# 2023 OC Complete Streets Program Call for Projects, Program Guidelines

# Contents

## Background

The Congestion Mitigation and Air Quality Improvement (CMAQ) Program funding and the Surface Transportation Block Grant (STBG) Program funding is made available through the Infrastructure Investment and Jobs Act (IIJA), or Bipartisan Infrastructure Law signed into law on November 15, 2021.

In prior years, the Orange County Transportation Authority (OCTA) directly selected projects for programming that would be funded with federal CMAQ funds and federal STBG funds. In August 2022, a corrective action plan was issued by the Federal Highways Administration (FHWA) to the Southern California Association of Governments (SCAG) which required a new project selection process to be developed in compliance with federal program guidelines and regulations for the administration of these federal funds. The new process requires SCAG to develop a process that ensures compliance with federal program guidelines and regulations for the administration of the STBG and CMAQ programs.

As part of the new project selection process, county transportation commissions, including OCTA, will solicit project nominations and conduct initial evaluation and prioritization of projects from their respective county. OCTA is required to develop application materials and establish processes for Orange County project nominations, consistent with the overall STBG and CMAQ program guidelines and subject to consultation and concurrence by SCAG staff. OCTA's 2023 Complete Streets call for projects (call) has been developed consistent with SCAG's STBG/CMAQ Program Guidelines adopted by the SCAG Regional Council on June 1, 2023, and the 2023 Complete Streets Program guidelines.

The OC Complete Streets Program will serve to prepare Orange County project nominations for submittal through the SCAG project selection process and will screen projects for eligibility and alignment with local and regional priorities. OCTA will screen and prioritize projects for funding, and all projects will be subject to final eligibility determination and final approval for funding recommendations by SCAG.

## Program Goals

**The OC Complete Streets Program is intended to support local-agency projects in Orange County that further at least one of the following goals of complete streets projects, and have a transportation nexus:**

- Contribute to the creation of a complete transportation network for all modes of travel,
- Consider benefits to all road user types including cyclists, pedestrians, and motorists,
- Improve access for residents and visitors,
- Create streets safe for travel by the most vulnerable – children, older adults, and those with disabilities,
- Support complementary health goals by improving the built environment to encourage walking and biking, and
- Incorporate community input.

## Funding

**The OC Complete Streets Program will recommend up to $55 million in federal funding in federal fiscal years (FFY) for programming in FFY 2023-24 through FFY 2026-27.**

Minimum funding request: $500,000.

Maximum funding request: $5 million.

These minimum and maximum funding requests only apply to capital project applications.

## Eligible Applicants

Eligible applicants are limited to the 35 local government agencies in Orange County (cities and County of Orange). Eligible agencies must be able to receive federal funding through the California Department of Transportation (Caltrans) local assistance. Two or more eligible local agencies may participate together on a project by submitting a single application and indicating the designated lead agency. Non-profit organizations may only nominate projects through an eligible applicant that is willing and able to assume responsibility for implementing and maintaining the nominated project.

## Eligible Projects

Example projects eligible under OC Complete Streets Program guidelines include, but are not limited to:

| **Bicycle and Pedestrian Facilities** |
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| • Shared use paths<br>• Bicycle lanes<br>• Turning lanes<br>• Traffic signs<br>• New sidewalks<br>• Sidewalk gap closures<br>• Pedestrian islands<br>• The Americans with Disabilities Act (ADA) upgrades (when included with new sidewalk or sidewalk gap closure)<br>• Complementary amenities to accommodate cyclists and pedestrians such as lighting, trash receptacles, and seating (when included within a new bicycle and pedestrian facility)<br>• Permanent counting equipment (supported with STBG funds only) |
| **Traffic Calming Strategies** |
| • Roundabouts<br>• Bulb-outs<br>• Speed humps<br>• Raised crossings<br>• Raised intersections<br>• Median refuges<br>• Narrowed traffic lanes<br>• Lane reductions<br>• Full- or half-street closures<br>• Variable speed limits<br>• Demarcations with color, texture, and/or pattern |
| **Curb Space Management** |
| • Reconfiguration of roadway |

## Ineligible Projects

Ineligible uses of **OC Complete Streets Program** funds from either STBG or CMAQ include:

• Maintenance

- Projects or project components that cannot meet useful-life standards
- Environmental Compliance or Mitigation
- Developer Obligations
- Transit Operating Costs
- Vehicle Purchases
- Solely recreational improvements

Please contact OCTA with questions regarding eligible project types or components.

