TIP/RTP Blueprint | 2012

A Users Manual for the Atlanta Region's Transportation Improvement Program and the Regional Transportation Plan

Acronyms

Atlanta Regional Commission	**ARC**
Atlanta Strategic Truck Route Master Plan	**ASTRoMaP**
Community Improvement District	**CID**
Construction / Implementation	**CST**
Federal Highway Administration	**FHWA**
Federal Transit Administration	**FTA**
Georgia Department of Transportation	**GDOT**
Livable Centers Initiative	**LCI**
Metropolitan Planning Organization	**MPO**
Plan Development Process	**PDP**
Preliminary Engineering / Design	**PE**
Project Framework Agreement	**PFA**
Qualified Local Government	**QLG**
Right-of-Way Acquisition	**ROW**
Regional Strategic Transportation System	**RSTS**
Regional Transit Committee	**RTC**
Regional Transportation Plan	**RTP**
Scoping	**SCP**
Surface Transportation Program	**STP**
Transportation Coordinating Committee	**TCC**
Transportation Improvement Program	**TIP**
Unified Growth Policy Map	**UGPM**
United States Department of Transportation	**USDOT**
Utility Relocation	**UTL**

Statement of Purpose and Intent

This document was developed to serve as a convenient, comprehensive and user-friendly reference guide to assist project sponsors in understanding and adhering to standard practices governing how projects are programmed and documented in the Atlanta region's Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP). It does not replicate or replace overarching policies, goals or objectives of the regional planning process related to project prioritization, performance measures, equity, modal priorities and other issues. Rather, it explains the mechanics of how a project is managed in regional planning documentation once a policy decision has been reached, through the regular Metropolitan Planning Organization (MPO) process, to include the project in the TIP/RTP.

For purposes of this document, the RTP refers to the federally required plan which covers a planning horizon of at least 20 years under current legislation. The TIP is the short-range element of the RTP and, under current federal law, must cover at least the next four fiscal years. Although subject to change, the Atlanta region's TIP constitutes the first six years of the overall RTP. These definitions will be revisited as appropriate in future updates based on any changes in federal transportation legislation.

Background

In September 2003, ARC adopted the original *TIP Blueprint,* with a major revision adopted in July 2010 which also involved a rebranding as the *TIP/RTP Blueprint*. This *2012 TIP/RTP Blueprint* document reflects changes to several practices on project delay, the inclusion of language regarding the use of ARC's new online database PlanIt, and the incorporation of discretionary programs into the plan.

Approvals

This document was developed by ARC staff, with key sections reviewed and edited by a working group of the Transportation Coordinating Committee (TCC) before being advanced through the MPO approval process. Final adoption by ARC occurred on July 28, 2010. Since this does not represent a policy document and only formalizes internal practices, no public involvement was undertaken during the development process. However, comments from the general public on how to improve the content, format and overall usefulness of this document are always welcome and will be considered in future updates.

Updates

It is ARC's intention for this to be a living document, updated on a regular basis to reflect any substantive changes in TIP/RTP programming requirements which may occur at the federal, state or regional levels. Regular modifications will ensure that it fulfills its intended purpose as a reference guide

for project sponsors. The need for more comprehensive updates will be assessed in conjunction with the development of each new TIP or RTP. Working through the regular MPO planning process, staff will assess which changes can be processed in a routine administrative manner and which constitute a major update requiring formal approval by the various committees and Board.

Structure

The original *TIP Blueprint* outlined a set of policies and supportive implementation strategies related to TIP programming issues. As defined in that document, a policy was a "general statement expressing an ideal". An implementation strategy was a "specific statement, outlining a guideline, process or protocol by which a policy can be achieved". Although similar in concept, this document uses the three terms "Guiding Principles", "Core Functions" and "Business Rules" as an organizational structure to differentiate between high level general statements, work program activities, and day-to-day decisions.

Implementation

The business rules contained in this document will be implemented in conjunction with development of the PLAN 2040 RTP and its associated FY 2012-2017 TIP, adopted in July 2011. A comprehensive review of the existing program will occur in the interim to assess potential impacts to existing projects. ARC reserves the right to incrementally phase in the requirements of the *Blueprint* in a prudent manner and will evaluate each project on a case by case basis.

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Guiding Principles

1   Project information will be presented in a user-friendly, concise and informative manner.

2   Projects will be programmed based on realistic costs and feasible implementation schedules.

3   Projects will be programmed consistent with the policies, goals and priorities established through the regular MPO planning process and will adhere to all applicable federal and state legal requirements.

4   Updates, amendments and administrative modifications will be conducted on a regular and predictable basis and in an efficient manner to facilitate project implementation goals.

5   The decision making process for updating project information will be well documented and conducted in a consistent and objective manner.

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Guiding Principle 1

Project information will be presented in a user-friendly, concise and informative manner.

Core Function 1.1
Produce lists of projects contained in the fiscally constrained TIP and RTP.

> *Business Rule 1.1.1*
> ARC will produce a summary project list in PDF format which is sorted based on the ARC project identification number.

> *Business Rule 1.1.2*
> ARC will produce a summary project list in PDF format which is sorted based on the GDOT project identification number.

> *Business Rule 1.1.3*
> ARC will produce a summary project list in Excel format which is initially sorted based on the ARC project identification number. This list will be capable of manipulation by external stakeholders and will be supplemented by an explanation of the data contained therein and any issues related to the manipulation and use of said data.

> *Business Rule 1.1.4*
> ARC will produce a fact sheet in PDF format for each project that includes more detailed information on the scope and location of a project than available in the summary lists.

Core Function 1.2
Publish project lists and related information.

> *Business Rule 1.2.1*
> Project information produced by ARC will be published only on its TIP/RTP website and available on the PlanIt - ARC's web-based project information application. An email notification will be provided to stakeholders of their availability. Hard copies of the summary project list may be requested in order to meet the process needs of a stakeholder agency or the accessibility needs of an individual.

Business Rule 1.2.2

The project list in Excel format will be provided by email to agencies represented on TCC. Any other agency or individual will be provided with the Excel project list only upon a direct request to ARC.

Business Rule 1.2.3

Updated project information will be available on the PlanIt web-based application. Information will be immediately available for viewing by project sponsors and individuals.

Business Rule 1.2.4

In conjunction with each update of the project lists, ARC will prepare GIS files containing all projects which can be mapped. These files will be used in creating an interactive mapping website, with corresponding GIS shapefiles available for download through ARC's online information center. Project fact sheets will also be available online through the interactive mapping website or upon direct request to ARC.

Core Function 1.3

Update project information on a regular basis.

Business Rule 1.3.1

New lists and fact sheets will be published following each round of quarterly administrative modifications and whenever amendments and updates are made to the plan.

Business Rule 1.3.2

For administrative modifications, ARC will publish updated information concurrent with the project list being released to TCC. Administrative modifications may include:

- Add new exempt project using a local funding source
- Delete existing exempt project (any funding source)
- Change ARC project number or GDOT PI number
- Change title or detailed description of an existing exempt project
- Change limits / length of an existing exempt project
- Change sponsor (must be submitted by current sponsor of record)
- Add or change local funding commitment
- Reprogram one or more phases into a different fiscal year (no conformity impacts)
- Minor descriptive change to a non-exempt project (no conformity impacts)
- Minor change in federal funding commitment on an existing project (refer to GDOT STIP update procedures for thresholds)

- Change in federal or state funding source with submittal justifying requested change (subject to ARC staff review)
- Shifts in federal funds between new or existing projects (subject to ARC staff review)
- Typographical error or other

Business Rule 1.3.3

For amendments and plan updates, ARC will publish updated information within ten business days of receiving final approval by the Governor's designee and/or USDOT. Amendments may include:

- Any request classifiable as an administrative modification, but likely to be controversial
- New federally funded exempt project
- Addition of a new non-exempt project
- Deletion of an existing non-exempt project
- Change in project limits to an existing non-exempt project
- Delay of a non-exempt project from one network year to another
- Advancement or acceleration of a non-exempt project from one network year to another
- Major change in federal funding commitment on an existing project (the threshold for a major change is not precisely defined, but it should be interpreted to mean a change large enough to trigger a new fiscal constraint determination from USDOT)

Business Rule 1.3.4

When administrative modifications and an amendment are undertaken concurrently, the publication schedule will be governed by the amendment approval milestones.[1]

Business Rule 1.3.5

In the event of a substantive data entry error on any published list or fact sheet, ARC will correct the error as quickly as possible through direct email notification to all stakeholder agencies. This notification shall serve as an "ad hoc" correction and be considered effective immediately by all involved stakeholder agencies. However, no updated lists or fact sheets reflecting the correction will be published until the next regularly scheduled quarterly administrative modifications are processed.

