Local Programs Procedures

LPP 09-04 **Manual Update**
Subject: **Local Agency State Transportation Improvement Program (STIP) Projects**

Reference: *Local Assistance Program Guidelines* (LAPG), Chapter 23-Local Agency State Transportation Improvement Program (STIP) Projects; *Local Assistance Procedures Manual* (LAPM), Chapter 9-Civil Rights and Disadvantage Business Enterprises; Chapter 12-Plans, Specifications & Estimate, Chapter 15-Advertise and Award Project

Effective Date: December 3, 2009 **Approved: _Original Signed By__**
Denix Anbiah, Chief
Division of Local Assistance

WHAT IS AN LPP

LPPs are Local Programs Procedures. These documents are used for the deployment of procedures and policies between updates of the Local Assistance manuals, guidelines and programs. They are numbered according to calendar year and order in which released. This is the fourth LPP issued in 2009; hence, it is LPP 09-04

PURPOSE

This LPP reissued in its entirety Chapter 23 "Local Agency State Transportation Improvement Program (STIP) Projects," with the purpose of updating the California Department of Transportation's guidelines to match with the State Transportation Improvement Program (STIP) Guidelines provided by the California Transportation Commission (CTC). Technical changes to Chapters 9, 12 and 15 of the LAPM, and other minor administrative changes have been made as well which were included in this LPP.

BACKGROUND

The last version of Chapter 23 was dated November 9, 2001. Since that time there have been several changes to STIP guidelines made by the CTC.

PREVIOUS PROCEDURE

The previous version of this chapter allowed local agencies 12 months to award a construction contract after receiving a construction allocation. It also allowed delegated allocation authority to the California Department of Transportation.

USER FRIENDLY FEATURES

- These new procedures are incorporated in the electronic version of the LAPM and LAPG that are available at the Division of Local Assistance (DLA) web site at:
  http://www.dot.ca.gov/hq/LocalPrograms/lam/lapm.htm
  http://www.dot.ca.gov/hq/LocalPrograms/lam/lapg.htm

- You may also purchase the Publications for Local Assistance DVD, which acts as a one-stop shop for information and promotes flexible access to helpful information for local project delivery at: http://www.dot.ca.gov/hq/LocalPrograms/lam/PubsDVD.htm.

- Additional user-friendly features were developed to make the manual easier to edit and to access the DLA web site. **Note: Sidebars are used to indicate where revisions were made to affected pages. However, when a chapter is released in its entirety, sidebars are not indicated. The revised pages in this LPP are to replace the pages affected in the hard copy of the LAPM and LAPG.**

- To receive an electronic notification when new information is posted on the DLA web site, please subscribe to the DLA listserver at:

  http://www.dot.ca.gov/hq/LocalPrograms/sub.htm

- Comments and suggestions for improvement to the manual or the processes and procedures are welcome. They may be submitted to:

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SUMMARY OF CHANGES

LAPM Item	Change
Chapter 9 **Exhibit 9-C** **page 9-46**	Updated the Form: • Added a line for "*Local Agency:_____*" to fill in their name. • Deleted "*V. Grievance Procedure Adopted*" section due to redundancy with "*Section II. ADA Complaint Procedure Adopted*"; and renumbered the items.
Chapter 12 **Section 12.9** **(Required Federal Contract Provisions)** **pages 12-23, 25**	Under "Federal Trainees (On-The-Job Training), deleted … " (*included in Exhibit 12-E Attachment*)"….. (Note: Exhibit 12-E Attachment N "Federal Requirement Training Special Provisions" was deleted on page 23-107; however, the information on "Training" was included in Exhibit 12-E Attachment B.) Revised the paragraph on "Federal Wage Rates" on the new policy regarding the use of Internet web site address for Federal Wage Rates.
Exhibit 12-D **pages 12-50, 53 thru 56**	Under "XII. B. FHWA form 1273," corrected "*Estimated Construction Goal*" to "*Estimated Construction Cost*." Under "XII. H. Federal Wage Rates," revised checklist for "Federal Wage Rates." Pages were shifted due to the revisions made to page 53. **(Please take note: *The DLA-OB 09-03 "Using the internet for Federal Wage Rate" will be expired upon approval and release of this LPP.)***

Exhibit 12-E page 12-62	Under "XII H. Federal Wage Rates" revised instructions for the checklist on Federal Wage Rates.
Exhibit 12-E Attachment I page 12-98	Corrected the date in the footer from "*July 31, 2006*" to "*July 31, 2009*."
Exhibit 12-E Attachment J page 12-100	Corrected the date in the footer from "*July 31, 2006*" to "*July 31, 2009*."
Chapter 15 Exhibit 15-A page 15-18	Under "C. Contract Award " added a check box for Exhibit 15-G1 as an additional required document in the checklist.
LAPG Item	**Change**
Chapter 23 Table of Contents	Update the TOC to reflect the changes.
Section 23.2.1 (Timely Use of Funds), page 23-1	Revised the award deadline to 6 months.
Section 23.2.4 (Programming), pages 23-6 thru 8	Updated programming procedures and referenced current forms.
Section 23.3.1 (Allocation of Funds) pages 23-10 thru 12	Deleted all references to Caltrans' Delegated Allocation Authority Added "*AB 3090 Arrangements*."
Section 23.3.2 (Starting Work Before Allocation of Funds – SB 184) pages 23-12 thru 13	Updated this section to include amendments made by SB 184.
Section 23.8. (Reporting Requirements Contract Award), page 23-21	Updated this Section and added "23.8.2 *Monthly Status of Construction Contract Award*" as a required report to be presented to CTC.
Flow Chart 23-1 page 23-23	Updated to delete references to Caltrans Delegated Allocation Authority.
Exhibit 23-B, page 23-29	Updated to require a timeline to justify the number of months requested.
Exhibits 23-G, 23-H, pages 23-43, 45	Updated with current programming forms.

Exhibit 23-I, Pages 23-47-53	Updated with current programming instructions.
Exhibit 23-M, Pages 23-67	Updated to include amendments made by SB 184.
Exhibits 23-N, 23-O, Pages 23-69 thru 77	Updated the forms.

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CHAPTER 23 LOCAL AGENCY STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) PROJECTS

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CHAPTER 23 LOCAL AGENCY STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) PROJECTS

23.1 PURPOSE

Senate Bill 45 (SB 45), Chapter 622, Statutes of 1997, made major changes in the state's transportation programming process. The purpose of this chapter is to assist responsible local agencies, regional planning agencies, the California Transportation Commission (CTC) and Caltrans in the administration of local grant projects (all non-State Highway projects) programmed in the State Transportation Improvement Program (STIP). This chapter also addresses the Planning, Programming, and Monitoring (PPM) funds, Regional Surface Transportation Program (RSTP), Congestion Mitigation and Air Quality (CMAQ) Improvement Program, Transportation Enhancement (TE) Program, and Rideshare projects. This chapter contains procedures that replace the April 1, 1999, *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program (STIP)*, and the November 9, 2001 version of this chapter.

Roadway projects programmed in the STIP that are 100 percent state funded and are **off** the State Highway System will be developed according to the design standards of Chapter 11 of the *Local Assistance Procedures Manual* (LAPM). These projects may be treated as federal-aid funded for the purpose of selecting the appropriate design standard.

STIP projects **on** the State Highway System and administered by local agencies are processed by Project Management, not Local Assistance.

23.2 IMPACT OF SB 45 ON LOCAL GRANT PROCEDURES

The CTC *STIP Guidelines*, amended by the CTC on November 7, 2007, describe programming procedures relative to the fund estimate and the project selection process. The CTC *STIP Guidelines* may be accessed from the Internet at: http://www.dot.ca.gov/hq/transprog/ocip/stip/2008_stip_guidelines_110707amended.pdf. SB 45 enacted provisions regarding the timely use of funds for projects adopted into the STIP. For local grant projects, no adjustment will be made to the county share balance after the allocation for any amount not expended by the local agency. Also, time limits are applied to the allocation of funds programmed in the STIP. These procedures address the impact that the timely use of funds provision has on county share balances.

After a project is programmed in the STIP, three major steps in the administration of local grant projects are impacted by SB 45—fund allocation, project reimbursement, and project completion. Of these three steps, SB 45 had the most impact on the fund allocation process. Local entities, regional planning agencies, the CTC, and Caltrans all play an important role in this step. Procedures for project reimbursement and project completion have not been changed except for the time limits placed on reimbursements in the liquidation of the encumbered funds. Project implementation procedures (including environmental, right of way acquisition, design standards, preparation of plans, specifications and estimates [PS&E], and construction) were not changed by SB 45.

23.2.1 TIMELY USE OF FUNDS

The timely use of funds provisions enacted by SB 45 are intended to encourage local and regional agencies to accurately program, monitor and deliver projects in a timely manner. More accurate programming and delivery of projects enables the CTC to manage transportation funding more effectively. The information below is also included as Section 65 of the CTC *STIP Guidelines*.

There are several deadlines that must be met:

- Allocation – project components must be allocated in the year in which they are programmed.
- Expenditure – project expenditures for environmental studies and permits, PS&E, or right of way must occur by the end of the 2nd fiscal year following allocation.
- Award – construction contracts must be awarded within six months of the construction allocation. Please notify Caltrans districts when construction contracts are awarded. Notification is required within 60 days of contract award. Projects not awarded within four months are required to be reported to the CTC on a monthly basis.
- Completion – construction contracts must be completed (accepted) by the administering agency within three years of the construction award date.

ALLOCATION

Funds that are programmed for all components of local grant projects or for Caltrans construction costs are available for allocation only until the end of the fiscal year identified in the STIP. Whenever programmed funds are not allocated within this deadline, the project programming will be deleted from the STIP. The CTC will not make the funds immediately available to the county share or interregional share for reprogramming. The CTC will, however, adjust the share balance to restore the funds in the next county share period.

PROJECT DEVELOPMENT AND RIGHT OF WAY

For funds allocated for local project development (environmental studies and permits, PS&E) or right of way, costs must be incurred by the end of the second fiscal year following the fiscal year in which the funds were allocated. For local grant projects, the local agency must invoice Caltrans for these costs no later than 180 days after the end of the last eligible fiscal year of expenditure.

CONSTRUCTION AND EQUIPMENT PURCHASES

Funds allocated for construction or for purchase of equipment must be encumbered by the award of a contract within six months of the date of the allocation of funds. From the date of award of the contract, the local agency has up to 36 months to complete (accept) the contract. At the time of fund allocation the CTC may extend the deadline for completion of work (or purchase of equipment) and the liquidation of funds if necessary to accommodate the proposed expenditure plan for the project. For local grant projects, the local agency has 180 days after contract acceptance to make the final payment to the contractor or vendor, prepare the final Report of Expenditure, and submit the final invoice

to Caltrans for reimbursement. Project completion (contract acceptance) is defined as when all work identified in the project agreement (program supplemental agreement) has been successfully completed and accepted by the officer or body constituting the awarding authority of the local agency.

Per Resolution G-06-08, adopted by the CTC in June 2006, Caltrans is required to provide monthly contract award status reports to the CTC on projects that have not been awarded within four months of the date of the CTC's allocation. Agencies should keep the District Local Assistance Engineer (DLAE) informed of contract advertisement and are required to inform them within 60 days of contract award. A standardized form has been developed for submittal of award data (see Exhibit 23-A, "Award Information for STIP Projects").

COMMISSION TIME EXTENSION

Upon the request of the regional agency or the agency responsible for project delivery, the CTC may grant a one-time extension to each of the deadlines specified above only if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and will in no event be for more than 20 months.

Whenever allocated funds are not expended within the deadlines specified above, all unexpended funds from the allocation will be rescinded. Whenever construction allocations are not encumbered by the award of a contract within the deadline specified above, all unencumbered funds from the construction allocation will be rescinded. The CTC will not adjust the county share for any unencumbered balance of the allocation.

All requests for project delivery deadline extensions should be submitted directly to the appropriate Caltrans district at least 60 days prior to the CTC meeting before the specific deadline for which the particular extension is requested (e.g., 60 days prior to the June CTC meeting to request the extension of allocation deadlines). After reviewing the extension request for completeness, the District DLAE should send a signed copy to the Headquarters Division of Local Assistance STIP Coordinator at the following address:

Department of Transportation
Division of Local Assistance
STIP Coordinator, Office of Resource Management
P.O. Box 942874, MS 1
Sacramento, CA 94274-0001

The extension request shall describe the specific circumstance that justifies the extension, identify the delay directly attributable to that circumstance, and provide a timeline to justify the number of months requested. A time extension request form (see Exhibit 23-B, Request for Time Extension [Local STIP Projects]) has been developed for use by local agencies seeking extensions. Caltrans will review extension requests and forward them to the CTC for action. Extension requests do not require a 30-day notice period prior to being included in the CTC agenda.

Requests for time extensions are the responsibility of the implementing local agencies. Requests must be approved by the regional planning agency responsible for the programming of the project prior to submittal to Caltrans. Time extensions must be submitted separately from amendment requests. Incomplete extension requests will be returned to the District, and forwarded to the local agency for revisions.

INVOICES

Section 65 of the CTC *STIP Guidelines* also stipulates the requirements for timely submittal of invoices. The local agency must invoice Caltrans for project development and right of way costs no later than 180 days after the end of the last eligible fiscal year of expenditure. For construction costs, the local agency has 180 days after project completion to make the final payment to the contractor and prepare the final Report of Expenditures and final invoice, and submit to Caltrans for verification and payment. These requirements are also referenced in the Local Agency-State Agreement. Extension of the deadline for submittal of the final invoice may be approved by Caltrans to accommodate the settlement of contract claims. For further information regarding invoice processing refer to Chapter 5, "Accounting/Invoices," of the LAPM.

PROJECT SCHEDULE CHANGES

Accurate schedules and strict compliance with the timely use of funds deadlines are essential to ensure that Caltrans has the legal authority to reimburse the local agency for eligible expenditures. If a local agency must significantly amend its schedule for a project component after funds have been allocated, it will be responsible for promptly notifying Caltrans of the changes, even if the schedule remains within the timely use of funds deadlines. This is especially critical when delays change the amount of funds required in a fiscal year. Failure to advise Caltrans of such changes could jeopardize the federal/state funds available for the project.

AB 1012 - USE IT OR LOSE IT

If the STIP project involves RSTP or CMAQ funding, "use it or lose it" fund rules apply to the apportioned federal funds. Guidelines for these fund rules can be found on the Local Assistance web site at: www.dot.ca.gov/hq/LocalPrograms/AB1012/ab1012.htm.

23.2.2 COUNTY SHARE BALANCES AND ADJUSTMENTS

NO ADJUSTMENT FOR UNDER EXPENDITURE OF ALLOCATED FUNDS

For the purposes of share balances, the amounts counted for local agency STIP projects will be the amounts actually allocated by the CTC. No adjustment will be made after the allocation vote for any amount not expended by the local agency. However, at the time of allocation request, a local agency can request a transfer of the funds to another project phase subject to the limitations described below.

SHIFTING ALLOCATED FUNDS BETWEEN PROJECT COMPONENTS

In order to provide a degree of flexibility to local agencies in administering projects, **allocated funds** may be shifted between project components without CTC action to accommodate cost changes within the following limits:

- Funds may be shifted between the two project development components (environmental studies and permits, and preparation of PS&E) up to the amount of allocation for each component.

- Funds may be shifted between project development, right of way, and construction, limited to within 20 percent of the amount allocated for either component. This means that the amount transferred by a local agency from one component to another may be no more than 20 percent of whichever of the components has received the smaller allocation from the CTC.

To take advantage of shifting allocated funds, a local agency must complete a revised Finance Letter and submit it to the Caltrans DLAE for review (see Exhibits 23-C and 23-D for the Finance Letter formats). The Finance Letter will then be forwarded to HQ Local Assistance, Office of Project Implementation, which will process a fund transfer letter and forward both to Local Program Accounting. The local agency will receive the original fund transfer letter acknowledging that the transfer has taken place.

Shifting of allocated funds between project components will not impact county share balances. County share balances will be based on the amounts allocated for each component.

23.2.3 STATE-ONLY FUNDING

The CTC will assume that all projects will meet federal requirements unless state-only (nonfederal) funding has been approved. Resolution G-01-26, passed by the CTC on August 23, 2001, established the "CTC State-Only Funding Policy" (see Exhibit 23-E). The CTC will review the state-only funding policy annually based on the balance in the State Highway Account.

In accordance with the "CTC State-Only Funding Policy," currently programmed STIP projects that have been previously approved for state-only funds are still approved. Future requests for programming new projects within the following categories shall be given priority for state-only funding, pending review by Caltrans and confirmation to the CTC that sufficient funds are available.

- Projects with a total cost of $750,000 or less
- Planning, Programming, and Monitoring activities
- Regional Rideshare and Traffic Demand Management activities
- Match for local federal funds

The CTC has not made a commitment for state-only funding for other projects. However, state-only funding may be approved pending review and approval of the project need for state-only funding and verification that sufficient funds are available. Project sponsors must follow the request for exceptions to federal funding as outlined in the CTC's "CTC State-Only Funding Policy."

To request an exception to the "CTC State-Only Funding Policy" (a request for state-only funding), the following information is required:

- A description of the project, specifically what work is being accomplished.
- Key timelines, including the beginning and ending dates of the project, proposed advertising date, contract and construction award dates.

- A detailed funding description of all elements of the project. This requires outlining all the funding sources for each phase of the project, when the funds are needed and a cash-flow projection.
- A reason why federal funds should not be used on the project.
- Regional agency concurrence with the request, if being requested by someone else.

The format provided in Exhibit 23-F, "Request for Exception to STIP State-Only Funding Policy," should be used to request exceptions to the policy. Requests should be submitted to Caltrans district liaisons who will forward them to the appropriate program for review and submittal to Caltrans Budgets. Projects proposed for state-only funding are subject to Caltrans' recommendation prior to the CTC approval.

23.2.4 PROGRAMMING

Several actions must take place during the programming of the STIP to establish the scope, estimated cost, and schedule of local grant projects. (See Flowcharts 23-1, "Allocation Procedures (Local STIP Projects)" and 23-2, "Reimbursement and Project Completion.")

- The local agency completes a Project Study Report (PSR) or equivalent.
- The local agency completes and submits Project Programming Request (PPR) forms to the regional agency. These new forms and procedures supersede the Project Nomination (Fact & Funding) Sheets (see Exhibits 23-G "STIP Project Programming Request Form," 23-H "STIP Project Programming Request Funding Information," and 23-I "STIP Project Programming Request Instructions").
- The regional planning agency adopts the project in the Regional Transportation Improvement Program (RTIP).
- The regional planning agency submits the RTIP to the CTC and Caltrans.
- The CTC conducts two separate STIP hearings, one in Northern California and one in Southern California.
- The CTC adopts the project into the STIP.

These actions are described in the CTC *STIP Guidelines* and summarized below.

PROJECT STUDY REPORT (PSR) OR EQUIVALENT

A new project may not be included in an RTIP without a complete PSR, or for local grant projects off the State Highway System, a PSR equivalent. This requirement applies to the programming of project development components as well as the right of way and construction components. This requirement does not apply to the programming of project planning, programming, and monitoring or to the STIP match of RSTP/CMAQ funds.

For a Transportation Enhancement (TE) project, a TE application prepared in accordance with the Department's program guidelines is a PSR. A PSR is a report that meets the standards of the CTC's PSR guidelines (see Exhibit 23-J, "Project Study Report Guidelines"). A PSR equivalent will, at a minimum, be adequate to define and justify the

project scope, cost, and schedule to the satisfaction of the regional agency. Though a PSR or equivalent may focus on the project components proposed for programming, it must provide at least a preliminary estimate of costs for all components.

