



Chicago Metropolitan Agency for Planning

Agenda Item No. 6.0

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MEMORANDUM

To: Regional Coordinating Committee

From: CMAP Staff

Date: June 6, 2012

Re: Congestion Mitigation and Air Quality (CMAQ) Programming and Management Policies

CMAP programs the federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) for transportation capital and operating funds. As described at the committee's last meeting in February, the region faces a persistent unobligated balance in this program and staff had prepared a [menu of options](#) for addressing this issue. Since then, the CMAQ Project Selection Committee has developed and the Transportation Committee has recommended revised programming and management policies to encourage accomplishment of CMAQ projects. Increased accomplishment of CMAQ projects not only assists in implementing GO TO 2040 and improving air quality and mitigating congestion in the CMAP region, it also helps keep limited federal resources in our region.

CMAP's new CMAQ programming and management policies follow, with the specific details of the policies.

ACTION REQUESTED: Recommend Approval of CMAQ Policies to the CMAP Board

CMAQ PROGRAMMING AND MANAGEMENT POLICIES

Programming of CMAQ Funds for New Projects

APPLICATION MATERIALS AND REQUIREMENTS

1. The applicant is solely responsible for application completeness.
2. Applications submitted without the following will be rejected:
 - a. Complete project financing & CMAQ funding request section;
 - b. Input Module Worksheets for traffic flow improvement projects only;
 - c. Scoping Document for traffic flow improvements, commuter parking and pedestrian/bicycle projects only;
 - d. Pedestrian/Parking Deck Supplements, if applicable;
 - e. Sign-off by the applicable Planning Liaison, for municipal sponsors only (see no. 4 below).
3. If an application is missing other information, only one attempt will be made to collect that information (notice will be via a “read receipt” e-mail). The deadline for submission of missing information is 30 days from the date of the emailed notification from CMAP. If the sponsor does not respond by the deadline, the application will be rejected.
4. Project applications submitted by municipal agencies (villages, cities, counties, park districts, school districts, forest preserve districts, townships, etc.) are required to be reviewed by their Council of Mayors Planning Liaison (PL).
 - a. The individual PLs are responsible for reviewing applications and advising the sponsor of missing information.
 - b. The PL sign-off is incorporated into the application form.
 - c. The deadline for submission for PL review is two weeks in advance of the deadline for submission to CMAP. The deadline for submitting applications to the PLs will be included in the CMAQ program development schedule.

PROGRAMMING THE FUNDS

1. The CMAQ program mark for a given fiscal year will be the northeastern Illinois share of the State’s federal apportionment adjusted by the CMAQ Project Selection Committee to account for programming balances.
2. Phase I engineering will be the responsibility of the project sponsor to complete without CMAQ funding.

- a. Sponsors will be required to demonstrate that phase I engineering has been initiated prior to programming of CMAQ funding to a proposal. This can be demonstrated by:
 - i. The project has received design approval prior to release of the Project Selection Committee's programming recommendations.
 - ii. The PDR document has been submitted to IDOT for approval prior to release of the Project Selection Committee's programming recommendations.
 - b. A sponsor can request funding for phase I engineering based on financial hardship or if the proposal is directly identified by a GO TO 2040 Focused Programming group.
 - i. Phases beyond phase I engineering will not be eligible for CMAQ funding until one of the two requirements from section A:2,b,i are met.
 - ii. All remaining eligible phases will be programmed at a maximum level of 80% federal funding.
3. For projects that complete phase I engineering without CMAQ funding, the federal funding level for phase II engineering, right-of-way acquisition (ROW), construction and implementation will be at 100%, with the following exceptions.
- a. For transit proposals where phase I and phase II engineering are not clearly defined, 50% of the engineering costs will be eligible for CMAQ funding with the remaining phases eligible for 100% CMAQ funding.
 - b. For signal interconnect projects, phase II engineering costs will not be eligible for CMAQ funding with the construction phase eligible for 100% funding.
 - c. For proposals that are not required to complete phase I engineering, 90% of the proposals' remaining phases will be eligible for CMAQ funding. Projects in this category include but are not limited to:
 - i. Bicycle Parking and Encouragement
 - ii. Non-construction bicycle facility treatments
 - iii. Sidewalks not involving ROW acquisition
 - iv. Transit Service and Marketing
 - v. Transit Vehicles Procurement
 - vi. Diesel Retrofits
 - vii. Most "Other" category projects
 - viii. Any project using a Categorical Exclusion 1(CE1)
 - d. For proposals involving private corporations, the funding levels will be addressed on a case by case to a maximum 65% federal share.
4. Proposals that are not selected for funding but are shown to have air quality benefits will be included in a "Vetted" project list that can be used to help meet the annual obligation goal described in further details in item 4. in the next section.