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[1] Criteria on TIP Administrative Modifications and Amendments may be found in the Regional Community Engagement Plan – Appendix E - http://www.atlantaregional.com/tpp.

Core Function 1.4

Monitor TIP project implementation.

Business Rule 1.4.1

ARC will publish an <u>annual report</u> in December, or as close to that date as practical, detailing the status of projects and phases for the most recent fiscal year of the TIP and phases scheduled for advancement in the previous fiscal year. Additionally, ARC will be monitoring project implementation as presented in an *Annual Regional Transportation Plan Management Report* for the remaining years of the TIP and RTP. This report will further expand on the Breaking Ground Report and will provide more in-depth project tracking analysis. The format and timing of the Annual Regional Transportation Plan Management Report is still under development at the time of the preparation of this document.

Business Rule 1.4.2

As a longer-term implementation monitoring goal, ARC will collaborate with GDOT and other planning partners to develop an online project status reporting system which is updated in conjunction with the quarterly administrative modification process.

Business Rule 1.4.3

As a longer-term implementation monitoring goal, ARC will collaborate with FTA and other planning partners to include information in the online project status reporting system on the submittal, approval and implementation status of transit grants which are no longer reflected in TIP documentation.

Core Function 1.5

Maintain database of eligible projects for future TIP/RTP funding consideration.

Business Rule 1.5.1

As planning studies are completed and adopted by the appropriate governing agency, ARC will identify all projects to be listed on a "Compilation List". The "Compilation List" is a non-published list of projects as identified in local Comprehensive Transportation Plans (CTPs), and various local and regional transportation studies. Listed projects may be eligible for future federal or regional funds, or have an impact on air quality conformity. Projects identified will be considered for inclusion in the "Aspirations Plan" project list during a subsequent update process. Project data will be captured from all of the following sources:

- County transportation plans
- Multimodal corridor plans
- Sub-regional transportation plans

- Regional and local transit service expansion plans
- Regional and local bicycle and pedestrian plans
- LCI plans (and supplemental studies)
- CID capital improvement programs
- Municipal capital improvement programs
- Other transportation plans adopted by a unit of government, as appropriate

Business Rule 1.5.2

ARC will publish a comprehensive list of all projects eligible for TIP/RTP consideration to its website. This list will be updated in the first quarter of each calendar year to reflect plans completed in the previous calendar year and the shift of any projects into an adopted TIP/RTP. For purposes of nomenclature, this list will constitute the region's "Aspirations Plan".

Business Rule 1.5.3

Projects will only be considered for federal or regional funds if:

- Identified in the region's "Aspirations Plan"
- The project is complementary to an existing TIP/RTP project and can be clearly demonstrated to be consistent with both the "Aspirations Plan" and goals, policies and priorities of the TIP/RTP

Business Rule 1.5.4

Any project, regardless of whether or not it has been identified as part of the region's "Aspirations Plan", may be funded entirely with local funds at the sponsor's discretion.

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Guiding Principle 2

Projects will be programmed based on realistic costs and feasible implementation schedules.

Core Function 2.1

Program all phases of a project.

Business Rule 2.1.1

All projects will consist of one or more of the following phases:

- Scoping (SCP)
- Preliminary engineering / engineering / design / planning (PE)
- GDOT oversight services for engineering (PE-OV)
- Right-of-way acquisition (ROW)
- Utility relocation (UTL)
- Construction / implementation (CST)
- Total estimated cost, inclusive of all phases (ALL)

Business Rule 2.1.2

For any project with one or more phases in the TIP period, all phases of the project will be identified separately. Projects with all phases in the long range portion of the plan may be consolidated into a single phase (ALL). Additionally, the cost breakdown per phase and project total cost will also be shown in project fact sheets under the detailed description.

Business Rule 2.1.3

The UTL phase will only be identified within the TIP period. No UTL phase will be identified separately in the long range portion of the plan.

Business Rule 2.1.4

Any phase in the TIP period utilizing federal funds will have the specific fund source identified. Long range phases for which federal funding is anticipated, but for which said federal funds have not been explicitly committed, will show unspecified "federal aid" as the funding source.

Core Function 2.2

Categorize projects in a consistent manner to facilitate reporting and analysis.

Business Rule 2.2.1

ARC will categorize all projects into one of the following service groups and project types:

- Roadway / Bridge Capacity
- Roadway / Bridge Upgrade
- Roadway / Capacity Reduction or Conversion
- Roadway / Interchange Capacity
- Roadway / Interchange Upgrade
- Roadway / General Purpose Capacity
- Roadway / Maintenance
- Roadway / Managed Lanes
- Roadway / Multimodal
- Roadway / Operations & Safety
- Transit / BRT Capital
- Transit / Bus Capital
- Transit / Formula Lump Sum
- Transit / Rail Capital
- Transit / Facilities Capital
- Transit / Operations & Maintenance
- Last Mile Connectivity / Bicycle Facility
- Last Mile Connectivity / Sidepaths and Trails
- Last Mile Connectivity / Pedestrian Facility
- Last Mile Connectivity / Joint Bike-Ped Facilities
- Other / LCI Program
- Other / Miscellaneous
- Other / System Optimization
- Other / Planning
- Other / TDM & Air Quality

Business Rule 2.2.2

Determination of the appropriate service group and project type will be based on the primary scope of the project. To the extent practical, additional elements related to other service group and/or project types which are not the focus of the project will be described on the project fact sheet.

Business Rule 2.2.3

The scope of all projects included in the TIP and RTP will reflect any appropriate multimodal improvements recommended through previous planning efforts, including but not necessarily limited to the following:

- County transportation plans
- Multimodal corridor plans
- Sub-regional transportation plans
- Regional and local transit service expansion plans
- Regional and local bicycle and pedestrian plans
- LCI plans
- CID capital improvement programs
- Municipal capital improvement programs
- Other transportation plans adopted by a unit of government, as appropriate

Business Rule 2.2.4

The scope of all projects included in the TIP and RTP will be consistent with and support the objectives of any relevant regionally identified systems, networks, policies or growth management strategies, including but not necessarily limited to the following:

- Regional Strategic Transportation System (RSTS)
- Major thoroughfares network
- Managed lane system
- Atlanta Strategic Truck Route Master Plan (ASTRoMaP)
- Regional bicycle mobility network
- Unified Growth Policy Map (UGPM)
- Other policies related to access management, complete streets, accessibility, social equity, project design and other issues as may be approved by ARC subsequent to the production of this document

Core Function 2.3

Program projects on a reasonable implementation schedule.

Business Rule 2.3.1

All programming within the TIP and RTP will reflect the state fiscal year, which begins on July 1 of the preceding calendar year.

Business Rule 2.3.2

With the exception of local funds and discretionary awards, funds will not be dedicated within the TIP period for preliminary engineering or design on any project which does not proceed into the right-of-way acquisition and/or construction phase within four years of the year in which PE funds are programmed. However, funds may be dedicated for a scoping phase without the programming of subsequent phases. Exceptions to this business rule may be made on a case-by-case basis for projects with exceptionally large scopes or unusual implementation circumstances. All exceptions will be properly documented.

Business Rule 2.3.3

With the exception of local funds and discretionary awards, funds will not be dedicated within the TIP period for right-of-way acquisition on any project which does not proceed into the construction phase within four years of the year in which ROW funds are programmed. Exceptions to this business rule may be made on a case-by-case basis for projects with exceptionally large scopes or unusual implementation circumstances.

Business Rule 2.3.4

Preliminary engineering and design, right-of-way acquisition and construction phases will not be programmed in the same year, except on a case-by-case basis for projects with minimal engineering and/or right-of-way requirements. Unless otherwise agreed upon through direct consultation with the sponsor of record, the default spacing between fiscal years for programming purposes will be as follows:

- Small scale project: one year between phases
- Medium scale project: two years between phases
- Large scale project: three years between phases

Business Rule 2.3.5

In conjunction with TIP project implementation monitoring activities conducted under Core Function 1.4, federally funded projects (not applicable to discretionary awards) may be reprogrammed, subject to review by TCC, or deleted from the TIP under the following circumstances:

- For projects in which the initiation of the scoping (SCP) phase has been delayed more than one time from the year in which it was first programmed, the SCP phase will be removed. Any other phases in the TIP or RTP will remain unchanged.
- For projects in which the initiation of PE has been delayed more than one time from the year in which it was first programmed, all phases of the project will be moved to long range. In accordance with Business Rule 2.6.1, any federal funds

over which the MPO has programming authority associated with the project will be withdrawn and the project will be identified with unspecified federal funds as the source due to the shift to long range. When and if the project is ready to be advanced again, it will be evaluated as a new project, with no consideration given to its former status as funded through a specific source or program.

