DEPARTMENT OF TRANSPORTATION
DIVISION OF LOCAL ASSISTANCE – M.S. 1
1120 N STREET
P. O. BOX 942874
SACRAMENTO, CA 94274-0001
PHONE (916) 653-1776
FAX (916) 654-2409
TTY 711

Flex your power!
Be energy efficient!

July 6, 2009

All Regional Transportation Planning Agencies:

Dear Executive Director:

Senate Bill (SB) 286 requires that the California Department of Transportation (Department), in consultation with Community Conservation Corps and the California Conservation Corps (collectively referred to as corps), the California Transportation Commission (CTC), Regional Transportation Planning Agencies (RTPA), county transportation commissions or authorities, and congestion management agencies, shall develop criteria that give priority in the selection of projects to the sponsors of eligible projects that partner with, or commit to employ, the services of a corps to construct or undertake the project.

Furthermore, Section 1108(g) of the Transportation Equity Act for the 21st Century (TEA-21) states that "the Secretary shall encourage the States to enter into contracts and cooperative agreements with qualified youth conservation or service corps to perform appropriate transportation enhancement activities under Chapter 1 of Title 23, United States Code."

The Department, in consultation with the other entities as required by SB 286, has developed Transportation Enhancement (TE) project selection criteria to implement SB 286.

RTPAs are required to use the following criteria in prioritizing and selecting TE projects for programming in the Regional Transportation Improvement Programs (RTIP):

(1) TE eligible projects whose sponsor is partnering with or has agreed to employ the services of a corps, shall be selected first for funding (the scope of the work performed by the corps will be identified in page 6 of the enclosed revised TE application);

(2) After all TE eligible projects described in paragraph (1) have been selected for funding, the remaining eligible TE projects may be selected.

TE project candidates that meet the following specific categories are exempt from the above selection criteria and may compete on an equal basis with all project candidates in category (1) above:

(a) Projects that have been selected and programmed in an RTIP prior to June 25, 2009.

(b) Projects for which no corps will partner with the sponsor or agree to provide services. A project sponsor can request this exemption only by certifying on the TE application with the concurrence of the California Conservation Corps and the California Association of Local Conservation Corps. The application must indicate that the sponsor notified both organizations about the available project, but that no corps in the state was prepared to serve as a partner or provide services.

Projects that have been selected and programmed in an RTIP prior to June 25, 2009 shall be evaluated by the RTPA to determine if the project sponsor can partner with or agree to obtain the services of a corps.

The Department will work with the CTC to update the State Transportation Improvement Program guidelines to be consistent with the requirements of SB 286 and its criteria.

SB 286 specifies that "Community Conservation Corps" shall have the same meaning as defined in Section 14507.5 of the Public Resources Code. Information regarding these organizations is available on the internet at:

http://www.consrv.ca.gov/dor/grants/Pages/lccc.aspx
http://www.ccc.ca.gov/partner/partners.htm
www.calcc.org

The Department is committed to revisit the requirements set forth in this letter at a later date and will consider future suggested improvements to the implementation of SB 286.

Please note that the Federal Highway Administration (FHWA) has indicated that for projects within the roadway right of way, a project specific cost effectiveness analysis has to be submitted by project sponsors and approved by FHWA prior to utilizing the corps on TE projects. Projects sponsors are directed to use the enclosed Request for Approval of Cost-Effectiveness/Public Interest Finding to submit this analysis.

If you have any questions please contact our TE Program Coordinator John Haynes at: (916) 653-8077 or his email at: john_haynes@dot.ca.gov.

Sincerely,

DENIX D. ANBIAH
Chief
Division of Local Assistance

Enclosures:

Revised TE Project Application
Request for Approval of Cost Effectiveness Analysis/Public Interest Finding

c: SB 286 Committee Members
John Haynes TE Program Coordinator
Martin Tuttle, Deputy Director, Planning and Model Programs
Richard Harmon, Assistant Deputy Director, Division of Legislative Affairs
Rachel Falsetti, Chief, Division of Transportation Programming
Denix Anbiah, Chief, Division of Local Assistance
Fardad Falakfarsa Chief, Office of Federal Resources, Division of Budgets
Division of Local Assistance Office Chiefs
District Local Assistance Engineers
Kevin Pokrajac, Chief, Office of Special and Discretionary Programs
HQ Local Assistance Area Engineers

Transportation Enhancement (TE) Application (PSR Equivalent)

TE funds are federal funds and must follow federal funding guidelines and environmental (NEPA) processes.
All projects must have an approved eligible application prior to programming in the RTIP.

