Project applications not using projected ADT may use traffic counts taken within the preceding 36 months. Project applications without "current" counts will be deemed incomplete and non-responsive. Average ramp intersection volume for each interchange ramp will be used for the current counts. New facilities will rely on projected ramp volume based upon Caltrans approved projection.

For agencies where event or seasonal traffic presents a significant issue, AADT counts can be used, provided the agency gives sufficient justification for the use of AADT.

Current Project Readiness: This category is additive. Points are earned for each satisfied readiness stage at the time applications are submitted. Local agency should select the most current phase of the project.

- Environmental Approvals – applies where all environmental clearances have been obtained on the project.
- Preliminary design (35 percent (35%) level) – will require certification from the City Engineer and is subject to verification.
- Final Design (PS&E) – applies where the jurisdiction's City Engineer or other authorized person has approved the final design.
- ROW (all offers issued) – applies where offers have been made for every parcel where acquisition is required and/or offers of dedication or orders of immediate

possession have been received by the jurisdiction. Documentation of ROW possession will be required with application submittal.

- ROW (all easements and titles) – applies where no ROW is needed for the project or where all ROW has been acquired/dedicated.

Cost Benefit: Total project cost (including unfunded phases) divided by the existing ADT (or modeled ADT for new segments).

Funding Over-Match: The percentages shown apply to match rates above a jurisdiction's minimum local match requirement. M2 requires a 50 percent (50%) local match for RCP projects. This minimum match can be reduced by up to 25 percentage points if certain eligible components are met. If a jurisdiction's minimum match target is 30 percent (30%) and a local match of 45 percent (45%) is pledged, points are earned for the 15 percent (15%) over-match. The pledged amount is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project.

Coordination with Freeway Project: Interchanges planned to coincide with or accommodate programmed freeway improvements receive points in this category.

Transportation Significance: Roadway classification as shown in the current MPAH.

Operational Attributes (within the roadway): This category is additive. Each category, except Active Transit Routes, must be a new feature added as a part of the proposed project. Only one feature can be selected for any qualifying category. For example, installation of a bike lane that is identified in an adopted ATP plan can be awarded points under "Bike Lanes" or "Active Transportation Focused Plan Elements," but not both.

- Eliminate left turn conflicts: Ramp intersection reconfiguration which does not permit left turns onto ramps.
- Coordinated signal: Ramp intersections within a coordinated corridor where coordination did not previously exist.
- Add turn lanes: Increase in number of turn lanes on arterial.
- Add traffic control: Signalization of ramp intersection.
- Enhanced ramp storage: Extension or widening of existing ramp to improve off-street storage capacity.
- Pedestrian facilities: Add crosswalk and/or sidewalk to ramp or bridge crossing within context of interchange improvements.
- Active Transit Route: facility contains a currently active OCTA transit route
- Safety Improvements: Project features that increase the safety of pedestrians. These elements can include the new installation of: intersection median barriers, curb extensions, pedestrian crossing islands, crosswalk enhancements, safety signage, and the addition, modification, or improvement of existing pedestrian signals. Other elements of safety may be considered on a case-by-case basis.

- Elements of Approved Active Transportation Plan/Active Transportation Focused Sections of other Types of Mobility Plans: Incorporate project features that are approved in an active transportation plan or if very focused, in active transportation focused sections of other types of plans that improve mobility. These elements can include bike infrastructure and pedestrian elements. Other elements of an active transportation plan may be considered on a case-by-case basis. Documentation of approved plan will be required with application submittal and assignment of points for active transportation focused sections of other types of plans will be considered on a case-by-case basis.
- Sustainability Elements: Includes the use of multiple complete street elements, the installation of solar lighting within the roadway cross section, or water conservation elements that reduce water consumption, compared to current usage within project limits; such as the replacement of existing landscaping with hardscape and/or "California Native" drought tolerant type landscaping; the replacement of existing sprinklers with drip irrigation systems; the installation of new "grey" or recycled water systems where such does not currently exist. Other elements of sustainability may be considered on a case by case basis. Points are awarded at construction phase only.

LOS Improvement: This category is a product of the existing or projected LOS based upon v/c and LOS improvement "with project" for arterial based improvements and ICU for intersection-based improvements. **Projects must meet a minimum existing or projected LOS of "D" (.81 v/c) to qualify for priority consideration for funding.** Existing LOS is determined using current 24-hour traffic counts for arterials and peak hour turning movements at intersections for the proposed segment. However, for projects where traffic volumes follow unconventional patterns (e.g. unidirectional congestion, large disparity between AM and PM peaks, etc.) alternate methodologies for determining LOS can be proposed. If HCM 2010 is proposed for intersections as an alternative methodology, all analysis **must be submitted to OCTA no later than September 14, 2023** and the cost for independent review shall be reimbursed by the applicant. Projects that do not meet the minimum LOS "D" can be submitted but are not guaranteed consideration as part of the competitive process.

If during the competitive process, it is determined that additional programming capacity exists after all eligible projects with LOS "D" have been funded, a consideration of projects with a minimum LOS "C" (.71 v/c) may be undertaken. Such consideration will be at the discretion of OCTA. Projects with a LOS better than "C" (.70 v/c) will not be considered.

Improvement Characteristics: Select the attribute that best fits your project definition.

- New facility: New interchange where none exists.
- Partial facility: New interchange which does not provide full access.

- Interchange reconstruction: improvement of existing interchange to provide additional arterial capacity (widening of overcrossing or undercrossing).
- Ramp reconfiguration: Widening of ramp or arterial to improve turning movements or other operational efficiencies.
- Ramp metering: Installation of metering on ramp.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to evaluate the project proposal as outlined below.

Complete application

- Funding needs by phase and fiscal year
- Local match funding source
- Supporting technical information
- Project development and implementation schedule
- ROW status and a detailed plan for acquisition/disposal of excess right-of-way. The ROW acquisition/disposal plan must be submitted using the "ROW acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.
- Any additional information deemed relevant by the applicant
 - Grants subject to a Master Funding Agreement or cooperative agreement if federal funds are awarded

Calls for projects are expected to be issued on an annual basis, or as determined by the OCTA Board of Directors. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

Minimum Eligibility Requirements

Projects must have an existing or projected LOS "D" (.81 v/c) or worse to qualify for priority consideration for funding in this program. Worst peak hour period is used for this evaluation and eligibility purposes.

Matching Funds

Local agencies are required to provide local match funding for each phase of the project. As prescribed by the M2 Ordinance, a 50 percent (50%) minimum local match is required. A lower local match may be permitted if certain eligibility criteria are met. The amount pledged during the application process is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project. Actual project contributions by the local agency are dependent on final project costs and

may not be equal to the committed match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures do not contribute to the local match rate.

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning, design, and ROW acquisition. Reimbursements will be disbursed upon review and approval of an acceptable initial payment submittal, final report and consistency with Master Funding Agreement. The reimbursement process is described in Chapter 9.

Caltrans Coordination

Caltrans is not eligible to submit applications or receive payment under this program. Only cities or the County of Orange may submit applications and receive funds. This program was designed to benefit local agencies.

Coordination with Caltrans will be essential for most, if not all, of the projects submitted for this program. Local agencies should therefore establish contacts with the Caltrans District 12 Office (Project Development Branch) to ensure that candidate projects have been reviewed and approved by Caltrans. All other affected agencies should be consulted as well.

Agencies submitting projects for this program must have confirmation from Caltrans that the proposed improvement is consistent with other freeway improvements as evidenced by an agreement or other formal document.

Applications should be submitted so that interchange projects are done in conjunction with construction of other freeway improvements whenever possible. However, if the interchange project can be done in advance of the freeway project, verification and/or supporting documentation must be submitted showing the interchange improvement has merit for advanced construction and that it will be compatible with the freeway design and operation. Additionally, the interchange improvements should take into account the ultimate freeway improvements if the interchange is to be improved in advance.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. ROW funding received for property acquisition prior to cancellation shall be repaid upon cancellation even if property has been acquired. Construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA's Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board (see Chapter 10).

Proceeds from the sale of excess ROW acquired with program funding must be paid back to the project fund as described in Chapter 9 and Master Funding Agreement.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Approval: A Council Resolution or minute order authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion of planning phases. An electronic copy of the PSR and/or environmental document must be supplied as applicable. The applicant will be asked for additional detailed information only if necessary, to adequately evaluate the project application.

Project Summary Information: With each application being recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

**Table 7-5
Freeway/Arterial Street Transitions
Interchange Improvement Selection Criteria**

Category	Points Possible	Percentage
Facility Usage		20%
Existing ADT	10	10%
Current Project Readiness	10	10%
Economic Effectiveness		25%
Cost Benefit	10	10%
Matching Funds	10	10%
Coordination with Freeway Project	5	5%
Facility Importance		25%
Transportation Significance	10	10%
Operational Efficiencies	15	15%
Benefit		30%
Existing LOS	10	10%
LOS Reduction w/ Project	10	10%
Improvement Characteristics	10	10%
Total	100	100%

Table 7-6 Interchange Improvement Point Breakdown

FAST SCORING CRITERIA Point Breakdown for Freeway/Arterial Street Transitions Projects Maximum Points = 100

Facility Usage Points: 20			Facility Importance Points: 25		
ADT Range*			Transportation Significance Range		
		Points			Points
55+	thousand	10	Principal or CMP Route		10
50 – 54	thousand	9	Major		8
45 – 49	thousand	8	Primary		6
40 – 44	thousand	6	Secondary		4
35 – 39	thousand	4	Collector		2
30 – 34	thousand	3			
25 – 29	thousand	2			
20 – 24	thousand	1			
<10 – 19	thousand	0			
*Arterial plus daily ramp exit volume			Operational Attributes (within the roadway) Max Points: 15		
Current Project Readiness Max Points: 10			Pedestrian Facilities (New)		4
ROW (All Easement and Titles)		6	Eliminate Left Turn Conflict		3
ROW (All Offers Issued)		4	Add Turn Lanes		3
Final Design (PS&E)		4	Enhanced Ramp Storage		3
PA/ED		2	Coordinated Signal		2
Project Study Report or Equiv.		1	Safety Improvements		3
			Active Transportation Focused		
			Plan Elements		2
			Sustainability Elements		2
			Add Traffic Control		1
Points are additive. ROW is the highest qualifying designation.			Benefit Points: 30		
Economic Effectiveness Points: 25			LOS Improvement Max Points: 20		
Cost Benefit (Total \$/ADT)			Calculation: Avg. LOS Imp + Avg. LOS Starting Point		
Range*			LOS Reduction w/ Project (existing Volume) Range		
		Points			Points
< 20		10	.20+		10
20 – 39		8	.16 – .19		8
40 – 79		6	.10 – .15		6
80 – 159		4	.05 – .09		4
160 – 319		2	<.05		2
320 – 640		1			
>640		0			
Funding Over-Match (local match/project cost) minus minimum local match requirement.			Existing LOS Range		
Range*			Points		
		Points	1.06+		10
30+%		10	1.01 – 1.05		8
25 – 29%		8	0.96 – 1.00		6
20 – 24%		6	0.91 – 0.95		4
15 – 19%		4	0.86 – 0.90		2
10 – 14%		2	0.81 – 0.85		1
00 – 09%		1			
Range refers to % points above agency minimum requirement			Improvement Characteristics Max Points: 10		
Coordination with Freeway Mainline Improvements			Improvement Characteristics		
Project Range			Points		
		Points	New Facility (Full Interchange)		10
Yes		5	New Facility (Partial Interchange)		8
No		0	Interchange Reconstruction		6
			Ramp Reconfiguration		4
			Ramp Metering		2

Regional Grade Separation Program (RGSP)

Background

Seven rail crossing projects along the MPAH network were identified by the CTC to receive Trade Corridors Improvement Funds (TCIF). These TCIF allocations required an additional local funding commitment. To meet this need, the Board approved the commitment of \$160 million in RCP (Project O) funds to be allocated from M2. The RGSP captures these prior funding commitments.

Future calls for projects for grade separations are not anticipated.

Chapter 8 – Regional Traffic Signal Synchronization Program (Project P)

Overview

The RTSSP (Project P) includes competitive funding for the coordination of traffic signals across jurisdictional boundaries including project based operational and maintenance funding. OCTA will provide funding priority to programs and projects, which are multi-jurisdictional in nature.

The RTSSP is based on the Traffic Signal Synchronization Master Plan (Master Plan). The Board adopted the Master Plan as an element of the MPAH on July 26, 2010. The Master Plan defines the foundation of the RTSSP. The Master Plan consists of the following components:

- Regional signal synchronization network
- Priority corridors for accelerated signal synchronization
- Definition of Traffic Forums
- Model agreements presenting roles and responsibilities for Project P
- Signal synchronization regional assessment every three years
 - NOTE: For Call for Projects 2024, Priority Corridors are an eligible inclusion, but no additional points will be awarded. A Priority Corridor is on the Signal Synchronization Network.

The Master Plan will be reviewed and updated by OCTA. Local agencies are required to adopt and maintain a Local Traffic Signal Synchronization Plan (Local Plan) that is consistent with the Master Plan and shall issue a report on the status and performance of its traffic signal synchronization activities. Details on both the Master Plan and requirements for Local Plan development are available in the [Guidelines for the Preparation of Local Signal Synchronization Plans](#) (updated April 2023). These guidelines are available at the following link: <https://www.octa.net/pdf/CTFPGuidelines2024.pdf>.

The remainder of this chapter details the key components of the RTSSP:

- Funding guidelines for the competitive call for projects
- 2024 Call for Projects

Projects compete for funding as part of the RTSSP. Projects submitted by local agencies as part of the call must meet specific criteria. Projects are rated based on scoring criteria and are selected based on their competitive ratings.

Objectives

- Synchronize traffic signals across jurisdictions.
 - Monitor and regularly improve the synchronization.
 - Synchronize signals on a corridor, intersecting crossing arterial and/or route basis reflecting existing traffic patterns in contiguous zones or road segments that have common operations.

2024 Call for Projects

The following information provides an overview of the 2024 RTSSP (Project P) Call for Projects:

1. Projects must result in new, optimized, and field-implemented coordination timing.
2. Project shall be a single contiguous corridor or set of contiguous corridors related to each other. Multiple corridors and related systems of corridors that form a “grid” may be submitted as a single optimized timing project. However, the total number of corridors per project will be limited to three (3), and the total number of signalized intersections between these corridors is limited to fifty (50).
3. Projects selected will be programmed after July 1 of the programmed year (July 1 – June 30).
4. Project delays resulting in a time extension request will fall within the process outlined in the CTFP Guidelines.
5. Projects are funded for a grant period of three (3) years and are divided into two phases:
 - a. Primary Implementation (PI) – includes the required implementation of optimized signal timing as well as any signal improvements proposed as part of a project. A report is required at the conclusion of this phase to document work completed during the PI phase. This PI Report shall be submitted with the final report.
 - b. Ongoing Operations and Maintenance (O&M) – includes the required monitoring and improving optimized signal timing in addition to any optional communications and/or detection support. O&M will begin after the optimized signal timing is implemented and be required for the remainder of the project (typically 2 Years). A O&M Report is required at the conclusion of this phase to document work completed during the O&M phase and shall be submitted with the final report.
6. Projects shall include a Before and After Study. This study shall collect morning, mid-day, and evening peak periods using travel times, average speeds, green lights to red lights, stops per mile, and the derived corridor synchronization performance index (CSPI) metric. This information shall be collected both before and after signal timing changes have been implemented and approved by all agencies. The study shall compare the information collected both before and after the timing changes.

Comparisons should identify the absolute and percent differences for the entire corridor, by segment, direction, and time period. Segments will be defined by major traffic movements as observed during the project (e.g. commuting segments between freeways, pedestrian-friendly segments in a downtown area, etc.). The Before and After study shall also include field inventory, count data, modeling data, and Greenhouse Gas calculations. The Before and After Study shall be submitted as part of the PI Report.

7. Any corridor or portion of a corridor funded through this call cannot re-apply for funding until the three-year grant period is completed and a final report has been submitted to OCTA.
8. This chapter identifies the selection criteria for projects, eligible activities, minimum project requirements, data compatibility required as part of any funded project, and other key information.
9. Participants in the OCTA Countywide Signal Synchronization Baseline Project (Baseline Project) may elect to waive data collection, timing development, and timing implementation tasks in their application. A waiver will only be accepted if all participating agencies (excluding Caltrans) execute a cooperative agreement with OCTA by no later than the date the funding recommendations are presented to the TSC, as these tasks will be covered in the Baseline Project. Note that "Before" and "After" studies and tasks in the O&M phase will still be required as part of Project P.

Additional details of the specific program's intent, eligible project expenditures, ineligible project expenditures, and additional information that may be needed when applying for funds are included in this chapter. Each section should be read thoroughly before applying for funding. Applications should be prepared for the program that best fits the proposed project.

For specifics on the funding policies that apply to this call, refer to the Program Precepts in Section IV of these guidelines.

Applications

In order for OCTA to consider a project for funding, applications will be prepared by the local agency responsible for the project application. OCTA shall require agencies to submit applications for the call for projects by **5:00 p.m. on Thursday, October 26, 2023**. Late and/or incomplete submittals will not be reviewed or considered. The local agency responsible for the project application must submit the application and any supporting documentation via OCFundtracker as outlined below.