- For projects in which the initiation of ROW has been delayed one time from the year in which it was first programmed, ROW funding will be permitted to remain in the TIP period with justification for the delay submitted via PlanIt. However, if the ROW phase has been delayed a second time, the project sponsor will be required to submit, via PlanIt, justification for the second delay and the project will be placed on an Exceptions List due to violation of TIP/RTP Blueprint guidelines. Project sponsors will still be held accountable for any local match commitment.

- For projects in which the initiation of CST has been delayed one time from the year in which it was first programmed, CST funding will be permitted to remain in the TIP period with justification for the delay submitted via PlanIt. However, if the CST phase is delayed a second time, the project sponsor will be required to submit, via PlanIt, justification for the second delay and will be placed on an Exceptions List due to violation of TIP/RTP Blueprint guidelines. Project sponsors will still be held accountable for any local match commitment.

The primary intent of the Exceptions List is to document projects that have violated the TIP/RTP Blueprint guidelines, yet meet all other criteria for administrative modifications, and enable them to continue to advance through the implementation process. Separate lists for the regular administrative modifications and the identified exceptions will be distributed to TCC a week prior to the scheduled release of updated project lists and fact sheets. If a project has been placed on the Exceptions List, TCC members and partner agencies will have the opportunity to review and provide comments or request additional explanation related to the proposed change. If no objections are stated regarding the proposed changes, projects on the Exceptions List will be processed during that quarterly administrative modification cycle.

Business Rule 2.3.6
For projects previously removed from the TIP and later requested to be placed back into the TIP, the reprogramming must occur during a TIP amendment. The project sponsor must provide justification in supporting the local match and provide the most realistic project schedule as possible. Additionally, the project sponsor must ensure that the project details such as description and cost estimates are up to date.

Core Function 2.4

Program projects with reasonable cost estimates.

Business Rule 2.4.1

For long range projects for which no detailed estimates have been prepared by the sponsor, costs will be estimated by ARC using the most up-to-date and appropriate cost estimating tool available. Costs developed through a special study or scoping phase will be used, if available.

Business Rule 2.4.2

Costs for projects with one or more phases in the TIP period will be provided by the sponsor of record. Use of an up-to-date and appropriate cost estimating tool is strongly encouraged.

Business Rule 2.4.3

Cost estimates for individual projects reflected in the project lists and fact sheet will be reported in current year dollars. Federal planning requirements for fiscally constraining the plan using year of expenditure estimates will be satisfied through other processes.

Core Function 2.5

Assign appropriate project funding responsibilities.

Business Rule 2.5.1

Until a Project Framework Agreement (PFA) is officially executed between GDOT and another agency detailing funding responsibilities for projects on the roadway network, ARC will reflect consistent and reasonable assumptions in the project lists and fact sheets.

Business Rule 2.5.2

Unless otherwise defined in an executed PFA, all phases of a long range project located on the federal and/or state highway system (i.e., carries a numerical U.S. or state route designation) will be programmed using unspecified federal funds, with the required match provided by state sources.

Business Rule 2.5.3

Unless otherwise defined in an executed PFA, all phases of long range projects not located on the federal and/or state highway system (i.e., carries a numerical U.S. or state route designation), but on a regionally adopted network of facilities eligible for federal funds, will be programmed using unspecified federal funds, with the required match provided by local sources.

Business Rule 2.5.4

Unless otherwise defined in an executed PFA, all phases of long range projects not located on the federal and/or state highway system (i.e., carries a numerical U.S. or state route designation) or on a regionally adopted network of facilities eligible for federal funds will be programmed using local sources.

Business Rule 2.5.5

Unless otherwise defined in an executed PFA, projects with one or more phases within the TIP period and remaining phases in long range will be programmed in a manner consistent with how funding responsibilities are defined for the TIP phase(s).

Business Rule 2.5.6

Should a previously executed PFA no longer be valid and funding responsibilities in dispute with no potential for immediate resolution, ARC will shift any TIP phases into the long range period of the plan until an updated PFA is executed.

Business Rule 2.5.7

Match responsibilities for transit projects will be defined by the project sponsor.

Core Function 2.6

Exercise additional oversight over funds sub-allocated to the MPO.

Business Rule 2.6.1

Funds sub-allocated under federal law to the MPO will be identified by the relevant code only within the TIP period. While a commitment of MPO funds for one or more phases within the TIP period may be construed as a desire by ARC to fund the remaining long range phase(s) from the same source, no firm obligation in that regard should be assumed.

Business Rule 2.6.2

Commitment of any funds sub-allocated under federal law to the MPO are only considered valid if reflected in the most recent TIP and RTP project lists and fact sheets. Verbal commitments, outdated documents or information received from any other agency will not be considered as a formal commitment of funds.

Business Rule 2.6.3

Unless directly negotiated between ARC and the sponsor, no funding over which the MPO exercises exclusive programming authority will be used for projects which are inconsistent with plans identified under Business Rule 2.2.3.

Business Rule 2.6.4

All general purpose roadway capacity projects funded through federal MPO sub-allocations shall include an access management plan to be prepared during the course of the engineering and design phase, if that phase of the project has not yet been initiated. No funds for right-of-way acquisition and/or construction shall be authorized until an access management plan is submitted to and approved by ARC staff (and GDOT for projects on the state and/or federal highway system). Key access management issues will be considered during the SCP phase regardless of fund source, although production of a stand-alone access management plan is not required.

Business Rule 2.6.5

All roadway projects funded through federal MPO sub-allocations shall be consistent with complete street principles and give due consideration to the needs of all users, as appropriate, along the corridor, including motorists, freight operators, transit riders, bicyclists and pedestrians. Additional guidance on how complete street principles should be applied on projects within the Atlanta region will be included in PLAN 2040 documentation.

Business Rule 2.6.6

When appropriate, ARC will require a SCP phase prior to an engineering and design phase, whereby initial funds will be used to undertake a detailed concept study and feasibility evaluation of the project to determine more accurate cost estimates for final engineering, right-of-way acquisition and construction, as well as a realistic implementation schedule. Funds for subsequent phases will not be approved for final release until estimates are approved by ARC and reflected in the plan. ARC will collaborate with GDOT to encourage a similar approach being used for all federally funded projects undertaken in the region.

Business Rule 2.6.7

Funding commitments for right-of-way acquisition from federal MPO sub-allocations are firm and will not be considered for increasing. Any amount above and beyond what is programmed following completion of the scoping study under Business Rule 2.6.6 will be the responsibility of the project sponsor to fund.

Core Function 2.7

Maintain transit funding data in a manner to support the unique needs of those programs.

Business Rule 2.7.1

FTA formula funds dedicated to each agency or jurisdiction will be reflected as a lump sum for each fiscal year in project lists and fact sheets and will only be updated in conjunction with an administrative modification, amendment or update process.

Business Rule 2.7.2

Specific programs and projects to be implemented using the formula funds for each fiscal year will be identified in an appendix of the TIP document and updated as frequently as needed.

Business Rule 2.7.3

The Transit in the TIP Appendix located within the TIP documentation will include a list of all projects and funding amounts using FHWA funds that have been flexed to FTA within the past five years, along with its current status of securing those funds through the FTA grant approval process. Transit operators will be required to provide updated information to ARC at regular intervals or upon request.

3

Guiding Principle 3

Projects will be programmed consistent with the policies, goals and priorities established through the regular MPO planning process and will adhere to all applicable federal and state legal requirements.

Core Function 3.1

Include all projects required by federal law to be in the TIP and RTP.

Business Rule 3.1.1

In published lists, fact sheets, and PlanIt website, ARC will include any project utilizing federal transportation funds, including discretionary awards, for any phase.

Business Rule 3.1.2

In published lists, fact sheets, and PlanIt website, ARC will include any project deemed to be regionally significant and impacting the regional travel demand model and air quality conformity determination, regardless of funding source.