PART ONE: GENERAL PROJECT INFORMATION

_____RTIP TE _____ITIP TE Is the project within Caltrans Right of Way Yes☐ No☐.

Does this project partner with or commit to employ the services of a Community Conservation Corps or the California Conservation Corps? Yes☐ No☐.
If you answered yes to the above question please list the contact information for the corps.
Corps Name: _____ Contact Name: _____ Phone number: _____

PROJECT TITLE:

IMPLEMENTING AGENCY Administrator/person with day-to-day responsibility for implementing project (Name, title, agency, address, phone, fax, email)	(Round dollars to nearest thousands) TE FUNDS REQUESTED $_____ State Match (11.47%) $_____ Local Match (if Required) $_____ TOTAL TE PROJECT COST $_____ ☐ TE is a stand-alone project. ☐ TE is part of a larger project.
Person who can answer questions about this application (Name, title, phone, fax, email)	PARTNER(S) (Name, title, agency, address, phone, fax)

IF TE IS AN ENHANCEMENT TO A LARGER PROJECT, DESCRIBE LARGER PROJECT (if larger project is programmed, provide PPNo, EA, Project Title; if not currently programmed, describe the project)

Total Project Cost $ _____

PROJECT SCOPE OF PROPOSED TRANSPORTATION ENHANCEMENT ACTIVITIES
(Describe the project's location, limits of work, size, etc. *Not* the justification or benefits).

NEED AND PURPOSE (Describe how is project above and beyond a standard transportation project)

RELATIONSHIP (TE projects must have a relationship to surface transportation; describe relation to surface transportation)

CONFORMANCE (Describe conformance with Route Concept Report or Transportation Corridor Report and District System Management Plan - ITIP projects only)

CONTEXT SENSITIVE SOLUTIONS (Describe how project reflects Director's policy - ITIP projects only)

ALTERNATIVES CONSIDERED

WHICH OF THE 12 TE CATEGORIES DOES THE PROJECT ENCOMPASS? (May be more than one.)
http://www.dot.ca.gov/hq/TransEnhAct/TransEnact.htm

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 (including historic battlefields).
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 of the corridors for pedestrian or bicycle trails).
9. ☐ Inventory, control, and removal of outdoor advertising.
10. ☐ Archaeological planning and research.
11. ☐ Environmental mitigation
    (i) To address water pollution due to highway runoff; or
    (ii) Reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.
12. ☐ Establishment of transportation museums.

PROJECT LOCATION MAPS (Provide Location Map of project in State/Region and Area Specific Map)

PART TWO: FUNDING

Prepared by _____ Title _____

Agency _____ Phone _____ FAX _____

PROJECT COMPONENT COSTS (round to nearest $1,000s)

	RTIP	ITIP	OTHER
• E&P (PA&ED)	$_____	$_____	$_____
• PS&E	$_____	$_____	$_____
• Right of Way Capital	$_____	$_____	$_____
• Right of Way Support*	$_____	$_____	$_____
• Construction Support*	$_____	$_____	$_____
Construction Capital	$_____	$_____	$_____

TOTAL PROJECT COSTS $_____

*Right of way and construction support are for Caltrans implemented projects only

PRELIMINARY ITEM ESTIMATE - CONSTRUCTION CONTRACT ITEMS

Item	Description	Unit	Quantity	Unit Price	Amount

CONTINGENCY (%)

TOTAL CONSTRUCTION CONTRACT ITEMS _____

MAINTENANCE (The enhancement must be maintained in a functional and operational manner as its intended purpose for the expected life cycle for the type of project. If it is not maintained in such a manner, reimbursement of all or a portion of the enhancement funds may be required).

Who will maintain?

What is the source of maintenance funds?

If project is within Caltrans right of way, must be signed by Deputy District Director, Maintenance

DDD Maintenance: _____ Date: _____

PART THREE: INFORMATION AND ASSURANCES

Please note the application must be signed by the TE project sponsor below for the project to be considered for funding. The information below is provided to notify all project sponsors of the criteria that shall be used in the selection of eligible TE projects.