Further guidance can be found in Caltrans' *Project Development Procedures Manual* (PDPM) or Project Development Procedures Manual Bulletins on the Division of Design web site at: www.dot.ca.gov/hq/oppd/pdpm/pdpmn.htm.

In addition, a draft PSR format for rehabilitation projects is provided on the Local Assistance web site at: www.dot.ca.gov/hq/LocalPrograms.

PROJECT PROGRAMMING REQUEST (PPR) FORMS

The local agency must submit a PPR form to the regional planning agency for each new project nominated in an RTIP. This includes the basic project information regarding the scope, cost and schedule. The PPR template for new projects and PPR instructions are provided on the Transportation Programming web site at: http://www.dot.ca.gov/hq/transprog/ocip/2008stipdev.htm.

This is the key document used as the basis to start the allocation process for STIP projects. It shall be submitted with the Request for Funding Allocation, as described below.

REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP)

Based on Project Programming Request submitted by local agencies, each regional planning agency adopts and submits an RTIP containing programming proposals from the county shares to the CTC for adoption. In addition to project nominations, a region, in its RTIP, may also propose to leave all or part of its county share unprogrammed, thus reserving that amount to build up a larger share for a higher cost project or otherwise to program projects in the county at a later time. Section 23 of the CTC *STIP Guidelines* addresses these reserves.

In addition to reserving county shares, agencies may elect to consolidate their county shares through pooling agreements or other methods as outlined in Section 28 of the CTC STIP Guidelines.

Reservations, advances, and pooling are methods to provide programming flexibility to planning agencies in developing their RTIPs.

STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

Upon finding that the RTIP is consistent with the CTC *STIP Guidelines* and is a cost-effective expenditure of state funds, the CTC adopts the RTIP projects nominated from the county shares into the STIP. Although the PSR or equivalent is not submitted with the RTIP, the CTC or its staff may request copies to document project costs or deliverability.

STIP AMENDMENTS

The CTC may amend the STIP at the request of the regional planning agency that originally nominated the local grant project(s). (See Section 67 "STIP Amendments" in the CTC *STIP Guidelines*.) An amendment may change the scope, cost or program year of any STIP project, with the following exceptions:

- An amendment will not delete or change the program year of the funding for any project component after the beginning of the fiscal year for which it is programmed; or
- An amendment will not change the programming of any funds after they have been allocated.

Local agencies should be aware that the CTC will amend the STIP only after providing at least 30 days notice prior to the amendment.

All regional requests for STIP amendments shall be submitted directly to the appropriate Caltrans district office at least eight weeks prior to each CTC meeting. Caltrans Division of Transportation Programming will review proposed amendments and forward them to the CTC for notice and action. A complete request should include, but is not limited to, the following:

- A letter from the implementing/responsible agency clearly identifying the need for the programming change, assurances of full funding for the project and/or an explanation of future funding needs, if applicable. Include a summary of the proposed change and a detailed background of the project.
- Concurrence letters from the Regional Transportation Planning Agency (RTPA), if Regional Improvement Program (RIP) funds are involved, and letters of concurrence from the local agencies for projects that have a local contribution.
- A completed PPR form, including the Project Programming Number (PPNO), and location map(s). To amend an existing programmed project, a PPR form can be generated directly from CTIPS. This process will automatically populate the form with data from CTIPS. Current pre-populated PPR forms for existing projects are also provided on the Transportation Programming web site at: http://www.dot.ca.gov/hq/transprog/ocip/2008stipdev.htm.
- If local or non-STIP funds are involved in the project, please clearly identify the funding source. Examples of non-STIP funding sources include RSTP, CMAQ, Highway Bridge Program (HBP), Federal Transit Administration (FTA), Federal Demonstration/High Priority, Measure/Proposition funds, etc.

For each amendment that would delay the year of construction, the agency requesting the amendment should submit, in conjunction with the amendment request, a project construction STIP history. The request should identify any cost increase related to the delay and how the increase would be funded. The STIP history should note the original inclusion of project construction in the STIP and each prior project construction STIP amendment including, for each, the amendment date, the dollar amount programmed for construction, and the scheduled year of construction delivery. It is the CTC's intent to review this history when considering a STIP amendment that would delay the year of construction.

FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FEDERAL TIP)

Before local agencies submit a Request for Authorization to Proceed (E-76) or before an Allocation Request can be approved, projects with any federal funding (STIP or local federal-aid) must be included in the Federal Transportation Improvement Program (FTIP), approved by the Federal Highway Administration (FHWA) and/or the Federal Transit Administration (FTA). For Metropolitan Planning Organizations (MPOs) recognized by

FHWA, the MPO is responsible for preparation of their Federal TIP and the processing of any amendments required by adoption of the STIP. For all new projects that fall outside an MPO's boundary/jurisdiction and require federal funding, Caltrans will process a Federal TIP amendment upon adoption of the STIP.

PROGRAMMING PROJECT COMPONENTS INDEPENDENTLY

Project components may be programmed independently. For example, a project may be programmed for environmental work only without being programmed for PS&E (Design). A project may be programmed for design without being programmed for right of way or construction. A project may be programmed for right of way without being programmed for construction. The project components will only be programmed if the CTC finds that the component itself is fully funded, either from STIP funds or from other committed funds.

ELIGIBILITY OF LOCAL ROAD REHABILITATION PROJECTS

The CTC *STIP Guidelines* define eligible projects on local road and transit systems to include rehabilitation work, but to exclude maintenance. The guidelines have indicated the CTC's intent that local road pavement rehabilitation projects be held to the same standard applied to the use of regionally-programmed federal funds (RSTP), even if the projects will be funded without federal funds.

Current federal standards for local grant projects funded with STP funds are described in Chapter 4, "Surface Transportation Program" of this manual and Chapter 11, "Design Standards," of the LAPM. Eligible rehabilitation work includes improvement of local roads through resurfacing, restoration, or rehabilitation (3R). This work is generally regarded as heavy, non-routine maintenance designed to achieve a ten-year service life. Eligible 3R work includes:

- Placing additional asphalt concrete over a structurally sound highway or bridge that needs treatment to extend its useful service life (keeping in mind added dead load or lower bridge rail heights when adding asphalt concrete on bridge decks)
- Restoration of a road, structure, or collateral facility (drainage, retaining wall, etc.) to the condition existing after original construction
- Upgrading guardrail or widening shoulders

Projects that provide less than a ten-year life are considered Preventive Maintenance. Eligible strategies include, but are not limited to, roadway activities such as joint and shoulder rehabilitation, heater re-mix, seal coats, and corrective grinding of Portland cement concrete pavement. These activities are also eligible provided that:

- The local agency certifies that it has a Pavement Management System (PMS).
- The decision process used by the city or county to determine project strategies was based on the established PMS.
- The PMS determined the project strategy to be cost-effective and have a service life of five years or more.
- The work does not degrade any existing safety or geometric aspects of the facility.

Routine maintenance, such as spot application projects (pothole repairs - other than removal and replacement of localized failures in areas to be resurfaced, cleaning drainage ditches and culverts, etc.), is not eligible.

Each local road rehabilitation project proposed for funding from the STIP is subject to verification at the time of allocation that the project meets the standard for rehabilitation and does not include ineligible maintenance costs. To ensure that local road rehabilitation projects meet CTC guidelines, the RTPAs must certify compliance prior to Caltrans processing requests for funding allocations. Exhibit 23-K, "Local Road Rehabilitation Project Certification," is to be used for this purpose. RTPAs may use this exhibit or equivalent. Also provided is Exhibit 23-L, "Pavement Management System (PMS) Certification," for those agencies requesting funding for projects with less than a ten-year service life.

ELIGIBILITY OF PLANNING, PROGRAMMING, AND MONITORING (PPM) ACTIVITIES

The CTC *STIP Guidelines* define eligible PPM activities as regional transportation planning (including the development and preparation of the regional transportation plan), project planning (including the development of project study reports or major investment studies, conducted by regional agencies or by local agencies in cooperation with regional agencies), program development (including the preparation of RTIPs and studies supporting them), and monitoring the implementation of STIP projects (including project delivery, timely use of funds, and compliance with State law and the CTC guidelines).

ELIGIBILITY OF TRANSPORTATION ENHANCEMENT (TE) PROJECTS

Transportation enhancement activities must have a direct relationship to the surface transportation system by function, proximity or impact. The following activities are eligible Transportation Enhancement activities: 1) provision of facilities for pedestrians and bicycles, 2) provision of safety and educational activities for pedestrians and bicyclists, 3) acquisition of scenic easements and scenic or historic sites, 4) scenic or historic highway programs (including the provision of tourist and welcome center facilities, 5) landscaping and other scenic beautification, 6) historic preservation, 7) rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals), 8) preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian or bicycle trails), 9) control and removal of outdoor advertising, 10) archaeological planning and research, 11) environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity, and 12) establishment of transportation museums.

The CTC will not program a TE project or allocate a project from a TE reserve without verification by Caltrans that the project is eligible for Federal TE funding. For details about TE eligibility, refer to Transportation Enhancements website at: http://www.dot.ca.gov/hq/TransEnhAct/TransEnact.htm.

23.3 PROCEDURES FOR LOCALLY ADMINISTERED PROJECTS

Generally, there are four types of locally administered projects: local road rehabilitation; planning, programming and monitoring; transportation enhancement; and bicycle and pedestrian facilities. This section provides information for all projects. Additional

information on the individual project types can be found in Sections 23.4 through 23.7 of this chapter.

23.3.1 ALLOCATION OF FUNDS

ALL PROJECTS

Agencies must submit their requests for allocation to the Caltrans district prior to each CTC meeting, per the CTC Preparation Calendar. The CTC will consider allocation of funds for a project or project component when it receives an allocation request and recommendation from Caltrans. Caltrans' recommendation will include a determination of the availability of funding and a recommendation on the source of funding. The recommendation on the source of funding shall include the amounts by fund account, as well as the fund type (state or federal) within the account including the type of federal funds. The CTC will approve the allocation only if the funds are available and are necessary to implement the project as programmed in the STIP. Allocations for PS&E will be made only after documentation of environmental clearance under the California Environmental Quality Act (CEQA). Allocation for right of way acquisition or construction will be made only after documentation of required environmental clearance for the project (CEQA and NEPA, if appropriate). All fund allocations are subject to the timely use of funds provisions as described in Section 23.2.1 of this chapter. Generally, allocations must be received prior to the start of reimbursable work. See Section 23.3.2 of this chapter for exceptions to this rule.

All allocations shall be rounded to the nearest $1000. The CTC will consider making an allocation which exceeds the amount programmed in the STIP if a region has adequate reserves in the STIP, or if the CTC finds it can approve an advance to the county share from STIP reserves. The regional planning agency responsible for programming the project shall approve requests for all allocations which exceed the amount programmed. The RTPA may also request the CTC to amend the STIP to increase the programmed amount. (See Section 23.2.4, "Programming," "STIP Amendments.") Programmed funds not allocated are subject to the timely use of funds provision described in Section 23.2.1 of this chapter

ALLOCATIONS IN ADVANCE OF THE PROGRAMMED YEAR

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

A local agency may request to allocate a portion of the programmed amount. If a local agency elects to receive only a portion of the amount programmed for a project, the remainder will automatically return to the unprogrammed county share, unless the local agency and region clearly identify the balance or portion of the balance that is to remain programmed for a later allocation for the same project. Additional information on county share balances can be found in Section 23.2.2 of this chapter and in the CTC *STIP Guidelines*.

AB 3090 - ARRANGEMENTS

Under Government Code 14529.7, as amended by AB 3090 (1992), the CTC, Caltrans, a regional agency, and a local agency may enter into either one of two types of arrangements under which a local agency pays for the delivery of a STIP project with its own funds in advance of the year in which the project is programmed.

Under the first type of arrangement, the local agency that advances the STIP project has another project or projects of equivalent value programmed in its place, and these arrangements are implemented by a STIP amendment designating the specified dollar amount for an "AB 3090 replacement project" without identifying the specific project to be implemented as the replacement.

Under the second type of arrangement, the local agency that advances the STIP project is programmed to receive a direct cash reimbursement, and those arrangements are implemented by a STIP amendment that gives approval to Caltrans to execute a reimbursement agreement and programs the reimbursement for the fiscal year in which the project was scheduled in the STIP or a later year.

Scheduled project reimbursements have the highest STIP priority among projects programmed within a fiscal year. The CTC has adopted separate AB 3090 Reimbursement Guidelines (Resolution G-02-13) that describe specific procedures for reimbursement arrangements.

Where a local agency proposes to use its own funds for early delivery of a project component programmed in the STIP for a future fiscal year, the CTC will consider approval of an AB 3090 **replacement project** under the following conditions:

- The regional agency approves the arrangement.
- The local agency has identified a local fund source for the project component, and there is a reasonable expectation that the AB 3090 approval will result in the acceleration of construction delivery of a STIP project.
- The local agency commits to award a contract or otherwise begin delivery of the project component within 12 months of the CTC's approval, with the understanding that the arrangement may be cancelled if that condition is not met.
- The STIP amendment approving the arrangement will replace the project component with an unidentified replacement project in the same fiscal year.

Where a local agency proposes to use its own funds for early delivery of a project component programmed in the STIP for a future fiscal year, the CTC will consider approval of an AB 3090 **reimbursement** only when the following **additional** conditions are met:

- The regional agency explicitly finds the project to be the region's highest priority among projects programmed for that fiscal year.
- The CTC determines that reimbursement would be consistent with the fund estimate.
- The source of local funds to be used to deliver the project could not or would not be made available for an AB 3090 replacement project. The request for AB 3090 reimbursement approval should identify the source of local funds to be used, why the funds would not be available for the STIP project without an AB 3090 direct reimbursement arrangement, and what the funds would be available for if not used for the STIP project.

- Before approving an AB 3090 reimbursement arrangement, the CTC will consider programming the reimbursement in a later fiscal year, consistent with the project's regional and state priority for funding and the projected availability of funds to support other projects. The CTC will not change the programming of the reimbursement after approval.
- The CTC will not approve AB 3090 reimbursement arrangements intended solely to protect a project from being reprogrammed or to protect a local agency's share of STIP funding.

The CTC will also consider approval of an AB 3090 reimbursement arrangement for a project component programmed in the current fiscal year if there are not sufficient funds currently available to approve a direct allocation. In this case, the AB 3090 approval will schedule the reimbursement for the next fiscal year or a later year.

In considering approval of AB 3090 reimbursement arrangements, the CTC intends to ensure that no more than $200 million in reimbursements is scheduled statewide for any one fiscal year and that no more than $50 million in reimbursements is scheduled for the projects of any single agency or county for any one fiscal year.

The use of RSTP or CMAQ funds by a regional agency that receives an apportionment of those funds under state law constitutes the use of the agency's own funds for the purpose of AB 3090 arrangements. Where RSTP, CMAQ, or other local federal aid funds are the identified local source of funds to deliver a STIP project under an AB 3090 arrangement, the CTC will consider approval only for an AB 3090 replacement project and not for a cash reimbursement.

23.3.2 Starting Work Before Allocation of Funds – SB 184

Government Code Section 14529.17, as amended by SB 184 (2007), permits a regional or local agency to expend its own funds for a STIP project in advance of the CTC's approval of a project allocation, and to be reimbursed for the expenditures subsequent to the CTC's approval of the allocation. However, the statute does not require the CTC to approve an allocation it would not otherwise approve. To qualify for reimbursement of expenditures prior to the CTC's approval of a project allocation, the local agency must submit a project allocation request that includes a notice of the agency's intent to expend its own funds for the project prior to the allocation approval. The local agency should submit a copy of the allocation request to the Executive Director of the CTC at the same time it submits the original to Caltrans.

The local entity must comply with all legal requirements for the project and any project expenditures, including federal and state environmental laws. Projects programmed to receive federal funding still require federal authorization to proceed (E-76) prior to beginning federally reimbursable work. It is important that any local agency intending to take advantage of the reimbursement provisions of Section 14529.17 understand its obligations and the risk that is inherently involved.

Only those expenditures made by or under contract to a regional or local agency for a project that was and is programmed in the STIP are eligible for reimbursement allocations by the CTC. Project expenditures must be in accordance with the STIP at the time of expenditure and at the time of allocation. The following expenditures are not eligible for reimbursement allocations by the CTC:

- expenditures made prior to adoption of the project component in the STIP;

- expenditures made prior to the submittal of the allocation request or prior to the beginning of the fiscal year for which the project is programmed;
- expenditures that exceed the amount that was or is programmed in the STIP for the particular project component;
- expenditures made by Caltrans;
- expenditures made by a regional or local agency for a project component that was or is programmed for Caltrans implementation;
- expenditures made by a regional or local agency on the State Highway System, except in accordance with a project-specific cooperative agreement executed between the local agency and Caltrans; and
- expenditures made by a regional or local agency for a project component that was or is programmed for implementation by another regional or local agency, except in accordance with a project-specific agreement between the two agencies.

The CTC will approve reimbursement allocations only if the regional or local agency submits an allocation request prior to the first expenditure, and the CTC finds that there was no legal impediment to a CTC allocation, other than lack of state budget authority at the time of expenditure. If, at the time of the allocation request, the CTC finds that there is a lack of sufficient funding available, and that it would otherwise approve the allocation, then the CTC will approve the project for future allocation when funding becomes available. However, even the inclusion of a project in the STIP, the availability of state budget authority, and the lack of specific legal impediment do not require the CTC to approve an allocation where the CTC finds that the allocation is not an effective use of state funds, is inconsistent with the CTC's guidelines or policies, or is inconsistent with state or regional plans.

Failure to comply with the aforementioned conditions will render the subject project component and any subsequent components ineligible for reimbursement. Upon execution of the program supplement agreement, the CTC may delay reimbursement if programming or cash-management issues prevent immediate repayment following an allocation.

Allocations made under Government Code 14529.17 are subject to the timely use of funds deadlines described in Section 23.2.1 of this chapter.

PROCEDURES TO START WORK AHEAD OF ALLOCATION – SB 184

A local agency wanting to start work on a STIP project component ahead of allocation in conformance with Government Code 14529.17, as amended by SB 184 (2007), must submit, prior to first expenditure, a notification letter (see Exhibit 23-M, "Notice of SB 184 Project Start for Local STIP Projects") and a request for funding allocation (see Exhibit 23-O, "Request for Funding Allocation [Local STIP Projects]") to the Caltrans DLAE and to the Executive Director of the CTC. The notification letter must state the approximate date that the proposed reimbursement work will commence. The letter must identify the specific STIP project to which the Government Code 14529.17 provisions will apply.

For federally-funded projects, the Request for Authorization to Proceed (E-76), described in Section 23.4.1 of this chapter, must also be approved by FHWA prior to the start of work in order to be eligible for future federal reimbursement. Under Local Advance Construction procedures, the project will be authorized, but federal funds will not be obligated until after allocation. The Request for STIP Funding Allocation letter (explained later in these procedures) will state the actual date work for reimbursement will commence. Agencies will need to provide any required documents showing that state and federal requirements have been met. The effective reimbursement date will be indicated in the executed program supplement agreement.

23.4 PROCEDURES FOR LOCAL STIP PROJECT ALLOCATIONS

This section provides information for local STIP projects. General information for all project types can be found in Section 23.3 of this chapter

23.4.1 ALLOCATION OF FUNDS

After a local STIP project is adopted or amended into the STIP, the next step is to submit a Request for Funding Allocation to the DLAE. However, depending on the type of project and funding, several additional actions may be required to obtain authorization to proceed and establish the date for the start of reimbursable work. (See Flow Chart 23-1, "Allocation Procedures [Local STIP Projects].") These additional actions may include the following:

- The local agency submits a Request for Funding Allocation.
- The CTC approves the allocation.
- The local agency submits a Request for Authorization to Proceed (for projects with federal funds).
- The FHWA approves the local agency's Request for Authorization to Proceed (E-76) if federal funds are involved.
- Caltrans and the local agency enter into an Administering Agency-State Master Agreement (if not previously executed) and a Program Supplement Agreement.