A separate application package must be completed for each individual project and uploaded to OCFundtracker. **One (1) unbound printed hardcopy and one electronic copy on a USB, thumb drive, memory stick, or via electronic file upload and/or email** of each complete application shall also be mailed or delivered to:

Orange County Transportation Authority
550 South Main Street
P.O. Box 14184
Orange, California 92863-1584
Attn: Adrian Salazar
Email: asalazar@octa.net

Application Process

Project grants are determined through a competitive application process administered by OCTA. Agencies seeking funding must complete an online application, a supplemental application in the latest format, and provide supporting documentation that will be used to evaluate the project proposal as outlined below. Key information to be provided as part of the application process includes:

- Funding needs by phase and fiscal year
- Percent match rate per phase including funds type, source, and description (minimum 20 percent (20%))
- Lead agency (default – local agency)
- Lead and supporting agencies' contact information
- Supporting technical information
- Project development and implementation schedule
- Environmental clearances and other permits
- Any additional information deemed relevant by the applicant
- Complete photographic field review (including cabinet interiors and communication facilities) for all projects that exceed one million dollars in capital improvements. Original photos shall be uploaded to OCFundtracker or included with electronic copy of application.

A call for projects for the funding cycle will be issued as determined by the Board. Complete project applications must be submitted by the established due dates to be considered eligible for consideration.

An application should be submitted for a single corridor or route corridor project. Multiple corridors that form a "grid" may be submitted as separate or single project(s). However, the total number of corridors per route or grid corridor projects will be limited to three (3) and the total number of intersections between these corridors are limited to fifty (50). A single corridor project not proposed as a connected route or grid project may be submitted and is not subject to the 50-intersection limit. The following instructions should be used in developing project applications.

Applications will be reviewed by OCTA for consistency, accuracy, and concurrence. Once applications have been completed in accordance with the Program requirements, the

projects will be scored, ranked, and submitted to the TSC, TAC, and the Board for consideration and funding approval. OCTA reserves the right to evaluate submitted project costs for reasonableness as part of the review and selection process and suggest potential revisions to make the cost more appropriate. Grants will be subject to funding agreements with OCTA.

Other Application Materials

Supporting documentation is required to fully consider each project application. A Supplemental Application (available on the OCTA website and OCFundtracker) is required to be completed for each project application and included in the electronic submittal. **Any Supplemental Application not submitted in the 2024 format will NOT be considered.** The template is distributed with other application materials at the issuance of the Call for Projects. In addition to the funding plan described above, local agencies will be required to submit additional materials.

Lead Agency: Eligible jurisdictions consistent with Measure M2 ordinance definitions and requirements.

Participating Agencies: All participating agencies must be identified and adopted City Council resolutions or Minute Order actions authorizing the participating agency's support of the project under the lead agency must be included. If the application claims Caltrans as a participant, then it shall contain a letter of support from Caltrans for the specific project and letters of support from all applicable agencies pledging to sign a cooperative agreement with Caltrans at the start of the project. The lead agency shall also pledge this commitment in the cover letter of the application. The required Caltrans fee will be a line item in the improvements list. The applicable agencies will be required to cover the required 20% match for the Caltrans line items. All agencies that have a Caltrans intersection/ramp in their jurisdiction are required to sign a cooperative agreement with Caltrans in order for the entire project to claim Caltrans as a participant.

Council Approval: A Council Resolution or Minute Order action authorizing request for funding consideration with a commitment of project local match funding must be provided with the project application from all participating agencies. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Lead Agency

This Program is administered through a single lead agency: See Lead Agency definition above.

Local Agency Lead: Only the lead agency will receive payments in accordance with the CTFP Guidelines regarding payment for costs related to project for optimized signal timing development, capital improvements, planning, and related design. Payments will be disbursed consistent with Chapter 9. The lead agency is responsible for reimbursing other agencies as part of the effort. Additionally, the lead agency is also responsible for ensuring that all agencies participating in the project provide the local match proposed in the project application.

OCTA Lead (NOT AVAILABLE FOR 2024 CALL FOR PROJECTS): OCTA may, at the request of the involved local agencies, act as the lead agency for RTSSP projects. If the involved local agencies would like OCTA to implement a project on the signal synchronization network, the local agency shall work cooperatively with OCTA to develop the scope of work and cost elements of the project. For example, accounting for OCTA's administrative and project management efforts by incorporating an additional 10 percent of the total project cost when calculating the Cost Benefit of the project. The lead local agency shall contact OCTA with **a written request at least four weeks prior to deadline for submittal of the project grant application**. Applications must be prepared by a designated local agency acting in a lead capacity during grant preparation. Applications must include a complete photographic field review (as outlined above) when submitted. The application will be scored using the criteria outlined in the following sections. Based on local agency interest and OCTA resource availability, a limited number of projects can be developed and implemented by OCTA.

If any projects that are designated as OCTA led are awarded funding, OCTA will then be responsible for implementation of the project, including optimized signal timing development, capital improvements, planning, and related design. OCTA will implement the project based on the cost estimates developed in the application. Project elements may be modified based on final costs with the agreement of all participating agencies. OCTA will be responsible for ensuring that all agencies participating in the project provide the local match as identified in the project application (minimum 20 percent (20%)).

OCFundtracker Application Components

Final applications MUST be submitted via OCFundtracker and in hard copy format. Selection criteria must be inputted as part of the OCFundtracker online application and includes the following categories of information:

Transportation Significance, Number of Jurisdictions, Project Scale, Economic Effectiveness, Project Characteristics, Current Project Status, and Funding Match Rate.

Application Review and Program Adoption

OCTA staff will conduct a preliminary review of all applications for completeness and accuracy, may request supplemental information for projects during initial staff

evaluations, and prepare a recommended program of projects to the TSC and TAC. In addition, OCTA may hire a consultant(s) to verify information within individual applications including, but not limited to, project scope, cost estimates, vehicle miles traveled, and average daily traffic.

Final programming recommendations will be provided to the TSC and TAC for approval. Recommendations will be presented to the Board, who will approve projects for funding under the CTFP.

Local agencies awarded funding will be notified as to which projects have been funded and from what sources after the Board takes action. A tentative call schedule is detailed below:

Board authorization to issue call: August 14, 2023

Application submittal deadline: October 26, 2023

TSC/TAC Review: February/March 2024

Committee/Board approval: April/May 2024

Checklist Guide

The "Project P Regional Traffic Signal Synchronization Program Application Checklist" has been provided for the RTSSP (Exhibit 8-1). The checklist identifies the basic documentation required for the program. In addition to items required at the time of project submittal, additional items that are not specified may be requested later. The checklist should be provided as a table of contents for **each** application submitted. For any items that are required for the candidate project or program that are missing or incomplete, an explanation should be included in a cover letter with the application.

Sample Resolution Form

A resolution or minute action must be approved by the local agency's governing body. A sample resolution is included as Exhibit 8-2. Local agencies, at a minimum, must include items a-h from the sample resolution. The mechanism selected shall serve as a formal request for RTSSP funds and will state that matching funds will be provided by the agency, if necessary. All project requests (i.e., multiple corridors proposed for RTSSP funds) must be included in this action.

Project Definition

Local agencies are required to submit complete projects that, at minimum, result in field-implemented coordinated timing. Project tasks that are eligible for funding can consist of design, engineering, construction, and construction management. Partial projects that include design improvements, but do not field implement the improvements are ineligible.

Projects must consist of a corridor along the priority corridor network, signal synchronization network, or the MPAH. Projects previously awarded RTSSP funding must be complete with a Final Report submitted to OCTA. Projects can be the full length of the corridor or a segment that complies with the minimum project requirements identified later in the chapter.

All participating agencies (except Caltrans) in the application must be participants of the OCTA Baseline Project in order to be eligible to waive the data collection, timing development, and timing implementation tasks of the Project P project.

Applicant agency and owning agency must demonstrate through simulation, or actual vehicle counts showing Origin – Destination that proposed linked corridors do form a route. A “grid” project shall consist of one main corridor that is specifically identified in the application with a maximum of two crossing corridors to make a grid. Grid projects shall also be multijurisdictional with a minimum of two local agencies, excluding Caltrans. For a grid project, applicant agency and owning agency must demonstrate through simulation or actual vehicle counts the following:

- Show that timing changes on the main corridor will greatly impact the crossing corridor(s)
- Crossing corridors shall have closely spaced signals in close proximity to the main corridor with timing changes along these crossings impacting the operation of the main corridor

All corridors in the grid shall individually meet the Minimum Eligibility Requirements and, as part of the project, travel time studies shall also be collected along all corridors making the grid.

Multimodal consideration of bicyclists and pedestrians along or crossing the intersection or roadway may enhance overall circulation. Therefore, active transportation elements may be included as part of the project as outlined in the following section.

Eligible Activities

The primary purpose of Project P is to provide funding for projects that develop and maintain corridor-based, multi-jurisdictional signal synchronization along corridors throughout Orange County. All projects funded by Project P must be corridor-based and have a signal coordination component that includes the following:

- Developing and implementing new signal synchronization timing parameters based on current travel patterns, and federal and state traffic signal timing mandates and guidance, including but not limited to the Manual on Uniform Traffic Control Devices (MUTCD). These tasks may be waived if the applicants (excluding Caltrans) are participating in the Baseline Project.

- Monitor, maintain (minimum quarterly/maximum monthly) and/or regularly improve the newly implemented signal synchronization timing and parameters for the remainder of the project. As part of the closeout process, an O&M Report is required to document activities of the O&M phase.
- “Before” and “after” studies for the project comparing travel times, average speeds, ratio of green lights passed to red lights stopped (greens per red), average stops per mile, and emissions of greenhouse gases. The results of the “before” and “after” studies shall be included in the PI Report.

In addition to developing optimized signal timing, a project may include other improvements, as long as they contribute to the goal of multi-agency signal synchronization of corridors throughout Orange County. These improvements are restricted to the signal synchronization project limits (main corridor) but may include synchronization with traffic signalized intersections on the MPAH that are within 2,700 feet from either direction of the project corridor. These offset signals; however, will not be counted towards the total number of signals on the project (for implementation of timing plans only). Projects waiving the development of optimized signal timing through the participation of the Baseline Project are eligible to include signal improvements at offset signals, as the Baseline Project will be evaluating timing countywide. No additional funds will be allocated for offset signals. All offset signal improvements must adhere to the CTFP Guidelines for eligibility. All improvements must be designed to enhance the specific project. Expenditures related to the design of systems, permitting, and environmental clearance are eligible for funding.

Caltrans encroachment permits and agency to Caltrans Cooperative Agreement fees are eligible activities. This includes Caltrans labor, such as expenses for reviewing signal timing plans, providing signal timing parameters, and providing existing timing sheets, etc. Applicant must specify how the project intends to handle Caltrans intersections.

Ineligible Expenditures

- Isolated traffic signal improvements
- Traffic hardware (pole, mast arms, lights, electrical, signs, etc.)
- Regular signal operation and maintenance (such as replacement of light bulbs or communication repairs)
- Field display equipment (Traffic signal heads other than pedestrian countdown, or special bicycle, or Transit Vehicle signal heads)
- Feasibility studies
- Relocation of utilities except for electrical service requirements
- Right-of-way
- Rewiring of complete intersection because of age or isolated mitigation

Funding Estimates

The streets and roads component of M2 is to receive 32 percent (32%) of net revenues, 4 percent (4%) of which are allocated for the RTSSP. The RTSSP will make an estimated \$270 million (2009 dollars) available over the course of the 30-year M2 Program. Programming estimates are developed in conjunction with a call for projects cycle corresponding to concurrent funding agreements with all local agencies.

The RTSSP targets over 2,000 intersections across Orange County for coordinated operations. Because of the limited amount of funds available for the RTSSP, project cap of \$75,000 per signal or \$250,000 per project corridor mile included as part of each project (whichever is higher) has been established for this call for projects. Note that offset signals will not be counted towards the total number of signals on the project for purposes of calculating the project cap.

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on furthering the overall goal of multi-jurisdictional, corridor-based signal synchronization.

Transportation Significance: Points are awarded for projects that include offset signals along the project corridor, route, or grid. These offset signals do not count towards the project cap; however, are in relatively close proximity to affect the operation of the corridor(s). The applicant shall identify the number of offset signals on the corridor and the percentage of those offset signals that will be included in the project.

Vehicle miles traveled (VMT) is calculated as the centerline length of segment(s) on the corridor, route, or grid proposed for synchronization multiplied by the existing average daily traffic (ADT) for the proposed segment(s) length. For instance, for a three-mile segment with one-mile interval ADT data at of 200 vehicles, 300 vehicles, and 400 vehicles, the VMT would be calculated as:

$$200 \text{ vehicles} * 1 \text{ mile} + 300 \text{ vehicles} * 1 \text{ mile} + 400 \text{ vehicles} * 1 \text{ mile} = 900 \text{ vehicle miles.}$$

VMT should be calculated by the smallest segmentation on which the city typically collects ADT data. ADT must be based upon actual count information taken within 36 months preceding the application date and include 24-hour, midweek, bi-directional counts for each segment. All supporting data shall be organized in order in which they appear for the calculation of the VMT. Data from the OCTA Traffic Flow Map may not be used. Furthermore, outdated and/or non-compliant counts may result in project ineligibility (maximum: 25 points).

Economic Effectiveness: Total project cost divided by Existing VMT. If the applicant is electing OCTA to be the lead agency, the total project cost in this calculation must also

include an additional 10 percent (10%) of the total project for OCTA administrative and project management efforts. This additional 10% is used to determine the project effectiveness only and is not counted towards the overall project budget cap (maximum: 10 points).

Project Characteristics: Points are awarded based on the project’s average improvement score. Eligible improvements for each intersection are assigned an improvement score based on factors, such as priority for overall signal operations and existing conditions. Intersection improvement scores are then averaged together, and the average project score is used in the point breakdown table in the Project Characteristics. For instance, a maximum score of 50 is awarded to projects that are timing only without any capital improvements or average scores accumulate if a signal synchronization project is combined with eligible improvements. The following improvements and requirements only apply to signalized intersections that are part of the application.

Eligible Improvements		Score Based on Status	
Signal Timing (No Capital)		Online	Offline
	Timing Only	50	30
	Timing + Traffic Responsive (license only)	50	15
	Timing + Peer-to-Peer (configuration only)	50	40
	Timing + Traffic Adaptive (license only)	40	1
Signal Communication		No Time Source	Time Source
	Above ground (e.g., wireless, cellular, etc.)	50	30
	Fiber Optic underground	25	15
	All other (e.g., copper, aerial fiber, GPS, etc.)	5	1
Field Elements		None/5+ Years	Within 5 years
	ATC signal controller	50	10
	Signal cabinet on existing foundation	30	10
	Signal cabinet on new foundation	15	5
	BBS/USP (attached)	20	10
	BBS/UPS on existing foundation	10	5
	BBS/UPS on new foundation	5	1
	CCTV	30	10
	Vehicle detection (ATSPM inputs + counts)	50	30
	Vehicle detection (ATSPM inputs)	40	20
	Vehicle detection + bicycle detection	30	15
	Vehicle detection	30	15
	Bicycle detection	30	15

Eligible Improvements		Score Based on Status	
	Pedestrian detection (audible)	50	30
	Pedestrian detection	30	15
	Active transportation/pedestrian safety	50	30
	Transit Signal Priority	30	10
	EVP (hybrid or GPS)	40	10
	EVP (infrared)	30	10
	Speed feedback signs (existing post)	40	10
	Speed feedback signs (new post)	20	10
	Corridor Performance Monitoring	40	10
Minor Signal Operational Improvements		None/5+ Years	Within 5 years
	Channelization	40	20
	Signal phasing improvement	50	25
TMC/TOC		None/10+ Years	Within 10 years
	Central System (server, licenses, workstations)	40	20
	Display (video wall, VMS, etc.)	30	10
	UPS	20	5
Caltrans		Participation	No Participation
	Cooperative Agreement	50	25

Signal Timing (No Capital). Improvements in this category can only be selected if the entire project is a timing only project without any field improvements. Scores for this improvement category can be claimed for any one of the following depending on the status of the signal, whether is it online (connected to a central system and active) or offline (either connected and not active or not connected to a central system):

- Traffic Responsive only if all signals, in at least one agency on the project, are included in the system.
- Peer-to-Peer program on traffic control devices that have existing connectivity.
- Adaptive traffic signal systems only if all signals, in at least one agency on the project, are included in the system.

Signal Communication. Scores for this improvement category varies depending on the type of improvement coupled with the existing status of the signal, whether there is an existing reliable time source (e.g., GPS, master controller, direct connection to central system, etc.) that will keep the signal in synchronization along the corridor:

- Above ground communication installations, such as wireless radios and cellular devices, that are quick to build are the preferred medium to ensure all signals are online and operating. This should not include any construction between signalized intersections.