## Project Award Limits

Each agency is limited to three project submittals total for consideration. OCTA will consider geographic distribution in prioritizing projects. If multiple projects are submitted, applicants will be asked to prioritize project applications.

## Schedule

**Applications must be received by OCTA no later than 5pm on October 5, 2023.**

**Please note the following expected schedule (subject to change)**

| Activity | Date |
|---|---|
| **Application Due by 5:00 PM** | **October 5, 2023** |
| **OCTA Project Reviews and Development of Project Prioritization** | **October - November 2023** |
| **Project Prioritization Submitted to SCAG** | **December 2023** |
| **FTIP Amendments for Approved Projects** <br> TBD -To Be Determined | **TBD – Estimated December 2023** |

## Federal Funding Provisions

### FHWA/Caltrans Policy and Guidance

Awarded projects must comply with all FHWA and Caltrans policy and guidance for STBG and CMAQ funds as applicable. Examples of these include the National Environmental Policy Act, ADA, and federal Buy America provisions. Please refer to the Caltrans Local Assistance Procedures Manual (LAPM) for additional information on the various procedures required to process federal funded local transportation projects and/or contact your District 12 Local Assistance Area Engineer.

### Request for Authorization to Proceed (E-76) Submittal Provisions

Awarded projects will be allowed to submit the E-76 from October 1 through February 28 of the FFY programed. Projects that intend to submit E-76's after February 28 may be required to utilize Local Advance Construction Procedures or may be at risk of losing the funds. **Projects that have not obligated funds within FFY programmed may be forfeited and will be subject to both OCTA and SCAG approval for any delays.**

### Federal Transportation Improvement Program (FTIP)

The FTIP is a listing of multimodal transportation projects proposed over a six-year period for the SCAG region. The projects include local and state highway improvements, transit, rail and bus facilities, high-occupancy vehicle lanes, active transportation, signal synchronization, intersection improvements,

freeway ramps, etc. SCAG produces a biennial FTIP update for the region on an even-year cycle. The FTIP is prepared to implement projects and programs listed in the Regional Transportation Plan / Sustainable Communities Strategy and is developed in compliance with state and federal requirements. Projects approved by SCAG for funding will be programmed in the FTIP.

## Special Provisions for OC Complete Streets Program Awards - Transportation Control Measures

Transportation Control Measures (TCM) are specific transportation projects and programs that improve air quality. These projects and programs provide multiple benefits, including emissions reduction and mobility/accessibility improvements. Nonmotorized TCM-type projects include new or expanded bicycle facilities that are over one mile and new or expanded pedestrian facilities that are more than 1/4 mile. TCM projects are considered committed once funds have been programmed for right-of-way (ROW) acquisition or for post-design implementation (typically either ROW or construction) in the first two years of the FTIP. A committed TCM must be operational or implemented by the completion date committed in the FTIP. Local agencies must notify OCTA when a TCM project cannot be delivered or will be significantly delayed. **All committed TCMs must be implemented on schedule or substituted to avoid a conformity lapse at the expense of the local agency. Projects that are committed TCMs in the FTIP and are cancelled will require the local agency to provide a substitute project that provides the same air quality benefits at the expense of the local agency.**

## Special Provisions for OC Complete Streets Program Awards – Air Quality Improvement Quantification

OCTA is requesting that local agencies provide air quality improvement quantifications for each capital project submitted using an established methodology. The responsibility to explain the air quality calculations and measures will be the responsibility of the local agency. Projects awarded with CMAQ funds will be required to demonstrate a measurable improvement in air quality.