For TE projects proposed for funding from American Recovery and Reinvestment Act of 2009

Assembly Bill X3-20 added Sections 2420-2423 to the Streets and Highways Code which requires that transportation projects proposed for transportation enhancement activities using federal funds provided specifically by the American Recovery and Reinvestment Act of 2009 be programmed and allocated based on the following priorities:

(1) In programming and allocating these funds, the department and the metropolitan planning organizations, county transportation commissions, and regional transportation agencies shall give priority to the sponsors of eligible projects that partner with, or commit to employ the services of, a Community Conservation Corps or the California Conservation Corps to construct or undertake the project, provided those projects meet the requirements of the American Recovery and Reinvestment Act of 2009.

(2) After all eligible projects have been selected pursuant to paragraph (1), the department and the metropolitan planning organizations, county transportation commissions, and regional transportation agencies shall next give priority to projects that provide facilities for pedestrians and bicyclists, provided those projects meet the requirements of the American Recovery and Reinvestment Act of 2009.

(3) After all eligible projects have been selected pursuant to paragraph (2), the department and the metropolitan planning organizations, county transportation commissions, and regional transportation agencies may fund any project eligible in accordance with paragraph (35) of subdivision (a) of Section 101 of Title 23 of the United States Code.

For projects proposed for funding with all federal TE funds

Senate Bill 286 (Chapter 373, Statutes of 2008) added Sections 2370-2374 to the Streets and Highways Code which requires the selection of all TE projects to be based on projects which partner with, or commit to employ the services of a Community Conservation Corps or the California Conservation Corps. The department, in consultation with Community Conservation Corps, the California Conservation Corps, the commission, regional transportation planning agencies, county transportation commissions or authorities, and congestion management agencies, developed the following criteria that give priority in the selection of TE projects. The information below is provided to project sponsors to assist them in understanding how projects will be selected. Regional transportation planning agencies, county transportation commissions or authorities, and congestion management agencies, when selecting candidates for transportation enhancement projects, shall utilize the selection criteria below.

The RTPAs are required to use the following criteria in prioritizing and selecting TE projects for programming in the Regional Transportation Improvement Programs (RTIP):

(1) TE eligible projects whose sponsor is partnering with, or has agreed to employ the services of a Community Conservation Corps or the California Conservation Corps (collectively referred to as corps), shall be selected first for funding (the scope of the work performed by the corps will be identified in page 6 of the TE application);

(2) After all TE eligible projects described in paragraph (1) have been selected for funding; the remaining eligible TE projects may be selected.

TE Project candidates that meet the following specific categories are exempt from the above selection criteria and may compete on an equal basis with all project candidates in category (1) above:

(a) Projects that have been selected and programmed in a RTIP prior to June 25, 2009.

(b) Projects for which no corps will partner with the sponsor or agree to provide services. A project sponsor can request this exemption only by certifying on the TE Application, with the concurrence of the California Conservation Corps and the California Association of Local Conservation Corps, which the sponsor notified both organizations about the available project, but that no corps in the state was prepared to serve as a partner or provide services.

The department, regional transportation planning agencies, county transportation commissions or authorities, or congestion management agencies shall be authorized to enter into cooperative agreements, grant agreements, or procurement contracts with Community Conservation Corps pursuant to the simplified contract requirements authorized by Section 18.36(j) of Title 49 of the Code of Federal Regulations in order to enable community conservation corps to utilize transportation enhancement project funds.

Section 2370(a) of the Streets and Highways Code is specific as to which organizations can be considered as a Community Conservation Corps or the California Conservation Corps. "Community Conservation Corps" shall have the same meaning as defined in Section 14507.5 of the Public Resources Code. Information regarding these organizations is available on the internet at:
http://www.consrv.ca.gov/dor/grants/Pages/lccc.aspx
http://www.ccc.ca.gov/PARTNER/PARTNERS.HTM
www.calcc.org

For the RTPA: Conservation Corps Partner Contact use only:

☐ A corps can participate on the following items of work:_____

Name of corps: _____ and the contact for the corps is: _____
(Name)

_____
(Phone number)

☐ This project is exempt under category (b) above. This exemption allows the project to compete on an equal basis with all other project candidates in the region. Concurred in by:

California Conservation Corps contact (Print Name)	(Signature)	Date
California Association of Local Conservation Corps contact (Print Name)	(Signature)	Date