5. All sponsors will be required to attend a mandatory project initiation meeting once CMAP has received the federal funding eligibility determinations from USDOT. The meeting will include distribution of necessary forms and information needed to initiate the projects and review of general project schedules and deadlines. Unless specific approval has been granted by CMAP, project consultants may not attend in the stead of project sponsors. Consultants are encouraged to accompany the project sponsors. Failure to attend will subject the project to removal from the program. This decision will be via recommendation of the CMAQ Project Selection Committee to the Transportation Committee and MPO Policy Committee.

ACTIVE PROGRAM MANAGEMENT OF PROJECTS

1. Every phase of an approved project will be subject to an accomplishment sunset. Each phase will have the year in which it is programmed plus two additional years (3 years total) to meet the accomplishment goal for the phase.
 - a. For FTA administered projects, accomplishment is FTA grant approval for the phase.
 - b. For those projects administered through the Federal Highway Administration, the accomplishment goal is defined as:
 - i. Phase I engineering - design approval
 - ii. Phase II engineering - Pre-final plans submitted to IDOT District 1
 - iii. ROW - ROW certified by IDOT District 1
 - iv. Construction - Has been let for bid
 - v. Implementation - Federal Authorization
 - c. If a phase is not accomplished in the year it is programmed plus two years, all remaining funding for the project will be removed from the guaranteed program and the project will be considered a deferred project. More information on deferred projects in section 4. c. ii.
2. A review of the status for all projects with phases in the annual element will be conducted in May and October. All projects that fail to provide status report during May or October will be subject to removal from the CMAQ program.
3. Transit projects that have been obligated will be required to submit an expenditure update within 45 days of the end of each calendar quarter until the project is 100% complete.
4. An annual obligation goal will be set to ensure the region is spending its CMAQ apportionment.
 - a. The goal will be set three months prior to the start of the federal fiscal year.

- b. The goal will be based on the anticipated apportionment for the next federal fiscal year and the anticipated unobligated balance.
 - c. If the obligation goal cannot be met through implementation of projects incorporated in the CMAQ program through the regular selection process, then other projects (listed below in priority order) will be selected to accomplish the goal
 - i. Out Year – projects programmed in the out years of the program will be moved into the annual element. This can occur at any time if funding is available and the project demonstrates readiness.
 - ii. Deferred – projects that had their funding removed for failure to meet accomplishment sunset deadlines can have their funding restored. This can occur at any time if funding is available and the project demonstrates readiness.
 - iii. Vetted – move projects into the annual element that include:
 - a. projects that were analyzed and showed an air quality benefit but were not included in the program and that have demonstrated readiness or
 - b. partially funded CMAQ projects that have other funding that can be substituted with CMAQ funds that have demonstrated readiness.
 - iv. Extraordinary – projects that are CMAQ-eligible but which have not applied for CMAQ funding and have demonstrated readiness.
 - d. If the actual obligation amount is expected to be within \$5 million of the goal, then no action to implement other projects will be considered.
5. The review process for determining if the obligation goal will be met, or if other projects need to be selected will begin in spring of that federal fiscal year.
6. Projects selected for contingency funding must meet the following conditions:
- a. be ready to obligate within the federal fiscal year.
 - b. demonstration of readiness is defined below

	Local Projects	CDOT	Transit	IDOT
Phase I Engineering	Locally Executed Local Agency Agreement sent to IDOT Central Office for Execution	Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	n/a
Phase II Engineering	Locally Executed Local Agency Agreement sent to IDOT Central Office for Execution	Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	n/a

	Local Projects	CDOT	Transit	IDOT
ROW Acquisition	Locally Executed Local Agency Agreement sent to IDOT Central Office for Execution	Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	When ROW is included in the IDOT program
Construction	Pre-final Plans at IDOT BLRS for Review	Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	When Design Approval is achieved or when Construction is included in IDOT program.
Implementation	Case by case basis, in general – locally executed agreement sent to IDOT Central Office for Execution	Case by case basis, in general - Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	n/a

- c. construction is the preferred phase for contingency funding
- d. vetted and extraordinary projects must meet the following phase funding minimum requirements.
 - i. \$1 million for phase II or ROW acquisition
 - ii. \$5 million for construction (a combination bid over \$5 million is acceptable)
 - iii. limits do not apply to out year or deferred projects

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