SB1 Workshop

PART 4
AGREEMENTS AND ALLOCATIONS

PRESENTED BY WINTON EMMETT
CHIEF, OFFICE OF IMPLEMENTATION NORTH

November 2018

AGREEMENTS, ALLOCATIONS, AUTHORIZATIONS
**Roles & Responsibilities**

- Federal Highway Administration (FHWA)
- California Transportation Commission (CTC)
- Regional & Local Agencies
- District Local Assistance Engineer (DLAE)
- HQ Project Implementation Team

**Local Assistance Quick Facts for California**

- At any time there are about 5,000 “Active Projects” among 680 agencies
- These Active Projects represent $16 billion in total funding
- Annually
  - Originally 200 Allocations, now with SB1 we anticipate 400 Allocations per year
  - 2,000 Federal Authorizations
  - 7,000 Progress Invoices
Topics

- Local Assistance Agreements
- CTC Allocation Overview & Process
- Federal Authorization Overview & Process
- Best Practices, Heads Up, What’s Next

Local Assistance Agreements

Agreement between State & Local Agency

- MA: Master Agreements – Federal & State
- PSA: Program Supplement Agreement

Check Process

✓ Agreements: Local Assistance Procedures Manual (LAPM)

Note: Not all Master Agreements can be used across Local Assistance and Division of Rail & Mass Transportation. Call Patrick Olsen (916) 651-6825 for details.
What is a Master Agreement (MA)?

An agreement between a city, county, or other local public agency and the State that defines general terms and conditions. There are two types:

- Federal-aid Highway Program
- State-only Funded Projects

**MUST HAVE:**
- Project adopted into program before MA
- Executed MA prior to 1st project Allocation/Authorization

Sample MA: State Funded Project
Sample MA: Federal-Aid Project

MA Timing

• Have MA but need update? **No Problem!**
  • HQ will send out updated MA

CHALLENGES

• New Agency, No MA:
  • Takes time! **6-12 months** - *Delay project start date*
  • Request initiation
  • Pre-award audit
    Possible corrective actions from findings
  • MA & Locode processing

✓ Extensive Federal & State Requirements
MA Timing

SOLUTIONS

- Partner w/agency that has existing MA
- Be aware of MA timeframes
- Plan projects accordingly

✔ Review & know resources
  - MA Language
  - Local Assistance Procedures Manual (LAPM)
  - Local Assistance Program Guidelines (LAPG)

What is a Program Supplement Agreement (PSA)?

An Agreement between Local Agency & State, which amends the Master Agreement to describe the phases, costs, and special conditions, that apply to a specific projects.

- One per project
- Timing
- Contacts
Sample: PSA

Reminder: Cooperative (Coop) Agreement

- Required for projects on the State Highway System (SHS)
- Outlines Local Agency/State roles, responsibilities, and commitments
- Must be fully executed before beginning any reimbursable work or exchanging funds
- Additional SB1 Language:
  - Completion Reports
  - Accountability and Transparency Guidelines
  - Cost increases must come from non-SB1 funds
  - Project changes require CTC approval
  - Program Specific Guidelines
  - Baseline Agreements
RECAP: Agreements

MA: 1 per Agency

PSA: 1 per Project

REMEMBER...

A local agency will NOT be paid, unless they have a fully executed MA & PSA.
State Allocations

What are the State Funding Programs?

- Active Transportation Program (ATP)
- Local Partnership Program (LPP)
- Solutions for Congested Corridors (SCCP)
- Trade Corridors Enhancement Program (TCEP)

When Can an Agency Request an Allocation?

- After funds for project or project component are programmed in the Big 5.
- During the State Fiscal Year in which those funds are programmed.
- When ready to begin reimbursable work.
- Before awarding a contract.
- 7 weeks before the actual CTC vote takes place!!!
CTC Meeting Prep Schedule

[dot.ca.gov/hq/transprog/ctcliaison.htm]

2019 Preparatory Schedule
California Transportation Commission (CTC) Meetings

Agenda Items Due Dates
Prepared by:
DIVISION OF TRANSPORTATION
CALIFORNIA DEPARTMENT OF TRANSPORTATION
http://www.dot.ca.gov/hq/transprog/ctcliaison.htm