## Special Provisions for OC Complete Streets Program Awards – Buy America Requirements

Buy America requirements have been modified to Build America Buy America Act (BABA) as part of the IIJA which was passed in November 2021. The new requirements will apply to all steel and iron products, and construction materials supplied and permanently incorporated into a federal-aid project regardless of the funding source used to purchase the product and regardless of how the products were procured (i.e., agency furnished materials, materials added by change order, etc.). All projects must comply with the new BABA requirements.

Additional information can be found on the Caltrans Division of Local Assistance (DLA) Blog – DLA Office Bulletin #22-07 - https://www.localassistanceblog.com/2022/11/04/update-dla-office-bulletin-22-07-buy-america-requirements/.

# Match Requirements

A minimum of a 12 percent match is required for all projects for any phase of work. The local match may consist of local dollars (including M2 Fair Share), state dollars, or private funding.

Soft-match and in-kind contributions do not meet the **OC Complete Streets Program** match requirements and will not be considered.

## Timely Use of Funds

Projects will be programmed at the discretion of SCAG. Therefore, OCTA will not have final approval on requests for delays or extensions. SCAG will provide information on how agencies may request extensions. Until further notice, projects should assume in the project schedule that time extensions will not be considered. Generally, each project phase with STBG or CMAQ funding should be obligated by June of the year programmed *at the latest*. Contingent upon funding availability and project readiness, projects may be allowed to obligate earlier than the FY programmed. In this case, OCTA will request concurrence from SCAG and submit an Expedited Project Selection Procedures request to Caltrans to be reviewed alongside the E-76 package that will allow the Request for Authorization to be processed in the current FY.

## Reimbursement

The OC Complete Streets Program is a reimbursement program for eligible costs incurred. The project will be administered by Caltrans and reimbursement requests are detailed in the LAPM, Chapter 5, Invoicing. Please follow all requirements listed in the LAPM for federal aid projects.  Costs incurred prior to FHWA project approval (i.e., Request for Authorization to Proceed [E-76]), are not eligible for reimbursement. For construction phases of work, the E-76 must be approved before the project is advertised.  All reimbursements are subject to eligibility review by OCTA, SCAG, Caltrans, and FHWA. Final approval is contingent upon Caltrans and FHWA eligibility determination. Reimbursement should be identified as "pro-rata" and not "lump-sum" on project finance letters.

### Eligible/Ineligible costs for reimbursement

Only projects which meet the goals of improving transportation or completing a transportation network will be considered for funding.  For bicycle and pedestrian project types, please reference September 9, 2022, Pedestrian and Bicycle Funding Opportunities guidance which indicates potential eligibility for pedestrian and bicycle projects under U.S. Department of Transportation surface transportation funding programs. This document will be available on the OCTA webpage and is linked below:

https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.pdf?u=092922.

When using CMAQ funds, Caltrans may have a very narrow interpretation of which project components help improve air quality.  Final eligibility determinations are subject to review and approval by Caltrans and the FHWA. OCTA intends to recommend some projects be funded with a combination of CMAQ and STBG funds in an effort to address this issue. However, applicants should also consider exceeding the local match or local funding contingency in order to fully fund the project, where components may be deemed ineligible.

## Application Types

There are two different applications available for applicants to complete depending on the project type. It is the responsibility of the applicant to complete the application appropriate for their project. **Capital** projects are those in the Preliminary Engineering including both Project Approval and Environmental Document and Plans, Specifications and Estimates, ROW, and Construction phases.

Eligible **planning** projects include but are not limited to bicycle plans, pedestrian plans, safe routes to school plans, active transportation plans, complete streets plans, safe routes for seniors, etc.

The primary application types are as follows:

- **Capital Projects**
    o        Bicycle and Pedestrian Facilities
    o        Traffic Calming Strategies
    o        Curb Space Management
- **Planning**

OCTA will develop a prioritized project list and a project standby list based on the following criteria as applicable to each application type, and with OCTA Board concurrence will provide to SCAG for final project selection based on the scoring criteria outlined in SCAG's STBG/CMAQ Program Guidelines, which will be made available on the program webpage.