Note: Caltrans does not verify the local agency's capability to accomplish the specific project component as part of the allocation procedures. Instead, Caltrans maintains a process review program as the main method for determining if local agencies are in compliance with all applicable federal and state laws, related regulations, and procedures. If deficiencies are identified in a process review, local agencies, under sanctions imposed by Caltrans, may not be allowed to administer new projects until corrective action has been implemented. (Local agencies may appeal sanctions using the "Local Programs Dispute Resolution Process" described in Chapter 20, "Deficiencies and Sanctions," Section 20.4 of the LAPM.)

REQUEST FOR FUNDING ALLOCATION (SEE EXHIBITS 23-N AND 23-O)

Local agencies are responsible for submitting requests for funding allocations for their projects in the adopted STIP. The requests shall be submitted to the DLAE for review and processing through Caltrans Headquarters, Division of Local Assistance (DLA) to the Division of Budgets. As long as the amount requested is equal to or less than the

programmed amount and does not change the description and/or scope of the project, formal concurrence from the regional planning agency is not required. All requests to split or combine projects shall be approved by the regional planning agency. Because of the potential impact the timely use of funds provisions have on county share balances, RTPAs are responsible for monitoring the amount and timing of all fund allocation requests. Caltrans will develop a reporting system to assist in this effort.

Note: If the RTPA's governing board passes a resolution requiring their approval prior to submittal to Caltrans, the local agency shall provide written evidence of such approval on the Request for Funding Allocation.

If changes have been made that require a STIP amendment, a copy of the regional planning agency's STIP amendment request shall be attached. Information regarding STIP amendments can be found in Section 23.2 of this chapter. Caltrans will process the fund allocation requests concurrently with the CTC approval action on the STIP amendment.

Local agencies requesting federal and/or state funds shall provide the following information in the Request for Funding Allocation:

Project Identification - the STIP identification (PPNO and EA) and project number (if previously issued by Caltrans), the project name and location, and the Assembly and Senate Districts. Note: PPNOs, EAs, and project numbers are issued by Caltrans. Regional agencies are required to request PPNOs at the time of project programming. EAs and project numbers are issued by Caltrans upon project initiation.

Description of Proposed Improvement - a detailed description of the project scope from the Project Programming Request. If the description has changed from the original Project Programming Request, attach written concurrence from the RTPA.

Output/Outcome – an Output is an action(s) to be taken or product (i.e., adding a number of new miles of lanes) and Outcomes can be described as quantifiable benefits or results (i.e., improved travel time by a number of minutes).

Fund Allocation Summary – the total amount of funding allocation including 1) STIP programmed amounts by fiscal year; and 2) the amount of previous and current fund allocations (by project component).

Project Funding Plan by Fiscal Year - the type of STIP funding, identification of all other sources of funding, and any specified funding conditions. If expenditures and reimbursement will extend beyond the fiscal year of allocation, provide a schedule by fiscal year of anticipated cash flow. (If attached Project Programming Request includes this detail, a separate funding summary is not required.)

Request for Additional STIP Funding – if the request exceeds the amount programmed for any component, provide information on the amount of additional funding required, county reserves available, county share advance (if county reserves are inadequate to fund the shortfall), and justification for the addition.

Status of Project – status of environmental studies, right of way certification, and estimated ready-to-advertise dates.

Estimated Timely Use of Funds Deadlines – the estimated deadlines for the various timely use of funds deadlines are based on the requested funding approval date (date of CTC meeting). Caltrans will identify the actual deadlines when the requested funding is approved.

Exhibit 23-N, a "Funding Allocation Checklist (Local STIP Projects)" is available to assist the local agency with determination of the proper form to use, approval authority, and calculation of the estimated timely use of funds deadlines. The checklist shall be completed by the local agency and attached to the request. A copy of the Project Programming Request shall also be attached to the request.

The local agency should allow 60 days from submittal of the Request for Funding Allocation to Caltrans until CTC approval.

For state-only projects with no other federal funds administered by the FHWA, the Request for Funding Allocation (including a State-only Finance Letter and a Funding Allocation Checklist) will serve as the basis for requesting the allocation, preparing the project agreement and setting up the project in the state accounting system. Exhibit 23-C, the "State-only Finance Letter," provides the information needed by Caltrans to set up the project in the state accounting system.

REQUEST FOR AUTHORIZATION TO PROCEED (E-76) PACKAGE

To initiate the authorization to proceed for any phase of a federally-funded project, the local agency must prepare a "Request for Authorization to Proceed (E-76)" package. This package, along with required federal documents (Field Review Form, Finance Letter, Detail Estimate, Right of Way Certification, PS&E Checklist, Construction Administration Checklist, etc.), provides the information needed by Caltrans and the FHWA to formally authorize the start of each phase of reimbursable work, prepare the project agreement and set up the project in the federal and state accounting systems. Federal/state funded projects will be authorized in accordance with procedures described in the LAPM. Approval of the "Request for Authorization to Proceed (E-76)" by the FHWA establishes the date for the start of reimbursable work for each project component.

Normally, additional lead-time is needed to prepare the Request for Funding Allocation and prepare an agenda item for CTC action. Therefore, the funding allocation request may precede the Request for Authorization to Proceed. However, if all required information is available, both requests should be submitted at the same time.

Note: When beginning work ahead of allocation (see Section 23.3.2 of this chapter), the Request for Authorization to Proceed Package must be approved by the FHWA prior to the start of reimbursable work or advertisement of a construction contract on federally-funded projects, regardless of the allocation request date.

MASTER AGREEMENTS

The Administering Agency-State Master Agreements for Federal-aid Projects (see Chapter 4, "Agreements," Exhibit 4-C of the LAPM) defines the general terms and conditions which must be met by the local agency to receive federal-aid and state funds. Caltrans currently has Master Agreements with most agencies with candidate projects in the STIP or FTIPs. Projects implemented by agencies with no recent experience using federal-aid funds administered by the FHWA (from the STIP or other sources) will require a new Federal Master Agreement before the local agency may start reimbursable work.

A separate Master Agreement for State Funded Projects has been developed for state-only funded projects. Caltrans will initiate a new state-only Master Agreement when local agencies submit their first request for funding allocation for projects with no federal funding.

THE COMMISSION FUNDING ALLOCATION

All appropriate submittals noted in the sections above must be complete before Caltrans will forward the request with the funding recommendation to the CTC for approval. Caltrans may request a copy of the PSR, or equivalent, to resolve issues regarding the project description and/or scope of the project. Incomplete submittals will be returned for correction.

FEDERAL AUTHORIZATION TO PROCEED (E-76)

For those local agencies that have a Master Agreement for Federal-aid Projects in place, Caltrans will submit the local agency Request for Authorization to Proceed (E-76) to the FHWA upon notification that the CTC has approved the allocation request. For agencies without a Master Agreement in place, an agreement will be initiated upon receipt of the initial Request for Authorization to Proceed

Note: For federally-funded projects programmed in the STIP where work will be started ahead of allocation pursuant to the guidelines in Section 23.3 of this chapter, the local agency will need to have an approved Request for Authorization to Proceed (E-76) prior to beginning reimbursable work or advertising the construction contract. The federal funds must be programmed in the approved FTIP prior to federal authorization at the time of Advance Construction (AC). The project component will be authorized using AC procedures, but federal funds will not be obligated until after allocation.

START OF REIMBURSABLE WORK

Generally, the earliest date for which work may be reimbursed is the date project funds are allocated by the CTC unless the local agency has previously submitted a project allocation request that includes a notice of the agency's intent to expend its own funds for the project prior to the allocation approval. In that case, if the agency has complied with all other applicable statutes and regulations, the CTC's allocation will specify the date of earliest reimbursement based on the original notification date. Caltrans will issue an allocation letter that states the effective date for the start of reimbursement for the particular project component. If federal funds are included in the allocation, the earliest date of reimbursement will not be earlier than the date of approval of the Federal Authorization to Proceed (E-76). For each reimbursable work phase, an E-76 is required for all federal-aid projects, including those projects where work begins prior to STIP fund allocation (see Section 23.3.2 of this chapter).

Note: Beginning work prior to allocation does not protect funds subject to the timely use of funds rules described in Section 23.2.1 of this chapter. Work performed prior to the adoption of the project or project component in the STIP is not eligible for reimbursement.

Execution of the program supplement agreement will be deemed a contractual obligation by the state for the payment of the state share of the project for eligible costs incurred after the effective date. Actual reimbursement for the eligible cost of work cannot occur in advance of entering into the program supplement agreement and, for federal projects, execution of the E-76 document.

23.4.2 REIMBURSEMENT

After the CTC allocates the funds and the start of reimbursable work has been authorized with an effective date, the following actions must be completed before the local agency can actually be reimbursed for the work:

- Appropriation of funds in the Budget Act
- Project specific agreement(s) is/are prepared and executed
- Local agency submits progress invoices

A summary of these procedures is listed below.

APPROPRIATION OF FUNDS IN THE BUDGET ACT

Funds for the Regional Improvement Program must be appropriated by the Legislature in the Budget Act before they may be encumbered.

PROJECT AGREEMENT

A project specific agreement (Program Supplement Agreement to the Administering Agency-State Master Agreement for highway projects) must be executed by both parties to encumber funds for a project in the state accounting system and to allow payments to be made to the local agency. Caltrans will prepare the Program Supplement Agreement and submit it to the local agency for signature upon notification that the CTC has allocated the funds (and FHWA has approved the Request for Authorization to Proceed for federal projects).

PROGRESS INVOICES

The local agency will be reimbursed for eligible participating costs in arrears upon submittal of progress invoices to Caltrans for expenditures actually made. The local agency must invoice Caltrans for reimbursement in accordance with the timely use of funds deadlines described above. Invoices shall be submitted no more frequently than monthly to minimize the administrative costs to the state and local agency. Local Agency progress invoices will be submitted to the appropriate District DLAE for review and approval to pay. Following District review, the progress invoices will be forwarded to the Division of Accounting for review and concurrence at the following address.

Department of Transportation
Division of Accounting, MS 33
Local Program Accounting Branch
P.O. Box 942874
Sacramento, CA 94274-0001

Final invoices shall follow the procedures outlined in Chapter 17, “Project Completion,” of the LAPM. Invoices shall follow the sample format found in Chapter 5, “Accounting/Invoices,” of the LAPM.

SHIFTING ALLOCATED FUNDS BETWEEN PROJECT COMPONENTS

As mentioned under “County Share Balances and Adjustments” in Section 23.2, local agencies will be required to submit a request to their DLAE to shift any funds along with a revised Finance Letter (see Exhibits 23-C and 23-D) to Caltrans for approval.

Local agencies are responsible for ensuring that funds are available in the appropriate project component before submitting invoices to Caltrans. Projects involving federal funds may also require a concurrent request for cost adjustments for the phases (components) involved.

23.4.3 PROJECT COMPLETION

REPORT OF EXPENDITURES/PROJECT CLOSEOUT REPORT

Upon acceptance of a completed project and final payment to the contractor, the local agency is responsible for preparing and submitting final report documents to Caltrans' DLAE, including the final invoice and final inspection form, which collectively constitute a Report of Expenditures or Project Closeout Report (see Chapter 17, "Project Completion," of the LAPM). The reports provide key information required to initiate timely project closure and payment. The reports should describe any change to the project and the reason for such change, when compared to the original scoping document. The reports and the final invoice will be submitted to the Caltrans DLAE by the deadlines indicated above in Section 23.2.

CALTRANS VERIFICATION

Caltrans will review the completed project and verify that it was completed in accordance with the scope and description of the project authorization documents before processing the final invoice. The local agency is responsible for maintaining written source document records that identify agency costs and project development payments made to consultants, vendors and contractors. Contract records must be retained by the local agency for a minimum period of three years from the date of final payment.

AUDIT REQUIREMENTS

Local agencies receiving federal funds are subject to the audit requirements of the federal OMB Circular A-133, available on the Internet at: www.whitehouse.gov/OMB/Circulars/. A single audit is required if an agency receives more than $500,000 annually in federal funds from all sources. Local agency expenditures for all local assistance programs are also subject to financial and compliance audits by the State Controller's Office and Caltrans Audits and Investigations. Normally, individual project audits are not necessary if the expenditures for a project are covered by a single audit report accepted by the appropriate federal agency.

23.4.4 ADDITIONAL GUIDANCE ON LOCAL STIP PROJECTS

The preceding sections provide a brief summary of Reimbursement and Project Completion procedures for local STIP projects. (Flow Chart 23-2, "Reimbursement and Project Completion," shows the process from the appropriation of funds in the budget to payment of the final invoice.) For a detailed explanation of all the various procedures required to administer federal funded local highway transportation projects, see the LAPM. These procedures are based on the concepts of eliminating multiple reviews and delegating most project responsibilities and accountability to the administering agencies. Caltrans no longer approves local right of way certifications and PS&E packages. Instead, the local agency self-certifies right of way and PS&E.

Local grant projects must also meet the requirements of the California Environmental Quality Act (CEQA). The local agency is the lead agency under CEQA and provides CEQA approvals and clearances. Caltrans is only involved in the review of local agency CEQA documents which impact a state route through the Intergovernmental Review (IGR) planning process

23.5 PLANNING, PROGRAMMING, AND MONITORING (PPM) FUNDS

This section provides information for PPM funds. General information for all project types can be found in Sections 23.3 of this chapter.

Section 14527 of the Government Code, and the CTC *STIP Guidelines*, allow the programming of STIP funds by a region for project planning, programming and monitoring activities by the transportation planning agency. Programming of these funds comes from county shares and can be programmed for each year of the STIP. Agencies will receive state-only funding for eligible PPM activities. Caltrans has prepared standard agreements for the distribution of these funds. For agencies receiving $300,000 or less in PPM funds per fiscal year, the standard agreement allows lump sum "up front" payments. Agencies receiving over $300,000 per fiscal year will be paid on a reimbursed basis. Each agency is required to prepare a PPM plan to be included as part of the standard agreement.

Planning agencies shall request allocations and agreements for the upcoming year as they near completion of PPM expenditures for the current year.

23.6 RSTP/CMAQ MATCH RESERVES

This section provides information for match reserves. General information for all project types can be found in Sections 23.3 of this chapter.

The CTC *STIP Guidelines* allow the programming by a region of a reserve of state funds in the STIP to provide matching funds for federal RSTP and CMAQ funds. These state-only funds are programmed from the regions' county shares for each year of the STIP. The reserves of state matching funds are available for any eligible federal RSTP and CMAQ projects that are also permissible under Article XIX of the California Constitution. The state-match amount must also be less than or equal to the required minimum non federal-match of federal participating costs, except when rounded to the nearest thousand.

Caltrans will prepare an allocation document each time match funds are approved for a project and forward copies to the appropriate regional planning agency. Because of the impact that the timely use of funds provisions have on county share balances, copies of allocation approval documentation will be provided to the responsible RTPA. The RTPAs will be responsible for monitoring the allocation of the reserves each year to ensure that all reserves programmed have been allocated before the end of the fiscal year.

23.7 RIDESHARE PROJECTS

This section provides information for rideshare projects. General information for all project types can be found in Sections 23.3 of this chapter.

The CTC *STIP Guidelines* allow the programming of noncapital expenditures for transportation demand management projects that are a cost-effective substitute for capital expenditures.

State-only funding will be provided for all projects to allow the same simplified process for all rideshare projects. As long as the local agency's request for funding allocation is equal to or less than the programmed amount for each rideshare project, the CTC will approve the request without further action. Because of the impact that the timely use of funds provisions have on county share balances, copies of allocation approval documentation will be provided to the responsible RTPA

The program supplement agreements allow lump sum "up front" payments for amounts of $300,000 or less per fiscal year. Agreements for over $300,000 per year will provide for payments on a reimbursed basis. Upon receipt of a request for a fund allocation from the project sponsor and allocation by the CTC, Caltrans will prepare the program supplement agreement and submit it to the local agency for execution. Project sponsors may request allocations and agreements for the following year as they near completion of expenditures for the current cycle of agreements.

23.8 REPORTING REQUIREMENTS

23.8.1 GOVERNMENT CODE 14529 (ADOPTED BY AB 872, AMENDED BY SB 184)

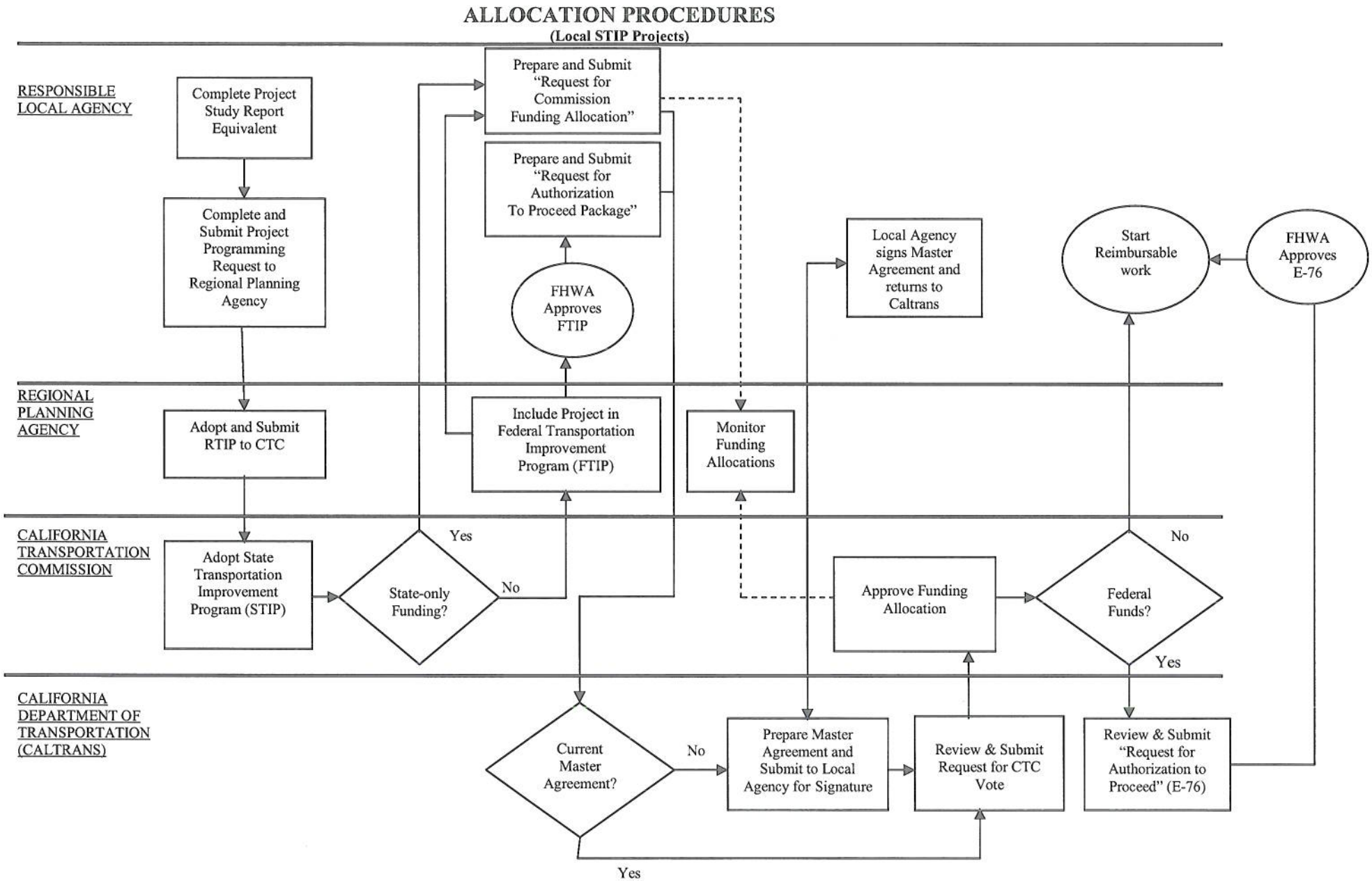
Government Code 14529 requires Caltrans to report to the Legislature starting July 1, 2000, and annually thereafter, on STIP-programmed projects where reimbursable work began prior to allocation. The report will include information about the projects implemented under provisions of Government Code 14529 (outlined in Section 23.3.2 of this chapter). Specifically, the report will indicate agreement processing times for each project and provide detailed reasons for all projects for which an agreement was not executed within the 90-day period provided in statute. A description of any actions taken by Caltrans during the prior fiscal year to streamline, expedite, and simplify Caltrans' process for executing the specified agreements to transfer funds is also required.