Effective: September 2017

<table>
<thead>
<tr>
<th>Date and Location</th>
<th>Local Agency</th>
<th>DLAE (Fund Revisions)</th>
<th>HQ DLA (Fund Revisions)</th>
<th>Final DLA Approval Date</th>
<th>Final CTC Liaison Date</th>
<th>Final CTC Vote Date</th>
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<tr>
<td>Jan 31 - Feb 1, Sacramento Area</td>
<td>Mon, Dec 19, 18</td>
<td>Mon, Dec 24, 18</td>
<td>Mon, Dec 28, 17</td>
<td>Fri, Jan 4, 18</td>
<td>Thu, Jan 17, 18</td>
<td>Wed, Jan 16, 18</td>
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<td>March 21-22, Los Angeles</td>
<td>Mon, Jan 20, 19</td>
<td>Mon, Jan 20, 19</td>
<td>Mon, Feb 5, 19</td>
<td>Wed, Feb 14, 19</td>
<td>Thu, Feb 27, 19</td>
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<td>May 14-17, San Diego</td>
<td>Mon, Mar 28, 19</td>
<td>Mon, Mar 28, 19</td>
<td>Wed, Mar 30, 19</td>
<td>Thu, Apr 1, 19</td>
<td>Thu, Apr 18, 19</td>
<td>Thu, Apr 18, 19</td>
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<tr>
<td>June 27-28, Sacramento Area</td>
<td>Mon, Apr 29, 19</td>
<td>Mon, Apr 29, 19</td>
<td>Wed, May 1, 19</td>
<td>Thu, May 17, 19</td>
<td>Thu, May 24, 19</td>
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<tr>
<td>August 19-20, San Francisco</td>
<td>Mon, Jun 26, 19</td>
<td>Mon, Jun 26, 19</td>
<td>Thu, Jul 1, 19</td>
<td>Thu, Jul 1, 19</td>
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<td>October 17-18, Central Valley</td>
<td>Mon, Aug 27, 19</td>
<td>Mon, Aug 27, 19</td>
<td>Wed, Sep 4, 19</td>
<td>Wed, Sep 12, 19</td>
<td>Thu, Sep 19, 19</td>
<td>Thu, Sep 19, 19</td>
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<td>December 5-6, Riverside</td>
<td>Mon, Oct 31, 19</td>
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<td>Wed, Nov 7, 19</td>
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Allocation Processing Time

- Local Agency
- DLAE
- HQ DLA
- Budgets
- Trans. Programming

CTC Liaison
CTC Vote (check website for status)
HQ DLA
Local Agency
Notification

Follow CTC Meeting schedule deadlines!!!
Allocation Submittals: E&P (aka PA&ED)

* Recently Released – New Dynamic Allocation Form
  “Funding Allocation Request Data Form” at:
  http://www.dot.ca.gov/hq/LocalPrograms/forms/

  • Funding Allocation Checklist, Exhibit 22-N or 23-N
  • Request for Allocation, Exhibit 22-O or 23-O
  • Finance Letter, Exhibit 22-C, 23-C, or 3-O
  • Programming Info, FTIP, CTIPS, ATP, SB1, etc.
  • Project Programming Request Form and Funding Information, Exhibit 22-G or 23-G/H
  • Program Specific Requirements
  • Subject to Timely Use of Funds

**Federal PE phase = State E&P/PA&ED and PS&E components**

RTPA/MPO Concurrence

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4. REQUEST FOR ADVANCE OF FUNDING

Is this request for funding programmed in a future Fiscal Year? **No**

Provide justification below if yes.

5. ESTIMATED TIMELY USE OF FUNDS DEADLINES

6. RTPA/MPO CONCURRENCE

The RTPA must sign the “Request for Funding Allocation” form if any of the below applies:

- Will this request change the project description, scope, exceed the amount programmed, or require an advance?
- Has the RTPA/MPO passed a resolution requiring their concurrence on all requests for funding allocations?
Allocation Submittals: PS&E and R/W

Same as E&P, but includes:

- CEQA document type and approval date
  - Non-exempt Projects: Local Agency submits final environmental document, directly to the CTC
- NEPA document, if federalized
- Program Specific Requirements
- Subject to Timely Use of Funds

**Federal PE phase = State E&P/PA&ED and PS&E components**

Construction Allocation Submittals

Same as PS&E and R/W, but also includes:

- Date of Right of Way Certification (State)
- Right of Way Certification (Federal)
- Engineer’s Detailed Estimate
- Program Specific Requirements
- Subject to Timely Use of Funds
Other Allocation Requests

- **SB 184**: STIP, short term, within the SFY
- **AB 3090**: STIP, longer term
- **LONP**: Letter of No Prejudice, SB1

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/](http://www.dot.ca.gov/hq/LocalPrograms/SB1/)