## Capital Project Criteria

| Eligibility Criteria for Capital Projects – This includes minimum requirements to be recommended for funding. |
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| 1.    Projects must be eligible for STBG and/or CMAQ funds, as detailed in 23 USC Section 133. 149, et al. |
| 2.    Alignment with Plans and Policies |
| A.    Project nominations should document how they align with or further SCAG's Connect SoCal Regional Transportation Plan Goals and Strategies[1]. **Projects should align with a minimum of two goals and strategies, three or more are recommended.**<br>Connect SoCal Goals include the following:<br>    &bull; Encourage regional economic prosperity and global competitiveness.<br>    &bull; Improve mobility, accessibility, reliability, and travel safety for people and goods.<br>    &bull; Enhance the preservation, security, and resilience of the regional transportation system.<br>    &bull; Increase person and goods throughput and travel choices within the transportation system.<br>    &bull; Reduce greenhouse gas emissions and improve air quality.<br>    &bull; Support healthy and equitable communities.<br>    &bull; Adapt to a changing climate and support an integrated regional development pattern and transportation network.<br>    &bull; Leverage new transportation technologies and data-driven solutions that result in more efficient travel.<br>    &bull; Encourage development of diverse housing types in areas well supported by multiple transportation options.<br>    &bull; Promote conservation of natural and agricultural lands and restoration of critical habitats. |
| B.    Project nominations should document how they qualitatively and/or quantitatively contribute to SCAG's Connect So Cal Regional Transportation Plan Performance Indicator's |

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[1] Refer to Table 1 of the Performance Measures Technical Report of Connect SoCal - https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_performance-measures.pdf?1606001734

and Measures[2]. **Projects should support a minimum of four of the Performance Measures, six or more are recommended.**

Performance Measure Outcomes include the following:
- Location Efficiency
- Mobility and Accessibility
- Safety and Public Health
- Environmental Quality
- Economic Opportunity
- Investment Effectiveness
- Transportation System Sustainability
- Environmental Justice

3. Air Quality Improvements – Project applicants will be asked to provide air quality improvement (emission reduction) quantifications and related cost effectiveness for identified projects that reduce emissions. All applicants are encouraged to provide this information with their submittals. Please contact the OCTA program manager for clarification.

Methodologies available include:
- FHWA CMAQ Emissions Calculator Toolkit - https://www.fhwa.dot.gov/environment/air_quality/cmaq/toolkit/
- Benefit Cost Analysis of Active Transportation Projects - https://dot.ca.gov/programs/transportation-planning/division-of-transportation-planning/data-analytics-services/transportation-economics

4. Documentation of direct or indirect positive benefits to disadvantaged communities (Priority Equity Communities if data is available).

SCAG Priority Equity Communities Data:
https://hub.scag.ca.gov/datasets/daa7cbaf5b064399800f3426cbb64270_0/about

**Local Priorities Criteria for Capital Projects – This includes criteria that will be scored and evaluated as part of the project prioritization process.**

1. Aligns with local planning efforts. Examples of plans that might identify the project include but are not limited to general plans, corridor plans, specific plans, bicycle/pedestrian plans, transit station plans, Local Roadway Safety Plans, Safe Routes to School Plans.

2. Safety. Project nominations should indicate the current safety conditions in the project area or on the affected network, and positive impact of the project implementation to safety conditions in the project area.

3. Access. Project nominations should indicate how the proposed project will serve community destinations, and/or improve access to transit and/or schools.

4. Public Participation, Community Engagement, Stakeholder Coordination, and Letters of Support. Project nominations should provide documentation of Public Participation, Community Engagement (especially from Disadvantaged Communities), Stakeholder Coordination. Letters of support from adjacent jurisdictions, community-based organizations, business community, schools, utilities, railroad, Caltrans, etc. are also encouraged.