- New or upgraded fiber optic communication systems
 - New contemporary communication system improvements (e.g., Ethernet) including all conduits, pull boxes, fiber optic and/or copper cabling (not to exceed 120 strands), network switches and distribution systems. These systems should be sufficiently sized for the needs/capacity of the Intelligent Transportation System (ITS) network. Excess capacity is deemed non-participating and also, cannot be used as part of the required project match.
 - Software and hardware for system traffic control.
 - Control and monitoring interconnect conduit (including upgrades or replacement of existing systems).
 - Communication closure systems of conduit, cable, and associated equipment that are outside of project limits but complete a designated communications link to an existing network for the Advanced Transportation Management System (ATMS) for an agency or agencies. Only communication links that are installed from a central location and/or communications hub to the project corridor that does not currently have a fiber connection to a central location are eligible.
- All other communication mediums, such as GPS clocks, copper twisted pair or aerial interconnect between signalized intersections, are eligible to ensure signals are online and in operation but are not encouraged.

Field Elements. This improvement category is focused on the field equipment/devices that will ensure the signals are enhanced to support advanced signal operations. Scores for this improvement category will vary depending on the existing lifespan of equipment/devices being upgraded. It is the applicant agency's responsibility to ensure the appropriate score is assigned, and OCTA may request for supporting documentation.

- Traffic signal controller replacement of antiquated units with Advanced Transportation controller (ATC) units. ATC shall comply with latest industry standards.
- Controller cabinet (assemblies) replacements that can be shown to enhance signal synchronization.
- Traffic signal Battery Backup System (BBS) or Uninterruptible Power Supply (UPS) that includes cabinet, batteries, and necessary configurations.
- Closed Circuit Television (CCTV). Intelligent cameras that include analytics, such as automated continuous counts are the preferred solution. If implemented, these cameras may require a data sharing agreement with OCTA in the future.
- Vehicle Detection System (VDS)
 - The ideal implementation for signal operations is a detection system that will increase the number of inputs, including separate bicycle and pedestrian detection inputs, into the signal controller for the purpose of signal performance

measures, such as Automated Traffic Signal Performance Measures (ATSPM). Additionally, inputs that are specifically set to capture turning movement counts at the intersection.

- Inductive loops, video detection, radar, sonar, thermal, hybrids thereof, and other types of vehicle detection systems that can distinguish bicycles. This includes implementing a separate bicycle minimum and/or clearance parameter in the traffic signal controller.
- Installation of new and/or improved traffic control devices to improve the accessibility, mobility, and safety of the facility for pedestrians and bicyclists. Americans with Disabilities Act (ADA) compliant pedestrian signals include, but not limited to, tactile and audible buttons in countdown signal heads.
- Active Transportation/Pedestrian Safety related elements
 - High-Intensity Activated crosswalk signaling systems (HAWK) Pedestrian detection modules Bicycle detection modules.
 - Rectangular Rapid Flashing Beacon Systems (RRFB) including striping, legends, and signage.
- Transit Signal Priority (TSP) intersection control equipment only.
- Emergency Vehicle Preempt (EVP) intersection control equipment only.
- Corridor Performance Monitoring implementations, such as Bluetooth and/or connected vehicle roadside units for signals on the project. If implemented, these items will require a data sharing agreement with OCTA.

Minor Signal Operational Improvements. Scores for this improvement category will vary depending on the existing lifespan. It is the applicant agency's responsibility to ensure the appropriate score is assigned, and OCTA may request for supporting documentation.

- Channelization (signing, striping, raised pavement markers, in lane flashing guidance or warning marking systems, and legends) improvements required for traffic signal phasing.
- Traffic signal phasing improvements that will improve traffic flow and system performance including protected permissive left turn phasing and shared pedestrian phasing, excluding display equipment and other ineligible activities as mentioned in these guidelines.

Traffic Management Center (TMC)/Traffic Operations Center (TOC). Scores for this improvement category will vary depending on the existing lifespan of equipment or software being upgraded. It is the applicant agency's responsibility to ensure the appropriate score is assigned, and OCTA may request for supporting documentation.

- Central system
 - New TMCs or TOCs, such as a new Advanced Traffic Management System (ATMS). Any project funded under this category should plan for center-to-center communication (C2C) with nearby agencies and/or OCTA.

- Upgrades to existing TMCs or TOCs. Any project funded under this category should plan for C2C with nearby agencies and/or OCTA.
- Motorist information systems (up to 10 percent (10%) of total project costs for PI phase only).
- Automated Traffic Signal Performance Measures (ATSPM) system can only be implemented if all signals, in at least one agency on the project, are included in the system, which will also be used during the O&M phase of the project. If implemented, these items will require a data sharing agreement with OCTA.
- Video display equipment, including wall monitors, screens, mounting cabinets, and optical engines (up to 10 percent (10%) of total construction costs for PI phase only).
- Uninterruptible Power Supply (UPS) for ATMS shall solely provide electrical power for ATMS Server(s), one dedicated workstation ~~workstation~~ station (console terminal) and related communications devices. UPS for ATMS is not intended to provide power to entire TMC, and approval of request for UPS is at the sole discretion of OCTA.

Caltrans. Scores for this category will depend on the commitment of a cooperative agreement with Caltrans that results in active Caltrans participation and inclusion of Caltrans as a partnering agency. The associated timing fee is an eligible expense. Note that if a cooperative agreement with Caltrans will not be executed, the participating agencies will still be responsible for modeling any Caltrans signalized intersections within the project limits.

Each project intersection that has proposed improvements will receive an average score per the specific improvements noted above and the project's score will be an average of all intersection averages (maximum: 20 points).

Project Scale: Points are earned for including more intersections along the signal synchronization network. For a grid, the number of signals and percent of signals being retimed will only be calculated for the corridor that is designated as the Main Corridor (maximum: 20 points).

Note: Due to the length of Pacific Coast Highway (PCH) and the fact that broad portions of it are a Caltrans' owned facility, for CTFP project scoring purposes only, the "Percent of Main Corridor Being Retimed" scoring criteria (identified in Table 8-1) can be divided into the four following segments.

1. San Gabriel River (Los Angeles County Line) to North of Goldenwest Street
2. Goldenwest Street to School/State Park
3. South of School State Park to Doheny Park Road

4. South of Doheny Park Road to County Line

If an application is proposed to span two or more segments of PCH the “Percent of Main Corridor Being Retimed” calculation will be based upon the number of signals in the project application divided by total number of signals in the applicable segments.

Number of Jurisdictions: Points are earned for including multiple local agencies as part of the project (maximum: 10 points).

Current Project Status: Points are earned based on the current status of the project development. Points for re-timing of a corridor can be claimed only if at least 75% of the previous project (RTSSP or Measure M Signal Improvement Program) is part of the new application OR at least 75% of the corridor (on MPAH) has never been funded. Points can also be claimed for applicants who provide evidence that they can complete primary implementation within twelve months. Agencies that receive points for this category **cannot request delays or time extensions throughout the life of the project.** Note: Applications that designate OCTA as the lead agency or are participating in the Baseline Project are not eligible to claim implementation within 12 months (maximum: 10 points).

Funding Match: The percentages shown in Table 8-1 apply to overall match rates. M2 requires a 20 percent (20%) local match for RTSSP projects. Project match rates above 20 percent (20%) are limited to dollar match only (maximum: 5 points).

Table 8-1 Point Breakdown

RTSSP SCORING CRITERIA Point Breakdown for Regional Traffic Signal Synchronization Program Projects Maximum Points = 100

<p>Transportation Significance Points: 25</p> <table border="1"> <thead> <tr> <th colspan="2">Inclusion of offset signals within 2700'</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>90% or above</td> <td></td> <td>10</td> </tr> <tr> <td>50 - 89%</td> <td></td> <td>5</td> </tr> <tr> <td>< 50%</td> <td></td> <td>0</td> </tr> </tbody> </table> <p>OR</p> <p>Participation in the Baseline Project 10</p> <p style="text-align: center;">AND</p> <table border="1"> <thead> <tr> <th colspan="2">Vehicle Miles Traveled (VMT)</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>250+</td> <td>thousand</td> <td>15</td> </tr> <tr> <td>200 - 249</td> <td>thousand</td> <td>10</td> </tr> <tr> <td>150 - 199</td> <td>thousand</td> <td>6</td> </tr> <tr> <td>100 - 149</td> <td>thousand</td> <td>3</td> </tr> <tr> <td>0 - 99</td> <td>thousand</td> <td>1</td> </tr> </tbody> </table> <p>Calculation: ADT x segment length (Applies only to coordinated segments of project)</p>	Inclusion of offset signals within 2700'		Points	90% or above		10	50 - 89%		5	< 50%		0	Vehicle Miles Traveled (VMT)		Points	250+	thousand	15	200 - 249	thousand	10	150 - 199	thousand	6	100 - 149	thousand	3	0 - 99	thousand	1	<p>Project Scale Points: 20</p> <table border="1"> <thead> <tr> <th colspan="2">Number of Signals on Main Corridor Coordinated by Project</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>50+</td> <td></td> <td>10</td> </tr> <tr> <td>40 - 49</td> <td></td> <td>8</td> </tr> <tr> <td>30 - 39</td> <td></td> <td>6</td> </tr> <tr> <td>20 - 29</td> <td></td> <td>4</td> </tr> <tr> <td>10 - 19</td> <td></td> <td>2</td> </tr> <tr> <td>< 10</td> <td></td> <td>0</td> </tr> </tbody> </table> <p style="text-align: center;">AND</p> <table border="1"> <thead> <tr> <th colspan="2">Percent of Main Corridor Signals Being Retimed</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>90% or above</td> <td></td> <td>10</td> </tr> <tr> <td>80 - 89%</td> <td></td> <td>8</td> </tr> <tr> <td>70 - 79%</td> <td></td> <td>6</td> </tr> <tr> <td>60 - 69%</td> <td></td> <td>4</td> </tr> <tr> <td>50 - 59%</td> <td></td> <td>2</td> </tr> <tr> <td>< 50%</td> <td></td> <td>0</td> </tr> </tbody> </table> <p>Calculation: Number of signals in project divided by total signals in full corridor length.</p>	Number of Signals on Main Corridor Coordinated by Project		Points	50+		10	40 - 49		8	30 - 39		6	20 - 29		4	10 - 19		2	< 10		0	Percent of Main Corridor Signals Being Retimed		Points	90% or above		10	80 - 89%		8	70 - 79%		6	60 - 69%		4	50 - 59%		2	< 50%		0
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Minimum Eligibility Requirements

All local agencies may participate in the RTSSP. Caltrans facilities are eligible for the RTSSP, but Caltrans cannot act as the lead agency. Local agencies will be required to provide a minimum of 20 percent (20%) matching funds for eligible projects (see definition of matching funds below).

The goal of the RTSSP is to provide regional signal synchronization that crosses jurisdictional, geographical, or physical boundaries. To be eligible for RTSSP funding, a project must meet the following requirements:

1. Be on a street segment that is part of the signal synchronization network, or the MPAH. The project must be consistent with Local Signal Synchronization Plans and support the Regional Traffic Signal Synchronization Master Plan goals.
2. Be multi-jurisdictional, have documented support from all participating local agencies (cities, County, or Caltrans) and a minimum of 20 signals.

or

Be multi-jurisdictional, have documented support from all participating local agencies (cities, County, or Caltrans) and a minimum distance of five miles.

or

Include at minimum three local agencies, have documented support from all participating local agencies (cities, County, or Caltrans), and have a minimum intersection density of four intersections per mile with a minimum of eight signals.

or

Include the full length of the signal synchronization network corridor, or MPAH corridor.

Matching Funds

Local agencies along the corridor are required to provide a minimum local match funding of 20 percent (20%) for each phase of the project. As prescribed by the M2 Ordinance, this includes local sources, M2 Fair Share, and other public or private sources (herein referred to as a “cash match”). Projects can designate local matching funds as cash match, in-kind match provided by local agency staff and equipment, or a combination of both.

“In-kind match” is defined as those actions that local agencies will do in support of the project including staffing commitment and/or new eligible signal system investment related to improved signal synchronization. Examples of staffing commitment include, but are not limited to, implementation of intersection or system timing parameters, review of timing documentation, meeting participation, conducting or assisting in before/after

studies, and other similar efforts that directly enhance the signal synchronization project. Please note, any over-match commitment is subject to the same audit and requirements as in-kind match.

Administrative staff time for documentation of in-kind services is ineligible. Staff time charged to a project is limited to the caps as described in these guidelines. Allowable signal system investment would be improvements that are “eligible activities” per the funding guidelines, which can be shown to improve signal synchronization and would not include any prior investments made by the agency. For OCTA-led projects, match for equipment shall be in cash except when an agency elects to purchase equipment per the application. Project match beyond 20 percent (20%) is limited to cash match only.

In-kind match must be defined for each local agency as part of the supplemental application. In-kind match must be identified as staffing commitment and/or new signal system investment. The supplemental application template will include a section to input in-kind match type as well as additional data related to the match:

- Staffing commitment
 - Staff position
 - Number of hours
 - Hourly (fully burdened) rate
 - Total cost
- New signal system investment (limited to eligible activities)
 - Cost of any signal system investment
 - Benefit to project

For OCTA-led projects, O&M activities will be permitted in-kind match only for local agency oversight functions. Contract activities will require cash match. Local agency contributions identified as cash match in the application cannot be converted into in-kind match.

OCTA staff will review in detail the presented cash and in-kind match by local agency for reasonableness.

Additionally, for projects designating OCTA as lead agency, a consultant traffic engineering firm may be contracted to provide staff and services to implement the project. Therefore, in-kind match designated as staffing commitment under an OCTA-led agency option shall be limited. The following will be used as a guide for staffing commitment, when the local agency develops the application:

- Primary Implementation (PI) (12 months)
 - Project Administration - Each local agency traffic engineer or equivalent participates in approximately 10-15 hours per month of project administration (meetings, review of reports, minutes, and other administration).

- Signal Synchronization Timing - Each local agency traffic engineer or equivalent reviews consultant developed draft and final timing plans for intersections within the local agency, approximately 2-4 hours per local agency intersection.
- Before and After Study - Each local agency traffic engineer or equivalent reviews consultant developed draft and final project Before and After Study, approximately 2-5 hours per local agency.
- Engineering design/review - Each local agency traffic engineer or equivalent reviews consultant developed engineer design within the local agency, approximately 2-4 hours per affected local agency intersection.
- System integration - Each local agency traffic engineer or equivalent provides support for this function (hours vary depending on improvements).
- Construction management - Each local agency traffic engineer or equivalent provides construction management support including inspection (hours vary depending on improvements).
- Ongoing O&M (24 months) - Each local agency traffic engineer or equivalent participates in continued project level meetings of 2-5 hours per local agency per month to review consultant traffic engineering progress. In addition, each local agency traffic engineer or equivalent reviews consultant developed draft and O&M Report.

For projects designating a local agency as lead, the above may be used as a guide with additional local match related to implementation, development, design, monitoring and other costs that the local agency may choose to include as local match. For instance, O&M may be performed by in-house staff and be calculated using a different formula (e.g., 2-5 hours per local agency signal for 24 months).

Participating agencies pledging in-kind services shall be responsible for keeping track of said hours and/or improvements. In-kind services are part of the total project cost. As indicated in the Precepts, ~~“Construction Engineering, Construction Management, Material Testing, Engineering Support, and/or Project Management”~~ construction support shall not exceed 15-20 percent (~~1520~~%) of the ~~total eligible project cost”~~ M2 grant, subject to the match requirement. For OCTA-led projects, an in-kind services match report will be requested throughout the project to ensure agencies meet their promised in-kind match. All submissions shall include backup documentation, such as accounting/payroll detailed summaries, third-party invoices (consultant, contractor, and equipment) and are subject to Audit.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible shall bring that phase to a logical

conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

If a lead agency decides to cancel a project before completion of the entire project, for whatever reason, the agency shall notify OCTA as soon as possible. It is the responsibility of the project lead agency to repay OCTA for any funds received.

Project Extensions

Local agencies are provided at least 36 months to expend the funds from the date of encumbrance. Agencies can request timely-use of funds extensions through the SAR in accordance with the CTFP guidelines. Local agencies should issue a separate NTP when combining contracts for both the PI and O&M phases. NTP requirement should be identified in the initial contract/agreement to avoid obligation of both phases at the same time. If this procedure is followed by the local agency the NTP date will be considered the date of encumbrance for the O&M phase.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA Internal Audit Department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board.

Data Compatibility

All count data, including average daily traffic (ADT) and intersection turning movement (ITM), collected as part of any funded project shall be provided to OCTA in Microsoft Excel format. Any data files containing numeric intersection or node identifiers shall use the same node identification (ID) numbers as is stored and maintained by OCTA. OCTA will provide a listing of intersections and corresponding unique node ID numbers upon request. Each count data filename shall describe the year the counts were collected, agency, type of count file, intersection name, and OCTA node ID number. As an example, a turning movement count file recently collected for the intersection of Harbor Boulevard and Wilson Street in the City of Costa Mesa would be given the filename 2020_CostaMesa_ITM_Harbor-Wilson_4534.xls.