23.8.2 MONTHLY STATUS OF CONSTRUCTION CONTRACT AWARD

Per Resolution G-06-08, adopted June 8, 2006, Caltrans is required to report monthly to the CTC on the status of construction contracts that are not awarded within four months. The monthly report is presented to the CTC as a monthly book item on the meeting agenda. The report specifies if an agency is on track to award a construction contract by the deadline, or if the agency will be requesting a time extension.

23.9 REFERENCES

- OMB Circular A-110 and OMB Circular A-133
- CTC *STIP Guidelines*, amended November 7, 2007
- CTC Guidelines for Preparation of Project Study Reports
- *Project Study Report (Local Rehabilitation) Guidelines for 1998 STIP Projects off the State Highway System*
- Caltrans *Project Development Procedures Manual*, Appendix L – Preparation Guidelines for Project Study Report, June 18, 2009
- *Guidelines for Allocating, Auditing, and Monitoring of Local Assistance Projects*


ALLOCATION PROCEDURES
(Local STIP Projects)
RESPONSIBLE LOCAL AGENCY
Complete Project Study Report Equivalent
Complete and Submit Project Programming Request to Regional Planning Agency
Prepare and Submit "Request for Commission Funding Allocation"
Prepare and Submit "Request for Authorization To Proceed Package"
FHWA Approves FTIP
Local Agency signs Master Agreement and returns to Caltrans
Start Reimbursable work
FHWA Approves E-76
REGIONAL PLANNING AGENCY
Adopt and Submit RTIP to CTC
Include Project in Federal Transportation Improvement Program (FTIP)
Monitor Funding Allocations
CALIFORNIA TRANSPORTATION COMMISSION
Adopt State Transportation Improvement Program (STIP)
State-only Funding?
Yes
No
Approve Funding Allocation
Federal Funds?
No
Yes
CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)
Current Master Agreement?
No
Yes
Prepare Master Agreement and Submit to Local Agency for Signature
Review & Submit Request for CTC Vote
Review & Submit "Request for Authorization to Proceed" (E-76)

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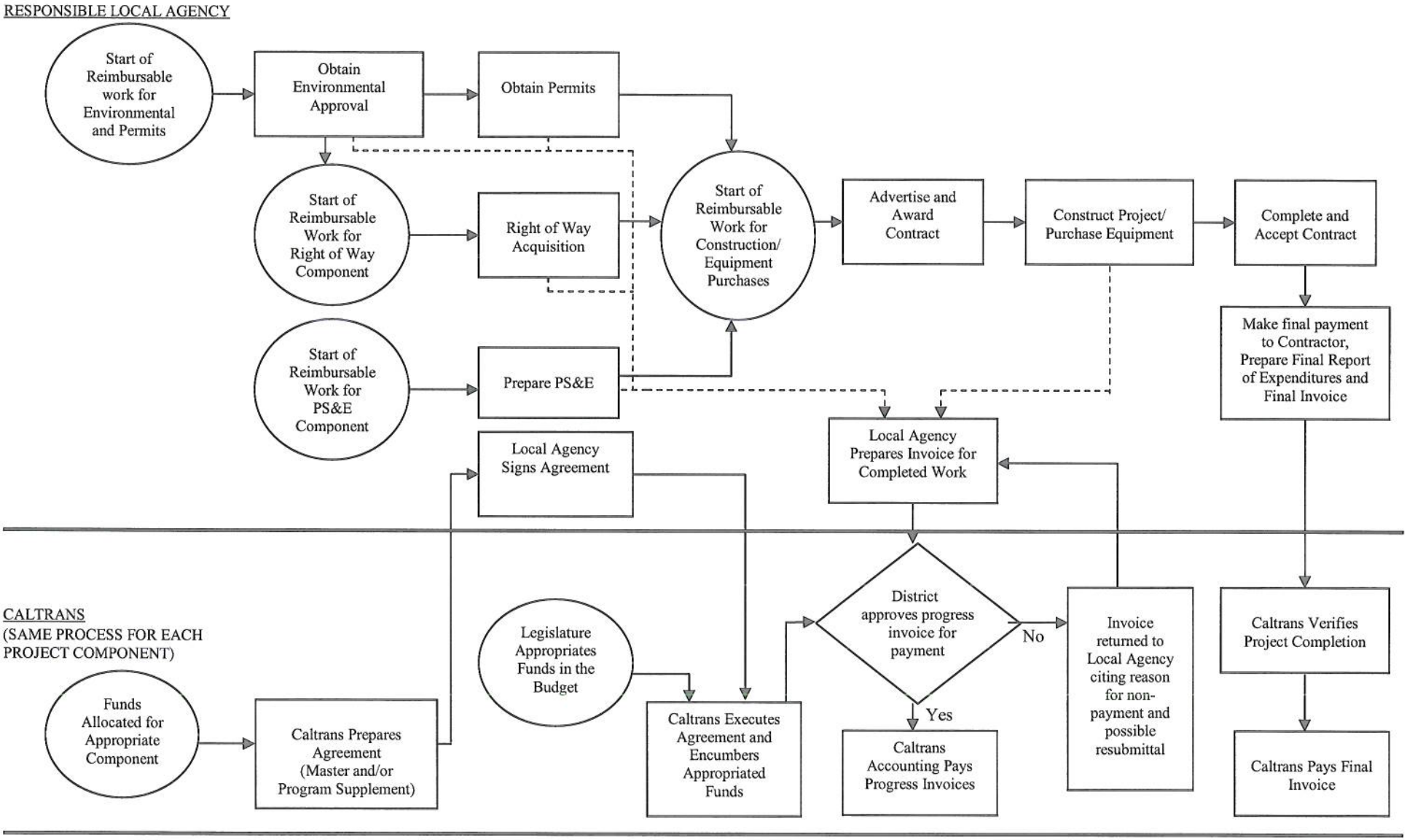
REIMBURSEMENT & PROJECT COMPLETION



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AWARD INFORMATION FOR STIP PROJECTS

Date:_____

To:_____
District Local Assistance Engineer
Caltrans, Division of Local Assistance

PPNO:_____

EA:_____

Project No.:_____

Project Description: _____
_____
_____

Date Project was Allocated:_____

Date Project was Advertised:_____

Award Date:_____

Award Amount:_____

Award Amount:_____
(STIP Portion only, if different from above)

Estimated Date of Completion: _____

Name of Contractor: _____

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REQUEST FOR TIME EXTENSION
LOCAL STIP PROJECTS

Local Agency Letterhead

To: (DLAE Name)
District Local Assistance Engineer
Caltrans, Office of Local Assistance
(District Address)

Date :

PPNO:_____
PROJECT #:_____
EA: _____
(Brief Project Description)
(Location)_____
(County)_____
Assembly District: _____
Senate District: _____

Dear (DLAE Name):

We request that the California Transportation Commission (CTC) approve a request for a time extension for this project.

A. Project description:

(Enter description of project, location and scope from Project Programming Request. Include programmed funding level by phase)

B. Project element for which extension requested: (check appropriate box)

☐ Allocation* ☐ Expenditure ☐ Award ☐ Completion (contract acceptance)

C. Phase (component) of project: (check appropriate box or boxes)

☐ Environmental Studies & Permits ☐ Plans, Specs. & Estimate ☐ Right of Way ☐ Construction*

D. Allocation and deadline summary

Allocation Date By Phase (if applicable)	Allocated Amount By Phase (if applicable)	Original Deadline	Number of Months of Extension Requested	Extended Deadline

E. Reason for project delay

Indicate the reason for the project delivery delay. Please be concise. Specify the length of time the project will be delayed. Include a timeline to justify and support the number of requested extension months. **The length of extension requested cannot exceed 20 months and must be directly attributed to the reason for delay specified**.

* Per Section 66 of the CTC *STIP Guidelines*, "For each request to extend the deadline to allocate construction funds, the agency requesting the extension should submit, in conjunction with the request, a project construction STIP history. The request should also identify any cost increase related to the delay and how the increase would be funded. The STIP history should note the original inclusion of project construction in the STIP and each project construction STIP amendment, including, for each, the amendment date, the dollar amount programmed for construction, and the scheduled year of construction delivery. It is the CTC's intent to review this history when considering a construction allocation extension request."

F. Status of project milestones/revised project milestones

1) Completion of Environmental Document:

CEQA - Describe document type and date (original milestone date and revised date).

NEPA - Describe document type and date (original milestone date and revised date).

2) Right of Way Certification:

Indicate the date right of way was certified (or will be certified) for the project (original milestone date and revised date).

3) Construction:

Indicate the date the project will be ready to advertise or was advertised (original milestone date and revised date).

G. Timely Use of Funds

We request that the CTC approve this request at the _____ meeting, *or* by _____.

H. Local Agency Certification:

This Request for Time Extension has been prepared in accordance with the *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program (STIP)*. I certify that the information provided in the document is accurate and correct. I understand that if the required information has not been provided this form will be returned and the request may be delayed. Please advise us as soon as the time extension has been approved. You may direct any questions to

_____ at _____
(name) (phone number)

Signature_____Title:_____Date:_____

Agency/Commission: _____

I. Regional Transportation Planning Agency/County Transportation Commission Concurrence:

Concurred

Signature_____Title:_____Date:_____

Agency/CTC _____

J. Caltrans District Local Assistance Engineer Acceptance:

I have reviewed the information submitted on the Request for Time Extension and agree it is complete and has been prepared in accordance with the *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program*.

Signature_____Title:_____Date:_____

Attachments:

Distribution: (1) Original -DLAE (2) Copy- Division of Local Assistance, STIP Coordinator
(3) Copy - RTPA/County Transportation Commission

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REQUEST FOR TIME EXTENSION INSTRUCTIONS

This request for extension is initiated by the implementing agency, and prepared on their letterhead as a letter addressed to the District Local Assistance Engineer (DLAE). Requests must be received by the DLAE and the Division of Local Assistance STIP Coordinator (P.O. Box 942874, MS-1, Sacramento, CA 94274-0001) at least 60 days prior to the deadline for which the extension is being requested, but not later than 60 days prior to the date of the CTC meeting where the request will be considered/voted.

Date: Date of request preparation.
PPNO: Provide STIP project identifier. (Project programming number)
Project # and EA: These numbers will be available if the project has been allocated.
Brief Description: Provide a brief description of the project.
Location: Provide location of project.
County: County where project is located.
Assembly District: Enter appropriate district number.
Senate District: Enter appropriate district number.
Address: Send letter to District Local Assistance Engineer assigned to this project.

A. Project Description: Use the original description of the project location and scope from the Project Programming Request. Include amount programmed for the project, broken out by phase.

B. Project element: Check one box to indicate which element of the project needs to be extended. **A separate form is required for each project element**. Allocation time extension requests must be submitted separately from expenditure extension requests, etc.

C. Phase (component) of project: Check one box to indicate which phase of the project needs to be extended. Multiple phases can be checked on the same form if the request is for the same project element (extension type). For example, if the request is for an allocation time extension and an agency is requesting the extension for both the PS&E and R/W phases, one form can be used.

D. Allocation and deadline summary:

Allocation date by phase (if applicable): Actual allocation dates **by phase** for all phases the request refers to.
Allocated amount by phase (if applicable): Actual allocated amount **by phase** for all phases the request refers to.
Original deadline: Indicate date that was originally set as the timely use of funds deadline.
Number of months of Extension Requested: Indicate in number of months of time requested for the extension.
Extended Deadline: Provide the proposed new deadline, with extension incorporated.

E. Reason for project delay: In order to grant an extension, the CTC must find that "unforeseen and extraordinary circumstances beyond the control of the responsible agency have occurred, which would justify the extension." The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and will in no event be for more than 20 months. This is where you need to have a clear description of the circumstances delaying the project that leaves no question to the CTC that the circumstances are "unforeseen and extraordinary" and directly relates the number of months of the extension to the delay. The reason should be clear and concise.

A timeline is required in order to help support the reason for delay. Provide information about the next steps that need to be taken in order to meet the extended deadline and show how long it will take to complete each step. A timeline helps to show the CTC that the number of requested months of extension are justified.

* Per Section 66 of the CTC *STIP Guidelines*, "For each request to extend the deadline to allocate construction funds, the agency requesting the extension should submit, in conjunction with the request, a project construction STIP history. The request should also identify any cost increase related to the delay and how the increase would be funded. The STIP history should note the original inclusion of project construction in the STIP and each project construction STIP amendment, including, for each, the amendment date, the dollar amount programmed for construction, and the scheduled year of construction delivery. It is the CTC's intent to review this history when considering a construction allocation extension request."

F. Status of project milestones/revised project milestones: Provide information about the original milestone dates and the revised dates for Environmental Documents (CEQA and NEPA), Right of Way Certification, and Construction.

G. Timely Use of Funds: Provide which meeting your request should be heard or set a date that you need the approval. Refer to the CTC calendar posted on the web to determine the appropriate date, and keep in mind that Caltrans will need sixty days lead time to process the request prior to the CTC meeting.

H. Local Agency Certification: Provide information on who is the responsible party to contact with questions regarding this project and obtain signature of approving official.

I. Regional Transportation Planning Agency (RTPA)/Metropolitan Planning Organization (MPO)/County Transportation Commission concurrence: Obtain concurrence/approval from appropriate lead agency. Requests will not be processed without review and approval of the responsible RTPA/MPO/County Transportation Commission official.

J. Caltrans District Local Assistance Engineer Acceptance: After reviewing the request for extension, the DLAE will sign off and forward the request to headquarters (Local Assistance Office of Resource Management, Attention: STIP Coordinator) for processing to the CTC for vote.

STATE-ONLY FINANCE LETTER

DEPARTMENT OF TRANSPORTATION
DIVISION OF ACCOUNTING
LOCAL PROGRAM ACCOUNTING BRANCH

Attention: _____

Date: _____
Agency: _____
Project No.: _____
EA No.: _____
PPNO: _____

		TOTAL COST	PART. COST	STIP STATE-ONLY FUNDS	LOCAL FUNDS	OTHER FUNDS	OTHER FUNDS
Environmental & Permits							
Plans, Specs. & Estimate							
Right of Way							
Construction							
Contract Items							
Suppl. Work							
Contingencies							
Contingencies							
Agency Furn. Mat.							
Constr. Engin.							
Force Acct. Amt.							
Construction Total							
TOTAL							

ALLOCATION BY:
CTC DLA
Date _____ _____

Signature: _____
Title: _____

For questions on finance letter, contact:
Printed Name: _____
Telephone No.: _____

REMARKS: _____

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STATE/FEDERAL FINANCE LETTER

DEPARTMENT OF TRANSPORTATION
ACCOUNTING SERVICE CENTER
LOCAL PROGRAM ACCOUNTING BRANCH

Attention.: _____

Date: _____
Agency: _____
Project No.: _____
EA No.: _____

	TOTAL COST OF WORK	TOTAL PARTICIPATING. COST	FEDERAL FUNDS (Fed-aid code: ____)	LOCAL FUNDS	OTHER FUNDS Type:	OTHER FUNDS Type:
Agency Preliminary Engineering						
State Furnished Preliminary Engineering						
Overhead at _____%						
R/W Engineering & Administration Costs						
R/W Purchase Costs						
Relocation Assistance (SJ 3A055)						
Contract Items _____						
Utilities _____						
Contingencies _____						
Trainees _____						
Agency Furn. Mat. _____						
Contract Total _____						
Agency Construction Engineering						
State Furn. Construction Engineering						
Overhead at _____%						
State Furnished Materials Testing						
Overhead at _____% EA No. _____						
Force Account (Day Labor) - striping, etc.						
TOTAL:						

Federal Participation: _____%

Reimbursement. Ratio: _____%

Signature: _____

Title: _____

Questions regarding this finance letter should be directed to:
Printed name: _____

Telephone number: _____

REMARKS:

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PASSED BY
CTC
AUG 23 2001
CALIFORNIA
TRANSPORTATION COMMISSION

CALIFORNIA TRANSPORTATION COMMISSION
STIP State-Only Funding Policy

Resolution G-01-26

1.1 WHEREAS, the Commission's adoption of the 2000 STIP in December 2000 included a State only funding policy generally giving blanket approval for local projects under $750,000 and, until March 2001, for all local road rehabilitation projects regardless of cost, and providing for approval of other projects on an exception basis, and

1.2 WHEREAS on March 28, 2001, the Commission approved the Department's request to extend the State Only Funding Policy for currently programmed STIP projects.

1.3 WHEREAS, the Commission's approval included an exception to the current policy and requires that any new request for State only funding, regardless of project cost, will need to submit an exception and approval for State only funding to the Department.

1.4 WHEREAS, the Commission indicated that the approval is an interim policy measure, and that future availability of state only funds and the State only funding policy will be reevaluated as part of the 2002 Fund Estimate.

1.5 WHEREAS on August 23, 2001, the Commission approved Resolution G-01-25 adopting the 2002 STIP Fund Estimate; and

1.6 WHEREAS, the Commission approved the allocation of State only funding for new projects which generally gives blanket approval for local projects under $750,000, subject to the availability of funds,

2.1 NOW THEREFORE BE IT RESOLVED, that currently programmed STIP projects, which have been previously approved for state-only funds are still approved.

2.2 BE IT FURTHER RESOLVED, that future requests for programming new projects within the following categories shall be given priority for state-only funding, pending review by the Department and confirmation to the Commission that sufficient funds are available.

- Projects with a total cost of $750,000 or less;
- Planning, programming and monitoring activities;
- Regional rideshare and traffic demand management activities;
- Match for local Federal funds.

2.3 BE IT FURTHER RESOLVED, that all other new projects programmed in the STIP, which are not in one of these categories, are required to be federalized. Exceptions to this requirement may be approved pending a review and approval of the project need for state-only funding and verification that sufficient funds are available.

2.4 BE IT FURTHER RESOLVED, that project exception requests for state-only funding shall be included in the submittal to the Commission of the 2002 Regional or Interregional Transportation Improvement Programs. These requests will be forwarded to the Department for review of the Region's justification on the appropriateness, benefit to accelerated delivery, and reduction in cost for individual projects; and, the availability of state-only funds. The Department shall offer technical advise to facilitate the use of federal funds in those instances when the Department does not recommend the designation of state-only funding at the time of programming. Regional agencies requesting state-only funding shall do so with the understanding that changes in the availability of state-only funding may necessitate shelving a project cleared for state only funding until such time as state-only funds become available, or federalizing the project.

2.5 BE IT FURTHER RESOLVED, that state-only funding approval for projects will be confirmed as part of the STIP adoption.

2.6 THEREFORE BE IT FURTHER RESOLVED, that the Department shall monitor the use and availability of state-only funds, report to the Commission annually in July on its findings with recommendations as necessary for modification of the policy.