Core Function 3.2

Maintain the plan's focus on regional systems.

Business Rule 3.2.1

Any projects included in the plan must include information on the fact sheet which clearly demonstrates its consistency with any applicable regional networks.

Business Rule 3.2.2

When federal funds are no longer required by a project, due to lower cost estimates, deletion of the project from the plan, securing of alternate funding or other reasons, unused funds will be reclaimed and made available to other projects through the regular MPO planning process. Requests by sponsors to retain claim to previously awarded MPO federal funds and dedicate them to another project at their sole discretion are strongly discouraged since such requests are inconsistent with a needs-based regional planning process. If an alternate project is proposed by the sponsor for MPO federal funds previously released, approval by TCC is warranted prior to the release of those funds.

4

Guiding Principle 4

Updates, amendments and administrative modifications will be conducted on a regular and predictable basis and in an efficient manner to facilitate project implementation goals.

Core Function 4.1

Conduct administrative modifications on a quarterly basis.

Business Rule 4.1.1

Unless otherwise announced at TCC and through other means, modifications will generally be processed the same day as the first regularly scheduled TCC meeting of every third month. In the event that exceptions are identified (as described in Business Rule 2.3.5), the modifications period will be extended by one week beyond the scheduled TCC meeting. The deadlines will still be applicable if the relevant TCC meeting is cancelled or postponed. Modifications will be processed during the following months:

- March
- June
- September
- December

Business Rule 4.1.2

Unless otherwise announced at TCC and through other means, requests for administrative modifications will be due two weeks before the day they are approved and processed and are required to be submitted via the PlanIt website.

Business Rule 4.1.3

The need for any quarterly modification process may be negated by a broader amendment or update.

Business Rule 4.1.4

In conjunction with each modification cycle, ARC will prepare an announcement detailing the schedule, acceptable changes and the process for submitting requests. The announcement will be released via email to the TCC distribution and posted on the TIP website. In addition, verbal announcements will be made at TCC meetings as appropriate.

Business Rule 4.1.5

All eligibility requirements for processing a change as an administrative modification must be consistent with the Regional Community Engagement Plan and applicable federal and state laws, guidance and processes.

Core Function 4.2

Conduct amendments as necessary.

Business Rule 4.2.1

It is ARC's intention to conduct a non-conformity amendment in conjunction with the 3rd quarter administrative modifications each year and a conformity amendment at the same time every other year. Since amendment schedules involve many factors beyond the ability of ARC to control, however, flexibility is paramount. Amendment schedules will ultimately be determined through an assessment of the urgency of the change, the potential impacts to the project implementation schedule, and the impacts to the overall TIP/RTP process.

Business Rule 4.2.2

Amendments will only be undertaken if requested by one or more project sponsors. Only time sensitive requests that impact a project's implementation schedule will be considered outside the regular annual or biennial process.

Business Rule 4.2.3

When the need for an amendment has been determined, ARC will prepare an announcement detailing the schedule, acceptable changes and the process for submitting requests. The announcement will be released in hard copy format at a TCC meeting and forwarded by email to the TCC distribution list.

Business Rule 4.2.4

All eligibility requirements for processing a change as an amendment must be consistent with the Regional Community Engagement Plan and applicable federal and state laws, guidance and processes.

Business Rule 4.2.5

For nomenclature purposes, the biennial conformity amendment will also constitute an update to the TIP and involve extending the horizon of the program by an additional two years. A non-conformity amendment will not constitute an update and will not extend the horizon. No amendment will result in an extension of the horizon year of the overall RTP, however.

Core Function 4.3
Conduct plan updates as necessary.

Business Rule 4.3.1
It is ARC's intention to conduct a full update to the RTP every fourth year to meet current federal planning requirements. Since update schedules involve many factors beyond the ability of ARC to control, however, flexibility is paramount. Update schedules will ultimately be determined through an assessment of federal planning requirements, air quality conformity deadlines, changes in fundamental financial planning assumptions and other factors which alter the underlying goals and policies of the regional plan.

Business Rule 4.3.2
The process and schedule for undertaking an update will be established based on the unique circumstances in place at the time of the update being announced and will be subject to change throughout the process as new information becomes available. Regular briefings to TCC and TAQC will occur throughout an update process as needed.

Business Rule 4.3.3
For nomenclature purposes, an RTP update will generally involve extending the horizon year of the plan by a minimum of five years.

Business Rule 4.3.4
To the extent practical, TIP and RTP updates will be adopted and receive all necessary agency approvals as close as possible to the beginning of the state fiscal year on July 1.

5

Guiding Principle 5

The decision making process for updating project information will be well documented and conducted in a consistent and objective manner.

Core Function 5.1
Designate project sponsors.

Business Rule 5.1.1
No project or phase of any project will be programmed in the TIP unless a sponsor is formally identified and said sponsor has indicated a willingness and ability to assume responsibility for funding and scheduling decisions related to the project.

Business Rule 5.1.2
For long range projects located on the state and/or federal highway system (i.e., carries a numerical U.S. or state route designation) for which no sponsor has yet been formally identified, GDOT will be identified as the interim sponsor of record. As the interim sponsor, GDOT will have the authority to vest sponsorship with another agency at any time.

Business Rule 5.1.3
For long range projects not located on the state and/or federal highway system (i.e., carries a numerical U.S. or state route designation) for which no sponsor has yet been formally identified, the county or municipal government in which the project is physically situated will be identified as the interim sponsor of record. GDOT or another agency may assume sponsorship of the project at their discretion, but the county or municipal government may not unilaterally transfer sponsorship.

Business Rule 5.1.4
For long range transit projects for which no sponsor has yet been formally identified, the Regional Transit Committee (RTC) will be identified as the interim sponsor of record. As the interim sponsor, the RTC will have the authority, through official action at any meeting, to vest sponsorship with another agency.

Business Rule 5.1.5
ARC will not assume sponsorship for any project which requires the design, construction or operation of any physical infrastructure. Sponsorship by ARC will be limited to planning studies and regional programs.

Core Function 5.2

Reflect funding and schedule decisions made by sponsors, while maintaining consistency with other applicable rules governing reprogramming requests (particularly Business Rule 2.3.5).

Business Rule 5.2.1

With respect to all the following business rules, a final decision on whether to honor a requested change to funding levels or schedule on any project or any phase of a project rests with ARC. This authority is reserved to ensure that all applicable state and federal planning requirements are followed.

Business Rule 5.2.2

For projects involving only local funds, the decision on requesting changes resides with the sponsor of record.

Business Rule 5.2.3

For projects where a schedule change to a phase using only local funds impacts subsequent phases using state and/or federal funds, the sponsor of record must consult with and receive written concurrence from the agency with programming authority over the state and/or federal funds. ARC will accept requests for changes to the schedule of all phases from the sponsor only if accompanied by this written concurrence.

Business Rule 5.2.4

For projects where a change is requested to the schedule of a phase using state and/or federal funds, the sponsor must consult with and receive written concurrence from the agency with programming authority over the state and/or federal funds. ARC will accept requests for changes to the schedule of all phases from the sponsor only if accompanied by this written concurrence.

Business Rule 5.2.5

For projects where a change is requested that impacts the level of state and/or federal funds, only a final recommendation from the agency with programming authority over the state and/or federal funds will be accepted. Requests made to ARC from a local sponsor to increase funding levels will be deferred to the appropriate agency for consideration.

Business Rule 5.2.6

Should the agency with programming authority over any state and/or federal funds impacted by a sponsor request express disagreement with said request upon being informed, the change will either be revoked or tabled for consideration during the next scheduled administrative modification, amendment or update cycle.

Core Function 5.3

Facilitate adherence to Project Framework Agreements (PFA).

Business Rule 5.3.1
On a case by case basis, ARC will coordinate with GDOT to identify the most appropriate step in the PFA negotiation process to review and offer comments prior to the PFA being finalized and approved.

Business Rule 5.3.2
ARC will obtain copies of all executed PFAs and use them, as appropriate, to help make final TIP and RTP programming decisions when conflicting information is provided by GDOT and another agency.

Supplemental Guidelines on Discretionary Award

Discretionary awards are those where a project receives funding outside the traditional regional planning process, either as a legislative earmark or through a competitive program. In most cases, these awards occur at the federal level, but allocations can also be made at the state level.