All traffic signal synchronization data collected and compiled as part of any funded project for both existing (before) and final optimized (after) conditions shall be provided to OCTA

in Synchro version 10 or later format. This data shall include validated network layout, node, link, lane, volume, timing, and phase data for all coordinated times. The nodes for these files shall also correspond to the OCTA node ID numbers.

Project Summary Information

For each application that is recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for TAC review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

Exhibit 8-1

Project P – Regional Traffic Signal Synchronization Program Application Checklist

Project P Application Checklist	Page
<p>RTSSP Online Application – submitted through OCFundTracker</p> <ul style="list-style-type: none"> a. Transportation Significance b. Economic Effectiveness c. Project Characteristics d. Project Scale e. Number of Jurisdictions f. Current Project Status g. Funding Over-Match h. Cabinet photos, equipment specifications, as-built drawings, cabinet drawings, etc. 	Online
<p>Section 1: Key Technical Information</p> <ul style="list-style-type: none"> a. Name of Project Corridor/Grid/Route b. Project Limits c. Project Length d. Number of Signalized Intersections Along Corridor e. Participating Agencies/Traffic Forum Members f. Lead Agency g. Designation of the corridor to synchronize h. Project start and end date i. Previous funding j. Contact Information k. Signalized intersections that are part of the project l. Offset signalized intersections that are part of the project m. Project Map Depicting the Project Limits 	
<p>Section 2: Regional Significance</p>	
<p>Section 3: Acknowledgement of Required Tasks</p>	
<p>Section 4: Funding Needs/Costs for Proposed Project by Task</p> <ul style="list-style-type: none"> a. Summary of Project Cost b. Summary of Cost by Agency c. Summary of Intersection Improvement Costs 	
<p>Section 5: Detailed Local Match Commitment</p>	
<p>Section 6: Project Schedule for the 3 Year Grant Period by Task</p> <ul style="list-style-type: none"> a. Project State and End Dates b. Project Schedule by Task 	
<p>Appendices</p> <ul style="list-style-type: none"> a. Calculations and Estimated Points b. Agency Improvement Calculations c. Vehicle Miles Traveled (VMT) d. Agency Resolutions and Letters of Support e. Additional Information (Optional) 	

Exhibit 8-2

Sample Resolution for Orange County Regional Traffic Signal Synchronization Program Projects

A resolution of the _____ City Council approving the submittal of _____ improvement project(s) to the Orange County Transportation Authority for funding under the competitive Measure M2 Regional Traffic Signal Synchronization Program.

THE CITY COUNCIL OF THE CITY OF _____ HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS THAT:

- a) WHEREAS, the Measure M2 Regional Traffic Signal Synchronization Program targets over 2,000 signalized intersections across Orange County to maintain traffic signal synchronization, improve traffic flow, and reduce congestion across jurisdictions; and
- b) WHEREAS, the City of _____ has been declared by the Orange County Transportation Authority to meet the eligibility requirements to receive revenues as part of Measure M2;
 - c) WHEREAS, the CITY must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement.
- d) WHEREAS, the CITY authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors, if necessary.
- e) WHEREAS, the City of _____ has currently adopted a Local Signal Synchronization Plan consistent with the Regional Traffic Signal Synchronization Master Plan as a key component of local agencies' efforts to synchronizing traffic signals across local agencies' boundaries; and
 - f) WHEREAS, the City of _____ will provide matching funds for each project as required by the Comprehensive Transportation Funding Programs Procedures Manual; and
- g) WHEREAS, the City of _____ will not use Renewed Measure M funds to supplant Developer Fees or other commitments; and
- h) WHEREAS, the City of _____ desires to implement multi-jurisdictional signal synchronization listed below; and

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of _____ hereby requests the Orange County Transportation Authority allocate funds in the amounts specified in the City's application to said City from the Regional Traffic Signal Synchronization Program. Said funds, if approved, shall be matched by funds from said City as required and shall be used as supplemental funding to aid the City in signal synchronization along the following street(s):

*Required language a-h

Chapter 9 – Reimbursements and Reporting

Procedures for Receiving Funds

An implementing agency must encumber funds OCTA awards to a project phase within the fiscal year the grant is programmed (July 1-June 30). Prior to the encumbrance of funds, an agency must have a fully executed letter agreement with OCTA. An agency encumbers funds by awarding a contract, completing the appraisal or issuing an offer letter for one parcel of right-of-way, or by providing expense reports with supporting documentation to prove an agency's workforce costs (provided that the agency intends to complete the phase with agency staff). OCTA shall consider the primary contract(s) or the contract with the largest dollar amount, associated with the phase's tasks, when an agency uses a contract to show encumbrance of CTFP funds. Once an agency encumbers CTFP funds for a phase, it can begin the process for receiving payment of the funds.¹⁰

OCTA will release funds through two payments. The initial payment will provide up to 75 percent (75%) of the CTFP grant share of the contract award or grant programmed amount, whichever is less. OCTA will disburse the final payment, 25 percent (25%) of eligible funds, after it approves the final report (See Precept 34).

For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase but shall in no case be less than 10 percent (10%) of the grant for that phase. Should the 75/25 payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent (10%) threshold is reached (See Precept 35).

Agencies shall submit payment requests to OCTA in a timely fashion. The M2 Ordinance requires the submittal of a final report within 180 days of the project phase completion date (See M2 Ordinance/definitions/Precept 36). Failure to submit a final report within the 180-day time frame will result in an agency being found ineligible to receive net revenues. Per the M2 Ordinance, no provision for extension is allowed. The term "project phase completion" refers to the date that the local agency has paid the final contractor/consultant invoice (including retention) for work performed and any pending litigation has been adjudicated for the engineering phase or for the ROW phase, and all liens/claims have been settled for the construction phase.

OCTA will provide a separate CTFP payment supplement that includes sample forms and instructions for payment submittals and can be downloaded from the OCFundtracker

¹⁰ Funds from state and federal sources funds will undertake a separate process. Local agencies must contact Caltrans local assistance for reimbursement.

database. Payment submittals are described in this chapter and must be submitted through OCTA's online database, OCFundtracker: <http://ocfundtracker.octa.net>. Detailed instructions for OCFundtracker are available online at the previously mentioned website. Staff is also available to assist agencies with this process. Agencies must upload appropriate backup documentation to the database. OCTA may request hardcopy payment requests.

Availability of Funds

The funds granted by OCTA for each phase will be available on July 1, the first day of the fiscal year in which the funds are programmed and upon implementation of the letter agreement for the specific project.

Cancellation of Project

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. ROW funding received for property acquisition prior to cancellation shall be repaid upon cancellation, regardless of whether property has been purchased or not. Construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Project O - Regional Capacity Program Initial Payment

Payment Requests

~~An agency shall use the report and checklist provided in the CTFP Payment Supplement (see https://ocfundtracker.octa.net/report_payment_excel.asp) in order to determine the reporting and documentation requirements for initial payment requests.~~ Payment requirements are located in the Guidelines. Staff may request additional documentation that is not listed on the checklist prior to approving the request.

The [checklists and](#) interactive electronic versions of all payment forms can be downloaded via OCFundtracker at <http://ocfundtracker.octa.net>.

OCTA usually releases funds through two payments. The initial payment will constitute 75 percent (75%) of the eligible contract award or allocation amount, whichever is less. In addition to the bid abstract, OCTA will require local agencies to submit appropriate backup documentation for all project phases to support the initial payment request. OCTA will release the final payment of remaining balance, usually the final 25 percent (25%) of CTFP grant funds, when the project is complete and OCTA accepts the final report. The balance is determined based on final costs for CTFP eligible program expenditures. Prior to submitting the report, review the program specific section in these guidelines that addresses the final report process.

OCTA will reimburse costs associated with the Measure M informational signs (fabrication, installation, and removal) and do not count against a project's grant. Measure M informational "Funded By" sign removal costs should be requested in the Final Report.

Prior to submitting an initial payment request, a local agency may request a meeting with OCTA staff to determine eligible/ineligible items prior to requesting reimbursement.

Below is additional information regarding the documentation requirements of initial payment requests:

1. Invoice – For initial payments, an agency shall invoice for 75 percent (75%) of the ~~CTFP grant share of the primary~~ contract(s) amount or ~~grant programmed~~ amount, whichever is less. For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase but shall in no case be less than 10 percent (10%) of the grant for that phase. Should the 75/25 payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent (10%) threshold is reached (See Precept 35). Agencies seeking initial payment for the planning, environmental and preliminary engineering work performed by local agency forces, must submit payroll records and City Council budget allocation with the initial payment request. The payroll records should identify the project name, date of expenditures, amount, and employee position. It is recommended that a unique

project key be created for each project and all project charges be billed under that job code. OCTA staff can provide a sample of acceptable form of payroll report upon local agency request.

2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2. This will include the certification that the project being reimbursed has met the signage requirements laid out in Precept 21.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants shall submit a purchase order or Notice to Proceed (NTP) that includes the project-specific scope of work for the contractor.
4. Revised Cost Estimate – The agency shall use the format provided in the Revised Costs Estimate Form 10-3.
5. Work Schedule – OCTA prefers a complete project schedule, but an agency may provide as little as the expected start and completion dates for preliminary engineering, final engineering, right-of-way, and construction phases on the Engineering & Construction Phase Initial Report Form 10-1A.
6. ROW Documents – Each parcel shall include an appraiser’s report, written offer letter, ~~plat map, and legal description~~plat map (where applicable), parcel map (where applicable), and legal description with map, square footage of parcel(s), and plat map (where applicable), and parcel map (where applicable). Agencies may submit, ~~or equivalent documentation for OCTA’s consideration on a case-by-case basis.~~ Agencies attempting to acquire five or more parcels for a project shall include a parcel location map. Initial payments for ROW will be considered after submittal of documentation of an issuance of an signed offer. ROW agreement with the property owners and/or upon City Council Resolution initiating a property acquisition in accordance with the Code of Civil Procedure per §1230.010, et. seq.
7. Plans, Specifications, & Estimate (PS&E) Certification – Agencies shall submit a PS&E certification using the PS&E Certification Form 10-4. The agency engineer shall certify that the local agency properly prepared and approved plans and specifications in accordance with authorized procedures and adopted standards, followed approved scope of work, and incorporated materials report.
8. Layout Plans – An agency shall not submit layout plans that print on paper larger than 11 inches by 17 inches.

9. Documentation of Decision to Use Local Agency Forces – For all project phases, for any work performed by local agency forces in lieu of a primary contract, local agency must document that local agency forces could perform the work more cost effectively or timely than a contractor; and documentation of this decision can be supplied in case of audit.
10. Documentation Supporting Local Agency Liability for Utility Relocation Costs – Local agency liability can be supported by the documentation of property rights, franchise rights/agreements, state and local statutes/ordinances, permits, or a finding by the local agency’s counsel.

Reimbursement

OCTA shall not reimburse for a project prior to the beginning of the fiscal year of the grant. If an agency receives an advancement and begins work prior to the start of the fiscal year of the grant, the agency may request an initial payment against the grant. If an agency receives an advancement and completes a project prior to the start of the fiscal year of the grant, OCTA shall disburse the grant in a single payment. OCTA must accept the final report prior to issuing a payment.

Calculation of Payment

Once an agency encumbers Measure M funds, the agency may request a maximum of 75 percent (75%) of the CTFP share of the contract award amount or programmed grant amount, whichever is less. For situations where a grant exceeds \$2 million, (See Precept 36). An example of calculating the initial funding request for a standard 75/25 payment is described below.

Example:

CTFP Grant Allocation	OCTA Match Rate	Local Agency Match Rate
\$200,000	80%	20%

Step 1

$$\text{Eligible Expenses} \times \text{OCTA Match Rate} = \text{Product}$$

$$\$ 225,000.00 \times 80\% = \$ 180,000.00$$

Step 2

Check if Product is greater than or less than
CTFP Allocation Amount: **\$200,000**

Step 3

Use the lower of the **Product** or **Allocation** **\$ 180,000.00**
 In this case the \$180,000 amount is less

Step 4

Then multiply the **\$180,000** amount by 75% (Initial Payment Percentage)

2024 Call for Pro

As of 5/13/2024

\$180,000	X	75%	=	\$135,000.00
				Invoice Amount

Project O - Regional Capacity Program Final Report and Payment Process

The remaining CTFP funds are reimbursed to the lead agency following completion of the final reporting process. This final payment is calculated by considering the grant allocation amount, the minimum local agency match rate, how much has been previously reimbursed as part of the initial payment, and the total eligible costs that can be applied to the grant (see program specific eligibility sections). M2 funds are applied proportionally to all eligible project expenses. Prior to submitting the Final Report, review the following section which includes items important to the final reporting process. The CTFP Payment Supplement provides additional instructions and sample forms to complete payment requests. Payment requirements are located in this chapter.

Project Cost Changes

If the contract price is lower than the amount programmed, and the agency requested additional items and/or change orders during construction/study, OCTA may approve the additional costs during the review of the final report. OCTA will review these reports to:

1. Determine that the agency submitted proper justification for the change order(s)
2. Determine if the items are eligible for reimbursement
3. Confirm that expenses are within the project's original scope of work
4. The lead agency should provide information supporting the need for the change orders in the final report. Changes in project limits for construction projects are not eligible for reimbursement.

Final Payment Documentation Requirements

The items listed below are to be submitted to complete the final reporting process.

1. Invoice - For final payments, an agency shall invoice for the remaining balance of the ~~OCTA share of eligible costs contract amount~~ or up to the grant programmed amount, ~~whichever is less~~. Final payment request invoices shall normally be approximately 25 percent (25%) of the eligible funds. Interest earned by an agency for initial payments received shall be applied to and deducted from the final payment balance amount.
2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2. This will include the certification that the project being reimbursed has meet the signage requirements laid out in Precept 21.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name,

contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants ~~shall~~ would need to submit a purchase order or NTP that includes the scope of work for the contractor.

4. PS&E Certification – Agencies shall submit a PS&E certification using the PS&E Certification Form 10-4. The agency engineer shall certify that the local agency properly prepared and approved plans and specifications in accordance with authorized procedures and adopted standards, followed approved scope of work, and incorporated materials report.
5. Final Report Form – The local agency shall prepare a final report form using the Engineering & Construction Phase Final Report Form 10-5A.
6. Division of Costs – ~~The Division of Costs Form 10-6.~~ Supportive material shall equal the Division of costs ~~Costs Form 10-6~~ totals that are located in the final report form.
7. ~~OCTA shall reimburse general lump sum pay items, appraisal cost, and design, and construction engineering in the same ratio as the total ROW acquisition or construction costs. For instances Wwhere inelligibleineligible costs are twenty percent (20%) or greater of the overall project cost, indicating considerable work outside of the goal and purpose of Project O, shared project costs that cannot be directly attributed to the eligible or inelligibleineligible work, will be prorated based on the share of the project that is eligible compared to ineligible.~~
8. Proof of Project Payment – The required documentation that will be submitted includes approved contract invoices and may also include, but is not limited to, supportive material for agency work forces, equipment, material, and corresponding proof of payment. Additional records are required to be maintained as outlined in the Audit (Chapter 10).
9. Layout Plans – An agency shall not submit layout plans that print on paper larger than 11 inches by 17 inches (where applicable). Agencies shall submit the most recently updated final design plans or “as-built” plans.
10. Documentation of Decision to Use Local Agency Forces or Agency Workforce – For all project phases, for any work performed by local agency forces or agency workforce in lieu of a primary contract for that phase, local agency must document that local agency forces could perform the work more cost effectively ~~or, more~~ timely than a contractor or provide other appropriate justification. ~~;~~ ~~and~~ ~~D~~documentation of this decision ~~can be supplied in case of~~ would also be required for audit.
11. Documentation Supporting Local Agency Liability for Utility Relocation Costs – Local agency liability can be supported by the documentation of property rights, franchise

rights/agreements, state and local statutes/ordinances, permits, or a finding by the local agency's counsel.

12. ROW Documents – Each parcel shall include an appraiser's report, written offer letter, legal description with map, square footage of parcel(s), plat map (where applicable), and parcel map (where applicable). plat map, and legal description. Agencies may submit equivalent documentation for OCTA's considerations on a case-by-case basis. Agencies attempting to acquire five or more parcels for a project shall include a parcel location map.
13. Summary of ROW Acquisition – Agencies shall submit a summary of ROW acquisition as described in the Summary of ROW acquisition Form 10-5B.
14. Notice of Completion – An agency shall submit The Notice of Completion form to certify the phase completion date (Form 10-7). See Definition 22 for phase completion date.
15. Before and After Project Photos (implementation and construction phases where applicable) – photographs showing the project before and after the improvements. Photographs should be high quality resolution images in JPEG or PNG file formats.

Electronic copies of all payment forms can be downloaded from OCFundtracker.