REQUEST FOR EXCEPTION TO
STIP STATE-ONLY FUNDING POLICY

Local Agency Letterhead

To: Caltrans District Office – Programming Liaison Date: _____
(Address)

Subject: Request for Exception to STIP State-Only Funding Policy

The City/County of (local agency name) hereby requests an exception to the STIP Project Funding Policy. State-only funds are requested for the following project:

PROJECT DESCRIPTION (specifically describe what work is being accomplished, include PPNO)

JUSTIFICATION:

A. Type of Work
B. Need for Project/Proposed Improvements
C. Status of Project
    1. Beginning and Ending Dates of the Project
    2. Environmental Clearance Status
    3. R/W Clearance Status (if currently R/W certified as #3, when will the certification be upgraded to a #1 or #2?)
    4. Status of Construction
        a) Proposed Advertising Date
        b) Proposed Contract and Construction Award Dates
D. Total Project Funding Plan by Fiscal Year (list all funding sources & anticipated fund usage by year – include all phases)
E. State specific reasons for requesting State-Only fund and why Federal funds should not be used on the project.
F. Allocation (if requesting allocation concurrent with exception request)
    1. Amount of Allocation Request
    2. Is this a partial allocation request? __Yes __No
    3. If this is a partial allocation, what will be the total cost of the project? When will the additional allocation be needed?
    4. Is the project identified as State-Only in the adopted programming document? __Yes __No

REGIONAL AGENCY CONCURRENCE:

(Name of Regional Agency) concurs with this request for an exception to the Project Funding Policy.

(Signature of Regional Agency Representative)

(Signature of Local Agency Representative)

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST

DTP-0001 (REV. 3/08)

General Instructions

☑ New Project ☐ Amendment (Existing Project) | Date:

Caltrans District	EA	PPNO	MPO ID	TCRP No.

County	Route/Corridor	Project Sponsor/Lead Agency	MPO	Element

Project Title

PM Bk	PM Ahd	Project Mgr/Contact	Phone	E-mail Address

Location, Project Limits, Description, Scope of Work, Legislative Description

Component	Implementing Agency	AB 3090	Letter of No Prejudice
PA&ED		☐	☐
PS&E		☐	☐
Right of Way		☐	☐
Construction		☐	☐

Legislative Districts

Assembly:		Senate:	
Congressional:			

Purpose and Need

Project Benefits

Project Milestone			Date
Project Study Report Approved			
Begin Environmental (PA&ED) Phase			
Circulate Draft Environmental Document	Document Type	N/A	
Draft Project Report			
End Environmental Phase (PA&ED Milestone)			
Begin Design (PS&E) Phase			
End Design Phase (Ready to List for Advertisement Milestone)			
Begin Right of Way Phase			
End Right of Way Phase (Right of Way Certification Milestone)			
Begin Construction Phase (Contract Award Milestone)			
End Construction Phase (Construction Contract Acceptance Milestone)			
Begin Closeout Phase			
End Closeout Phase (Closeout Report)			

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST

DTP-0031 (REV. 3/08)

Date:

County	CT District	PPNO	TCRP Project No.	EA

Project Title:

Existing Total Project Cost									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Implementing Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Total Project Cost									
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Fund No. 1:									Program Code
Existing Funding									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Fund No. 2:									Program Code
Existing Funding									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

1 of 5

NOTE: THIS FORM CAN BE DOWNLOADED AT:
http://www.dot.ca.gov/hq/transprog/ocip/2008stipdev.htm.

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Project Programming Request Instructions

GENERAL INSTRUCTIONS

The California Transportation Commission (CTC) State Transportation Improvement Program (STIP) Guidelines requires a Project Programming Request (PPR) be prepared whenever a project is added to the STIP, or whenever there is a proposed change to a project in conjunction with an Amendment request. These sheets provide the information necessary to properly program or amend a project in the STIP in accordance with State statutes and CTC policies. PPR's are prepared by the Project Sponsor or implementing agency, with assistance from the Regional Transportation Planning Agency (RTPA), Caltrans District Office or Headquarters (HQ) Transportation Programming, as appropriate.

In addition to STIP funded projects, PPR forms are to be used for projects with Corridor Mobility Improvement Account (CMIA) Bond, State Route 99 Improvement Bond, Trade Corridor Improvement Fund (TCIF), and/or Transportation Congestion Relief Program (TCRP) funding.

The CTC STIP, Bond and TCRP Guidelines are located at:
http://www.dot.ca.gov/hq/transprog/ocip/guidelines.htm

PROJECT INFORMATION FORM

New project
For new projects to be programmed, the PPR template is located at:
http://www.dot.ca.gov/hq/transprog/ocip/2010stipdev.htm.

Amendment (Existing Project)
To amend an existing programmed project, a PPR can be generated directly from CTIPS. This process will automatically populate the form with data from CTIPS. To quickly set up a CTIPS account, please send an e-mail to the CTIPS Account Administrator., HQ Division of Transportation Programming,

Date
Date the PPR was last updated (in mm/dd/yy format).

Caltrans District
"Caltrans District" is the district in which the project is located.

EA
"Expenditure Authorization (EA)" is a unique, 5-digit number assigned by Caltrans for all on-system projects.

PPNO
"PPNO" is an identification number assigned by Caltrans District offices for all STIP and Bond projects. Caltrans HQ Transportation Programming assigns PPNOs for intercity Rail projects administered by the Caltrans Intercity Rail Program and programmed through the Interregional Transportation Improvement Program (ITIP).

TCRP No.
TCRP No. is a project identifier, which relates to the specific paragraph number in Government Code Section 14556.40, Article 5 of the TCR Act of 2000.

County
"County" is the full county name from which the Regional Transportation Improvement Program (RTIP) funds are being contributed. For projects programmed with Interregional Transportation Improvement Program (ITIP) funds, and no RTIP funds, the county in which the project is located is used. If project is located in a county other than the county contributing the RTIP funds, then the county in which the project is located would be identified in the "Location and Project Limits" section of the Fact Sheet.

Route/Corridor
"Route/Corridor" is the State Highway or intercity rail corridor on which the project is located.

Project Sponsor/Lead Agency
"Project Sponsor/Lead Agency" is the primary supporter for the project, and is usually, but not necessarily, the Regional Transportation Planning Agency (RTPA).

MPO
Metropolitan Planning Organization for project.

Element
"Capital Outlay (CO) (All On-system), Local Assistance (LA), Mass Transportation (MT), Intercity Rail (RAIL)", are the appropriate designations based on the type of project.

Project Title
"Project Title" is a concise statement of the Project Description.

PM Back and PM Ahead
"PM Back" is the Post Mile (PM) location on the State Highway or Intercity Rail line for the beginning project limits. "PM Ahead" is the Post Mile (PM) location on the State Highway or Intercity Rail Line for the ending project limits.

Project Manager/Contact, phone & e-mail
The "Project Manager" section identifies the individual responsible for delivering the project within cost, scope and schedule.

Location, Project Limits, Description, Scope of work, Legislative Description
The "Location and Project Limits" is a brief description of the project location. The location should start with a listing of the cities or communities in which the project is located followed by the cross streets or other distinguishing features that identify the beginning and ending project limits as appropriate. Long-distance Rail projects should include a listing of the counties in which the project is located followed by the cities or communities or other distinguishing features that identify the beginning and ending project limits. For rural projects, the nearest community should be identified along with the beginning and ending limits. The Description and Scope of Work is a brief description of the elements of work. Generally the description should be two lines or less, but more complex projects, with several different activities, may require more.

The Legislative description is for TCRP projects only. If the TCRP project is a split from larger project, give location and description of the split project.

Implementing Agency
"Implementing Agency" is the recipient of the funds allocated by the CTC and the agency responsible for delivering the project within cost, scope and schedule.

The identification of the Implementing Agency determines how project components are programmed, and therefore must be properly identified. Whenever Caltrans is identified as the Implementing Agency, Right of Way Support and Construction Support will be programmed separately from Right of Way Capital and Construction Capital. For Implementing Agencies other than Caltrans, Right of Way Support and Construction Support are programmed together with the Right of Way Capital and Construction Capital components.

Reimbursements
Select the appropriate choice from the drop down list, or leave blank if appropriate.

LONP (Letter of No Prejudice) is not currently in use (as of August 2009), but proposed legislation would allow its use on Prop 1B projects. Select "LONP" if an LONP has been approved by the CTC.

AB 3090 - Select "AB 3090" if an AB 3090 reimbursement has been approved by the CTC. See http://www.dot.ca.gov/hq/transprog/ocip/guidelines.htm for guidance.

SB 184 - Select "SB 184" if the CTC has been notified that the local agency intends to start work, or has started work, using local funding. See http://www.dot.ca.gov/hq/transprog/ocip/guidelines.htm for guidance.

Legislative Districts
"Legislative Districts" are the applicable Legislative District Number(s) in which the project is located.

Purpose and Need (Transportation problem to be addressed by project)
Provide brief purpose and explanation of the need for the project. This section provides an overview of the purpose of the project and helps justify the funding.

Project Benefits
Describe the expected project benefits. Some example benefits are: delay time savings (hours) and peak period time savings (min/veh), HOV lane miles added, mixed-flow lane miles added.

Project Milestones
Enter the proposed schedule or actual completion of various project milestones. Any project milestone revision to projects funded with Prop 1B Bond must be addressed on the Amendment Information form.

Project Location Map
Attach a detailed map showing specific features of the project surrounding area. The size and scale of the map depends on the type of project and the project limits.

PROJECT PROGRAMMING REQUEST
Funding Information

GENERAL

The Funding portion of the Project Programming Request provides a detailed view of the proposed or amended project programming. This form distinctly identifies the various sources of funding that may be involved in a project. It delineates the programming breakdown for each funding source, and for each component within the funding source.

To nominate/program a new project, the Funding form is available for download at http://www.dot.ca.gov/hq/transprog/ocip/2010stipdev.htm.

To amend an existing programmed project, generate a PPR directly from CTIPS. This process will automatically populate the form with data from CTIPS. To quickly set up a CTIPS account, please send an e-mail to the CTIPS Account Administrator, HQ Division of Transportation Programming

Though the forms are formatted to suit a majority of situations that may arise in nominating/amending projects, PPRs are updated periodically for formatting purposes. Therefore, it is strongly recommended to download a new copy of the PPR every time their use is warranted.

A project receiving funds for a smaller distinct useable segment of an overall larger project displays only the funds contributing to the distinct useable segment. If funds are used in such a manner that the funds are not a distinct useable segment, then funding for the entire overall project must be displayed. Often, funding for larger projects may be split into smaller distinct useable segments or activities for programming and construction/contract award purposes. Caution must be used in displaying the various fund sources for these types of projects so that funding is not double counted when programmed.

Information entered in the proposed funding fields must be numbers only (no alpha characters, and no 'blanks' or 'spaces' from the space-bar). Otherwise the spreadsheet formulas will not function properly, resulting in incorrect programming.

FUNDING INFORMATION

General

All components proposed for programming **must** be fully funded. Generally the earlier components, such as project development, must be fully funded prior to programming later components such as construction. Future funding needs can be shown under a "Future Funding Needed" category.

For additional guidance on programming project components, see "Programming Project Components Sequentially" of the STIP guidelines.

In accordance with the CTC STIP Guidelines, all programmed component amounts must be escalated, and rounded to thousands.

Project Development Components

"Environmental Studies and Permits (E&P)," also referred to as "Project Approval and Environmental Document (PA&ED)" and "Plans Specifications and Estimates (PS&E)" is programmed in the fiscal year during which environmental studies will begin. Refer to "Program Year for Cost Components" of the CTC STIP guidelines for further information on programming Project Development components.

R/W Components

"Right of Way (R/W)," including Caltrans "Right of Way Support (R/W SUP)," is programmed in the fiscal year(s) during which Right of Way acquisition (including utility relocation) contracts will be executed. If the contracts are executed in a single year, the cost shall be programmed in that one fiscal year. The costs may be programmed in more than one fiscal year, as appropriate. Refer to "Program Year for Cost Components" of the CTC STIP Guidelines for further information. For Caltrans projects, STIP amendments for R/W Capital and R/W Support are only permitted in conjunction with the Annual Right of Way Plan. Refer to "STIP Amendments" of the CTC STIP Guidelines.

"Right of Way Support (R/W SUP)" is used only for projects implemented by Caltrans. For all other implementing agencies, Right of Way Support costs are included in the Right of Way Capital component.

Construction Components

"Construction (CON)," including Caltrans "Construction Support (CON SUP)," is programmed in the fiscal year during which the construction contract(s) will be advertised. All construction costs that are associated with a single construction contract should be listed in one fiscal year. If a project will have multiple contracts to be advertised in different fiscal years, then the construction costs (including Caltrans support costs) may be programmed in multiple years. In this case, a PPR must be completed for each segment.

"Construction Support (CON SUP)" is used only for projects implemented by Caltrans. For all other implementing agencies, Construction Support costs are included in the Construction Capital component.

Fiscal Years

Funding for each component is programmed according to appropriate fiscal year. The cost of each project component will be listed in the STIP no earlier than in the State fiscal year in which the particular project component can be delivered. Since the 2010 STIP covers the five-year period from FY 10/11 through FY 14/15, STIP funding may only be programmed in this five-year period. Any programming of STIP funds beyond the five-year period of the STIP must remain in the unprogrammed balance for programming in a future STIP cycle. Committed Non-STIP contributing funds for years beyond the five-year period of the STIP may be combined together into the "15/16+" column. Any additional funds needed, but not yet committed for the project, may also be shown for in the fiscal year 15/16+ column.

Program Code

Program Codes are used by Caltrans for the Transportation Accounting and Management System (TRAMS), to allow projects to be categorized for program and project tracking purposes. The codes are normally assigned by the Caltrans District Offices and are available at the following web site: http://onramp.dot.ca.gov/hq/accounting/Coding_Manual1/

Funding Agency
The "Funding Agency" is the agency providing the local non-state contributions to the project.

Fund Source
The source of funds contributed to the project (i.e., RIP, IIP, TCRP, Prop 1B Bond-CMIA, RSTP, CMAQ, Local Measure, etc.)

Notes
The "Notes" field is available to include any pertinent information regarding the funding. For example the fund source may be more fully described, or if funds are being reduced for a particular component, the reason for the reduction should be noted.

FUNDING TABLES

EXISTING FUNDING (This is a protected field)
The Existing Funding tables are generated directly from CTIPs and display current programming for the project. Any changes to existing funding must be explained using the Amendment form of the Project Programming Request.

PROPOSED FUNDING (This is an editable field)
The Proposed Funding tables display the proposed programming of funds for a new project or for a change to an existing project. The proposed funding is the summation of the existing funds and the increase/decrease that is being requested. For example, if a project has $100,000 programmed in the current RTIP for PS&E in FY 10/11 and $50,000 is proposed to be added to this component in the same year, the "Existing Funding" column will show $100,000 for PS&E under 10/11 and the "Proposed RTIP Funds" column will show $150,000 (sum of the existing $100,000 and the $50,000 increase requested) for PS&E under FY 10/11. Funding removed from an existing component is handled in a similar manner. If no change is being proposed to any of the information in the "Existing Funding" table, the information in the "Proposed Funding" table shall be exactly the same as in the "Existing Funding" table.

Please note the requirements of "Full and Partial Funding" in "Programming Project Components Sequentially" of the STIP guidelines.

PROPOSED TOTAL PROJECT COST (The contents in this table are calculated automatically)
The "Proposed Total Project Cost" table at the top of the funding information page provides an overview of the total funding proposed for each component of the project. All the information in this table is calculated automatically by summing up the values in the various fund source tables.

AMENDMENT INFORMATION

General
This form must be completed for STIP, TCRP and Bond Amendment requests. Amendment request submittal requirements are available at the following web site:
http://www.dot.ca.gov/hq/transprog/ocip/2010stipdev.htm.

An amendment may change the scope, cost, schedule or implementing agency of a project. In general, amendments for STIP, TCRP and Prop 1B Bond projects will be treated the same. However, there are some differences:

- Projects programmed in the STIP require at least 30 days public notice before the CTC will approve an amendment. TCRP and Prop 1B Bond project amendments may be approved at the same CTC meeting presented to the CTC. If a project is programmed using multiple funding sources, including STIP, the amendment request will be handled in the same manner as a STIP amendment.
- The CTC will not amend a project programmed in the STIP to delete or change the program year of the funding for any project component after the beginning of the fiscal year for which it is programmed.
- Amendments to projects programmed in the TCRP may be handled at the time of allocation of the component.

Project Background
Provide detailed background of the project, including project programming and amendment history.

Programming Change Requested
Provide a detailed description of the proposed programming action. Enough information should be provided in order to clearly explain the programming change to the CTC.

Reason for Proposed Change
Explain need for programming action and why it is needed now.

- For STIP projects, can this programming action wait until the next STIP Cycle?
- For Caltrans implemented projects, attach an approved Program Change Request (PCR).
- For TCRP projects, can this amendment wait until allocation of the component?

If Proposed change will delay one or more components, clearly explain reason for delay, cost increase related to delay, and how cost increase will be funded

For STIP projects, an amendment that would delay the year of construction, the agency requesting the amendment should submit a project construction history. It is the CTC's intent to review this history when considering an amendment that would delay the year of construction. See the STIP Guidelines for further guidance.

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CALIFORNIA TRANSPORTATION COMMISSION
Adoption of PSR Guidelines

Resolution G-99-33
Replacing Resolution G-99-30

1.1 WHEREAS in accordance with section 65086.5(d) of the Government Code, the California Department of Transportation (Department), in consultation with cities, counties, regional transportation planning agencies, and County Transportation Commissions, prepared Project Study Report (PSR) Guidelines adopted by the Commission on September 12, 1991, and

1.2 WHEREAS the Guidelines require updating because of changes in regulations, policies, and statutes as a result of Senate Bill (SB) 45, and

1.3 WHEREAS the Department submitted revised Guidelines to the Commission on July 14, 1999, and

1.4 WHEREAS the proposed PSR Guidelines provide the policy, standards, and criteria the Commission expects that agencies will use in the development of PSRs, and

1.5 WHEREAS in accordance with section 65086.5(d) of the Government Code, the Commission is required to adopt the PSR Guidelines, and

1.6 WHEREAS Chapter 783 of the Statutes of 1999 (AB 1012, Torlakson) has been enacted and requires guidelines for an expedited process through which projects may comply with the requirement that a PSR be prepared in order for a project to be considered for programming in the STIP, and

1.7 WHERAS the proposed PSR Guidelines meet the intent of the provisions for an expedited process as required in AB 1012.

2.1 NOW THEREFORE BE IT RESOLVED the California Transportation Commission does hereby adopt the PSR Guidelines as proposed, and

2.2 BE IT FURTHER RESOLVED the adopted PSR Guidelines shall supersede the PSR Guidelines adopted by the Commission on September 12, 1991.

2.3 BE IT FURTHER RESOLVED that Caltrans will report to the Commission on a monthly basis the number of PSRs that have been approved by the Department and the number of appeals that have been made to the Chief Engineer. The report will include a listing of the specific projects that have been appealed. Upon receipt of the report, the Commission may include, on a future meeting agenda, an item to discuss an appealed PSR.

Guidelines For The Preparation Of Project Study Reports

I. Introduction

On September 12, 1991, the California Transportation Commission(CTC) adopted guidelines for the preparation of Project Study Reports (PSR) pursuant to Chapter 715, Statutes of 1990 (AB 2038).The purpose of the guidelines was to assure a consistent approach in the preparation of PSRs regardless of who prepared the document.

Chapter 662 of the Statutes of 1997 (SB 45, Koop – STIP Reform) was enacted on January 1, 1998, and has modified programming responsibilities for the State Transportation Improvement Program (STIP). Additionally, Chapter 783 of the Statutes of 1999 (AB 1012 Torlakson) was enacted on October 10, 1999, and provides provisions for an expedited process for projects to meet the requirement that a project study report be prepared to be considered for STIP programming. These guidelines have been prepared to be consistent with these legislation and supersedes the September 12, 1991, guidelines.

