



SB1 Workshop

PART 2

ACCOUNTABILITY AND TRANSPARENCY GUIDELINES

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November 2018



CALTRANS DIVISION OF
LOCAL ASSISTANCE



CALIFORNIA TRANSPORTATION COMMISSION SB1 ACCOUNTABILITY AND TRANSPARENCY GUIDELINES



CALTRANS DIVISION OF
LOCAL ASSISTANCE



Applicability

Applies to:

- Active Transportation Program (ATP)
- Local Partnership Program (LPP)
- Solutions for Congested Corridors Program (SCCP)
- Trade Corridors Enhancement Program (TCEP)
- State Highway Operations and Protection Program (SHOPP)

Note: Local Streets and Roads Program (LSRP) requirements can be found at: <http://catc.ca.gov/programs/sb1/l srp/>



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Applicability (cont.)

- Intended to supplement the CTC program guidelines
 - In the event of conflict, SB1 Accountability and Transparency Guidelines govern
- May be amended any time subject to CTC action
- CTC is authorized to program and allocate funding
- Caltrans provides administrative oversight
 - Ensures CTC guidelines are followed
 - Other actions
 - Programming
 - Allocations
 - Reporting



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Purpose

- Communicate the CTC’s expectations
- To allow for transparent and effective decisions, timely delivery of improvements and benefits
- Emphasize project accountability
- Exercise programmatic oversight for project delivery consistency with program objectives, project application and agreements
 - Benefits
 - Scope
 - Cost
 - Schedule



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SB1 Accountability and Transparency Components

Front-End Accountability

- Baseline Agreements

In-Progress Accountability

- Ongoing program monitoring and review
- Program or project amendments
- Allocation of funds

Program Reporting

- Progress report
- Annual report

Follow-up Accountability

- Completion reports
- Final delivery reports
- Audits of project expenditures and outcomes


Consequences for Noncompliance



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FRONT-END ACCOUNTABILITY



What is a Baseline Agreement?

- Sets forth the agreed upon expected benefits, project scope, schedule and cost of the project
- Approved at regular CTC meetings
- Identifies the agency responsible for delivering the project
- Establishes a foundation for monitoring and reporting



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What is a Baseline Agreement? (cont.)

Local Agency agrees to:

- Secure funds for any additional costs of the project
- Report requested program and project status to Caltrans
 - On quarterly basis up to July 2019
 - On semi-annual basis after July 2019
- Submit Completion Report and Final Delivery Report in timely manner
- Retain Project Records for four years from project closeout
- Make project records available for review to the Commission, or their representative

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When is a Baseline Agreement Required?

SB1 Accountability and Transparency Guidelines				
Baseline Agreement and Reporting Matrix				
SB 1 Program	Baseline Agreement Requirement *	Progress Report	Completion Report	Final Delivery Report
Active Transportation Program (ATP)	Only for projects with: Total project cost: \$25 million or greater or Total programmed: \$10 million or greater	All Projects	All Projects	All Projects
Local Partnership Program (LPP) <i>formulaic</i>	None	None	All Projects	All Projects
Local Partnership Program (LPP) <i>competitive</i>	Only for projects with: Total project cost: \$25 million or greater or Total programmed: \$10 million or greater	All Projects	All Projects	All Projects
Solutions for congested Corridors Program (SCCP)	All Projects	All Projects	All Projects	All Projects
Trade Corridor Enhancement Program (TCEP)	All Projects	All Projects	All Projects	All Projects