Timely Final Reports

OCTA will work with local agencies to ensure the timeliness of final reports by utilizing the following procedures:

1. Local agencies ~~to should~~ notify OCTA of the project phase completion date within 30 days of completion.
2. Local agencies to file a final report within 180 days of project phase completion date.
3. OCTA to issue a notification to the project manager, public works directors or TAC representative(s) 90 days after the project completion date, as reported in OCFundtracker, to remind local agencies that the final report is due in 90 days. OCTA staff will provide guidance to assist in preparation of the final report.
4. OCTA ~~to may~~ issue a final notice letter to the project manager, public works directors or TAC representative(s) with a copy to the agency's management and finance director if OCTA does not receive the final report within 180 days of the project completion date. The final notice letter will inform the local agencies that if OCTA does not receive a response to the final notice letter and the final report within 180 days, then the funds will be unencumbered and OCTA shall request that the agency return disbursed funds, plus interest.

5. OCTA to issue the final payment to local agencies within 60 days of receiving the complete final report and all supporting documentation.

Failure to Submit Final Report

Agencies who fail to submit a Final Report will be required to repay applicable M2 funds received for the project in a manner consistent with the Master Funding Agreement and/or will be found ineligible to receive M2 Net Revenues.

Excess Right-of-Way

Agencies that use Net Revenues (through CTFP or LFS programs) to acquire project ROW shall dispose of land deemed in excess of the proposed transportation use. Excess land sold by the lead agency will be disposed of in accordance with the process established in Government Code, Article 8, Surplus Land, Section 54220-54232, etc. Seq. and the ROW acquisition/disposal plan submitted as part of the application process. The agency shall return proceeds from the sale to OCTA. OCTA shall return the funds to the program of origin for future use.

Proceeds from the sale of excess ROW shall be returned to OCTA in proportion to the amount of M2 funds used in the purchase.

Agencies shall submit ROW documents for all parcels utilizing M2 Net Revenues. Agencies must submit the following documents:

- Summary of the ROW required for the project
- Plat maps and legal descriptions for ROW acquisitions
- Parcel location map
- Identification of anticipated excess right-of-way, if any
- Appraisal reports for excess right-of-way
- ROW acquisition/disposal plan

OCTA shall consider excess ROW with a value of \$10,000.00 or less as an uneconomic remnant. OCTA shall determine if excess ROW is to be considered an uneconomic remnant.

The agency shall submit a fair market value appraisal report for the excess land of each parcel. Appraisers must conduct appraisals in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP). If an agency suspects that the excess ROW has a value of \$10,000.00 or less, the agency may conduct a limited fair market value appraisal to confirm the value of the excess right-of-way. The agency shall submit the appraisals with the ROW final report.

OCTA shall retain from the final payment the value of excess ROW that is proportional to OCTA's percentage match rate to the project up to OCTA's match rate of ROW grant.

However, if the local agency provided additional funds beyond what was originally estimated, OCTA will be reimbursed based on its proportional share of the cost of right-of-way.

An agency may include incidental expenditures from the disposal of property in their final report for the ROW grant.

An agency shall begin the process to sell excess ROW within 60 days after acceptance of the construction improvements.

OCTA shall not close out the ROW grant or construction grant until the agency and OCTA resolve questions regarding excess right-of-way.

Example:

OCTA's ROW grant:	\$500,000
OCTA grant match rate	75%
Parcel Costs:	
Cost – Parcel 1:	\$300,000
Cost – Parcel 2:	\$380,000
Cost – Parcel 3:	\$120,000
Cost – Parcel 4:	<u>\$100,000</u>
Total ROW Costs:	\$900,000
Payment with no excess ROW:	\$500,000

Excess right-of-way

Value of excess ROW for parcel 1:	\$200,000
Value of excess ROW for parcel 2:	\$105,000
Value of excess ROW for parcel 3:	\$ 0
Value of excess ROW for parcel 4:	<u>\$ 0</u>
Total Value of excess ROW:	\$305,000

OCTA contribution to ROW acquisition:

CTFP ROW contribution ÷ Agency total cost of right-of-way

$$\$500,000 \div \$900,000 = 56\%$$

OCTA's shall reduce the final ROW payment by:

Parcel 1:	\$200,000 x 56% =	\$112,000
Parcel 2:	\$105,000 x 56% =	+ <u>\$58,800</u>
Total:		\$170,800

Payment (incorporating excess right-of-way):	\$500,000
	- <u>\$170,800</u>
	\$329,200

Agency Workforce and Equipment Rental

An agency must provide supporting documentation for work completed by agency staff or the use of agency workforce. The decision or justification that local agency forces could perform the work more cost effectively, more timely than a contractor or other justification must be documented. It is recommended that a unique project job key be created for each project and all project charges be billed under that job code. The agency shall multiply the fully burdened labor rate by the number of hours for each staff person assigned to the project. An agency may add ~~actual~~ overhead costs at an allowable rate up to 30 percent (30%) of payroll and fringe benefits. ~~Where an agency due to size cannot calculate its specific overhead rate, an agency may refer to the Cost Accounting Policies and Procedures Manual (CAPP) of the California Uniform Public Construction Cost Accounting Commission, which allows for a fixed overhead rate billing dependent on city size. Where an agency has actual overhead costs that exceed 30 percent (30%), these will be accepted when a fully audited cost allocation plan is provided and approved by the appropriate governmental entity listed in the CAPP or 2 Code of Federal Regulations Part 225.~~

An agency must provide supporting documentation for equipment used by local agency staff. An agency may use local agency or Caltrans surcharge and equipment rental rates.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP Guidelines and may conduct a technical and/or field review. As part of the technical/field review of a CTFP project, OCTA may:

- review ROW acquisitions and the potential for excess right-of-way
- compare hourly breakdown of staff time compared to staff time sheets
- conduct a project field review – ensure improvements are within scope
- review items that agencies self-certify
- verification of the reasonableness of project costs

OCTA may review all phases of the project.

OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e., expenditures, interest) to ensure compliance. OCTA will only reimburse eligible CTFP

items listed on the cost estimate. The implementing agency is expected to complete the entire scope of work as presented in the original application.

See Chapter 10 for independent audit requirements beyond the technical/field review.

Reporting of Local Fair Share (LFS)

For the purposes of reporting non-project work (maintenance, repair, and other non-project related costs) funded by Measure M LFS funds, the Measure M2 expenditure report cited M2 Ordinance, Section III(B)(8) shall satisfy reporting requirements. If LFS funds are used for projects, the local agency shall also include ~~a list of those projects and the utilized LFS~~ funds and/or other Measure M2 funds in the ~~Project Final Report cited in Section III(B)(9) Measure M2 expenditure report.~~

Project P - Regional Traffic Signal Synchronization Program Reimbursements and Reporting Requirements

The previous sections of this chapter outline the process and requirements regarding reimbursements and reporting for all competitive programs that are part of Measure M2. A lead agency shall also use the following additional reporting and documentation requirements specific to any competitive project funded through RTSSP (Project P) as part of the reimbursement process.

Procedures for Receiving Funds

RTSSP (Project P) funds projects with a three (3) year grant. Projects are divided into two components for the purposes of reimbursements and reporting: PI and Ongoing O&M.

Primary Implementation (PI) includes the following:

- Project administration (required)
- Developing and implementing optimized signal synchronization timing (required)
- Producing a PI Report, which includes the Before and After Study for the proposed project (required)
- Engineering design of signal improvements for the project (optional)
- System integration (optional)
- Proposed signal improvements, construction support, and contingency (optional):
 - New or upgraded detection
 - New or upgraded communication systems
 - Intersection/field system modernization and replacement
 - Minor signal operation improvements
 - Traffic management centers

- Real-time traffic actuated operations and demonstration projects
- Contingencies (optional)
- Construction management (optional)

Ongoing Operation and Maintenance (O&M) includes the following:

- Monitoring and improving optimized signal timing (required)
- Communications support (optional)
- Detection support (optional)
- O&M report (required)

A lead agency must encumber funds OCTA allocates to a project within the fiscal year of the grant and after funding agreements with OCTA are executed. A lead agency encumbers funds by awarding a contract or providing expense reports to prove the lead or a participating agency's workforce costs, provided that the lead agency intends to complete the PI with lead agency or participating agency staff. Once an agency encumbers RTSSP (Project P) funds for PI, it can begin the process for receiving payment of the funds. Note that only the lead agency will receive payment of funds from OCTA. Any funds that are due to other participating agencies are the responsibility of the lead agency and not OCTA.

The project lead agency must submit payment requests through OCTA's online database, [OCFundtracker](#). Additional details about the retention caps, timely payment requests, project closeout, and payment are available in Chapter 9.

Availability of Funds

The funds allocated for projects will be available to project lead agencies July 1st of the programmed year and after funding agreements with OCTA are executed.

Initial Payment Requests for Primary Implementation

The initial payment will provide up to 75 percent (75%) of funds for the PI of the project. The following information specific to the RTSSP (Project P) Project is provided regarding the documentation requirements for initial payment of PI after an agency encumbers funds for the project.

The interactive electronic versions of all payment forms can be downloaded via OCFundtracker.

The final report has been provided so a lead agency can determine the reporting and documentation required for an initial payment request. Staff may request additional documentation that is not listed on the PI Report prior to approving the request. The [checklist and](#) electronic versions of the forms are available through OCFundtracker.

Below is additional information regarding documentation requirements for RTSSP payment requests. ~~The CTFP Payment Supplement provides instructions and sample forms for the items listed.~~

- Invoice - For initial payments, the lead agency shall invoice for 75 percent (75%) of the CTFP grant share of the contract amount or grant programmed amount of the project's PI, whichever is less. For final payments of the PI, the lead agency shall invoice the remaining balance of the project's PI phase contract amount or programmed amount, whichever is less
- Project Certification Letter (initial and final)
- Revised Cost Estimate (initial)
- PS&E Certification (initial and final)
- Certification of Phase (initial)
- Report Submission
- Division of Cost Schedule (final)
- Work Schedule - OCTA requires a complete project schedule, including expected start and completion dates for tasks in the PI and Ongoing O&M phases (initial and final)
- ROW Documents - No requirements as ROW is not a part of RTSSP
- Before and After Project Photos (PI phase) – photographs showing the project before and after the improvements. Photographs should be high quality resolution images in JPEG or PNG file formats (final).

Details on other aspects on Initial Payment Requests for PI including project advancement and reimbursement is available in this chapter.

Example of Initial Reimbursement for Primary Implementation (PI):

**CTFP Grant
Allocation**

\$960,000.00

**OCTA Match
Rate**

80%

**Local Agency
Match Rate**

20%

Step 1

Eligible Expenses x OCTA Match Rate = Product

$$\$1,000,000.00 \times 80\% = \$800,000.00$$

Step 2

Check if Product is greater than or less than CTFP Grant Allocation Amount:
\$800,000 vs \$960,000

Step 3

Use the lower of the Product or CTFP Grant Allocation
In this case, the \$800,000.00 amount is lower

Step 4

Then multiply the amount by 75% (Initial Payment Percentage)

\$800,000.00	x	75%	=	\$600,000.00
				Invoice Amount

Final Payment Requests for Primary Implementation

OCTA will release the remaining balance to the lead agency, approximately 25 percent (25%) of funds for the PI, when the project's PI phase is complete and OCTA receives the project Before and After Study. The balance is determined based on the final costs for the eligible RTSSP expenditures. The Before and After Study is defined as the following:

This study shall at minimum collect morning and evening peak period using travel times, average speeds, green lights to red lights, stops per mile, and the derived CSPI metric. In addition, greenhouse gas and gasoline savings should be identified. This information shall be developed both before any signal timing changes have been made and after the PI. The study shall compare the information collected both before and after the timing changes. Comparisons shall identify the absolute and percent differences for the entire corridor, by segment, direction, and time period. Segments will be defined by major traffic movements as observed during the project (e.g. commuting segments between freeways, pedestrian-friendly segments in a downtown area, etc.).

The PI Report, which includes the Before and After Study for RTSSP, shall be included as a requirement at the end of the Primary Implementation phase and as part of the Final Report as required by the M2 Ordinance, Attachment B, Section III.A.9.

Payment Requests for Ongoing Operations and Maintenance

The payments for the Ongoing O&M portion of the project award will cover the remainder of the grant period after the PI phase is completed and will be paid as a reimbursement upon proof of work/payment and receipt of invoice. The invoice should include the Final O&M report with details on the ongoing O&M work done including the required (1) work monitoring and improving optimized signal timing; and optional (2) communications and detection support.

O&M Report

The O&M Report shall be completed in accordance with all CTFP Guidelines upon the end of the O&M phase. In addition, the O&M Report shall summarize the O&M period, documenting the O&M efforts and procedures for continuing maintenance. At a minimum, the O&M Report shall include when travel runs were conducted and issues and solutions throughout the phase. The report shall document all planned and programmed improvements on the study corridor as well as recommendations for further infrastructure improvements that would likely enhance the corridor signal coordination project results.

Project X - Environmental Cleanup Program Reimbursements & Reporting Requirements

~~The CTFP Payment Supplement provides instructions and sample forms for ECP (Project X) projects.~~ The interactive electronic versions of all payment forms can be downloaded via OCFundtracker. These processes are applicable to the Tier 1 and Tier 2 Grant Programs:

Initial payments:

1. Invoice – For initial payments, an agency shall invoice for 75 percent (75%) of the ~~CTFP grant share of the~~ contract amount or ~~grant programmed~~ amount, whichever is less. For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase; but, shall in no case be less than 10 percent (10%) of the grant for that phase. Should the 75/25 payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent (10%) threshold is reached (See Precept ~~_35~~).
2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants shall submit a purchase order that includes the scope of work for the contractor.
4. Revised Cost Estimate – The agency shall use the format provided in the Revised Costs Estimate Form 10-3.
5. PS&E Certification ~~Form 10-4~~ – ~~The agency shall provide PS&E certification using the PS&E Certification Form 10-4. The agency engineer shall certify that the local agency properly prepared and approved plans and specifications in accordance with authorized procedures and adopted standards, followed approved scope of work, and incorporated materials report.~~
6. ~~The ECP (Project X) Initial Report Payment - The agency shall prepare an initial payment report form using the ECP Initial Payment Report 10-5A. Form 10-15 must be submitted~~

7. Location Maps of Installation – The agency shall provide a map that shows the specific locations Best Management Practices (BMP) devices were installed with catch basin identification numbers, as applicable.

Final Reporting Process:

The items listed below are to be submitted to complete the final reporting process. A final report must be filed within 180 days of the project phase completion. Additionally, an exception to Precept 29: agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve, as such are the approving bodies for this program.

1. Invoice – For final payments, an agency shall invoice for the remaining balance of ~~the~~ the OCTA share of contract amount eligible costs or up to the grant programmed amount, whichever is less. Final payment request invoices shall normally be approximately 25 percent (25%) of the eligible funds. Interest earned by an agency for initial payments received shall be applied to and deducted from the final payment balance amount.
2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants would need to shall submit a purchase order or NTP that includes the scope of work for the contractor.
4. PS&E Certification – Agencies shall submit a PS&E certification using the PS&E Certification Form 10-4.
5. Final Report Division of Costs Schedule – The agency shall use the format provided in Form 10-6.
6. Certification of Phase Completion – ~~An~~ The agency shall certify the phase completion date using the Form 10-7. See definition 22 for phase completion date.
7. ~~The~~ ECP (Project X) Final Report Form 10-16 – The agency shall prepare a final report form using the ECP Final Report Form 10-16.

8. Location Maps of Installation – The agency shall provide a map that shows the specific locations BMP devices were installed with catch basin identification numbers, as applicable.
9. Proof of Project Payment – The required documentation that will be submitted includes approved contract invoices and may also include, but is not limited to, supportive material for agency work forces, equipment, material, and corresponding proof of payment. Additional records are required to be maintained as outlined in the Audit chapter.
10. Form 10-17 (where applicable) Supporting documentation for O&M costs (if used as local match).

For Tier 1 of the ECP (Project X), where ongoing O&M of the project were pledged as a local match, as part of the semi-annual review reporting process, OCTA will verify local agency O&M expenditures to ensure local match commitments are being met. Local agencies must complete the In-Kind O&M Report Form 10-17 for each ECP (Project X) grant as part of their semi-annual review updates.

Chapter 10 – Audits

Independent Audit Process Overview

Independent audits of CTFP projects may be initiated by OCTA’s Internal Audit Department (or agent thereof). The project information on file at OCTA will serve as the primary source of information for each audit. However, additional information may be requested of local agencies.

Accurate records detailing specific expenditures for each CTFP project must be maintained by local agencies. These records must show that proper accounting and cash management procedures were followed, the project was completed in accordance with the application and the CTFP guidelines, and that all records and documentation related to the project were adequately maintained. Consistent with the M2 Ordinance, local agencies must also establish a separate fund accounting system for Measure M funds transactions and expenditures.

Local agencies must maintain a complete set of records in accordance with generally accepted accounting principles, and with reasonable notice, shall permit the authorized representatives of OCTA to inspect and audit all work, materials, payroll, contracts, books, accounts, and other data and for a period of five (5) years after final payment by OCTA for CTFP projects. For the LFS program, it shall be for a period of five (5) years after expenditure of funds or five (5) years after final payment of debt service where LFS revenues were pledged, whichever is longer. OCTA has the right to reproduce any such books, records, and accounts. The provision with respect to audits should be extended to/and included in contracts with the local agency’s contractor(s).

Record Requirements to Demonstrate Compliance

A description of the required records is given below.