II. Applicability

These guidelines shall apply to all projects proposed for STIP programming through the Regional Transportation Improvement Program (RTIP) or the Interregional Transportation Improve Program (ITIP). Its purpose is to assure a consistent and uniform approach in the preparation of PSR and project study report equivalents once a decision has been made to prepare this report. The decision to prepare a PSR is a cooperative effort between the Caltrans Districts and their respective Regional Transportation Planning Agencies or County Transportation Commissions.

Additionally, some Regional Transportation Planning Agencies (RTPAs) or County Transportation Commissions may use the SB 45 Planning Memorandum of Understanding (MOU) to provide a framework under which the Caltrans Districts and Regional Transportation Planning Agencies or County Transportation Commissions will cooperatively work together and communicate throughout the planning process and through completion of the PSR, while other RTPAs or County Transportation Commissions may already have established ongoing procedures for cooperatively working together in developing PSR.

III. Definition

PSR and project study report equivalents are engineering reports whose purpose is to document agreement on the scope, schedule, and estimated cost of a project so that the project can be considered for inclusion in a future programming document such as the STIP. (PSRs are also used by Caltrans for certain project candidates for the State Highway Operation and Protection Program (SHOPP) and the Toll Bridge Program and for certain locally funded projects on the State highway system.)

PSRs are prepared for State highway projects. The format of a PSR and its content are outlined in *Caltrans Project Development Procedures Manual*. Project study report equivalents are prepared for projects not on the State highway system. A PSR equivalent contains the same information required in a PSR, but need not be in the same format as a PSR.

IV. Existing Law

Under State law (Government Code section 14529(e)), the State Transportation Improvement Program (STIP) is limited to projects submitted or recommended through the Caltrans Interregional Transportation Improvement Program (ITIP) or a region's Regional Transportation Improvement Program (RTIP). The law further provides that neither the ITIP nor and RTIP may include a project without a Project Study Report or project study report equivalent (Government Code sections 14526(b) and 14527 (g)).

Chapter 622 of the Statutes of 1997 (SB 45, Kopp) provided the framework to allow environmental and design support components to be programmed in the STIP prior to the programming of right of way and construction capital components. Chapter 783 of the Statutes of 1999 (AB 1012, Torlakson) has further emphasized the need and use of the PSR (Project Development Support) to facilitate the expeditious programming of projects while meeting the requirements of completing a PSR for STIP programming considerations. These guidelines provide the use of PSRs to program the project development support components. The PSR (Project Development Support) is the appropriate document for programming these support components.

Permanent *STIP Guidelines* have been adopted by the CTC to assist Caltrans and the regions in the development of the future STIP and to provide further guidance on the implementation of SB 45.

V. Preparation and Review

For projects on the State highway system, it is expected that during the development of a project and the preparation of the PSR, there is open and continuous communication between Caltrans, the sponsoring agency (if applicable), and the RTPA/County Transportation Commission.

Caltrans will work cooperatively with the sponsoring local agency and RTPA/County Transportation Commission to determine the appropriate programming strategy for the project. The PSR (Project Development Support) shall be used to facilitate the programming of support costs to complete the environmental process and/ or the design phase of a project.

Caltrans will prepare and approve PSRs on the State highway system or will review and approve PSRs prepared by local agencies for project proposed on the State highway system pursuant to Government Code section 65086.5(c). By statute, Caltrans is required to review and provide comments within 60 days of the PSR submittal by the local agency. Upon submittal of the revised PSR by the local agency, Caltrans is required to complete its review within 30 days. This process is repeated until the PSR is approved.

For projects not on the State highway system, PSR equivalents will be prepared by the local agency having jurisdiction on the local street or road. PSR equivalents for these projects do not require review and approval by Caltrans unless the proposed project impacts the State right of way or facility. If there is an impact, Caltrans review will only be on the portion of the State right of way or facility that is impacted.

VI. Approval Authority

Caltrans or local agencies are responsible for approving projects proposed on State highways or local streets and roads within their respective jurisdictions. Specifically:

1. Caltrans will approve all PSR for projects on State highway system.
2. The appropriate city or county will approve all project study report equivalents for projects that are on a local street or road within its respective jurisdiction.

Unless they are the lead agency for a project, Regional Transportation Planning Agencies and County Transportation Commissions do not approve PSRs or project study report equivalents. Regional Transportation Planning Agencies and County Transportation Commissions may, at their option, retain approval authority for project study report equivalents prepared for projects off the State highway system. However, prior to programming a project in the RTIP, Regional Transportation Planning Agencies and County Transportation Commissions are responsible to verify that a PSR or project study report equivalent has been prepared and that the information contained within is sufficient for programming purposes.

The PSR or project study report equivalent is not required to be submitted with the RTIP or ITIP. However, the CTC or its staff may request copies of a project's report to document the project's cost or deliverability.

VII. Executive Review Committee

An Executive Review Committee will be established in each District to ensure that the project scope, cost, and schedule address transportation needs and provide optimal traffic operations and safety for those who travel and work on the State highway system. Either Caltrans, the sponsoring local agency, or Regional Transportation Planning Agency/County Transportation Commission may request that a project be reviewed by the District Executive Review Committee. The Committee will assess whether the scope, cost and schedule have been adequately identified and addressed in the PSR..

The members of the Committee shall include the District Division Chief for Design, the District Division Chief for Planning, the District Division Chief for Program/Project Management, a Regional Transportation Planning Agency/County Transportation Commission representative, and a local agency representative. The RTPA/County Transportation Commission representative and the local agency representative shall be independent of the proposed project and will be appointed by the District Director. The Executive Review Committee will make a final recommendation to the District Director

In the event that issues cannot be resolved through this Committee, a final appeal may be made to the Deputy Director for Project Development (Chief Engineer) for final consideration.

Caltrans will report on a monthly basis to the CTC the number of PSRs that have been approved by the Department and the number of appeals that have been made to the Chief Engineer. The report will include a listing of the specific projects that have been appealed. Upon receipt of the report, the CTC may include, on a future meeting agenda, an item to discuss an appealed PSR.

VIII. Intent

The CTC intends that Project Study Reports and Project study report equivalents will be prepared to the quality and breadth of examination necessary to define the scope, schedule, and cost estimate of a project. The CTC intends that the process and requirements for PSRs and project study report equivalents be as simple, timely, and workable as practical, given that they must be prepared at the front end of the project development process, before in-depth environmental evaluation and detailed design. They must provide a sound basis for commitment of future state funding and project delivery. A PSR or project study report equivalent also provides a key opportunity to achieve consensus on project scope, schedule, and proposed cost. The CTC also intends that PSRs and project study report equivalents will not forestall or preclude the programming of a project. Use of the PSR (Project Development Support) will enable the programming of the project development support components to allow engineering and environmental studies to proceed to evaluate the merits and feasibility of alternatives before a preferred alternative is selected for the programming of right of way and construction capital costs.

IX. Report Standards

The PSR or project study report equivalent shall be prepared under the direction of a California registered Civil Engineer. The document will be stamped and signed as such.

A Caltrans Project Manager will be assigned to every capital outlay project on the State highway system, including projects sponsored by a local agency. The Project Manager is the single focal point for the project, is responsible for obtaining consensus on project scope, cost and schedule, and is responsible for the delivery of a quality project on time and within budget. The Project Manager is responsible for all project development activities from project initiation through closeout of the construction contract. Similarly, for projects not on the State highway system, the responsible local agency will assign a Project Manager or will designate the person most knowledgeable about the project, who shall be responsible for answering all project-related questions from Caltrans or the CTC.

The PSR or project study report equivalent shall include, at a minimum, the following information as appropriate to address the specific project:

- Need and purpose for the project
- Background and project history
- Discussion and analysis of the alternatives (including project costs) that satisfy project need and purpose. The discussion of alternatives should include a Minimum Project Alternative. Project costs shall be summarized in the project components as follows:

    1. Completion of all permits and environmental studies
    2. Preparation of plans, specifications, and estimates
    3. Acquisitions of right of way
    4. Construction and construction management and engineering, including surveys and inspection

    For projects on the State highway system, project component No.3 and No. 4 shall be further distinguished as follows:

    3a. Right of way capital
    3b. Acquisition of right of way (support/soft costs)
    4a. Construction capital
    4b. Construction management and engineering, including surveys and inspection.
- System planning, including coordination and consistency with statewide, regional, and local planning
- Inventory of environmental resources, identification of potential environmental issues and anticipated environmental processing type. Potential mitigation requirements and associated costs should also be identified.
- Description of potential hazardous materials/waste problems and potential mitigation or avoidance. Associated costs should also be identified.
- Identification of the potential or proposed sources of funding, project funding eligibility (e.g., "Federal aid eligible"), discussion of proposed implementation, and the tentative delivery schedule of the significant milestones. Significant milestones include:

    Start Environmental Studies
    Draft Environmental Document
    Final Environmental Document
    Begin Design Engineering
    Completion of Plans, Specifications, and Estimates
    Start Right of Way Acquisition
    Right of Way Certification
    Ready to Advertise
    Start Construction (Contract Award)
    Project Completion
- Identification of the potential Programming and funding of the project
- Appropriate supporting attachments (i.e., maps, advance planning studies, cost estimate sheets, etc.)
- Project Nomination Fact Sheet as described in the *STIP Guidelines* shall be included as an attachment. Template for this Fact Sheet may be found on the Internet at: http://www.dot.ca.gov/hq/transprog/stip.htm.

X. Cost Estimates

The PSR (and equivalent) cost estimate is to be based on preliminary-level engineering, but needs be to the level of detail that, when considering the project for programming, will provide a reasonable approximation of the funding and staff resources that will be needed to deliver the project within the proposed schedule as outlined in the report.

Project costs shall be summarized in the project components identified above in "Report Standards". Although a PSR or project study report equivalent may focus on the project components proposed for programming (i.e., "completion of all permits and environmental studies"), a preliminary cost estimate for all project components must be included in the PSR or project study report equivalent. This will enable the RTPAs, County Transportation Commissions, Caltrans, and the CTC to evaluate future program needs for construction compared to anticipated future program capacity.

In preparing the capital cost estimates, the degree of effort and detail for each study is expected to vary depending on the complexity and sensitivity of the issues. A cost breakdown for each of the major elements (i.e., roadway, structures, utility relocation, right of way acquisition, etc.) of the project must be provided. A contingency factor to cover unanticipated items of work or cost increases may be applied. Generally, a factor of 25% is acceptable. However, a higher or lower percentage may be used, if justified. In addition, the accuracy of cost estimates is usually less for PSRs which involve project development support (also known as "PSR (Project Development Support)") than it is for standard PSRs or project study report equivalents.

XI. Documents Meeting Report Standards

Although Regional Transportation Planning Agencies and County Transportation Commissions who are responsible for the programming of projects in the RTIP may, at their option, adopt additional standards, policies and procedures for projects off the State highway system, the use of the following documents meet the above-mentioned report standards:

1. Project Study Report and Project Study Report (Project Development Support) as outlined in Caltrans *Project Development Procedures Manual* (PDPM). This is the standard for all project proposed on the State highway system regardless of who prepares the document or is the project sponsor. Caltrans may in the future make changes to the PDPM which are technical in nature. Technical changes to the PDPM which relate to PSR will be shared with CTC staff. Changes to policy require adoption by the CTC

   For retrofit noise barrier projects, the Noise Barrier Scope Summary Report (NBSSR) outlined in Caltrans *Project Development Procedures Manual* is an appropriate document.

   The Caltrans *Project Development Procedures Manual* can be found on the Internet at: http://www.dot.ca.gov/hq/oppd/.

2. Preliminary Environmental Study (PES) form and the Field Review Form

as described in Caltrans *Local Assistance Procedures Manual* (LAPM). This is the standard for all projects proposed off the State highway system and is equivalent to the PSR. Agencies may also, at their option, adopt Caltrans' Project Study Report for use on projects that are not on the State highway system. Caltrans may in the future make changes to the LAPM which are technical in nature. Technical changes to the LAPM, which relate to project study report equivalents will be shared with CTC staff . Changes to policy require adoption by the CTC.

The Caltrans *Local Assistance Procedures Manual* can be found on the Internet at: http://www.dot.ca.gov/hq/LocalPrograms/.

3. Project Study Report (Local Rehabilitation). This document is an appropriate document for pavement rehabilitation projects proposed off the State highway system and can be used by agencies at their option. This PSR format was transmitted to all Regional Transportation Planning Agencies and County Transportation Commissions in a letter dated December 8, 1998, from Mr. Robert L. Buckley, Program Manager, Design and Local Programs.

4. Uniform Transit Application. The Commission's Uniform Transit Application is the appropriate document for transit projects.

5. TEA Application. An application prepared in accordance with the Commission's Transportation Enhancement Activities (TEA) program guidelines is the appropriate document for TEA projects.

LOCAL ROAD REHABILITATION PROJECT CERTIFICATION

Local Agency Letterhead

To: (Regional Transportation Planning Agency) Date :_____
(Address)

The City/County of _____ submits the following local road rehabilitation project for certification that the project is in compliance with California Transportation Commission guidelines.

Project
Description:_____

Street/Road	From ---------- to ----------	LocalRoad Facility (Pavement, drainage structure, bridge, cut slope, embankment, etc.)	PPNO	Rehabilitation Strategy (Resurfacing, chip seal, seal coat, restoration of existing facility, etc.)	Service Life (Years)

The project listed above meets the following standards:

- The type of work is eligible for local road rehabilitation, and excludes routine maintenance work, as described in Section II-D-9, "Eligibility of Rehabilitation Projects" of the *Procedures for Administering Local Agency Grant projects in the State Transportation Improvement Program.*
- For pavement rehabilitation, the estimated number of years the work will extend the service life of the facility is documented in a PSR or equivalent signed by a registered civil engineer.
- Pavement rehabilitation strategies with less than 10 years service life have been determined by a Pavement Management System (PMS) to be cost-effective and have a service life of 5 years or more. (Attach PMS certification if appropriate.)
- The work does not degrade any existing safety or geometric aspect of the facility.

City/County Signature: _____ Title:_____

Regional Transportation Planning Agency/County Transportation Commission Certification:

The _____(Regional Transportation Planning Agency/County Transportation Commission) certifies the projects listed above meet California Transportation Commission guidelines.

Signature: _____Title:_____ Date:_____

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PAVEMENT MANAGEMENT SYSTEM (PMS) CERTIFICATION

STATE TRANSPORTATION IMPROVEMENT PROJECTS

Local Agency Letterhead

To: (Regional Transportation Planning Agency/County Transportation Commission)
(Address)

Date :
PPNO:_____
Project Description:
_____
_____

The City/County of _____ certifies that it has a Pavement Management System (PMS) and the project meets the criteria described in Section 23.2 of this chapter. A system must be in place to meet standards for pavement rehabilitation projects programmed in the STIP.

The system was developed by _____ and contains, at a minimum, the following elements:

- Inventory of all existing pavements under the City/County jurisdiction.
  Centerline miles _____
  Total lane miles (or equivalent units) _____
  The last update of the inventory was completed _____, 20__

- Identification of sections of pavement needing rehabilitation
  Total lane miles (or equivalent units) _____

- Estimate of the cost to rehabilitate deficient sections $_____

- A procedure to identify rehabilitation strategies that are cost effective
  (Briefly describe it on an attached sheet.)

You may direct any questions regarding the system to _____ at _____.
(Name) (Phone No.)

Signature _____ Title:_____

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NOTICE OF SB 184 PROJECT START FOR LOCAL STIP PROJECTS
This notice shall also include a request for funding allocation (Exhibit 23-O)

Local Agency Letterhead

To: Caltrans District Local Assistance Engineer Date: _____
(address)
California Transportation Commission Executive Director
(address)

Subject: SB 184 Notification of the Start of Reimbursable Work Prior to Allocation

The (local agency name) hereby notifies the California Department of Transportation and the California Transportation Commission of its intent to expend its own funds prior to allocation for the following project:

PROJECT PROGRAMMING NUMBER (PPNO):_____

PROJECT PHASE(S), PROGRAMMED AMOUNT(S), AND PROGRAM YEARS INCLUDED IN THIS NOTIFICATION

PROJECT DESCRIPTION

The proposed date for reimbursed work to commence is:_____

Choose one of the following two paragraphs:

□ Federal funds are involved for this project. The "Request for Authorization to Proceed" package is included as an attachment to this notification (or was submitted to the district on _____, or will be submitted to the district by _____).

□ State-only funds are approved for this project pursuant to the current "Project Funding Policy" (or: pursuant to an exception granted on _____).

In beginning reimbursable work prior to allocation, (local agency name) understands that reimbursements will be made by the State, subject to annual appropriation by the Legislature, if all the following conditions are met:

- The California Transportation Commission (CTC) makes an allocation for, and Caltrans executes a program supplement agreement for the project.
- Expenditures made by the local agency are eligible for reimbursement in accordance with state and federal laws and procedures. In the event that expenditures made by the local agency are determined to be ineligible, the State has no obligation to reimburse those expenditures.
- The local agency complies with all legal requirements for the project, including, but not limited to, authorization by the federal government, if required, and the requirements of the California Environmental Quality Act (Division 13, Section 21000) of the Public Resources Code.
- Prior to the time of first expenditure, the regional or local entity shall request an allocation for the project, which shall include a notice to the Commission of its intent to expend its own funds.

_____
Signature of Local Agency Representative

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FUNDING ALLOCATION CHECKLIST
(LOCAL STIP PROJECTS)

PPNO:_____
EA: _____

_____
(Brief Project Description.)

☐ Reimbursable work was started prior to this request for allocation.

Output/Outcome: _____
_____
(Action taken/quantifiable benefits or results)

This checklist is to be completed by the local agency and attached to the Request for Funding Allocation. (Not required for PPM and Rideshare Projects.)

TYPE OF PROJECT

- ☐ New Highway Facility
- ☐ Widen Existing Facility
- ☐ Pedestrian and bicycle facilities
- ☐ Soundwalls
- ☐ Grade separation
- ☐ Intermodal facilities
- ☐ Transportation Enhancement (TE)
- ☐ Storm Damage Repair
- ☐ Local Road Rehabilitation
- ☐ Reconstruction (See Section III.A.3 of Procedures for definition)(describe)_____
- ☐ Transportation System Management
- ☐ Safety
- ☐ Other (describe)_____

Fund Allocation Summary

20__ STIP (as amended) Regional Improvement Program			**Fund Allocation**		
Project Component	Amount	Fiscal Year	Previous	This Request	Total
Environmental Studies & Permits	$_____	_____/_____	$_____	$_____	$_____
Plans, Specifications & Estimate	$_____	_____/_____	$_____	$_____	$_____
Right of Way	$_____	_____/_____	$_____	$_____	$_____
Construction	$_____	_____/_____	$_____	$_____	$_____
Total	$_____		$_____	$_____	$_____

HIGHWAY FUNCTIONAL CLASSIFICATION

(Check appropriate box)

A Eligible for Federal-aid

- ☐ Urban Principal Arterial
- ☐ Urban Minor Arterial
- ☐ Urban Collector
- ☐ Rural Principal Arterial
- ☐ Rural Minor Arterial
- ☐ Rural Major Collector

B Ineligible for Federal-aid

- ☐ Urban Local
- ☐ Rural Minor Collector
- ☐ Rural Local

STATE-ONLY FUNDING APPROVAL

1. Indicate type of funding
   - ☐ Federal/Local (Skip to question #5)
   - ☐ Federal/State (Skip to question #5)
   - ☐ State-only

2. Is the State-only funding approved?
   - ☐ Yes
   - ☐ No

   If "Yes," indicate the type of approval and then skip to question #5
   - ☐ Project included in an approved projects list (attach approved projects list)
     - ☐ 1998 STIP Projects Flagged for State-Only
     - ☐ Grandfathered Projects – '96 STIP
     - ☐ Projects Granted SOF
   - ☐ Capital project under $750,000 (total amount programmed for all components in the STIP)
   - ☐ State funds used to match federal funds
   - ☐ Granted state-only funding exception by Caltrans after publication of the current approved projects list (attached copy of approval)

3. Is this a local road rehabilitation project equal to or greater than $750,000 identified in the 1998 STIP Augmentation?
   - ☐ Yes
   - ☐ No

   In accordance with CTC policy, state-only funding was to be provided for all rehabilitation projects identified in the 1998 STIP Augmentation, regardless of cost. However, this was not a commitment that state-only funding would be available at the time of allocation. If the answer to this question is "Yes," attach specific reasons why federal funds should not be used on the project at this time. See the current "STIP State-Only Funding Policy"(http://www.dot.ca.gov/hq/transprog/)for evaluation criteria Caltrans will consider before approving this request.