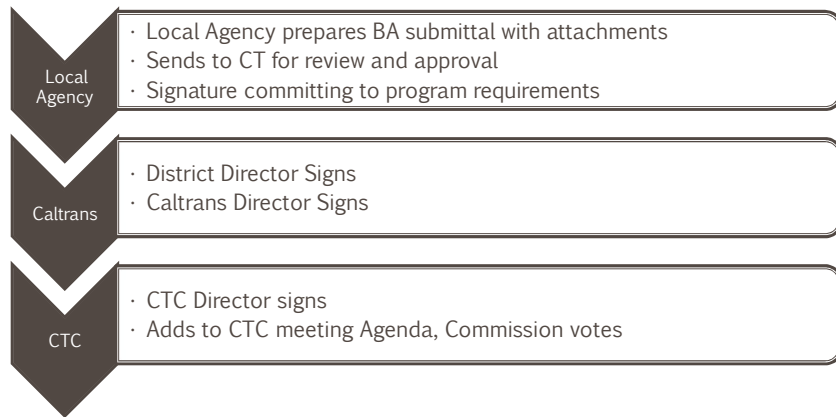
* If a project that initially falls below the aforementioned thresholds later increases to equal or exceed the threshold requirements, a Baseline Agreement will be required within 60 days of when the change is identified.

* A Baseline Agreement will be amended, if a project receives additional SB 1 Program Funds in a subsequent programming cycle, if there is a change in responsible parties, or at the discretion of the Commission.

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Baseline Agreement Approval Process



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Baseline Agreement Deadlines

- Due at first CTC meeting within 6 months after certification of the Final Environmental Impact Report, Negative Declaration, Mitigated Negative Declaration, or Notice of Exemption.
- If project funding exceeds the baseline agreement threshold anytime after approval, it is due within 60 days of when the change was identified

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What happens if I do not meet the BA requirements by the deadline?

“The Commission may delete a project for which no Baseline Agreement is executed. The Commission will not consider approval of a project allocation, except for the environmental project component, without an approved Baseline Agreement.”

CTC SB 1 Accountability and Transparency Guidelines, amended May 2018, p. 4

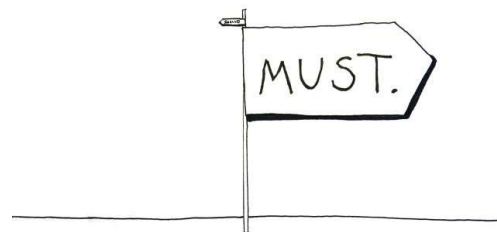


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Baseline Agreement Amendments


Your Baseline Agreement must be amended if:

- Project receives additional funds in subsequent programming cycle
- Scope change is approved
- There is a change in responsible parties
- At the discretion of the Commission



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IN-PROGRESS
ACCOUNTABILITY



Ongoing Program Monitoring and Review

- Implementing agencies manage scope, cost, and schedule consistent with guidelines and agreements
- CTC staff shall receive routine program and project progress reports from Caltrans
- CTC staff may schedule routine status meetings with implementing agency
- CTC staff will perform routine assessments of project progress
- Commission staff will place projects unable to maintain cost and schedule on a **watch list**



Ongoing Program Monitoring and Review (cont.)

During course of the project, the following will be monitored:

- Satisfactory progress toward project completion
- Retention of financial records that document all expenditures
- Accurate and timely reports and reimbursement requests
- Timely and complete responses to any communication and request by the CTC/Caltrans



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Program and Project Amendments

ATP only

- Scope Changes
 - When the scope changes in any way from original approved project application
 - Must contact DLAE and make formal request
 - Local Assistance Program Guidelines (LAPG) Exhibit 22-D “Request for Scope Change Form”



http://www.dot.ca.gov/hq/LocalPrograms/atp/atp_info.html

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Program and Project Amendments (cont.)

ATP only (cont.)



- Scope Changes (cont.)
 - The notification to Caltrans must include the following.
 - An explanation of the proposed scope change
 - The reason for the proposed scope change
 - The impact the proposed scope change would have on the overall cost of the project
 - An estimate of the impact the proposed scope change would have on the potential of the project to deliver the project benefits as compared to the benefits identified in the project application (increase or decrease in benefit)
 - An estimate of the impact the proposed scope change would have on the potential of the project to increase the safety of pedestrians and bicyclists as compared to the benefits identified in the project application (increase or decrease in benefit);
 - An explanation of the methodology used to develop the aforementioned estimates
 - For projects programmed in the Metropolitan Planning Organization (MPO) component, evidence of MPO approval and the MPO rationale for their approval

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Program and Project Amendments (cont.)