Discretionary awards currently programmed in the TIP will be subject to all guiding principles, core functions and business rules outlined elsewhere in this document. However, certain elements of Business Rule 2.3.5 may not be applicable given that discretionary awards are federally mandated spending for specific projects and cannot be repurposed. Pending the outcome of the transportation reauthorization bill, federal and state rules and procedures regarding discretionary awards may change significantly and this section may need to be updated. Assuming future discretionary awards are available and awarded, they are subject to the same principles and rules as stated in this document. Discretionary award recipients will be held accountable for submitting information as requested prior to full programming of the discretionary award.

The following additional guidance is provided to help sponsors better understand the unique challenges that discretionary awards pose on the regional planning process and how they are managed within TIP and RTP documentation. While nothing in this section should be construed as prohibiting an agency from pursuing discretionary award funds at their discretion, adhering to this guidance will ensure that ARC is able to be an effective partner in managing the discretionary award funds through the process. Failure to follow this guidance may undermine regional goals and will severely inhibit ARC's ability to assist sponsors with issues as they arise.

<u>**Considering a Discretionary Award Request**</u>

ARC strongly advises sponsors to consider the following information when considering whether to request discretionary awards.

- **Discretionary awards may not constitute "extra" money.** As budgeted at the federal level in recent years, every dollar set aside for some type of discretionary award is one less dollar that is available for allocation through regular formula programs. This results in less funding available to address regional and statewide congestion, mobility, accessibility and safety needs. Some programs, however, do have specific Congressional allocations which may be independent of formula program funding levels.

- **Discretionary awards are not a grant**. In most cases, a 20% local match commitment is required, so it is not "free" money. And funds are released on a reimbursement basis, meaning that a local sponsor must advance the full cost of the project and then request 80% reimbursement from GDOT and FHWA on a monthly basis. Implementing a discretionary award project requires a significant cash flow management capability and is not a responsibility to be undertaken lightly.

- **Discretionary awards rarely cover the full project cost.** In most cases, the number of requests far exceeds available funds, resulting in a "spread the wealth" phenomenon where most projects receive only a small fraction of the total cost necessary for engineering, right-of-way acquisition and construction. ARC encourages sponsors to request that your legislative representatives fund a reasonably limited number of projects in their entirety, rather than distribute small amounts across multiple requests.

ARC Request for Advance Notification

If a decision is made to move forward on a discretionary award request, ARC expects the requesting entity to provide advance notification that the request is being made. Depending on the nature of the request, ARC reserves the right to provide comments directly to the member of Congress on the request's relationship to the TIP/RTP and regional planning process. Supplemental review will be handled by the appropriate ARC committee providing additional comments regarding the requested discretionary award.

General Programming Requirements for a Discretionary Award

- **Discretionary awards cannot be programmed until a project is fully funded.** Federal law prohibits the expenditure of federal funds on a project unless it can be demonstrated that the project has funding commitments that will ensure its completion. If the discretionary award amount covers only a portion of the total cost, a source for the difference must be identified and programmed in the TIP. Expectations of receiving future discretionary award to make up the difference are not acceptable for demonstrating fiscal constraint.

- **Discretionary awards should complement the planning process, not circumvent it.** In an era of limited funding, ARC strongly encourages sponsors to seek out every opportunity to fund projects that have been vetted through the regional planning process and have already been incorporated into the TIP/RTP. ARC does not support any agency seeking funds for projects that have not been subject to public scrutiny or technical analysis and are incompatible with regional goals and policies. Please focus discretionary award requests on advancing projects which are already included in the TIP/RTP and for which traditional sources of funding have already been identified. Securing partial funding for a new project, even if the project was identified through

a planning process defined in Business Rule 2.2.3, is strongly discouraged and will not result in the project being given priority for federal or state funds for the balance of the cost.

- **Discretionary awards must be programmed in the TIP before they can be accessed.** As with all federal funds, GDOT must receive authorization request from FHWA before the funds can be released to sponsors. This can only occur if the project is programmed in the TIP. Adding discretionary award funds to a new or existing project can only be done through a formal amendment, which requires a minimum 10-day public comment period and approval by all ARC committees and the State. If the discretionary award involves a major capacity expansion, such as widening an arterial, the amendment timeframe can easily require four to six months due to travel demand modeling and air quality conformity requirements. Amendments are only conducted periodically, so sponsors must be proactive on ensuring discretionary award funds are incorporated well in advance of when they anticipate actually drawing down the funds.

- **Discretionary awards will not be programmed until a scope has been defined.** ARC has experienced considerable challenges in managing discretionary awards in the TIP when a sponsor is unsure how the funds will ultimately be used and the discretionary award language is extremely vague. Revisiting scopes continuously and shifting funds between multiple projects while various ideas are still being considered by the sponsor is a time consuming exercise that invites the possibility of error. Consequently, a sponsor is required to develop and submit a reasonably detailed scope to ARC prior to programming any discretionary award in the TIP. ARC recognizes that circumstances may change and a scope modification may be required at a later date after the project is programmed, but this requirement will help both ARC and sponsors become more efficient.

- **Discretionary awards require owners.** When a request is made for a discretionary award, it is expected that a qualified local government or other eligible recipient will immediately assume "ownership" and ensure that all necessary information is provided to ARC in a proactive and timely manner. ARC does not have the ability to dedicate significant staff time to researching the origin of individual discretionary awards and requesting information from sponsors. It is the responsibility of the requesting entity to do the legwork necessary to draw down these funds. ARC is fully committed to working with sponsors to incorporate discretionary award funds into the TIP as expeditiously as possible once the necessary information has been assembled. Note that if a project sponsor has not been formally identified as outlined in Core Function 5.1, securing a discretionary award, even if only for a single phase or for a small portion of the total cost, will result in the requesting entity being designated as the sponsor of record for the entire project. This designation could result in significant project management and financial responsibilities, so sponsors are strongly discouraged from requesting funds for projects that they are not willing to assume full ownership of through design, right-of-way acquisition, construction and operation.

Programming Details

Earmarks

ARC will not take any action on programming any approved earmark funds into the TIP until all of the following requirements (as appropriate depending on the nature of the funding source) are met. It is assumed that the entity requesting the earmark will be the project sponsor and is solely responsible for providing this information in a timely manner.

- Notification that an earmark has been awarded in final legislation, including:
    - The legislative citation, including the name of the act and the date signed into law by the President
    - Page number in the legislation where the earmark can be located
    - Any identifying project number(s) associated with the earmark
    - The precise description of the earmark, as defined in the legislation
    - Amount of federal funds awarded
    - Federal fund code for the earmark
    - Match requirements (if any)
    - Source of match (if required)

- Additional information required to program the earmark funds in the TIP:
    - Identification of the full cost of the project (all phases) above and beyond that secured under the earmark
    - Source of additional funds required to complete the project, including a written commitment from the agency with programming authority over those funds
    - Implementation schedule
    - Other descriptive information as required to prepare a project fact sheet
    - In situations where a single earmark is used to fund multiple projects over a period of time, the "source" earmark for incrementally identified projects must be clearly identified, along with documentation on residual funds remaining to be committed from the earmark

A formal request to add earmark funds to the TIP through the amendment process must be received by the requesting entity before ARC will undertake any action. Additional considerations related to the request follow:

- Earmark funds will only be added through an amendment process, as defined in the Regional Community Engagement Plan. Requests to add earmarks through the quarterly administrative modification process will not be considered.

- ARC will not initiate an amendment solely for the purpose of adding a single earmark. By tracking earmark requests and awards proactively, ARC can identify an appropriate schedule for

undertaking a broader amendment that is inclusive of all needs and is not disruptive to the overall TIP/RTP process.

- Failure of the sponsor to incorporate the earmark into the TIP in advance of when a funding authorization request is made to GDOT will result in implementation delays.

Competitive Programs

A formal request to add discretionary funds from competitive programs (such as TIGER and FTA Transit State of Good Repair) to the TIP may occur through an administrative modification process. Submittals must be received by the requesting entity before ARC will undertake any action. The following information is required prior to programming in the TIP:

- Project title
- Description
- Award description
- Funding amount awarded
- Local match

Upon receipt of all required information, the competitive program funds will be programmed in the TIP during the next administrative modification opportunity.

Supplemental Guidelines on LCI Projects

Projects funded under the [Livable Centers Initiative](#) (LCI) are part of the TIP, therefore the policies in the TIP/RTP Blueprint apply to all LCI transportation projects. This section includes additional guidelines that apply to the unique characteristics of the LCI program. These guidelines are designed to help ARC staff and local government sponsors to prepare and manage LCI transportation projects that will lead to construction in a timely manner and support the implementation of the LCI program and local LCI plan.