4. If the answers to questions 2 and 3 are both "No," complete the Checklist and submit the "Request for Exception to STIP State-Only Funding Policy" form, for approval by the CTC. (Regional Transportation Planning Agency concurrence required.)

LOCAL ROAD REHABILITATION PROJECTS

5. Has the RTPA certified that the project meets the standard for rehabilitation?
   ☐ Yes
   ☐ No
   If "Yes," attach copy of Local Road Rehabilitation Project Certification and skip to next section.
   If "No," this Request for Funding Allocation will not be processed until the Certification is provided.

ENVIRONMENTAL CLEARANCE REQUIREMENTS

6. Is this request limited to funding for the Environmental Studies component?
   ☐ Yes
   ☐ No
   If "No," a completed CEQA Environmental Document is required.
   For certain types of projects that do not result in either direct or indirect change in the physical environment, a formal CEQA document may not be needed. An example of this type of project is installing bicycle racks on buses. Consult Caltrans Environmental office for interpretations.

7. Is final CEQA determination a categorical exemption (CE)?
   ☐ Yes
   ☐ No
   If "Yes," skip to question #9.
   If "No," go to question #8.

8. Did local agency submit final CEQA environmental documentation to CTC?
   ☐ Yes
   ☐ No
   If "Yes", please provide Resolution E#:_____. This can be obtained from the CTC "Action Taken Report" at http://www.dot.ca.gov/hq/transprog/ctcliaison.htm.
   If "No," local agency needs to submit environmental documentation to support CEQA determination to: CTC, 1120 N Street, MS 52, Sacramento, CA 95814. This is required to obtain subsequent allocation approval by CTC.
   (Note: Notice of Preparation (NOP) and Draft Environmental Impact Report (DEIR) should be forwarded to the CTC to allow the CTC to provide comments in its role as a responsible agency – see CEQA Lead Agency Responsibilities letter dated 4/20/2009 from Division of Local Assistance.)

9. Is this request for a project with any federal funds (STIP or non-STIP)?
   ☐ Yes
   ☐ No
   If "No," skip question 10, a NEPA Environmental Document is not required.

10. Is this request for Right of Way or Construction funding?
    ☐ Yes
    ☐ No
    If "Yes," a completed NEPA Environmental Document is required.

CONSULTANT CONTRACT PREAWARD AUDIT REQUIREMENTS

11. Will consultants perform any portion of the work on the requested component?
    - ☐ Yes
    - ☐ No

    If "Yes," answer the following questions. If "No," skip to question #13.
    Any contracts >$250,000?
    - ☐ Yes
    - ☐ No

    If "No," Pre-award audit not required, skip to question #13.

12. Status of the audit
    - ☐ Completed (attach "Audit Disposition" letter)
    - ☐ To be completed by Caltrans ("Pre-award Audit Request Letter" must be sent to DLAE).
    - ☐ To be completed by local agency or hired Certified Public Accountant at a later date. Submit "Audit Disposition" letter to the DLAE prior to entering into a contract with the consultant(s).

ESTIMATED TIMELY USE OF FUNDS DEADLINES

13. Requested Funding Allocation Approval date _____

14. Is this request for Project Development costs (Environmental Studies or PS&E)?
    - ☐ Yes
    - ☐ No

    If "Yes," complete the following:

    Estimated expenditure deadline for this project development allocation: _____
    (Enter June 30th of the end of the second fiscal year after the requested approval date.) **Expenditures after this date will not be reimbursed and no adjustment will be made to the county share balance for the under-expenditure unless the CTC extends the deadline.**

15. Is this request for Right of Way costs?
    - ☐ Yes
    - ☐ No

    If "Yes," complete the following:

    Estimated expenditure deadline for this right of way allocation: _____
    (Enter June 30th of the end of the second fiscal year after the requested approval date.) **Expenditures after this date will not be reimbursed and no adjustment will be made to the county share balance for the under-expenditure unless the CTC extends the deadline.**

16. Is this request for Construction costs?
    - ☐ Yes
    - ☐ No

    If "Yes," complete the following:

    Estimated award deadline for this allocation: _____
    (Enter the date that is 6 months after the date of the requested approval date.) **If the project is not awarded by this date, the funding will be rescinded with no adjustment to county shares unless the CTC extends the deadline.**

Based on the requested funding approval date shown above, we estimate that we will award a contract for this project on _____ (enter date) and complete the contract on _____ (enter date).

Estimated expenditure deadline for this construction allocation _____ (Enter the date that is 36 months after the estimated award date shown above.) **If it is estimated the contract will not be completed and accepted by this date, attach justification for the extra time required to complete the contract.**

REGIONAL TRANSPORTATION PLANNING AGENCY CONCURRENCE

17. Will this request require approval of an exception to the policy described in the current CTC-adopted "STIP State-Only Funding Policy?" (Question 2)
    - ☐ Yes
    - ☐ No

18. Will this request change the project description, scope, exceed the amount programmed, or require an advance? (Questions 7, 8 and 9)
    - ☐ Yes
    - ☐ No

19. Has the RTPA passed a resolution requiring their concurrence on all requests for STIP funding allocations?
    - ☐ Yes
    - ☐ No

If the answer to question 17, 18, or 19 is "Yes," the RTPA must sign the "Request for Funding Allocation" form.

Prepared by: _____ Date: _____ Phone No. _____

Title: _____

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REQUEST FOR FUNDING ALLOCATION
LOCAL HIGHWAY PROJECTS
Local Agency Letterhead

To: (DLAE Name)
District Local Assistance Engineer
Caltrans, Office of Local Assistance
(District Address)

Date: _____

PPNO:_____
EA: _____
(Brief Project Description)
(Location)_____
(County)_____
Assembly District: ____
Senate District: ____

Dear (DLAE Name)

We request that the California Transportation Commission allocate (total dollar amount of this request) of Regional Improvement Program or Interregional Improvement Program funding for this project.

Project Description:

Enter description of project location and scope from Project Programming Request.

Output/Outcome:

Enter action(s) to be taken and quantifiable benefits or results.

A. Fund Allocation Summary

Project Component	**Fund Allocation** (This Request)
Environmental Studies & Permits	$_____
Plans, Specifications & Estimate	$_____
Right of Way	$_____
Construction	$_____
Total	$_____

B. Total Project Funding Plan by Fiscal Year

List all funding sources and anticipated fund usage by year. If there are any funding conditions, describe type of conditions, i.e., proportional split of funds across all components, STIP funds first, etc.
(If attached Project Programming Request includes this detail and it is still current, it is not necessary to repeat the information here.)

C. Type of STIP Funding

Indicate type of STIP funding required. (Federal/State or State-only)

D. Request for Additional STIP Funding

If this request exceeds the amount programmed for any component, provide justification and the following information:

Additional funding required $_____
County reserves available $_____
County share advance required $_____(If county reserves are inadequate to fund the shortfall)

E. Request for Advance of STIP Funding

If this request for funding is for STIP funding programmed in a future Fiscal Year, provide justification.

F. Status of Project

1) Completion of Environmental Document:
CEQA - Describe document type and date. (Required for all components except environmental studies)
- if the document type is ND, MND, or EIR, provide E Resolution #: E - _ _ - _ _

If the project is not exempt from CEQA, all CEQA environmental submittals shall be coordinated directly with the CTC. The lead agency ensures that the necessary environmental documents are brought forward to the CTC for action prior to allocation of funds to receive an E Resolution number.
NEPA - Describe document type and date. (Required for Right of Way and Construction, if applicable)

2) Right of Way Certification:
If this request is for Federal Construction funding, indicate the date right of way has been certified (or will be certified) for the project.

3) Construction
If this request is for Construction funding, whether project is ready to advertise (or the date the project will be ready to advertise.)

G. Timely Use of Funds

We request that the CTC allocate these funds [at the _____ meeting *or* by _____.]
(use appropriate wording per Checklist instructions)

(Indicate the actual date that work on the project component commenced, if work on this component started prior to allocation as allowed by the provisions of Government Code 14529.17, as amended by SB 184. Eligible work will be reimbursed subject to the limitations described in Government Code 14529.17

H. Local Agency Certification:

This Request for Funding allocation has been prepared in accordance with the *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program (STIP)*. I certify that the information provided in the attached checklist is accurate and correct. I understand that if the required information has not been provided this form will be returned and the funding allocation may be delayed. Please advise us as soon as the fund allocation has been approved. You may direct any questions to

_____at _____
(Name) (Phone No.)
Signature:_____Title:_____ Date:_____

I. Regional Transportation Planning Agency/County Transportation Commission Concurrence:
(See attached Request for Funding Allocation Checklist for requirements.)

Concurred:

Signature:_____ _____ _____Date:_____
(Title) (Agency/Commission)

J. Caltrans District Local Assistance Engineer Acceptance:

I have reviewed the information submitted on the Request for Funding and agree it is complete and has been prepared in accordance with the procedures outlined in Chapter 23 of the *Local Assistance Program Guidelines*.

Signature: _____ _____ Date: _____
(Title)

Attachments:
- Project Programming Request
- Funding Allocation Checklist
- For Transportation Enhancement (TE) projects, attach the DLA approved TE application
- Others (as required, i.e., State-only funding exception approval, Justification for construction deadlines longer than 36 months, Pre-award Audit Request, Audit Disposition letter, State-only Finance Letter, Local Road Rehabilitation Project Certification, etc.)

Distribution: (1) Original + 1 copy to DLAE
(2)Copy to Regional Planning Agency/County Transportation Commission

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EXHIBIT 9-C LOCAL AGENCY ADA ANNUAL CERTIFICATION FORM

Local Agency ADA Annual Certification Form

49 CFR, Part 27:
Nondiscrimination of the Basis of Disability in
Programs or Activities
Receiving Federal Financial Assistance.

Local Agency: _____

Program Year: _____

Date Certification submitted: _____

I. Name of ADA Coordinator: _____

Telephone Number: _____

E-mail Address: _____

II. ADA Complaint Procedure Adopted:

Yes: ___ Date of Adoption: _____

No: ____ Planned Date of Adoption: _____

Final Completion Date: _____

III. Self-evaluation completed:

Yes: ____ Date of Completion: _____

No: ____ Planned Date of Completion: _____

Final Completion Date: _____

System established for periodically reviewing and updating the evaluation: _____

IV. Transition Plan completed:

Yes: ____ Date of Completion: _____

Date of Implementation: _____

No: _____Planned Date of Completion: _____

Final Completion Date: _____

V. Policies, procedures, and criteria for implementing ADA compliance improvements in maintenance and capitol improvement programs have been reviewed and the required revisions have been made:

Yes: _____ No: _____

VI. Division of State Architect (DSA) Checklists are used to verify compliance of design packages, standard plans and field inspections to ensure compliance with both State and federal accessibility standards:

Yes: _____ No: _____

DSA web site: http://www.dsa.dgs.ca.gov/Access/ud_accessmanual.htm

Reminder: State of California Government Code Section 4454 requires Division of State Architect (DSA) review and approval of the plans and specifications for local agency pedestrian projects using State funds.

VII. Standard Plans are reviewed and updated on an ongoing basis for full ADA and California Accessibility compliance:

Yes: _____ No: _____

Contracts shall contain special provisions stating that it is the local agency's policy to comply with Part 26 of Title 49, Code of Federal Regulations (CFR) and specify the contractor's obligation under these regulations.

If Caltrans' standard specifications will be used, appropriate editing of the *Sample Boiler Plate Contract Documents* will be necessary (see "*Sample Boiler Plate Contract Documents on the Internet*" in Section 12.8 of this chapter).

In accordance with Section 9.4 Local Agency DBE Program of Chapter 9, Civil Rights and Disadvantaged Business Enterprises, each local agency is required to create and maintain a bidders list containing information about all DBE and non-DBE firms that bid or quote on the local agency's federal-aid construction contracts. The required bidders list is to include the name, address, DBE/non-DBE status, date established and annual gross receipts of the firms. Exhibit 12-G "Bidder's List of Subcontractors (DBE and Non-DBE)" in this chapter consists of sample forms that local agencies may choose to use in their solicitations to compile a bidders list as follows:

(a) "Bidder's List of Subcontractors (Part l)" is required in accordance with Section 2-1.054 of the Caltrans Standard Specifications, and
(b) "Bidder's List of Subcontractors (Part 2)" of those providing a quote or bid, but not selected, which is needed to compile a bidders list.

NONCOLLUSION CERTIFICATION

On all federal-aid construction projects, a noncollusion certification protects the integrity of the federal-aid highway program and serves as a tool in prosecuting construction contract bid rigging cases. A noncollusion certification is required from all bidders as part of the bid proposal package (see Exhibit 12-E, Attachment D). Failure to submit the certification will render the bid ineligible for award.

FEDERAL TRAINEES (ON-THE-JOB TRAINING)

On selected federal-aid highway construction projects, "Federal Trainee" or "On-the-Job (OJT) Training" special provisions must be included in the contract provisions to establish the number of trainees for the construction contract.

The main objectives of the Federal Trainee/OJT Program are to:

- Provide training for women and minorities which will upgrade their job skills, thereby increasing their access to higher-paying trade jobs and journeyman-level positions and
- Ensure that a diverse work force will meet future labor needs in the construction industry.

Filling training positions on each project must focus on hiring women and minorities, but not exclude anyone. If a contractor cannot meet the OJT objectives, direct recruitment efforts must be documented to show an effort at OJT compliance.

The major components of an OJT program include:

- The local agency must include the required federal training special provisions in the PS&E package if the project size and duration warrant an OJT program.
- The local agency should select contracts that contribute to the "Contract Training Goals." These contracts must show the number of trainees, number of trainees upgraded to journeyman and level of skills.
- The local agency must review the training programs proposed by contractors. Approval or rejection is based on the legitimacy of the job-skill classifications proposed and the number of training hours specified.
- Caltrans must determine if statewide OJT is effective.
- The Contractor is responsible for recruitment and selection of trainees.
- The Contractor must evaluate training based on an approved training program.
- The contractor shall report the number of trainees and jobs using Form PR1391 "Federal-aid Highway Construction Contractors EEO Report" to the local agency. The local agency shall forward Form PR1391 to the Caltrans District Labor Compliance Officer (see Exhibit 16-O of this manual).
- OJT provision costs are reimbursed by the FHWA in accordance with the Federal Requirement Training Special Provisions" included in selected contracts. Required trainees/apprentices are to be funded on the bidding schedule or by change order at $0.80/hour; or the training program can be a bid item with the same reimbursement ratio as the construction project. OJT support services include recruiting, counseling, remedial training, and OJT program administration by others.
- If the Contractor does not show a good faith effort to provide acceptable training to the trainees specified, a sanction may be applied. Sanctions may include withholding progress payments if effective on-the-job training is not provided.

Number of Federal Trainees

$ Value	No. Trainees	$ Value	No. Trainees
Under $200,000	0	$3,000,000	7
400,000	1	4,000,000	8
700,000	2	5,000,000	9
1,000,000	3	6,500,000	10
1,500,000	4	8,000,000	11
2,000,000	5	10,000,000	12
2,500,000	6		

Over $10,000,000 add 1 trainee per $5,000,000

FEDERAL WAGE RATES

The payment of predetermined minimum wages on federal-aid contracts is derived from the Davis-Bacon Act of 1931 and is prescribed by 23 USC 113. These wage rates must be physically inserted in the special provision of the final contract on all federal-aid highway construction projects exceeding $2,000 and to all related subcontracts, except for projects located on roadways classified as local roads or rural minor collectors, which are exempted. Note: federal wage rates are applicable to all Recovery Act (ARRA) funded projects even if they are located on local roads or rural minor collectors.

The federal minimum wage rates are available directly from Department of Labor Home Page under www.gpo.gov/davisbacon. Click on "Browse all determination by State" then click on "California". For local agencies in California to be in conformance with the federal "10-day rule," local agencies are to access the "Federal Wage Rates" ten days prior to bid opening to see if updated federal wage rates have been posted. If the updated wage rates have been posted, local agencies are required to issue an addendum to insert the updated wage rates in their final contract package.

Federal wage rates are not required to be physically included in the contract advertising package provided they are referenced to an Internet web site address where they can be found. However, it must be emphasized that if an Internet web site address is used in the advertising package, the final contract package signed by the local agency and the contractor must physically contain the federal wage rates as revised by addendums, if any addendums were issued.

Local agencies that do not have Internet access, please contact your District Local Assistance Engineer to receive federal wage rates.

RELATIONS WITH RAILROAD

Where construction of a federal-aid project requires use of railroad properties or adjustments to railroad facilities, there shall be an agreement in writing between the local

agency and the railroad company. This agreement is discussed in the *Local Assistance Program Guidelines*, Chapter 10, Section 10.6 "Local Agency/Railroad Agreements."

FHWA approval of railroad agreements is required for nonexempt projects. A copy of the conformed agreement shall be transmitted through the DLAE for FHWA review.

The pertinent portions of this agreement applicable to any protective services required during performance of the work must be included in the project specifications and special provisions for any construction contract. Caltrans uses standard special provisions for this section on Caltrans projects.

CHANGED CONDITION CLAUSES

Standardized changed condition clauses are required to be included in all contracts. The Caltrans' standard specifications and the *Standard Specifications for Public Works Construction (Green Book)* contain standard changed condition clauses. If a local agency chooses to use a different standard specifications book, the federal regulations shall still apply.
The regulation requires the use of three different clauses:

DIFFERING SITE CONDITIONS CLAUSE

This clause provides for the adjustment of the contract terms if the contractor encounters:

- Subsurface or latent physical conditions that differ materially from those indicated in the contract, or

- Unknown physical conditions of an unusual nature that differ materially from those ordinarily encountered and generally recognized as inherent to the work

SUSPENSIONS OF WORK ORDERED BY THE ENGINEER

This clause provides for the adjustment of the contract terms if the performance of all or a portion of the work is suspended or delayed by the resident engineer, in writing, for an unreasonable period of time (not originally anticipated, customary, or inherent to the construction industry). The contractor is required to submit a request for adjustment, in writing, to the resident engineer within 7 calendar days of receipt of the notice to resume work. Recovery of profit on costs resulting from suspensions of work is not allowed.

This clause does not preclude the recognition of constructive suspensions or delays resulting from the contracting agency's actions, without written notification. The local agencies may address constructive delays and suspensions, as they chose, in their standard specifications and contract administration procedures.

Suspensions must be for unreasonable periods and do not include brief, customary suspensions for reasons inherent to highway construction (i.e., material sampling and testing; approval of shop drawings, material sources, etc.; and other reasonable and customary suspensions necessary for the supervision of construction by the contracting agency). In addition, an adjustment under this clause is not allowed if the work is

☐	☐	_____	Super elevation
☐	☐	_____	Horizontal Clearance
☐	☐	_____	Vertical Clearance

VIII. BRIDGE DESIGN PROCEDURES (Check the appropriate box)

All bridges have been designed in accordance with the current edition of the *Caltrans Bridge Design Specifications Manual*.