Contracts

For all contract expenses the following records must be maintained:

1. The original executed contract
2. Evidence the procurement of contracted public works and architectural and engineering services followed applicable state laws and local agency procurement requirements
3. All contractor invoices received
4. All contract change order documents
5. Proof of payment to contractors
6. Project “as built” or other final plans

7. Sign-off on completion by Local Agency (letter of acceptance)

Materials and other

For all materials and other miscellaneous expenses charged to the Comprehensive Transportation Programs project, the following records must be maintained:

1. Original invoice and purchase order
2. Proof of delivery
3. Evidence of reasonableness of price, if total cost of purchase is over ~~\$51,000.~~
4. Proof of payment

Direct labor

For all direct labor charged to a project, including engineering labor, the following records must be maintained:

1. Summary time sheets showing total time charged to the project by the different individuals working on it
2. Individual time sheets or timecards showing the total time worked by the individual for each period (day, week, etc.) and the different tasks to which the individual's time was charged
3. Personnel files showing the individuals' pay rates
4. Payroll reports showing the computations of paychecks for the applicable periods

Equipment

Equipment rental charges related to a project shall be documented by the following records:

1. Vendor's or local agency's invoice showing hours, rate, and type of equipment and location of rented equipment
2. Evidence of quotes obtained to determine best rate (documented phone quotes are acceptable)
3. Documentation of project need for equipment

Local agency ~~force-work~~force

For all construction ~~phase-work~~ performed by local agency workforces ~~and~~, the decision that local agency forces could perform the work more cost effectively, ~~or~~ more timely than a contractor or other justification must be documented.

Chapter 11 – Environmental Cleanup Program (Project X)

Overview

The ECP, herein referred to as Project X, provides M2 revenues to improve overall water quality in Orange County from transportation-generated pollution. Specifically, OCTA's Ordinance No. 3 (Ordinance), dated July 24, 2006, provides that 2 percent (2%) of gross M2 revenues be dedicated to protecting Orange County beaches and waterways from the conveyance of urban runoff associated with transportation-generated pollution. Project X ensures that funds will be used on a countywide competitive basis to meet federal Clean Water Act standards for controlling transportation-generated pollution by funding nationally recognized Best Management Practices (BMPs).

As required by the Ordinance, an Environmental Cleanup Allocation Committee (ECAC), representing a broad cross-section of the water quality community, was formed in October 2007 to provide guidance on program design and funding. The goal of Project X is to fund projects on a countywide, competitive basis. This will assist the County of Orange and Orange County cities in reducing transportation-related water quality pollution by meeting Clean Water Act standards for local waterways and beaches.

Proposed projects must demonstrate a direct nexus (connection) to a reduction of transportation-related pollution as developed and defined by the ECAC in conformity with the Ordinance. All proposing agencies must demonstrate an understanding of how their proposed projects meet the following transportation pollution nexus definition:

- Transportation-related activities can be a contributor of pollutants and/or impairments to receiving waters via aerial deposition, storm, and non-storm water discharges. Transportation-related activities are associated with the operation, construction, and maintenance of public roads, highways, and other ground transportation systems.
- The conveyance of transportation-related pollutants to surface and groundwater can occur from precipitation, runoff, and leachate entering or discharging from public roads, highways, and other ground transportation systems via drainage systems, such as catch basins, curbs, gutters, ditches, manmade channels, retention basins, or storm drains. The quality and quantity of these discharges vary considerably and are affected by hydrology, geology, land use, season, and sequence and discharge of hydrologic events.
- Pollutant sources can encompass right-of-way, properties, facilities, and activities related to motor vehicles, highway maintenance, construction site runoff, maintenance facility runoff, illegal dumping, spills, and landscaping care. Pollutant categories include but are not limited to metals (such as copper, lead, and zinc), organic chemicals and compounds (hydrocarbons), pesticides, sediment, nutrients (nitrogen and phosphorus), litter, oxygen demanding substances (decaying

vegetation, animal waste, and other organic matter), groundwater dewatering discharges, and pathogenic material.

Project X funds are designed to supplement, not supplant, existing water quality programs. Proposed projects must improve and not replace existing pollution reduction efforts by an eligible party. Funds will be awarded to the most competitive projects with the highest benefit to water quality.

The intent of Project X is to provide funding for water quality projects that do not replace existing transportation water quality expenditures. In other words, if a project has components which would replace features already in place or which would fulfill project specific mitigation, those components would not be eligible for funding consideration. Some upgrades and expansions may be eligible with appropriate supporting justification.

Proposed projects, which support compliance with the 2015 adopted Trash Provisions, are eligible for Project X funding provided the funds do not replace established and programmed funds and the funds are not applied to any mandated project design features or required mitigation measures.

The eligibility of the project and its components will be determined during the evaluation process. Contact Adrian Salazar at (714) 560-5363, or asalazar@octa.net with questions.

Tier 1 Grant Program

Overview

The Tier 1 Grant Program is designed to mitigate the more visible forms of pollutants, such as litter and debris, which collect on roadways and in the catch basins (storm drains) prior to being deposited in waterways and the ocean. It consists of grant funding for Orange County local governments to purchase equipment and upgrades for existing catch basins and other related BMPs (i.e., “street-scale” low flow diversion projects). Examples include screens, filters, and inserts for catch basins, as well as other devices designed to remove the above-mentioned pollutants. To date, 13 Tier 1 calls for projects have been held. Through this process, many of the opportunities for street-scale BMPs have been fulfilled. Water quality projects, regardless of technology, are eligible for Tier 1 funding provided they have a verifiable benefit to water quality and fall within the maximum per project programming cap. The intent of this funding program is for project applicants to complete the work generally within one year from the letter agreement execution date.

Tier 1 Project Types

Tier 1 projects funded in the past include the following types. A description of each project type is provided below:

- 1) Automatic Retractable Screen and other debris screens or inserts: screen or insert units prevent debris from entering the storm drain system.
- 2) Irrigation system retrofits with non-spraying heads to reduce runoff: these projects decrease runoff from highway medians by using more efficient irrigation systems and/or replacing existing landscape to reduce the amount of water used in irrigation.
- 3) Continuous Deflection Separator (CDS): CDS units screen, separate, and trap debris, sediment, oil, and grease from storm water runoff.
- 4) Linear Radial Gross Solid Removal Device (GSRD): GSRDs are certified full capture systems which efficiently remove large solids from runoff water flows.
- 5) Marina Trash Skimmer: these devices draw in floating debris, such as plastics, bottles, paper, oil sheen, and driftwood. The installation of marina trash skimmers will reduce the amount of trash and debris reaching the open ocean.
- 6) Bioswales and Bioretention systems: pollutants and sediments are captured and subsequently removed from stormwater runoff.
- 7) Trash Boom: a floating boom placed across a channel captures trash and debris that have reached flood channels from being further conveyed to downstream receiving waters.

Pre-Application Process

In order to ensure the best use of M2 funds and assist eligible jurisdictions with the Tier 1 Grant Program, applicants may engage in a pre-application process with OCTA staff in project planning, cost estimate development, and determination of likely projected competitiveness. Specific meeting times will be established once the call is initiated. After the call for projects deadline and submittal of the grant application, applicants will not be able to change the content of the application or scope of the project.

Eligible Applicants

Project X funds can be used to implement transportation-related water quality improvement projects to assist Orange County cities and the County of Orange to meet federal Clean Water Act standards for urban runoff and State Water Resources Control Board requirements for trash capture. Applicants eligible for Project X funds include the 34 Orange County cities plus the County of Orange. Eligible applicants must meet the transportation requirements discussed in the M2 Ordinance.

Third parties, such as water and wastewater public entities, environmental resource organizations, nonprofit 501(c) environmental institutions, and homeowners' associations cannot act as the lead agency for a proposed project; however, these agencies can coordinate with an eligible Orange County city and/or the County of Orange.

Two or more agencies may participate in a project. If a joint application among agencies and/or third-party entities is submitted, a preliminary agreement with joint or third-party entities must be provided as part of the application. In order to meet Ordinance requirements, an eligible applicant must be the lead agency for the funding application. If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as lead agency and must provide a resolution of support from all joint applicants.

Each eligible jurisdiction must meet the eligibility criteria as set forth in Chapter 1 of these guidelines.

Project Programming

The Tier 1 Grant Program approach is designed to be consistent with Chapter 2 of the CTFP Guidelines regarding the provisions below:

- Program Consolidation
- Funding Projections
- Project Cost Escalation
- Programming Adjustments
- Programming Policies

- Schedule Change Requests
- Timely-Use of Funds
- Project Advancements
- Semi-Annual Review

Refer to Chapter 2 for explanations of the above provisions.

Funding Estimates

Approximately \$3.5 million is available for the 2024 Tier 1 call for projects.

The maximum amount for the Tier 1 Grant Program is \$600,000 per project. The maximum amount that an eligible local agency can receive in this funding period is \$600,000.

Matching Funds

For the Tier 1 Grant Program, a minimum local match of 20 percent (20%) of the eligible project cost is required. The matching funds shall be provided as a cash contribution.

Retroactive expenditures cannot be credited towards the matching fund threshold or project expenditures.

Overmatch

For the Tier 1 Grant Program, administering agencies may “overmatch” Project X projects; that is, additional cash match may be provided for the project. Applicants will receive additional points in the evaluation process for matching with cash above the minimum requirement. Proposals that exceed the 20 percent (20%) minimum funding match will be given an additional one-half point for every five percent (5%) over the minimum cash match (up to five bonus points).

Additionally, administering agencies must commit to cover any future cost overruns if the project is underfunded. Any work not eligible for Project X reimbursement must be funded by other means by the project applicant and cannot count as match. These non-eligible items should not be included in the cost estimate breakdown in the application.

Reimbursements

For the Tier 1 Grant Program, OCTA will release funds through two payments. The initial payment will constitute 75 percent (75%) of the CTFP grant share of the contract award or grant programmed amount at contract award, whichever is less. OCTA will disburse the final payment, approximately 25 percent (25%) of eligible funds, after approval of the final report. Further information on reimbursements can be located within Chapter 9 of the CTFP Guidelines.

Scope Reductions/Modifications and Cost Savings

Any proposed scope modifications, such as a change in BMP device quantities and/or the adjustment of device locations of an approved project must be submitted to OCTA staff for review and approval in advance of the change to ensure consistency with Tier 1 Grant Program requirements. The proposed modifications must mitigate the same pollutants, affect the same waterways, and meet all other provisions as stipulated in these guidelines.

OCTA staff will review and provide notification to the local agency of either approval or rejection of the scope change or if the modification warrants Board approval. If the proposed scope modification is approved by OCTA, any cost savings will be proportionally shared between OCTA and the grantee; for example, a reduction in Project X funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 1 Grant Program for reallocation for subsequent calls for projects.

2024 Tier 1 Call for Projects

The Tier 1 call will be open for 60 days. 2024 Tier 1 Call for Projects applications must be received by OCTA **no later than 5:00 p.m. on Thursday, April 25, 2024**. OCTA allocates funds on July 1 of each year. **Tier 1 projects are not eligible for delay requests**; please refer to Precept 17 for additional information. Funds will become available upon execution of a letter agreement. Projects that do not award construction contracts by December 31, 2025 will not be considered.

After Tier 1 applications are reviewed by OCTA, an advisory panel will review and rank projects. Following a review by the ECAC, a recommended priority list of projects will be forwarded to the OCTA Board for approval in fall 2024. Funds allocated for projects are final once approved by the OCTA Board. No additional funds will be allocated to the project. Grantees are responsible for any costs exceeding the allocated amount.

Tier 1 Selection Criteria

OCTA will evaluate all proposals that meet the mandatory prerequisites based on competitive selection criteria (Exhibit 11-1) with the following categories:

- Project Need, Transportation Nexus, and Water Quality Benefits (15 points)
- Cost/Benefit (16 points)
- Pollutant Reduction Benefits (12 points)
- Effectiveness Against More Visible Forms of Pollutants (10 points)
- Justification for Project Devices Considered and Proposed (5 points)
- Proposed Device Performance Efficiency and/or Effectiveness (6 points)
- Project Readiness (6 points)
- Secondary attributes* (5 points)
- Methodology for Measuring Pollutant Reduction Before and After Implementation (10 points)
- Operations and Maintenance Plan (15 points)

**Note: Project elements which may qualify for points under the "secondary attributes" category do not need to be eligible expenditures. See Eligible Expenditures and Ineligible Expenditures sections for further information.*

Each proposal can receive a maximum of 100 points, exclusive of five bonus points for cash overmatch. See Exhibit 11-1 for scoring categories and point distribution.

Exhibit 11-1 (Tier 1 Scoring Criteria)

Scoring Criteria	Points Possible												
1. Describe the need for the selected BMP(s), including nexus to transportation pollutants, and detail the benefits to water quality the BMP(s) will achieve. (up to 15 Points)	15												
2. Cost/Benefit (Up to 16 points): Based on information provided by the applicant, a cost/benefit calculation will be conducted to compare the total project cost to the area of priority land uses treated by the proposed BMP(s). Applicant is required to provide ¹ : <ul style="list-style-type: none"> • Types(s) of BMP(s) proposed • Number of each BMP type • Total drainage area(s) contributing to each BMP type • Percent of drainage area(s) that is/are considered priority land uses (i.e., high density residential, industrial, commercial, mixed urban, public transportation stations) The applicant must also provide geospatial information (through ArcGIS and/or Google Earth) that identifies the drainage area(s) and BMP location(s) for the project.	16												
3. Pollutant Reduction Benefits: Based on treatment capacity and BMP type, project benefit will be calculated using the scoring equation: $(A \times 3) + (B \times 3) + (C \times 6) =$ (up to 12 points) ¹	12												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Line</th> <th style="width: 60%;">Factor</th> <th style="width: 30%;">Points Available</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">A</td> <td>Fractional percent of 1 year, 1-hour event flowrate discharging from priority land uses to the BMP(s)</td> <td style="text-align: center;">0 to 1</td> </tr> <tr> <td style="text-align: center;">B</td> <td>Fractional percent of 85th percentile, 24-hr design event that is treated by a low-impact development (LID) or treatment control BMP²</td> <td style="text-align: center;">0 to 1.5</td> </tr> <tr> <td style="text-align: center;">C</td> <td> BMP Multiplier: <ul style="list-style-type: none"> ▪ 1/3 point for high capacity systems ▪ 2/3 point for filters/biofilters ▪ 1 point for zero-discharge BMPs </td> <td style="text-align: center;">0 to 1</td> </tr> </tbody> </table>		Line	Factor	Points Available	A	Fractional percent of 1 year, 1-hour event flowrate discharging from priority land uses to the BMP(s)	0 to 1	B	Fractional percent of 85th percentile, 24-hr design event that is treated by a low-impact development (LID) or treatment control BMP ²	0 to 1.5	C	BMP Multiplier: <ul style="list-style-type: none"> ▪ 1/3 point for high capacity systems ▪ 2/3 point for filters/biofilters ▪ 1 point for zero-discharge BMPs 	0 to 1
Line	Factor	Points Available											
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C	BMP Multiplier: <ul style="list-style-type: none"> ▪ 1/3 point for high capacity systems ▪ 2/3 point for filters/biofilters ▪ 1 point for zero-discharge BMPs 	0 to 1											
¹ Applicants are not expected to calculate the score for question 2 and question 3. OCTA's technical consultant will provide the analysis for these questions based on the application materials provided by the applicant.													
² Examples include high-capacity systems (i.e., hydrodynamic separators), filters/biofilters, or zero-discharge BMPs (i.e., retention/infiltration).													
4. How effective will the proposed project be in dealing with the more visible forms of pollutants, such as a litter and debris? (up to 10 points)	10												
5. What other BMP types were considered for this project? Why was the proposed BMP chosen? (5 points)	5												
6. Provide information on proposed BMP performance efficiency and/or effectiveness, including pollutant capture, storage capacity, flow capacity, etc. (up to 6 points)	6												
7. Project Readiness: The project schedule will be reviewed by the evaluation committee to determine when the proposed BMP will be operational following OCTA Board of Directors approval. (up to 6 points):	6												
Less than 4 Months (6 points)	8 - 12 months (2 points)												
4 - 8 months (4 points)	More than 12 months (1 point)												

8. Secondary Attributes: Will the proposed project provide any benefits beyond water quality improvement (i.e., water use efficiency, public awareness, flooding control, recreation, habitat, sustainability)? (up to 5 points)	5
9. What is the methodology for measuring pollutant reduction before and after the BMP is implemented? How frequently will monitoring and performance assessment occur? (up to 10 points)	10
10. Provide an O&M plan for the lifespan of the proposed project. Include schedule of inspections, cleaning, removal and disposal of pollutants, repairs, etc. (up to 15 points)	15
<hr/>	
	100
11. BONUS: Are local matching funds in excess of the 20% minimum cash being proposed? If yes, at what percentage? (.5 point for each 5% cash overmatch, up to 5 points)	5
<hr/>	
	105

Application Process

The following information, which is to be completed within the Tier 1 Grant Application Form, available electronically from OCTA, is required to evaluate and select projects. A checklist is included in the Tier 1 Grant Application Form to assist eligible agencies in assembling project proposals. The following project information will be necessary as part of the application process:

- Project Title
- Lead Agency Information
- Proposed Schedule
- Project Management
- Description and Scope of Proposed Project
- Integrated Regional Water Management Plan (IRWMP) identification (if applicable)
- Project Readiness
- Performance Metrics
- Detailed Project Estimate
- Minimum 20% Local Match (cash match only)
- Joint-Application (if applicable)

In addition to the completed Tier 1 Grant Application, the following documentation is required as part of the application process:

- Project design or concept drawings, including preliminary design calculations, of proposed BMPs.
- Precise maps to show tributary drainage area and proposed location(s) for BMP installation including geospatial information (through ArcGIS and/or Google Earth)
- Digital project site photos
- Preliminary agreements with joint and/or third-party entities if part of the funding application (if applicable)
- A city council resolution specific to each proposed project and funding commitment must be approved by the local jurisdiction's governing body prior to the Board approval of grant funds. A sample resolution is included as Exhibit 11-2. **Local agencies, at a minimum, must include items a-l.** The mechanism selected shall serve as a formal request for CTFP funds and states that matching funds will be provided by the agency. A final resolution authorizing a request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** For a project to be considered for funding the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the programming recommendations being presented to OCTA's Board.