Program Overview

The Livable Centers Initiative is a program offered by the Atlanta Regional Commission that encourages local jurisdictions to plan and implement strategies that link transportation improvements with land use development strategies to create sustainable, livable communities consistent with regional development policies.

Planning grants are awarded on a competitive basis to local governments and non-profit organizations to prepare plans for the enhancement of existing centers and corridors, taking advantage of the infrastructure and private investments committed in these communities and achieving more balanced regional development, reducing vehicle miles traveled and improving air quality. The primary goals of the program are to:

- Encourage a diversity of mixed-income residential neighborhoods, employment, shopping and recreation choices at the activity center, town center, and corridor level;
- Provide access to a range of travel modes including transit, roadways, walking and biking to enable access to all uses within the study area;
- Develop an outreach process that promotes the involvement of all stakeholders.

The LCI program uses a category of federal funds (STP Urban) which are sub-allocated directly to Metropolitan Planning Organizations (MPO) such as ARC from the federal Surface Transportation Program (STP). Therefore, to be eligible for LCI funding, LCI transportation projects must meet all federal requirements for use of STP Urban funds.

Project Selection

LCI transportation funds are available to LCI communities in good standing to support implementation of their LCI plan. Selection of projects for LCI transportation funding is provided through a competitive process and decisions related to programming are at the discretion of ARC. No LCI community is guaranteed to receive funding for an LCI transportation project.

- For consideration of LCI transportation funding, the following minimum implementation thresholds must be met:

  o The LCI study must be complete and have received formal action by the local governing body as outlined above, (e.g. resolution, adoption, acceptance).
  o The LCI 5-Year/10-Year Plan Update, if required, must be submitted to and approved by ARC.
  o The local government must currently have their QLG status or be actively seeking reinstatement of QLG.
  o The project must lie entirely within an LCI area. Minor extensions beyond the study limits may be allowed only if required to meet federal logical termini criteria.
  o Projects submitted for funding consideration must be identified in the Five-Year Action Plan from the originally adopted LCI Plan, supplemental study, or most recent adopted 5-Year or 10-Year LCI Update.
  o The LCI plan must be incorporated into relevant sections of the local comprehensive plan.
  o The local government must have adopted development regulations that support the implementation of the LCI plan.
  o Developments approved by the local government since the LCI study completion must support the LCI plan (goes toward competitiveness, but does not eliminate project for eligibility).

Scoping Phase

LCI projects selected for funding must first undergo a scoping process prior to the project being programmed in the TIP and having federal funds committed to the project. The purpose of the scoping phase is to ensure project feasibility, realistic cost estimates and schedule, and identify and address any major obstacles to implementation early in the process in order to avoid delays or ultimately squandering federal funds. It ensures that federal funds go to well-considered, defensible projects whose sponsors are committed and able to implement the project. The goal is for sponsors to be able to immediately begin working on the technical elements of a concept report once PE funds are committed to the project.

- The Scoping Phase is 100% locally funded. However, the scoping report template was designed with the intention that planning staff involved with the LCI Plan or familiar with federal transportation project management could prepare the report in-house, using technical information, typical sections, maps, etc. found in the LCI plan.
- Sponsors of selected projects are required to hold a Scoping Meeting with ARC and other stakeholders (e.g. GDOT, MARTA, CIDs) within 3 months of the project award announcement.
- Sponsors of selected projects are required to submit Scoping Reports to ARC staff for approval no later than one year after the sponsor was notified of the project funding award.

- Approval of a scoping report is at the discretion of ARC staff. Scoping reports may not be approved, and therefore not funded/programmed, under the following circumstances:
  - Lack of local funding match or local commitment
  - Project scope is substantially altered from that described in LCI funding application
  - Project is not implementable due to a variety of reasons, including, but not limited to: organized, intense public opposition; lack of GDOT support for changes to a state route; unavoidable, severe environmental or right-of-way impacts.
  - Lack of logical termini
- Once the Scoping Report is approved by ARC staff, the project will be entered into the TIP during the next scheduled quarterly Administrative Modification.

Programming

- LCI transportation funds are eligible for most phases for the project process – preliminary engineering / design (PE), right-of-way acquisition (ROW), and construction / implementation (CST). Federal funds will be used primarily for the construction phase. With the case of the scoping (SCP) phase in regards to an LCI transportation project, 100% must be locally funded with no federal funds available. PE is a valid use and will be considered up to 20% of the construction cost. ROW acquisition is the lowest priority and should be funded with local resources as a matter of course. Funds will be considered for ROW acquisition on a case-by-case basis at the discretion of ARC. All projects submitted for funding should assume that ROW will be funded locally and be designed and budgeted accordingly.

- The minimum project amount is $500,000 (federal). Due to the complexities of the federal transportation process, projects under $500,000 are encouraged to use local or other funding sources. The maximum project amount is $4 million (federal). Projects larger than this amount should be phased or provide an overmatch. A minimum 20% local match (per phase with federal funds) is required for all projects.

- Utility relocation (UTL) will be considered for funding through LCI. Federal funding for utility relocation cannot exceed 20% of the total construction costs. Consideration for funding utility relocation will be considered on a case by case basis and will be considered by ARC staff separately from consideration of funding for PE, ROW, and construction. Projects should be located in an area with high pedestrian activity and have direct connections to transit.

- Once programmed in the TIP, the federal share of the total project cost may not be increased more than 20% from the originally programmed amount. If the cost estimates have increased more than 20%, the sponsor should be prepared to either pay the additional funds with other funding sources, or consider reducing the scope or phasing the project.

- Additional funding requests will be considered during quarterly administrative modifications, depending on the availability of funds. Requests to increase funding will be considered only for those phases not yet authorized, and construction phase requests will only be considered after the ROW phase has been authorized. The following criteria apply to all requests for additional funding:

  o The project status is "Advancing" in the LCI Breaking Ground Report
  o A detailed cost estimate is provided justifying the additional funds
  o Additional funds from past and current requests do not exceed 20% of the original total project cost (federal)
  o The total LCI contribution (federal share) to the project does not exceed $4 million
  o Funding is available

Project Design

LCI projects are expected to be designed at a very high standard in order to fulfill the program's goal of creating communities where modes of travel other than the private automobile are safe, convenient and attractive.

- In addition to meeting all federal requirements for use of STP Urban funds, LCI transportation projects must meet the following:

  o Support the goals of the LCI program
  o Implement the completed LCI plan
  o Support an enhanced multi-modal environment
  o Be consistent with Lifelong Communities principles and Complete Streets principles (see Business Rule 2.6.5).
  o Consider Access Management, including lane width reductions, curb cut reductions, medians, and buffers between sidewalks and travel lanes.
  o Attracts and/or supports quality development consistent with the LCI plan
  o Consistent with adopted regional plans/documents: e.g. Regional Transportation Plan, Regional Development Plan, 2007 Atlanta Region Bicycle Transportation and Pedestrian Walkways Plan, Multi-modal Corridor Studies.

- Eligible projects must have a clear mobility, accessibility, or safety function as the primary design and financial component. Trail projects must serve as a viable corridor for non-recreational trips by connecting significant anchor points, be open hours conducive to commuter travel times, and include features that support commuting (such as lighting).

- Local sponsors and their consultants are required to attend GDOT's sponsored Plan Development Process (PDP) training, and sponsors must be Local Administered Project (LAP) certified, prior to executing a Project Framework Agreement and beginning PE.

Scope Changes

Budget and scope of work changes will be considered on a case-by-case basis. Changes to the project scope and budget must maintain the overall intent of the project consistent with the original application.

- It is expected that a realistic cost estimate be submitted at the time an application is submitted for transportation project funding and that the scope of that project will not change. Reasonable modifications to the project scope are acceptable, but the scope should not change in a manner that affects the initial intent of the project. Project scope of work change requests will be reviewed by ARC on a case-by-case basis.

- If scope of work modifications are necessary due to funding constraints or related issues, it is preferable that project limits be reduced or phased rather than project elements being eliminated.

- The project scope of work should not be modified such that the original intent changes. However, if at any time during the scoping or preliminary engineering phase, significant modifications from the initial concept submitted for funding to the ARC are proposed, in a manner that alters the original intent of the project, changes must be approved by ARC. ARC reserves the right to withdraw federal funds if the original project purpose and LCI objectives have not been maintained. Removal of bike lanes, sidewalks or medians in their entirety would be considered significant modifications warranted justification and ARC approval.