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[2] Refer to Table 2 of the Performance Measures Technical Report of Connect SoCal - https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_performance-measures.pdf?1606001734

# Planning Project Criteria

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|---|
| **Eligibility Criteria for Planning Projects – This includes minimum requirements to be recommended for funding.** |
| 1. Projects must be eligible for STBG funds, as detailed in 23 USC Section 133. 149, et al. |
| 2. Alignment with Plans and Policies |
| A. Project nominations should document how they align with or further SCAG's Connect So Cal Regional Transportation Plan Goals and Strategies[3]. **Projects should align with a minimum of two goals and strategies; three or more are recommended.**<br><br>Connect SoCal goals include the following:<br>• Encourage regional economic prosperity and global competitiveness.<br>• Improve mobility, accessibility, reliability, and travel safety for people and goods.<br>• Enhance the preservation, security, and resilience of the regional transportation system.<br>• Increase person and goods throughput and travel choices within the transportation system.<br>• Reduce greenhouse gas emissions and improve air quality.<br>• Support healthy and equitable communities.<br>• Adapt to a changing climate and support an integrated regional development pattern and transportation network.<br>• Leverage new transportation technologies and data-driven solutions that result in more efficient travel.<br>• Encourage development of diverse housing types in areas well supported by multiple transportation options.<br>• Promote conservation of natural and agricultural lands and restoration of critical habitats. |
| B. Project nominations should document how they qualitatively and/or quantitatively contribute to SCAG's Connect SoCal Regional Transportation Plan Performance Indicators and Measures[4]. **Projects should support a minimum of four of the Performance Measures; six or more are recommended.**<br><br>Performance Measure Outcomes include the following:<br>• Location Efficiency<br>• Mobility and Accessibility<br>• Safety and Public Health<br>• Environmental Quality<br>• Economic Opportunity<br>• Investment Effectiveness<br>• Transportation System Sustainability<br>• Environmental Justice |
| 3. Air Quality Improvements – This criterion is not applicable to Planning Type Projects. |

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[3] Refer to Table 1 of the Performance Measures Technical Report of Connect SoCal -
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_performance-measures.pdf?1606001734
[4] Refer to Table 2 of the Performance Measures Technical Report of Connect SoCal -
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_performance-measures.pdf?1606001734

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| 4. Documentation of direct or indirect positive benefits to disadvantaged communities (Priority Equity Communities if data is available).<br><br>SCAG Priority Equity Communities Data:<br>https://hub.scag.ca.gov/datasets/daa7cbaf5b064399800f3426cbb64270_0/about |
| **Local Priorities Criteria for Planning Projects – This includes criteria that will be scored and evaluated as part of the project prioritization process.** |
| 1. Plan Need. Project nominations should indicate why the plan is needed and what the current planning deficiencies being addressed through the proposed plan are. |
| 2. Public Participation, Community Engagement, Stakeholder Coordination, and Letters of Support. Project nominations should describe how the stakeholders, and the community (especially Disadvantaged Communities), will be engaged in the plan development. Letters of Support from adjacent jurisdictions, community-based organizations, business community, schools, utilities, railroad, Caltrans, etc. are also encouraged. |
| 3. Future Implementation. Project nominations should describe how the plan will lead to the implementation of identified projects. |

## Other Qualitative Considerations for *all* project nominations

1. *Project Readiness.* How far along is the project already? What are the expected construction start and construction end dates? Are there any ROW conflicts?
2. *Agency Technical and Financial Capacity for Project Delivery.* What is the implementing agency's experience delivering federal-aid projects? Does the agency have the financial capacity to utilize federal funds?
3. *Master Plan of Arterial Highways Consistency.* Does the project require an amendment to the OCTA Master Plan of Arterial Highways?
4. *Resolutions to Conflicts.* Are there any anticipated conflicts within the project area that could delay implementation?

## Application Submittal Requirements

Information on how to submit electronic project applications will be posted prior to the call on the OCTA website. Applicants to the 2023 Complete Streets Program will not be required to submit hard copy applications to OCTA.