One unbound original hardcopy and one electronic copy of the complete application form and supporting documentation materials must be submitted to OCTA by the application deadline. Electronic application materials can be submitted via email as an attachment, or via a link to an online storage device site, such as DropBox or OneDrive. Submittal via USB drive is also allowed. CD/DVD files will not be accepted. There is no maximum length for proposals. All pages must be numbered and printed on 8 1/2 x 11 sheets of white paper. Use separate sheets of paper if necessary. Maps and drawings can be included on 11 x 17 sheets, folded into the proposal. The original proposal should be left unbound for reproduction purposes.

Application materials are to be submitted by the call for projects deadline to the following OCTA staff email and via hardcopy by mail or in person:

Adrian Salazar
Orange County Transportation Authority
asalazar@octa.net

By mail:
Adrian Salazar
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584
Tel: (714) 560-5363

In person:
Orange County Transportation Authority
600 South Main Street
Orange, CA 92863-1584

Note: if submitting via email, please note that certain attachments may be subject to file size or file type restrictions, which may prevent emails from being successfully sent to OCTA. OCTA staff will provide a confirmation email that the application was successfully received by the deadline.

Applications are considered final once the electronic application has been submitted. OCTA will document the submittal date and time and download the files for storage and application review. Any applications that do not contain all required information and documentation will be disqualified. Revisions may be allowed if changes are made prior to the application deadline.

Exhibit 11-2 (Tier 1 Sample Resolution)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL/BOARD OF THE CITY/COUNTY OF _____

AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR (PROJECT NAME).

- (a) WHEREAS, Orange County Local Transportation Ordinance No. 3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality; and
- (b) WHEREAS, the Environmental Cleanup, Tier 1 Grant Program consists of funding purchases and installation to catch basins with Best Management Practices, such as screens, filters, inserts, and other "street-scale" low flow diversion projects; and
- (c) WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and
- (d) WHEREAS, (ADMINISTERING AGENCY) possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and
- (e) WHEREAS, by formal action the (GOVERNING BODY) authorizes the nomination of (PROJECT NAME), including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the (ADMINISTERING AGENCY) to act in connection with the nomination and to provide such additional information as may be required; and
- (f) WHEREAS, the (ADMINISTERING AGENCY) will maintain and operate the equipment acquired and installed; and
- (g) WHEREAS, the (ADMINISTERING AGENCY) will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 1 Grant Project; and
- (h) WHEREAS, the (ADMINISTERING AGENCY) will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and
- (i) WHEREAS, the (ADMINISTERING AGENCY) will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations; and
- (j) WHEREAS, the (ADMINISTERING AGENCY) must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement; and
- (k) WHEREAS, the (ADMINISTERING AGENCY) authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors; and
- (l) WHEREAS, the City/County of _____ will provide a minimum of 20% in matching funds for the (PROJECT NAME) as required by the Orange County Comprehensive Transportation Funding Programs Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the City/County of _____ hereby authorizes (NAME OF AGENCY REPRESENTATIVE) as the official representative of the (ADMINISTERING AGENCY) to accept funds for the Environmental Cleanup, Tier 1 Grant Program for (PROJECT NAME).

BE IT FURTHER RESOLVED that the City/County of _____ agrees to fund its share of the project costs and any additional costs over the identified programmed amount.

Eligible Expenditures

- Tier 1 projects must meet the transportation nexus as outlined previously in this chapter.
- Project X funds must be for capital improvements.
- For Tier 1, construction support construction management, project management and final design (for Project X Tier 1 projects only), combined costs cannot exceed 2015 percent (2015%) of the M2 grant subject to match requirement.~~total construction cost.~~
- Project X funds can only be used for facilities that are in public ownership for public use; however, water quality improvements on private property, which are connected to municipal separate storm sewer systems, are eligible if part of a right of way agreement (For example, a homeowner association can coordinate through an eligible agency for funding if the proposed project is connected to a public facility). Administering agencies shall provide supporting documentation to justify improvements on private property.
- Reducing volume of surface flows is an integral factor of improving water quality, therefore, projects that have water-saving features (i.e., drip systems) are eligible for funding consideration.

Ineligible Expenditures

- O&M costs are not eligible expenditures. O&M costs cannot be utilized as a source of matching funds.
- Project X funds are not to be used for planning but can be used for final design, subject to the restrictions above.
- Expenditures prior to the grantee executed letter agreement date cannot be considered eligible for funding or match.
- Landscaping installation and replacement are not eligible for funding consideration.
- Replacement of equipment funded with Project X funds that is still within its anticipated useful life (based on manufacturer's specifications).
- Capital equipment purchases related to regular on-going street maintenance efforts, including, but not limited to: trash receptacles, vacuum trucks and/or equipment, street sweepers, signage, etc.

Reporting and Reimbursement

A final report must be filed within 180 days of the project being completed with information as shown in Form 10-16. See Chapter 9 for the process and requirements regarding reimbursements and reporting for the Tier 1 Grant Program.

Additionally, an exception to Precept #36: Agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve, as such are the reviewing and approving bodies, respectively, for this program.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP guidelines and may conduct a field review. OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e., expenditures, interest) to ensure compliance. Only CTFP eligible items listed on a project's cost estimate form will be reimbursed. See Chapter 10 for independent audit requirements beyond the technical and/or field review.

Additional Information

Questions regarding these procedures and criteria should be directed to:

By mail:

Adrian Salazar
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584
Tel: (714) 560-5363

In person:

Orange County Transportation Authority
600 South Main Street
Orange, CA 92863-1584

Via email:

asalazar@octa.net

Tier 2 Grant Program

The Tier 2 Grant Program consists of funding larger scale, potentially multi-jurisdictional, capital-intensive structural treatment BMP projects. Proposed projects will be evaluated based on their water quality improvement benefits and cost-effectiveness under the scoring criteria guidelines. Examples of large-scale BMPs include constructed wetlands, detention/infiltration basins and other large BMPs that mitigate litter and debris, heavy metals, organic chemicals, sediment, nutrients, and other transportation-related pollutants. Funds will be awarded through a competitive grant process geared towards awarding funds to the highest scoring, most cost-effective projects.

For the 2024 call for projects (call), applicants will use a web-based platform called OC Stormwater Tools (OCST) as part of the application process. The OCST platform was originally developed by Orange County Public Works (OCPW). The OCST platform has been in use for over five years supporting Orange County cities and the County of Orange in managing stormwater BMP inventories, establishing facility delineations, and modeling the performance of the BMPs. It is maintained by OCPW. In 2022, OCTA and OCPW partnered to develop the Planning Module in OCST. The OCST Planning Module allows users to access mapping layers to view priority areas, evaluate the performance of candidate BMPs, and submit selected projects for consideration in the Tier 2 Grant Program, in combination with traditional application forms. Use of the OCST Planning Module to submit the project drainage area and facility design information is a requirement for Tier 2 funding applicants.

Pre-Application Process

In order to facilitate a jurisdiction's best use of Project X funds, Tier 2 applicants may engage in a pre-application process with OCTA staff to assist jurisdictions in project planning, proposal and cost estimate development, and determination of likely projected competitiveness in the scoring criteria. The pre-application timeframe is defined as the time between the initiation of the call and one week prior to the application deadline date. After the call deadline and submittal of the grant application, applicants will not be able to change the content of their application or scope of the project.

Eligible Applicants

Project X funds can be used to implement transportation-related water quality improvement projects to assist Orange County cities and the County of Orange meet federal Clean Water Act standards for urban runoff. Applicants eligible for Project X funds include the 34 Orange County cities plus the County of Orange. Eligible applicants must meet the transportation requirements discussed in the M2 Ordinance.

For Tier 2 multi-agency collaborations, eligible jurisdictions may partner with other entities such as special districts and non-profits, but the lead agency must be an M2 eligible jurisdiction.

Third parties, such as water and wastewater public entities, environmental resource organizations, non-profit 501(c) environmental institutions, and homeowners' associations cannot act as the lead agency for a proposed project, however; these agencies can coordinate with an M2 eligible Orange County city and/or the County of Orange to submit a project application. All project partners must contribute to the project in some capacity (i.e., monetary contribution, time contribution, etc.).

Two or more agencies may participate in a project. If a joint application among agencies and/or an application is submitted for the benefit of third-party entities is submitted, a preliminary agreement with joint or third-party entities must be provided as part of the application. In order to meet M2 Ordinance requirements, an eligible applicant must be the lead agency for the funding application. If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as the lead agency and must provide a resolution of support from the partnering agency. In addition, the applicant shall provide a schedule by which the lead agency will obtain a final agreement with a third party. The final agreement must be executed prior to contract award date.

Each eligible jurisdiction must meet the eligibility criteria as set forth in Chapter 1 of the Comprehensive Transportation Funding Program (CTFP) Guidelines. For example, to apply for CTFP funding, local agencies must fulfill an annual eligibility process. Eligibility packages are due to OCTA by June 30 of each year. The M2 Eligibility Preparation Manual outlines the eligibility requirements in detail.

In order for an applicant to accept Project X funding for their proposed project, OCTA has certain requirements that must be met. These requirements include adhering to the OCTA CTFP Guidelines; meeting a ten-year BMP Operations and Maintenance (O&M) commitment; and commitment to maintain and monitor the project commensurate with the design life.

Project Programming

The Tier 2 Grant Program is designed to be consistent with Chapter 2 of the CTFP Guidelines regarding the provisions below:

- Program Consolidation
- Sequential Programming Process
- Funding Projections
- Project Cost Escalation
- Programming Adjustments
- Project Readiness

- Programming Policies
- Schedule Change Requests
- Timely-Use of Funds
- Project Advancements
- Semi-Annual Review

Refer to Chapter 2 for explanations of the above provisions.

Funding Estimates

Approximately \$15 million is available for the 2024 Tier 2 call. The maximum amount for the Tier 2 Grant Program is \$2.5 million per project. The maximum amount that an eligible local agency can receive in this funding period is \$2.5 million.

2024 Tier 2 Call Implementation Timeline

The Tier 2 call will be open for 90 days. 2024 Tier 2 call applications must be received by OCTA **no later than 5:00 PM on Thursday, May 16, 2024**. OCTA is seeking applications for projects, which can be awarded no later than December 31, 2025. Funds will become available upon execution of a letter agreement. Projects that do not award construction contracts by December 31, 2025 will not be considered.

After Tier 2 applications are reviewed by OCTA staff for completeness and accuracy, an evaluation panel will review and rank projects. Following review and recommendation by the ECAC, a recommended priority list of projects will be presented to the OCTA Board for approval. Funding amounts allocated for projects are final once approved by the OCTA Board. No additional funds will be allocated to the project. Grantees are responsible for any costs exceeding the allocated amount.

Matching Funds

For the Tier 2 Grant Program, a minimum local match of fifty percent (50%) of the eligible project phase cost is required. The matching funds shall be provided by cash contributions. Previously completed phases of a project may not be attributed to the match. Prior expenditures cannot be used as matching funds. There is a potential to reduce matching funds up to 15 percent (15%) for project readiness (at time of application submittal) as follows:

- Environmental (5%): The environmental document has been completed and certified.
- Design (5%): The project has completed 100% design plans.
- Right of Way (5%): This reduction applies to only those projects that require right of way acquisition, and acquisition has been completed.

If a joint application among agencies and/or third-party project partners is submitted,

matching funds documentation must clearly identify the entity providing the funds for each line item in the matching funds description. Additionally, preliminary agreements are required to be submitted with the grant application that contains the matching funds commitments from a supporting agency.

Matching rate commitments identified in the project grant application shall remain constant throughout the project. Match rate commitments may not be reduced for any reason.

Operations and Maintenance

Applicants must submit a draft BMP O&M Plan covering a minimum of ten years after project completion. The BMP O&M Plan must document (through the resolution) project O&M financial commitment and sustainability for ten years. Applicants must include project assessment and monitoring of performance as part of the O&M Plan. OCTA may request to review this plan from time to time.

For guidance, please refer to Section 2.8 and Appendix G of the Technical Guidance Document for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans at:

<https://ocgov.app.box.com/v/SDR-WQIP-Clearinghouse/file/252490400944>

Eligible Expenditures

- Tier 2 projects must meet the transportation nexus as outlined previously in this chapter.
- Project X funds are designed to fund capital improvements. Tier 2 funds are designed to be strictly used for project construction costs, although up to ten percent (10%) of the total grant may be used for preliminary project design, environmental, and engineering costs.
- For Tier 2, construction ~~support management and project management~~ cannot exceed ~~2015~~ percent (~~2015~~%) of the ~~M2 grant subject to match requirement total construction costs~~.
- Project X funds can only be used for facilities that are in public ownership for public use; however, water quality improvements on private property, which are connected to municipal separate storm sewer systems, are eligible if part of a right of way agreement (For example, a homeowner's association coordinate through an eligible agency for funding if the proposed project is connected to a public facility). Agencies shall provide supporting documentation to justify improvements on private property.

Ineligible Expenditures (including, but not limited to)

- Non-capital expenses for enhancements such as education, recreation, etc.

- Expenditures prior to letter agreement execution
- Amenities such as benches, lighting, signage, waste receptacles, etc.
- Landscaping and vegetation not directly related to improving water quality (i.e., ornamental shrubs, trees)
- Irrigation (sprinklers or drip systems) not directly related to plant establishment of water quality features
- Trails/sidewalks, unless contributing to water quality improvement
- O&M
- Planning activities beyond ten percent (10%) of grant
- Replacement of existing water quality features still within anticipated useful life (based on manufacturer's specifications).

Reimbursements

For the Tier 2 Grant Program, OCTA will typically release funds through two payments. The initial payment will constitute 75 percent (75%) of the CFTP grant share of the contract award or grant programmed amount at time of award, whichever is lower. OCTA will disburse the final payment, approximately 25 percent (25%) of eligible funds, after approval of the final report. Further information on reimbursements can be found within Chapter 9 of the CTFP Guidelines.

Additionally, administering agencies must commit to cover any future cost overruns if the project is underfunded. Any work not eligible for Project X reimbursement must be funded through other means by the project applicant and cannot count as match. These non-eligible items should not be included in the cost estimate breakdown in the application.

Scope Reductions and Cost Savings

Any proposed scope reductions of an approved project must be submitted to OCTA to ensure consistency with the Tier 2 Grant Program requirements. If the proposed scope reduction is approved by OCTA, cost savings will be proportionally shared between OCTA and the grantee. A reduction in Project X funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 2 Grant Program for reallocation to subsequent calls.

Tier 2 Selection Criteria

OCTA will evaluate all proposals that meet the mandatory prerequisites based on competitive selection criteria (Exhibit 11-3) with the following categories:

- Problem and source identification
- Project design
- Project implementation and readiness
- Project benefits

- Performance metrics

Each proposal can receive a maximum of 100 points. Tier 2 selection criteria include both technical scoring criteria –70 percent (70%) weighting – and non-technical scoring criteria –30 percent (30%) weighting.

A focus on several overarching concepts is emphasized in the funding guidelines and scoring criteria:

- Focus on a clear and measurable transportation nexus, defined as total lane miles in the project catchment area, as defined by the MPAH
- Priority in the scoring criteria is given to projects in areas of highest water quality need, as established by predicted pollutant loading, receiving water monitoring, and the extent of impairment of receiving waters (i.e., higher priority given to 303(d) listed water bodies or project in a water quality plan)
- Quantification of project benefits where possible in terms of a load reduction metric (pollutants or water volumes)
- Emphasis on cost beneficial projects
- Emphasis on project readiness, and ability to leverage funding
- Emphasis on other regional and environmental benefits
- Emphasis on multi-jurisdictional and public benefits

Application Process

The technical scoring will be calculated wholly within the OCST Planning Module. The Tier 2 Grant Application Form (available electronically from OCTA) is required to evaluate general project information, funding, and to score non-technical project components. See Exhibit 11-3 for Tier 2 Scoring Criteria.