- The project description in the Transportation Improvement Program is the official description and is what ARC, GDOT and FHWA expects to be constructed. If the project description does not match the environmental document or final plans, GDOT or FHWA may not certify the project for letting until the project description is changed. The project description in the TIP should be kept up to date, and it is the project sponsor's responsibility to inform ARC of any changes or discrepancies. Changes to the project description can be altered during quarterly administrative modifications.

Project Tracking

Project management is the responsibility of the transportation project local sponsor and GDOT. ARC staff monitors the project status and assists both the local government sponsor and GDOT in its successful implementation.

- ARC will prepare the LCI Breaking Ground Report every 6 months (which is technically an appendix to the ARC's annual Breaking Ground Report). The LCI Breaking Ground Report will identify the status of each project and the phase of implementation. Each project will be identified as one of the following:

    - Project of Concern - identified if:
        - Concept Report not approved within one year of issuance of Notice to Proceed (NTP) with Preliminary Engineering (PE)
        - ROW plans not approved in one year or less following Concept Report Approval
        - A project has been in the right-of-way acquisition phase for more than 18 months,
        - There has been no significant action in the past 6 months (i.e. no submittals, reviews, communication, etc.)
    - Advancing - project is making adequate progress in each phase of the PDP
    - Authorized - project has been authorized for construction
    - Complete - project has completed construction and been officially closed out
    - Dropped - project has been dropped and no LCI transportation funds are associated with the project

- A transportation project that is identified as a "Project of Concern" on the LCI Breaking Ground Report for two consecutive reporting periods (a reporting period is 6 months) will be notified for a potential loss of funds and the project sponsor will not be eligible for additional LCI Transportation funding until the project is advanced. ARC staff will coordinate with sponsors of these projects to identify necessary progress that must be achieved within the next reporting period to be considered "Advancing". If the project remains a "Project of Concern" for a third consecutive reporting period, then ARC will consider removing any remaining LCI transportation funds for the current and future phases.

Supplemental Guidelines on Public Private Partnerships

ARC and GDOT are in ongoing discussions about the most appropriate manner in which to program projects being advanced through a Public Private Partnership (P3). These projects have unique issues related to when the conversion from a traditional funding arrangement to a P3 must occur in the TIP/RTP, what information can be presented in order to ensure transparency while still respecting any relevant confidentiality or proprietary agreements between implementation partners, and the best way to depict the relationship between public and private costs and the distribution of revenue derived from the project.

At the time of this document's preparation, only general information related to the overall P3 process was available for inclusion. This appendix provides an excerpt of the first four sections of P3 program guidelines published by GDOT on February 2, 2010. As specific projects advance through the process, a more clear understanding will be possible related to how P3 projects will need to be reflected in the Atlanta region's TIP/RTP. This appendix will be updated on a regular basis as appropriate business rules are jointly developed by ARC and GDOT.

Note: Excerpts from "Public-Private Partnership Guidelines" published by the Georgia Department of Transportation on February 2, 2010. The full document is available on GDOT's website at http://www.dot.state.ga.us/informationcenter/p3/administration/Pages/Guidelines.aspx.

1.   **PURPOSE OF GUIDELINES**

   1.1.   Intent of Guidelines

   These Guidelines are intended to facilitate the implementation of the Department's Public-Private Partnership ("P3") program consistent with Sections 32-2-78 through 32-2-80 of the Official Code of Georgia Annotated ("P3 Legislation"), and Chapter 672-17 of the Rules of State Department of Transportation ("P3 Rules"). Further, these Guidelines are intended to provide a general framework, process and structure for the Department's P3 program. While the Department endeavors to have its employees and consultants follow the process and procedures contained herein, these Guidelines are advisory and descriptive in nature, and do not impose any legal obligations or liability on the Board, the Department or any of their members, employees, representatives and consultants.

   1.2.   Revisions to Guidelines

   These Guidelines, including any appendices, may be periodically revised or updated to meet the needs of the P3 program. Revisions to these Guidelines require the approval of the Board.

   1.3.   Contact Information

   These Guidelines are made available on the Department's website. Any questions regarding these Guidelines are referred to the administrator of the Department's Office of Innovative Program Delivery.

2.   **OVERVIEW OF THE P3 PROGRAM**

   2.1.   Purpose and Goals

   The P3 program is intended to seek innovative project delivery and innovative financing solutions from the private sector to meet the State's transportation infrastructure needs. The P3 program is one of many programs available to the Department to fulfill its mission. The goal of the P3 program is to create a fair, transparent and reliable process to support a climate for private sector innovation and investment in a manner that provides value and benefit to the State's transportation system.

   2.2.   Program Policies

   The policies of the P3 program are set forth in P3 Rule 672-17-.01.

2.3. **Statutory Authority**

The Department conducts all procurements under the P3 program pursuant to the authority set forth in the P3 Legislation and P3 Rules.

3. **PROGRAM ADMINISTRATION**

The Department develops, implements and administers the P3 program. To fulfill these obligations, the Department has identified the need for a strategic organizational structure and strategy to define the roles, responsibilities and levels of involvement of the various participants in the P3 program. These various roles, responsibilities and levels of involvement are set forth below.

3.1. **Department Organizational Structure, Roles and Responsibilities**

3.1.1. **State Transportation Board and Committees**

In addition to the duties and responsibilities identified in the P3 Legislation and P3 Rules, the Board is also responsible for developing general policies governing the P3 program. The Board's Alternative Finance Committee reports on the progress and activities of the P3 program to the Board, including any issues requiring action or decision from the Board.

3.1.2. **Director of Planning**

In addition to the duties and responsibilities identified in the P3 Legislation and P3 Rules, the Director of Planning assists in the process of identifying, screening and selecting Projects for the P3 program. Further, the Director of Planning is one of the members on the Steering Committee.

3.1.3. **Commissioner**

In addition to the duties and responsibilities identified in the P3 Legislation and P3 Rules, the Commissioner is one of the members on the Steering Committee.

3.1.4. **Office of Innovative Finance**

The Office of Innovative Finance provides support and assistance with respect to funding and financing issues related to the P3 program and a particular Project.

3.1.5. **Office of Innovative Program Delivery**

The Office of Innovative Program Delivery provides support and assistance with respect to project development and technical issues related to the P3 program and a particular Project.

3.1.6. Program Director

The Program Director oversees and supervises the development and implementation of the P3 program, and reports the P3 program activities to the Board's Alternative Finance Committee. The Program Director is one of the members of the Steering Committee.

3.1.7. Project Manager(s)

A Project Manager is designated by the Program Director for each Project selected for the P3 program. The Project Manager oversees the procurement, implementation and administration activities of a specific Project. Once a Project has been selected for the P3 program, the Project Manager schedules and supervises all procurement activities, including any additional technical, financial or legal issues that should be addressed, considered or resolved before initiating a procurement. Further, once the contract is executed, the Project Manager supervises all project implementation and administration activities for the Project. The Project Manager reports to the Program Director.

3.1.8. Steering Committee

The Steering Committee provides oversight, guidance and direction with respect to the activities of the P3 program so that the P3 program activities are consistent with Board policies and directives. The Steering Committee meets on a regular basis, and may be assisted by a working group to address specific issues and tasks. The Steering Committee is comprised of the chairperson of the Board's Alternative Finance Committee, the Director of Planning, the Commissioner, the Program Director, and other individuals designated by the Commissioner.

3.1.9. Project Screening Committee

The Project Screening Committee implements the activities associated with Project identification, screening and selection. The Project Screening Committee is comprised of the Director of Planning, the chairperson of the Board's Alternative Finance Committee, an individual designated by the chairperson of the Board's Alternative Finance Committee, and other individuals designated by the Steering Committee. The Project Screening Committee is chaired by the Director of Planning.

3.1.10. Selection Recommendation Committees and Subcommittees

The Selection Recommendation Committee performs the evaluation and scoring of Statements of Qualification and/or Proposals associated with a particular Project procurement. Members of the Selection Recommendation Committee are designated by the Steering Committee.

The Selection Recommendation Committee may be assisted by Selection Recommendation Subcommittees to provide advice with respect to technical, financial or legal aspects of a Statement of Qualifications and/or Proposal. These Selection Recommendation Subcommittees may review submittals and provide advice to the

Selection Recommendation Committee, but are not responsible for scoring the submittals. Members of the Selection Recommendation Subcommittees are designated by the Steering Committee.