YES	DOES NOT APPLY (Bridge construction not included in the project)
☐	☐

IX. STANDARD PLANS (Check appropriate box)

☐ Caltrans *Standard Plans* ☐ *Standard Plans for Public Works Construction*
☐ Local Approved Standard Plans:

_____ Date signed (on behalf of the local agency) by a person in responsible charge and who is registered professional engineer licensed to practice in the State of California.

X. PROJECT PLANS AND SPECIFICATIONS (Check box if requirements met)

☐ Cover sheet of plans and specifications signed and stamped on behalf of the local agency by the person in responsible charge, and who is a registered professional engineer licensed to practice in the State of California.

☐ Traffic Control Plans or reference to Standard Plan and Signs/Striping Plans included. (Note: Additionally, Traffic Management Plans are required to be on file for all reconstruction, rehabilitation, and other projects[including projects on the State Highway System not funded by the State], if significant traffic delays are anticipated and as a result from project activities)

☐ Erosion Control Plan

☐ ADA is being fully complied with including *Federal ADA Standards for Accessible Guidelines for Buildings and Facilities* (ADAAG), Title 24 of the California Code of Regulations and local codes.

XI. STANDARD SPECIFICATIONS (Check Standards used)

☐ *Caltrans Standard Specifications*

☐ *Standard Specifications for Public Works Construction (Green Book)*

☐ Locally Approved Standard Specifications

XII. REQUIRED FEDERAL CONTRACT PROVISIONS

A. General Federal Requirements (Check appropriate box and indicate page number)

Page No.

☐ Caltrans SSP – Section 14. Federal Requirements For Federal-aid Projects (Attachment A, FR-1 & FR-2) is included. ..... _____

☐ Equivalent provisions are included. ..... _____

B. FHWA Form 1273 ..... Page No.

1. Incorporation of FHWA Form 1273 into Contract (Check appropriate box and indicate page number)

☐ An unmodified copy of FHWA Form 1273 "Required Contract Provisions Federal-aid Construction Contracts" (Attachment B, FR-3 thru FR-14) has been physically incorporated into this contract…… _____

☐ A modified copy of FHWA Form 1273 "Required Contract Provisions Federal-aid Construction Contracts" has been physically incorporated into this contract....._____

2. Modification of FHWA Form 1273 (If the provisions contained in FHWA Form 1273 will be modified, fill in the required project information before completing Sections 2.a thru 2.d.)

Estimated Construction Contract Cost_____

a. Section IV. Payment of Predetermined Wages (Check appropriate box)
This section applies to all federal-aid highway construction projects exceeding $2,000 and to all related subcontracts, except for projects not located on the Federal-aid System (roadways classified as local roads or rural minor collectors), which are exempted. If exempted, this section may be crossed out, removed or may be specified elsewhere in the contract that it does not apply.

☐ Section IV has not been modified.

☐ Section IV has been *crossed out/removed/specified elsewhere in the contract that it does not apply*. (Indicate type of modification).

b. Section V. Statements and Payrolls (Check appropriate box)
This section applies to all federal-aid highway construction projects exceeding $2,000 and to all related subcontracts, except for projects not located on the Federal-aid System (roadways classified as local roads or rural minor collectors), which are exempted. If exempted, this section may be crossed out, removed, or may be specified elsewhere in the contract that it does not apply.

☐ Section V has not been modified.

☐ Section V has been *crossed out/removed/specified elsewhere in the contract that it does not apply*. (Indicate type of modification)

c. Section VI. Record of Materials, Supplies, and Labor (Check appropriate box)
See PS&E Checklist Instructions (Exhibit 12-E of this chapter) for applicability.

☐ Section VI has not been modified.

☐ Section VI has been *crossed out/removed/specified elsewhere in the contract that it does not apply*. (Indicate type of modification)

d. Section VII. Subletting or Assigning the Contract (Check appropriate box)
This section applies to all federal-aid highway projects.

☐ Section VII has not been modified.

☐ UDBE Information - Good Faith Efforts (Exhibit 15-H)
If applicable ..... _____

☐ Final Report-Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subcontractor (Exhibit 17-F) or *Equivalent Provisions* ..... _____

☐ Bidders's List (49 CFR, Part 26.11) List data for all firms that bid as prime, or bid, or quote subcontracts for this contract (optional Exhibit 12-G) ..... _____

F. Buy America Specification (Check appropriate box and indicate page number if requirement applies. See Section 12.9 of the *Local Assistance Procedures Manual* for requirement.)

☐ Caltrans SSP 5-1- Buy America Requirements (Exhibit 12-E, Attachment M)

☐ Equivalent provisions are included ..... _____

☐ Buy America specifications are not included in contract.

☐ Waiver for the following has been approved by FHWA: _____Date _____.

G. Federal Trainees (Check appropriate box and indicate page number if requirement applies)

☐ The project has less than 100 working days. A Federal Trainee goal and special provisions are not required.

☐ Analysis of the Engineers Estimate has the dollar value under $200,000. A Federal Trainee goal and special provisions are not required.

☐ Caltrans SSP – Federal Requirement Training Special Provisions (Exhibit 12-E, Attachment B, FR-14 through FR-16) are included. (The Trainee goal is _____.) _____

☐ Equivalent provisions are included (The Trainee goal is _____.) ..... _____

H. Federal Wage Rates (Check appropriate box and indicate page number if Federal Wages Rates are included)

☐ Federal Wages Rates are physically incorporated into this contract advertising package ..... _____
Note: By checking the above box, the local agency is indicating that they are aware of the federal-aid "10-day rule" requirement.

☐ Federal Wage Rates are not physically incorporated in the contract advertising package but are referenced to an Internet web site address on page number _____ of the Special Provisions where the applicable Federal Wage Rates can be found. Revisions to the applicable Federal Wage Rates, up to 10 days before bid opening, shall be identified by the issuance of an addendum with the corresponding Internet web site address of where the revisions can be found. The final contract documents signed by the local agency and the contractor, will physically include the Federal Wage Rates, or Federal wage Rates as revised by addendums, if any such addendums have been issued.

☐ This project is not located on a Federal-aid Route. Federal Wage Rates are not required. (Note: Federal Wage Rates are applicable to all Recovery Act (ARRA) funded projects even if they are located on local roads or rural minor collector.)

I. Relations with Railroad (Check appropriate box and indicate page number if special provisions are included)

☐ The required provisions are included ..... _____

☐ This project does not involve the use of railroad properties or adjustments to railroad facilities ..... _____

J. American Recovery and Reinvestment Act (Recovery Act) Funds (Check appropriate box and indicate page number if special provisions are included)

☐ This is a Recovery Act funded project and the required Recovery Act provisions (Exhibit 12-E, Attachment L) are included ..... _____

☐ This project does not involve ARRA Funds ..... _____

XIII. RESTRICTED CONTRACT PROVISIONS (CHECK APPROPRIATE BOX)

A. Indian Preferences (Check appropriate box and provide required information)

☐ Not included.

☐ Included. The project is on or near the _____ Indian Reservation.

B. Bonding and Prequalification (Check box if requirement met)

☐ Bonding or prequalification, if required, will not be used to restrict competition, prevent submission of a bid by, or prohibit consideration of a bid submitted by any responsible contractor, whether a resident or nonresident of the State of California.

C. Price Adjustment Clauses (Check appropriate box)

☐ Price adjustment clauses are not included.

☐ Price adjustment clauses are included. The federal conditions restricting the use of these clauses have been met and are documented in the project files

D. Warranty Clauses (Complete this section if project is on the NHS)

☐ Warranty Clauses are not included.

☐ Warranty Clauses are included. Documentation of the required conditions on the use of these clauses is in the project files.

E. Proprietary Items (Complete this section if project is on the NHS)

☐ Proprietary Items are not included.

☐ Proprietary Items are included. A Public Interest Finding justifying the use has been approved and documented in the project files.

XIV. MATERIALS & EQUIPMENT (Check appropriate box)

A. Publicly Owned Equipment (for use by Contractor). (Check appropriate box)

☐ Not included.

☐ Included. A Public Interest Finding justifying this use is in project files and the project specifications meet the requirements for federal participation listed in Chapter 12.

B. Equipment Purchases for Local Ownership (Check appropriate box)

☐ Not included.

☐ Included. Amount charged to construction engineering will be limited to amortized equipment cost (over its useful life) attributable to the time the equipment is used on the project.

C. Convict Produced Materials

☐ Not included.

☐ Included. The conditions placed on the use of these materials by the contractor meet federal requirements and are included in the contract specifications.

D. Local Agency Furnished Materials (Check appropriate box)

☐ Local Agency Furnished Materials are not included.
(If Local Agency Furnished Materials are included check appropriate box.)

☐ Local Agency Furnished Materials have been acquired on the basis of competitive bidding.

☐ A Public Interest Finding is on file in the contract records justifying another method of acquisition.

XV. PRELIMINARY ESTIMATE (Check boxes if requirements met)

☐ Exhibit 12-A or equivalent has been completed and is attached.

☐ The estimate is broken down into items sufficient in detail to provide an initial prediction of the financial obligation to be incurred by the local agency, State and FHWA and to permit an effective review and comparison of the bids received.

☐ Non-participating items of work have been identified and segregated from the estimated cost of work eligible for federal-aid.

(If project is funded with more than one type of federal-aid, check box if requirement was met.)

☐ The estimate has been segregated by fund types for use in preparing the "Request for Authorization for Construction" (Detail Record) and the Finance Letter.

XVI. MAJOR PROJECTS WITH TOTAL COST OF $100 MILLION TO $500 MILLION OR MORE (Check boxes if requirements met)

The total cost of this project is:

☐ Expected to be less than $100 million.

☐ Expected to be $100 million or more, but less than $500 million:

☐ A Financial Plan is required and has been prepared and submitted to the DLAE.

Approval Date: _____

☐ Expected to be $500 million or more and:

☐ A Project Management Plan has been prepared and submitted to the DLAE.

Approval Date:_____

☐ An Annual Financial Plan has been prepared and submitted to the DLAE

XVII. LOCAL AGENCY SIGNATURE

This Federal Contract Provisions checklist has been prepared in accordance with Chapter 12 "Plans, Specifications & Estimate," of the *Local Assistance Procedures Manual*.

Signature: _____ Date:_____

Title: _____

XVIII. CALTRANS ACCEPTANCE

Check appropriate acceptance statement:

☐ I have not personally inspected the subject project PS&E package, but I am aware of the scope of the project. I have reviewed this "PS&E CHECKLIST" and agree it is complete and appears to have been prepared in accordance Chapter 12 "Plans, Specifications & Estimate," of the *Local Assistance Procedures Manual*.

☐ I have inspected the specifications portion of the subject project PS&E package and I am aware of the scope of the project. I have reviewed this "PS&E CHECKLIST" and agree it is complete and appears to have been prepared in accordance with Chapter 12 "Plans, Specifications & Estimate," of the *Local Assistance Procedures Manual*. I have also verified that the indicated Required Federal Contract Provisions are included in the specifications.

Signature: _____ Date:_____

Title: _____

Distribution: 1) Original with PS&E Certification - DLAE
2) Original "Accepted" copy with PS&E Certification - DLAE file
3) One "Accepted" copy to be returned to Local Agency

Nonlobbying Certification for Federal-aid Contracts (Attachment F)
Disclosure of Lobbying Activities (Attachment G)

Check appropriate box (i.e., Attachments or equivalents) and indicate page number.

D. LIQUIDATED DAMAGES

Provisions for liquidated damages shall be included in all federal-aid contracts on the NHS (see Chapter 12 "Plans, Specifications & Estimate," of the LAPM for requirements.). Caltrans SSP Section 4. "Beginning of Work, Time of Completion and Liquidated Damages" (Exhibit 12-E, Attachment I, also in Sample Notice to Contractors & Special Provisions) or equivalent provisions shall be used.

Check appropriate box (i.e., Caltrans SSP or equivalent) and indicate page number.

E. DISADVANTAGED BUSINESS ENTERPRISE (DBE)/SUBCONTRACTING

1. UDBE Goal

Individual UDBE contract goals will be established based on the criteria for establishing contract goals identified in the local agency's AADPL. Complete evaluation documentation is required and shall be retained for each contract (see DBE references in the LAPM). For contracts that contain a specific UDBE goal, Caltrans SSPs (and the referenced *Caltrans Standard Specifications*) are required to describe the DBE policy, the UDBE contract goal, eligibility criteria, good faith effort requirements, sanctions on failure to comply, procedures for counting UDBE participation, award documentation procedures, post-award compliance procedures, and required records and reporting. "Proposal Requirements and Conditions (Attachment H)" includes requirements for UDBE subcontract listing, Federal Lobbying Restrictions, Disadvantaged Business requirements, and the UDBE goal for the contract.

In some cases, the contract UDBE goal may be zero due to the extremely limited subcontracting opportunities for UDBEs, the lack of certified UDBEs in the geographic area in which work is to be performed, or other reasons. Documentation is required verifying that the local agency has determined that a zero percent UDBE goal is appropriate. Documentation may be based on the AADPL methodology with the specific project-related work codes and UDBEs highlighted, or, if the project had not been included in the AADPL methodology, a separate contract goal methodology must be provided. The DLAE will review and approve the "zero" goal methodology.

In some cases there may be no contract goal (which is different than zero percent goal) if, for example, the AADPL goal has already been met for the federal fiscal year, or the contract is "sole-source" or "non-profit".

Fill in the required UDBE goal information before completing the remainder of this section.

2. Contract Provisions

For all federal-aid projects, Caltrans SSPs (and the referenced Caltrans Standard Specifications), or equivalent provisions, are required to describe subcontractor and DBE Program Policy, eligibility criteria, procedures for counting DBE participation, award documentation procedures, post-award compliance procedures, and required records and reporting.

Caltrans SSP Section 2. "Proposal Requirements and Condition" (Exhibit 12-E, Attachment H also in Sample Notice to Contractors & Special Provisions) includes requirements for DBE subcontractor listing, Federal Lobbying Restrictions, DBE, and other requirements.

Check appropriate boxes (i.e., Caltrans SSPs or equivalent provisions) and indicate page number. If equivalent provisions are used, attach a complete listing, including page numbers.

F. BUY AMERICA SPECIFICATION

Current Buy America regulations are discussed in Section 12.9 of the LAPM. Buy America requirements do not apply to minimal use of the material such that the cost, delivered to the project site, is less than $2,500 or one-tenth-of-one-percent of the contract amount, whichever is greater. (Attachment M)

If the Buy America requirement applies, check the appropriate box (i.e., Caltrans SSP or equivalent) and indicate page number. If the requirement does not apply, check the last box.

G. FEDERAL TRAINEES

Chapter 12, "Plans, Specifications & Estimate," of the LAPM includes information for On-the-Job Training. If a Federal Trainee goal is not required, check the appropriate box. If a goal is required, check appropriate box (i.e., Caltrans SSP or equivalent), indicate the trainee goal and the page number. (Attachment N)

H. FEDERAL WAGE RATES

If payment of federal predetermined wages are required per instructions in Subparagraph B.2.a "Section IV. Payment of Predetermined Wages," they shall be physically incorporated into the final contract documents and in all related subcontracts signed by the local agency and the contractor.

Check appropriate box (i.e., Federal Wages Rates are included in the contract advertising package, referenced by the Internet Web site address, or not required) and indicate page number if applicable.

It must be emphasized that if the Internet Web site address is used in the advertising package, the final contract package upon signed by the local agency and the contractor, must be physically contain the Federal Wage Rates or the Federal Wage rates as revised by addendums, if any addendums were issued.

By checking the box the local agency is indicating that they are aware of the federal-aid "10-day rule" for federal wage rates. See Section 12.9 Required Federal Contract Provisions – Federal Wage Rates for local agency requirements under the "10-day rule."

I. RELATIONS WITH RAILROAD

Where construction of a federal-aid project requires use of railroad properties or adjustments to railroad facilities, there shall be an agreement in writing between the local agency and the railroad company. The pertinent portions of the agreement applicable to any protective services required during performance of the work shall be included in the project specifications and special provisions.

Check appropriate box (i.e., provisions are included or not required). If provisions are included, indicate page number.

J. AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS

In accordance with Section 902 of the Recovery Act of 2009, the U.S. Comptroller General and the Inspector General shall have the authority to examine records and interview employees. Recovery Act projects also require additional accountability reporting. Check appropriate box (i.e. provisions are included or not required). If provisions are included, indicate page number.

XIII. RESTRICTED CONTRACT PROVISIONS

Unless otherwise noted, see Section 12.10 of Chapter 12 for detailed guidance.

LIQUIDATED DAMAGES
TABLE (L%)

Project Estimate	**Project Type**					
	Resurfacing*/Rehab	New Highway	Realignment/ Widening	Landscaping	Soundwall	Others
Over $30 million	10 %	10 %	13%	15 %	15 %	15 %
$10 million to $30 million	10 %	12 %	15 %	15 %	15 %	15 %
$5 million to $10 million	10 %	15 %	15 %	15 %	15 %	15 %
$750k to $5 million	15 %	15%	15 %	18 %	18 %	15 %
Less Than $750k	15 %	20 %	20 %	18 %	20 %	15 %

* Resurfacing projects include AC Surfacing, seal coats, slurry seals, and so on.

The calculated liquidated damages should be rounded up in $100 increments to determine the amount to be specified.

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LOCAL AGENCY CONSTRUCTION CONTRACT ADMINISTRATION CHECKLIST

Local Agency _____

I ADVERTISE AND AWARD PROJECT

A. Project Advertisement

☐ Projects are not advertised until the Authorization to Proceed (E-76) for the construction phase has been approved by Caltrans (or by FHWA for Full Oversight projects).

☐ For NHS projects, a minimum of three weeks for project advertisement (15.4 "Project Advertisement").

B. Contract Bid Opening

☐ All bids are opened publicly and read aloud either item-by-item, or by total amount. If a bid is not read, the bidder is to be identified and the reason for not reading the bid announced (15.5 "Contract Bid Opening")

The following documents will be completed and retained in the project files.

☐ For NHS Projects, a list of bidders and total amount bid with an item-by-item breakdown (Exhibit 15-D, "Sample Bid Tabulation Summary Sheet") of the three lowest bidders.

☐ Bidders' list to be compiled from prime and subcontractors bidding or quoting on contract.

☐ If the goal is specified, Local Agency Bidder UDBE Commitment (Construction Contracts) (Exhibit 15-G1).

☐ EEO Certification (Exhibit 12-E, Attachment C), The Noncollusion Affidavit (Exhibit 12-E, Attachment D), Non-Lobbying Certification (Exhibit 12-E, Attachment F), Disclosure of Lobbying Activities (Exhibit 12-E, Attachment G)

☐ Local Agency Bid Opening Checklist (Exhibit 15-I)

C. Contract Award

☐ Contracts are awarded on the basis of the lowest responsive bid from a responsible bidder (15.6 "Contract Award").

☐ For all NHS projects, a bid analysis will be performed (15.6 "Contract Award").

☐ No negotiations with contractor occurred prior to award (not allowed).

The following documents will be forwarded to the Caltrans District Local Assistance Engineer immediately after award of the contract:

- ☐ Contract Award Checklist (Exhibit 15-L)
- ☐ Detail Estimate (Exhibit 15-M)
- ☐ Local Agency Bidder UDBE Commitment (Construction Contracts) (Exhibit 15-G1)
- ☐ Local Agency Bidder DBE Information (Construction Contracts) (Exhibit 15-G2)
- ☐ Finance Letter
- ☐ RE's Checklist

D. Subcontracting

- ☐ For all federal-aid transportation projects, at least 30% of the contract work is to be performed by the prime contractor (see Chapter 16, Section 16.6 "Subcontractors")

_____ _____
Local agency's person in "Responsible Charge" (date)

Distribution: (1) Original Local Agency Project File
(2) One copy - DLAE