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RTPA Conservation Corps Partner Contacts
For Transportation Enhancement Projects

AGENCY	CCC Contact Title and Name	Phone Number	Email Address
California Conservation Corps	Chief of Field Operations Mark Rathswohl	916-341-3139	Mark_Rathswohl@ccc.ca.gov
California Association of Local Conservation Corps (representing the Community Conservation Corps)	Association Manager Scott Dosick	916-285-8743	manager@calcc.org

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Project Implementing Agency possesses legal authority to nominate this transportation enhancement and to finance, acquire, and construct the proposed project; and by formal action (e.g., a resolution) the Implementing Agency's governing body authorizes the nomination of the transportation enhancement, including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the Implementing Agency to act in connection with the nomination and to provide such additional information as may be required.

Project Implementing Agency will maintain and operate the property acquired, developed, rehabilitated, or restored for the life of the resultant facility (ies) or activity. With the approval of the California Department of Transportation, the Implementing Agency or its successors in interest in the property may transfer the responsibility to maintain and operate the property.

Project Implementing Agency will give the California Department of Transportation's representative access to and the right to examine all records, books, papers, or documents related to the transportation enhancement activity.

Project Implementing Agency will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the Americans with Disabilities Act, the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, CTC Guidelines, FHWA Transportation Enhancement Guidance and any other federal, state, and/or local laws, rules and/or regulations.

If TE funds or projects are used for other than the intended enhancement purposes as defined by federal or state regulations or guidelines, the implementing agency may be required to remit all state and federal enhancement funds back to the state.
I certify that the information contained in this transportation enhancement activity application, including required attachments, is accurate and that I have read and understand the important information and agree to the assurances on this form.

Signed_____ Date_____
(TEA Administering Agency Representative)

Printed (Name and Title) _____

Administering Agency _____

For State Projects:
Upon receiving an eligibility determination, a Project Nomination Sheet must be submitted to the District for programming.

U.S. DEPARTMENT OF TRANSPORTATION | FEDERAL HIGHWAY ADMINISTRATION | CALIFORNIA DEPARTMENT OF TRANSPORTATION

LOCAL AGENCY
REQUEST FOR APPROVAL OF COST EFFECTIVENESS/PUBLIC INTEREST FINDING

COST EFFECTIVENESS DETERMININATION REQUIRED	PUBLIC INTEREST DETERMININATION REQUIRED
☐ Experimental Contracting methods (23 CFR 635.204) ☐ Informal Bid (Less than three week advertisement) (23 CFR 635.204) ☐ Use of force account (day labor) (23 CFR 635.204) ☐ Use of publicly owned equipment (23 CFR 635.106) ☒ Other: Use of Youth Conservation Corps	☐ Use of State-furnished materials (23 CFR 635.407) ☐ Mandatory use of borrow/disposal sites (23 CFR 635.407) ☐ Use of patented and proprietary materials (23 CFR 635.411) ☐ Waiver to Buy America Requirements (23 CFR 635.410) ☐ Other:

FEDERAL-AID PROJECT NO

CLASS OF FEDERAL FUNDS ☐ IM ☐ NH ☐ STP ☒ OTHER: TE

STEWARDSHIP: ☐ DELEGATED ☐ HIGH PROFILE

EA	DIST-CO-RTE-PM	ESTIMATED COST	FEDERAL FUNDS

GENERAL LOCATION	GENERAL DESCRIPTION OF WORK:

REASONS THAT THE REQUESTED APPROVAL IS CONSIDERED TO BE COST EFFECTIVE OR IN THE PUBLIC'S BEST INTEREST (LOCAL AGENCY):

SUBMITTED BY LOCAL AGENCY REPRESENTATIVE	LOCAL AGENCY REP. NAME AND TITLE:	DATE:
REVIEWED BY CT LOCAL ASSISTANCE REPRESENTATIVE	LOCAL ASSISTANCE REP. NAME AND TITLE:	DATE:

REMARKS (FHWA):

APPROVED BY FHWA'S REP. (HIGH PROFILE PROJECTS)	REPRESENTATIVE NAME AND TITLE:	DATE:

NOTE: FHWA'S SIGNATURE REQUIRED FOR FEDERALLY FUNDED TE PROJECTS UTILIZING THE SERVICES OF THE CALIFORNIA CONSERVATION CORPS OR COMMUNITY CONSERVATION CORPS.