3.1.11. Procurement Team(s)

Once a Project has been selected for the P3 program, the Procurement Team is assembled and led by the Project Manager. The Procurement Team performs the procurement activities for a particular Project, including the preparation and assembly of the solicitation documents.

3.1.12. Project Implementation Team(s)

Once the contract is executed, a Project Implementation Team is assembled and led by the Project Manager. The Project Implementation Team oversees and administers the Department's responsibilities under the contract.

3.2. Use and Role of Consultants

The Department may retain individuals or firms to provide consulting services to assist and provide advice to the Department and its staff in implementing and administering the P3 program. All consultants retained by the Department for such purposes are required to execute a Procurement Confidentiality and Disclosure Agreement in the form set forth in Appendix 2. Notwithstanding the use of consultants, the Department makes all decisions with respect to the P3 program.

3.3. Interagency and Intergovernmental Involvement

3.3.1. Participating Local Governing Authorities and MPOs

The P3 Legislation and P3 Rules require the Department to seek the advice, input and participation of participating local governing authorities and metropolitan planning organizations. The Department takes into account such activities in developing the Project work plan, schedule and public information and stakeholder outreach plan. If participating local governing authorities and metropolitan planning organizations participate in the procurement process, the solicitation documents specify the role of any applicable participating local governing authority and metropolitan planning organization to allow the Proposers to understand the nature of the involvement and responsibilities of such participating local governing authority and metropolitan planning organization.

3.3.2. Interagency Coordination

The Department coordinates with applicable State agencies that may be affected by or have an interest in a Project, and the Department endeavors to enter into inter-agency agreements, memoranda of understanding or other arrangements with any applicable State agencies that are necessary to facilitate the procurement of the Project. The Department takes into account such activities in developing the Project work plan,

schedule and public information and stakeholder outreach plan. Further, the solicitation documents specify the role of any applicable State agency in the procurement process to allow the Proposers to understand the nature of the involvement and responsibilities of such State agency.

3.3.3. United States Department of Transportation

For Projects that may receive federal-aid, the Department complies with all applicable federal requirements, including allowing oversight and obtaining any required reviews or approvals from the United States Department of Transportation and its modal administrations, including the Federal Highway Administration ("FHWA"), Federal Transit Administration ("FTA") and the Federal Railroad Administration ("FRA"). Further, the solicitation documents specify the role of any applicable federal agency in the procurement process to allow the Proposers to understand the nature of the involvement and responsibilities of such federal agency.

3.4. Programmatic Public Information and Stakeholder Outreach

The Department develops and implements a programmatic public information and stakeholder outreach plan to educate and engage the general public, media, elected officials and other interested parties concerning the P3 program. The Program Director designates a public information officer who manages and implements the plan. The pubic information officer works closely with the Program Director to develop and coordinate communication and outreach efforts to accurately and effectively portray the P3 program.

3.5. Reporting of P3 Activities

Section 32-2-80(a)(6) of the P3 Legislation requires the Department to make periodic legislative reports. Such reports include, at a minimum, a summary of the following: (a) P3 programmatic activities performed during the reporting period; (b) a description and status of the Projects under procurement; and (c) a description and status of the Projects awarded. The Program Director drafts the legislative reports, with the assistance and input of Department staff as needed.

4. P3 PROJECT IDENTIFICATION, SCREENING AND SELECTION

4.1. Goals and Objectives

The P3 program's project identification, screening and selection process is intended to provide a disciplined framework to assist the Department in identifying and reporting to the Board those potential Projects that may be procured under the P3 Legislation. The goal is to identify those Projects that promote the Department's policies and have the potential to be a successful P3.

4.2. Identifying Potential P3 Projects for Screening

Through the course of the Department's planning process, the Program Director compiles an initial list of Projects to be considered for screening under the P3 program ("Initial Project

Screening List"). Projects may be proposed by the Department, other State agencies, participating local governing authorities or metropolitan planning organizations.

4.3.   Screening and Evaluation Process

At least six months prior to the reporting time identified in Section 32-2-79(a) of the P3 Legislation, the Program Director submits the Initial Project Screening List to the Project Screening Committee. The Project Screening Committee then develops a list of Projects to undergo the detailed screening process set forth in these Guidelines ("Final Project Screening List"). In developing the Final Project Screening List, the Project Screening Committee considers whether a Project advances the objectives of the P3 program as set forth in P3 Rule 672-17-.01 and whether the Projects meet the requirements of Section 32-2-79 of the P3 Legislation.

4.3.1.   Project Data Gathering

Data relevant to the screening and evaluation process are gathered for all Projects on the Final Project Screening List and submitted to the Project Screening Committee. A sample Project Data Request Form is set forth in Appendix 3.

4.3.2.   Screening and Evaluation Workshop

At least three months prior to the reporting time identified in Section 32-2-79(a) of the P3 Legislation, the Project Screening Committee conducts a workshop to screen and evaluate the Projects identified in the Final Project Screening List. Prior to the screening and evaluation workshop, each member of the Project Screening Committee reviews the data gathered on the Project Data Request Forms.

4.3.3.   Screening Criteria and Evaluation

Projects are screened and evaluated based on the criteria and methodology developed by the Project Screening Committee. Prior to the workshop, the Project Screening Committee develops and recommends for the Steering Committee's approval a methodology to screen Projects. A sample Project Screening and Evaluation Form is set forth in Appendix 4.

4.3.4.   Potential P3 Delivery Methods

In addition to scoring each Project, the Project Screening Committee provides recommendations for the project delivery method(s) to be utilized. The potential project delivery methods include, but are not limited to, design-build, design-build-finance, design-build-operate-maintain, toll concession, availability payment concession and pre-development agreement. In recommending a project delivery method, the Project Selection Committee considers, among other things, the nature and status of the Project, risk factors, schedule, available public funding and the value added by the private sector.

4.4.   Screening Results Report and Priority of P3 Eligible Projects

The Project Screening Committee prepares a report based on the results of the screening and evaluation workshop. The report contains recommendations on whether the Project should be considered for procurement under the P3 Legislation, the relative priority and general timing of the procurement and any other issues that should be addressed or considered by the Department. The report is submitted to the Steering Committee for its review and approval.

4.5.   Biennial Reporting of P3 Candidate Projects

Based on the recommendations contained in the screening results report, the Program Director prepares a list of Projects that the Department considers candidates to be procured under the P3 Legislation. The Commissioner submits and reports the list to the Board by the date specified in Section 32-2-79(a) of the P3 Legislation. The Department in its discretion may supplement this list to take into account, among other things, changes in the status of Projects and the transportation needs of the State.

4.6.   Work Plans

4.6.1.   Purpose

Once a Project has been identified as a P3 candidate project, the Procurement Team develops a comprehensive work plan for that Project. The purpose of the work plan is to identify those activities that are to be completed or addressed to facilitate a timely, reliable and successful P3 procurement.

4.6.2.   Studies and Tasks

The work plan identifies those technical, financial, legal and public outreach studies and tasks that are to be performed prior to and during the solicitation process.

Technical studies and tasks may include, but are not limited to, the following:

- Environmental studies and reports
- Preliminary engineering
- Cost estimates
- Traffic and revenue studies
- Value engineering studies and reports
- Operations and maintenance evaluations and reports
- Identification, evaluation and pricing of project risks
- Technical feasibility studies and reports
- Right of way acquisition
- Permit preparation and acquisition
- Subsurface conditions studies and reports
- Utility coordination
- Hazardous substances studies and reports

Financial studies and tasks may include, but are not limited to, the following:

- Funding and grant applications
- Plans of finance
- Value for money analysis, business case studies or public sector comparator
- Cost, funding and financing studies

Legal studies and tasks may include, but are not limited to, the following:

- SEP applications
- Inter-agency agreements or memoranda of understanding
- Term sheets
- Concession agreements
- Tolling agreements
- Legislation

Public outreach studies and tasks may include, but are not limited to, the following:

- Stakeholder workshops
- Industry and community forums
- Public comment process
- Public opinion surveys

4.6.3.   Master Project Schedule and Milestones

For management purposes, the Procurement Team develops a master project schedule, establishing detailed work schedules as well as major milestones, for all activities identified in the work plan. The schedule identifies the activities to be performed, the date scheduled to be started and completed, and the individuals or entities responsible for performing the activities.