ATP only (cont.)



- Scope Changes (cont.)
 - Caltrans Review Process
 - Caltrans' written analysis and recommendation to the Commission for the Commission's approval
 - Minor Scope Change
 - little or no impact to project benefits or increase in benefits of the project
 - Presented to Commission as part of project allocation request if approved by CTC staff
 - Presented to Commission as a project amendment if CTC staff recommends to disapprove
 - Major Scope Change
 - More significant scope change with potential impact to projects benefits
 - Presented to Commission as project amendment by CTC staff with recommendation to approval or disapprove

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Program and Project Amendments (cont.)

ATP only (cont.)



- Funding Distribution Changes
 - The agency must show that the project is still fully funded
 - The benefit of the project will remain the same or increase.
 - Must be considered by the Commission for approval.
 - Restrictions
 - The request cannot be made in the same state fiscal year in which the funds have been programmed.
 - The funds that are part of the request cannot have been allocated.
 - Funds programmed in construction cannot be moved out of construction.
 - An agency can only request a Funding Distribution Change once during the life of the project.

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Program and Project Amendments (cont.)

ATP only (cont.)



- Funding Distribution Changes (cont.)
 - The notification to Caltrans must include:
 - A revised Project Programming Request (PPR) that outlines the proposed Funding Distribution Change.
 - The reason for the proposed Funding Distribution Change.
 - The impact the proposed change would have on the overall cost of the project.
 - The project must remain fully funded.
 - A discussion of whether the Funding Distribution Change will affect the benefit of the project as described in the project application.
 - Agencies should consider waiting until after the environmental review has been completed to submit a Funding Distribution Change.

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Program and Project Amendments (cont.)

LPP/SCCP/TCEP



- Scope Changes
 - if the change is minor
 - has no impact to the project benefits or the scope change increases the benefits of the project.
- Cost Changes
 - Any cost increases should be funded from other fund sources
- Schedule Changes
 - Schedule changes to a project will not be considered unless a time extension was approved as specified in Section 26.
 - For projects programmed in the last year of the Program, the implementing agency may request to reprogram the project
 - only once with justification
 - unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the change.

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Program and Project Amendments (cont.)

LPP/SCCP/TCEP (cont.)



- Project amendments requested by implementing agencies shall receive the approval of all partners and funding entities before presentation to the Commission.
- Amendment requests should be submitted in a timely manner to Caltrans and include documentation that supports the requested change and its impact on the scope, cost, schedule and benefits.

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Program and Project Amendments (cont.)

LPP/SCCP/TCEP (cont.)



- Implementing agencies must notify Caltrans in writing of proposed project amendments including
 - Explanation of the proposed change
 - The reason for the proposed change
 - The impact the proposed change would have to the project
 - An estimate of the impact the proposed change would have on the potential of the project to deliver the project benefits as compared to the benefits identified in the project application (increase or decrease in benefits)
 - Explanation of the methodology used to develop the aforementioned estimate.
 - A revised Project Programming Request form must be included in the notification.

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Program and Project Amendments (cont.)

LPP/SCCP/TCEP (cont.)



- Caltrans will review the proposed amendment change and forward the proposed amendment change with Caltrans' written analysis and recommendation to the Commission for the Commission's approval
- Commission staff may also request that the Project Review Committee review and make a recommendation on amendment requests.

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Allocation of Funds

Commission will allocate funds when the implementing agency requests an allocation.

Allocation requests will be considered on CTC regular agenda.



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For more information, please contact your District Local Assistance Engineer.

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Visit the Caltrans Local Assistance SB1 Website at
<http://www.dot.ca.gov/hq/LocalPrograms/SB1/>