The applicant will be required to enter the technical project information into the OCST Planning Module (<https://planning.ocstormwatertools.org/>), populate the project with attributes necessary to quantify performance, and elect to share the project with OCTA within the Planning Module.

OCST Planning Module Project Entry

Complete the workflow for adding the project in the OCST Planning Module. The Planning Module Project workflow includes the following steps:

1. Log in to <https://planning.ocstormwatertools.org/>. If a user is not yet registered in this system, use the “Create Account” button to set username and password; permission to act on behalf of a city or the County will be assigned by the system administrators.
2. Under “Quick Actions”, select “Add a Project”.

3. Complete the Project Basics form using the same project name as in the Application Form. Enter project information such as Project Name, Description, and Primary Contact Person. Check the box to compute metrics for the OCTA M2 Tier 2 Grant Program.
4. Select "OCTA M2 Tier 2 Grant Program" to view scores (this does not enable sharing with OCTA, it will just calculate scoring metrics for the project for applicant review).
5. On the "Stormwater Treatments / Proposed Treatment BMPs" page, enter BMP type and location, and modeling attributes (a set of key design parameters used to estimate performance). More than one BMP can be entered within a project.
6. On the "Stormwater Treatments / Delineations" page, define the upstream delineation using the web map.
7. On the "Stormwater Treatments / Modeled Performance and Grant Metrics" page, select "Calculate" to review modeling results and preliminary grant scoring metrics for the project.
8. Review results.
9. On the "Review and Share" page, click the button to "Share" the project with the OCTA M2 Tier 2 Grant Program. This will add the project to the grant application reviewers dashboard. While a project is being shared it cannot be edited.

If an applicant believes an edit is needed, or if a change is requested by OCTA, the applicant may "Revoke" the project sharing status, make the edit, and re-share the project. Projects must be shared with the OCTA M2 Tier 2 Grant Program before the call for projects closes in order for the application to be considered eligible for funding.

Important Note: All Tier 2 score metrics computed by the Planning Module are preliminary. Final project scores will be calculated by OCTA after the call is closed, including comparisons between submitted projects.

In addition to entering project information into the OCST Planning Module and the Tier 2 Grant Application Form, the following items are required to be included within the submitted proposal:

- Project design or concept drawings, including preliminary design calculations, of proposed BMP. This should clearly justify the modeling attributes entered into the OCST Planning Module.
- Environmental Document (if applicable)
- Preliminary Cooperative Agreement(s) with joint and/or third-party entities (if applicable)
- Project Cost Estimate
- Maps
- Project site photos

- Project master schedule
- City Council resolution specific to the project and funding commitment must be approved by the local jurisdiction’s governing body prior to the Board approval of grant funds. A sample resolution is included as Exhibit 11-4. **Local agencies, at a minimum, must include items a-l.** The mechanism selected shall serve as a formal request for CTFP funds and states that matching funds will be provided by the agency. A final resolution authorizing a request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency’s governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA’s Board.
- 10-year draft BMP O&M Plan

For the Tier 2 Grant Program, one unbound original and one electronic copy of the complete application form and supporting documentation materials must be submitted to OCTA by the application deadline. Electronic application materials can be submitted via email as an attachment, or via a link to an online storage device site, such as DropBox or OneDrive. Submittal via USB drive is allowed. CD/DVD files will not be accepted.

There is no maximum length for proposals. All pages must be numbered and printed on 8 1/2 x 11 sheets of white paper. Use separate sheets of paper if necessary. Maps and drawings can be included on 11 x 17 sheets, folded into the proposal. *The original proposal should be left unbound for reproduction purposes.*

Application materials are to be submitted by the call for projects deadline to the following OCTA staff email and via hardcopy by mail or in person:

Adrian Salazar

Orange County Transportation Authority

asalazar@octa.net

By mail:

Adrian Salazar

Orange County Transportation Authority

P.O. Box 14184

Orange, CA 92863-1584

In person:

Orange County Transportation Authority

600 South Main Street

Orange, CA 92863-1584

Tel: (714) 560-5363

Note: if submitting via email, please note that certain attachments may be subject to file size or file type restrictions, which may prevent emails from being successfully sent to OCTA. OCTA staff will provide a confirmation email that the application was successfully received by the deadline.

Applications are considered final once the electronic application has been submitted. OCTA will document the submittal date and time and download the files for storage and application review. Any applications that do not contain all required information and documentation will be disqualified. Revisions may be allowed if changes are made prior to the application deadline.

Reporting and Reimbursement

The Tier 2 Grant Program is consistent with Chapter 9 of the CTFP Guidelines regarding the process and requirements of reimbursements and reporting including semi-annual reviews. Upon completion of project construction, a 10-year final BMP O&M Plan is required to be submitted along with the final report.

Additionally, an exception to Precept #39: Agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP Guidelines and may conduct a field review. OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e., expenditures, interest) to ensure compliance. Only CTFP eligible items listed on a project's cost estimate form will be reimbursed. See Chapter 10 for independent audit requirements beyond the technical and/or field review.

**Exhibit 11-3
Tier 2 Scoring Criteria**

Technical Scoring – 70 points (Points awarded based on scoring metrics computed within OCST Planning Module)		
Scoring Metric	Description	Points
Transportation Priority Index (TPI)	The TPI is developed based on density of roadway lane miles within pre-defined catchment areas.	5
WQ Need Analysis	WQ Need is based on the presence of TMDLs and 303(d) list impairments, as well as receiving water quality monitoring data.	40
BMP Performance	BMP performance is a normalized score based on the total inflow volume, Water Quality Load Reduction Index, the ratio of wet to dry weather pollutant load reduction, and project cost.	25
Non-technical Scoring – 30 points (Points awarded based upon information provided by applicant)		
Multiple Benefits <ul style="list-style-type: none"> • Drainage • Recreation • Habitat • Water Resources 	Describe the benefits of the proposed project above and beyond water quality improvement (load reduction benefit).	10
Cost/Benefit	Describe how the project is designed to maximize benefits while reducing costs, such as by aligning with parallel project efforts in the region and/or obtaining additional sources of funding beyond the minimum required match.	10
Regional Benefit	Describe how the proposed project would provide a regional benefit.	5
Project Readiness	Describe the proposed project’s readiness with regard to concept development, cost estimates, design, environmental compliance, and construction documents.	5
Total		100

Exhibit 11-4
SAMPLE AGENCY RESOLUTION REQUESTING FUNDS FOR PROPOSED PROJECT

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL/BOARD OF THE CITY/COUNTY OF _____
AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 2 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR
(NAME OF PROPOSAL) PROJECT.

(a) WHEREAS, Orange County Local Transportation Ordinance No. 3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality; and

(b) WHEREAS, the Environmental Cleanup, Tier 2 Grant Program consists of funding regional, potentially multi-jurisdictional, capital-intensive projects, such as constructed wetlands, detention/infiltration basins and bioswales, which mitigate pollutants including litter and debris, heavy metals, organic chemicals, sediment, and nutrients; and

(c) WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and

(d) WHEREAS, (ADMINISTERING AGENCY) possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and

(e) WHEREAS, by formal action the (GOVERNING BODY) authorizes the nomination of (NAME OF PROPOSAL), including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the (ADMINISTERING AGENCY) to act in connection with the nomination and to provide such additional information as may be required; and

(f) WHEREAS, the (ADMINISTERING AGENCY) will maintain and operate the equipment acquired and installed; and

(g) WHEREAS, the (ADMINISTERING AGENCY) will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 2 Grant Project; and

(h) WHEREAS, the (ADMINISTERING AGENCY) will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and

(i) WHEREAS, the (ADMINISTERING AGENCY) will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations; and

(j) WHEREAS, the (ADMINISTERING AGENCY) must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement; and

Comprehensive Transportation Funding Programs



(k) WHEREAS, the (ADMINISTERING AGENCY) authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors; and

(l) WHEREAS, the City/County of _____ is committing to a minimum match of up to 50% for the (PROJECT NAME) as required by the Orange County Comprehensive Transportation Funding Programs Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the City/County of _____, hereby authorizes (NAME OF AGENCY REPRESENTATIVE) as the official representative of the (ADMINISTERING AGENCY) to accept funds for the Environmental Cleanup, Tier 2 Grant Program for (NAME OF PROPOSAL).

BE IT FURTHER RESOLVED that the City/County of _____, agrees to fund its share of the project costs and support any additional costs over the grant funding.

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Correspondence



Item 4, Attachment A: OCTA Board Items of Interest

- **Monday, June 26, 2023**
 - Item #5:* Enhanced Mobility for Seniors and Disabled Program Call for Projects
 - Item #13:* Active Transportation Program Biannual Update
 - Item #18:* Regional Traffic Signal Synchronization Program Update
 - Item #19:* Infrastructure Investment and Jobs Act

- **Monday, July 10, 2023**
 - Item #10:* Measure M2 Eligibility Recommendations for Fiscal Year 2021-22 Expenditure Reports and Maintenance of Effort Benchmark Adjustments
 - Item #11:* Measure M2 Performance Assessment Report Update

- **Monday, July 24, 2023**
 - Item #10:* Acceptance of Grant Awards from California State Transportation Agency, United States Department of Transportation, and the Southern California Association of Governments

- **Monday, August 14, 2023**
 - Item #4:* 2023 Orange County Complete Streets Program Call for Projects
 - Item #5:* Orange County Transportation Authority State and Federal Grant Programs - Update and Recommendations
 - Item #7:* Federal Transit Administration Program of Projects for Federal Fiscal Year 2022-23
 - Item #8:* SB 1 (Chapter 5, Statutes of 2017) State of Good Repair Program Recommendations for Fiscal Year 2023-24
 - Item #11:* Comprehensive Transportation Funding Programs - Project X Tier 1 2023 Call for Projects Programming Recommendations
 - Item #12:* Release 2024 Annual Call for Projects for Measure M2 Comprehensive Transportation Funding Programs
 - Item #13:* Measure M2 Community-Based Transit Circulators Program Project V Ridership Report
 - Item #14:* Local Jurisdictions' Interest in Project V Call for Projects

- **Monday, September 25, 2023**
 - Item #10:* State Route 91 Improvement Project from State Route 55 to Lakeview Avenue SB 1 (Chapter 5, Statutes of 2017) Grant Acceptance
 - Item #11:* Grant Acceptance for the Next Safe Travels Education Program
 - Item #12:* South Orange County Transportation Projects Update
 - Item #14:* Approval to Release Request for Proposals for Countywide Signal Synchronization Baseline
 - Item #26:* Measure M2 Quarterly Progress Report for the Period of April 2023 Through June 2023



AGENDA

Technical Steering Committee

Item #4

- **Monday, October 9, 2023**
 - Item #6:* 2024 State Transportation Improvement Program
 - Item #10:* Measure M2 Next 10 Delivery Plan: Market Conditions Key Indicators Analysis and Forecast
 - Item #11:* Request from the Measure M2 Taxpayer Oversight Committee to Obtain Independent Public Accounting Firm Services to Perform Measure M2 Compliance Audits on an Annual Basis Starting with Fiscal Year 2023

- **Monday, November 13, 2023**
 - Item #21:* Agreements for Comprehensive Transportation Funding Programs Review Services
 - Item #22:* 2024 Project V Community-Based Transit/Circulators Program Guidelines and Call for Projects
 - Item #23:* Amendment No. 9 to Cooperative Agreement No. C-0-1892 with the City of Irvine for Proposition 116 Replacement Funds
 - Item #24:* Measure M2 2023 Update: Next 10 Delivery Plan
 - Item #25:* Proposed Amendment to the Orange County Local Transportation Authority Measure M2 Ordinance No. 3

- **Monday, November 27, 2023**
 - Item #16:* Approval to Release Request for Proposals for Harbor Boulevard Pilot Innovative Transit Signal Priority Study

- **Monday, December 11, 2023**
 - Item #12:* 2024 Technical Steering Committee Membership
 - Item #16:* Comprehensive Transportation Funding Programs Semi-Annual Review - September 2023
 - Measure M2 Quarterly Progress Report for the Period of July 2023 through
 - Item #17:* September 2023

- **Monday, January 22, 2024**
 - Item #3:* Public Hearing to Amend the Orange County Local Transportation Authority Measure M2 Ordinance No. 3

- **Monday, February 12, 2024**
 - Item #10:* Orange County Transportation Authority State and Federal Grant Programs - Update and Recommendations
 - Item #11:* 2023 Orange County Complete Streets Program Project Prioritization Recommendations
 - Item #12:* 2025 Federal Transportation Improvement Program and Financial Plan
 - Item #13:* Amendments to the Master Plan of Arterial Highways
 - Item #18:* Measure M2 Environmental Cleanup Program (Project X) - 2024 Tier 1 and Tier 2 Grant Program Call for Projects



AGENDA

Technical Steering Committee

Item #4

Item #19: Measure M2 Community-Based Transit Circulators Program Project V Ridership Report

Item #20: Measure M2 Annual Eligibility Review

Item #21: Consultant Selection for Professional Services for the Countywide Signal Synchronization Baseline

- **Monday, March 11, 2024**

Item #7: Consultant Selection for the Harbor Boulevard Pilot Innovative Transit Signal Priority Study

Item #12: Measure M2 Quarterly Progress Report for the Period October 2023 through December 2023

Item #13: Revisions to the Measure M2 Eligibility Guidelines

Item #17: Emergency Coastal Rail Projects Update and Planning for the Future



AGENDA

Technical Steering Committee

Item #4

Item 4, Attachment B: Announcements by Email

- June 28, 2023 OCTA Technical Advisory Committee Agenda and Meeting Information, *sent 6/22/2023*
- July 12, 2023 OCTA Technical Steering Committee Meeting Cancellation Notice, *sent 7/10/2023*
- Draft OCTA Complete Streets Call for Projects Guidelines (STBG/CMAQ Funded), *sent 7/13/2023*
- July 26, 2023 OCTA Technical Advisory Committee Meeting Cancellation Notice, *sent 7/14/2023*
- Notice of Funding Opportunity: Reconnecting Communities and Neighborhoods (RCN), *sent 8/3/2023*
- September 2023 M2 Comprehensive Transportation Funding Programs (CTFP) Semi-Annual Review is Now Open, *sent 8/7/2023*
- August 23, 2023 OCTA Technical Advisory Committee Meeting Cancellation Notice, *sent 8/15/2023*
- 2024 Call for Projects Now Open: M2 Regional Capacity Program (RCP) and Regional Traffic Signal Synchronization Program (RTSSP), *sent 8/18/2023*
- REMINDER: Grant Application Workshop Tomorrow, August 23rd at 1:30pm, *sent 8/22/2023*
- REMINDER: September 2023 Measure M2 CTFP Semi-Annual Review Closes Friday, September 15th, *sent 9/5/2023*
- September 13, 2023 OCTA Technical Steering Committee Meeting Cancellation Notice, *sent 9/7/2023*
- REMINDER: OCTA Traffic Forum - Tuesday, September 26, 2023 (NEXT WEEK), *sent 9/19/2023*
- 2025 Federal Transportation Improvement Program Website Update and Meetings, *sent 9/21/2023*
- September 27, 2023 OCTA Technical Advisory Committee Meeting Cancellation Notice, *sent 9/22/2023*
- Draft 2023 Congestion Management Program (CMP) Report Available for Public Review- Comments due 10/16/23, *sent 9/26/2023*
- October 11, 2023 Project V Stakeholder Meeting, Draft 2024 CTFP Guidelines Discussion, *sent 9/28/2023*
- Project P Applications, *sent 10/4/2023*
- October 11, 2023 OCTA Technical Steering Committee Meeting Cancellation Notice, *sent 10/5/2023*
- REMINDER: 2024 M2 CTFP RCP & RTSSP Call, Grant Applications Due October 26th at 5:00pm, *sent 10/9/2023*



AGENDA

Technical Steering Committee

Item #4

- October 25, 2023 OCTA Technical Advisory Committee (IN-PERSON), *sent 10/19/2023*
- Project V Transit Operator Fair on Monday, October 30th at 10:00am, *sent 10/23/2023*
- REMINDER: Project V Transit Operator Fair on Monday, October 30th at 10:00am, *sent 10/27/2023*
- November 8, 2023 OCTA Technical Steering Committee Meeting Cancellation Notice, *sent 11/7/2023*
- November 22, 2023 OCTA Technical Advisory Committee Meeting Cancellation Notice, *sent 11/15/2023*
- 2024 M2 Project V Call for Projects Open - Workshop Tomorrow 12/5 at 10:00am, *sent 12/4/2023*
- 2024 M2 Project V Call Application Forms Posted on OCTA Website, *sent 12/14/2023*
- January 10, 2024 OCTA Technical Steering Committee Meeting Cancellation Notice, *sent 1/4/2024*
- January 24, 2024 OCTA Technical Advisory Committee Meeting Cancellation Notice, *sent 1/17/2024*
- March 2024 Measure M2 CTFP Semi-Annual Review is Now Open, *sent 2/6/2024*
- 2024 M2 Project X (ECP) Tier 1 & Tier 2 Calls for Projects Now Open - Workshop Thu 2/22 at 1:30pm, *sent 2/16/2024*