

Policy 3: Guidelines for Programming Projects in the Metropolitan Transportation Plan and the Transportation Improvement Program

This document constitutes the Alamo Area Metropolitan Planning Organization's process for programming projects in the Metropolitan Transportation Plan and the Transportation Improvement Program. When considered for amendment, this document shall be subject to a public comment period of approximately 30 days prior to adoption by the Metropolitan Planning Organization Transportation Policy Board.

A. Purpose

The Alamo Area Metropolitan Planning Organization (MPO) develops a Transportation Improvement Program (TIP) that programs projects for a minimum of the following four (4) fiscal years. The TIP is forwarded to the Texas Department of Transportation (TxDOT) for inclusion into the Statewide Transportation Improvement Program. The TIP project selection process begins with the long-range Metropolitan Transportation Plan process. The public is invited to fully participate in the Metropolitan Transportation Plan development process thus assisting in the selection and prioritization of transportation improvement projects. Implementing agencies which include the Alamo Area Council of Governments, Alamo Regional Mobility Authority, cities and counties within the MPO study area, the Texas Department of Transportation (TxDOT), and VIA Metropolitan Transit, participate in the Metropolitan Transportation Plan development process with one of the final products of the process being a prioritized list of transportation projects to be eventually considered for inclusion in the TIP.

Projects in the TIP are either selected by the Transportation Policy Board in consultation with the State (TxDOT) and transit operator (VIA) or selected by the State (TxDOT) in cooperation with the MPO. Projects selected by the Transportation Policy Board are those that are to be funded with Surface Transportation Block Grant (STBG), Transportation Alternatives (TA), Congestion Mitigation & Air Quality (CMAQ), and any other future U.S. Department of Transportation (USDOT) or TxDOT funds suballocated to the local level.

B. Project Funding Categories

Project funding categories in the TIP and MTP include but are not limited to:

- Category 1 Preventative Maintenance & Rehabilitation
- Category 2 Metropolitan and Urban Corridor Projects
- Category 3 Non-Traditional Funding
- Category 4 Statewide Connectivity Corridor
- Category 5 Congestion Mitigation & Air Quality (CMAQ)
- Category 6 Structure Rehabilitation

- Category 7 Surface Transportation Block Grant (STBG)
- Category 8 Safety
- Category 9 Transportation Alternatives
- Category 10 Miscellaneous
- Category 11 District Discretionary
- Category 12 Strategic Priority
- Federal Transit Administration Section 5307 (Urbanized Area Formula Grant Program)
- Federal Transit Administration Section 5309 (Capital Grant Program)
- Federal Transit Administration Section 5310 (Elderly and Disabled Transportation Assistance Grant Program)
- Federal Transit Administration Section 5339 (Bus and Bus Facilities Infrastructure Investment Program)

C. Use of 'Grouped' Control Section Job (CSJ) Numbers

A CSJ (Control Section Job number) is an identifying project number used by the Texas Department of Transportation. The MPO will use 'Grouped' CSJs for the following types of projects:

- Preliminary Engineering
- Right-of-Way Acquisition
- Preventive Maintenance and Rehabilitation
- Bridge Replacement and Rehabilitation
- Railroad Grade Separations
- Safety
- Landscaping
- Intelligent Transportation Systems Deployment
- Bicycle and Pedestrian
- Safety Rest Areas and Truck Weigh Stations
- Transit Improvements

Projects that fall within these categories will be listed in an appendix of the Transportation Improvement Program. Generally these Grouped CSJs will be used for projects funded under Category 1 (Preventive Maintenance & Rehabilitation), Category 6 (Structure Rehabilitation), Category 8 (Safety), and Category 10 (Miscellaneous). These projects are initially included in an Appendix of a new TIP and are revised or amended administratively as allowed in Section G Administrative Revisions.

Grouped CSJs will not be used for wholly or partially funded Category 2 (Metropolitan and Urban Corridor), Category 5 (CMAQ), Category 7 (STBG), or Category 9 (Transportation Alternatives) projects.

D. Use of Appendix D - Projects Undergoing Environmental Assessment

The purpose of Appendix D is to identify projects that are undergoing preliminary engineering and environmental analysis (PE/EA) consistent with early project development. The Federal Highway Administration allows these projects to be referenced in the current Transportation Improvement Program in order to facilitate the feasibility and PE/EA phases. This Appendix contains projects that are scheduled for implementation beyond the four years of the TIP time frame, and it in no way implies that these projects are programmed in the TIP. Cost estimates are preliminary and do not represent any commitment of construction funding. Consistency with the Metropolitan Transportation Plan will be verified as alternatives are examined in studies or environmental clearance efforts.

Appendix D is adopted with a new TIP. Since projects in Appendix D are also included in the MTP and Bexar County is non-attainment for ozone, Appendix D can only be amended if there is no impact to transportation conformity.

Projects listed in Appendix D will include, at a minimum, MPO ID number, county, sponsoring entity, street name, project limits, project description, and estimated let date and preliminary project cost.

E. Quarterly Review of Projects

Category 2 (Metropolitan and Urban Corridor) Projects

The implementing agency will submit amendments to the Category 2 (Metropolitan and Urban Corridor) projects to the MPO in writing. For cost increases greater than 10%, the implementing agency will also submit to the MPO justification for the cost increase and the funding source of the additional amount. For new projects being amended into the TIP that are not part of the current Unified Transportation Program, the implementing agency will also submit to the MPO which other Category 2 projects are being amended to allow for the inclusion of the new project unless the new projects are funded using additional allocation.

Category 5 (CMAQ) Category 7 (STBG) and Category 9 (TA) Projects

Every three (3) months, a detailed review of Category 5 (CMAQ), Category 7 (STBG) and Category 9 (TA) funded projects in the TIP will be conducted. These projects will be reviewed for progress towards their letting (contract) dates, cost estimates, description and limits. If warranted by the detailed review, projects may be re-prioritized at the discretion of the Transportation Policy Board.

If the quarterly review warrants amendment(s) to the TIP, such amendment(s) will be presented to the Transportation Policy Board for consideration in sufficient time to allow the amendment(s) to be incorporated into the next regularly scheduled quarterly amendment of the Statewide Transportation Improvement Program. CMAQ project limits and scope changes would require emissions reductions equal to or greater than the awarded project.

F. Amendment Process

The following changes will require an amendment to the TIP and MTP:

- Adding or deleting project(s)
- Revising the project scope of work
- Revising the project cost
- Revising funding categories
- Revising the phase of work (ex: from P.E. to construction)
- Revising project limits

Amendments to and/or the adoption of a new TIP and MTP require a two-step approval process. To permit adequate public review and comment, amendments to and/or the adoption of the new TIP and MTP will be presented at a Transportation Policy Board meeting with action on the amendment occurring at the following Transportation Policy Board meeting (approximately 30 days after initial presentation). TIP and MTP amendments and/or new document will be provided in the meeting package which is posted on the MPO's website a week prior to TAC and TPB meetings. Amendments to both the TIP and the MTP may be initiated concurrently.

Amendments to and/or the adoption of a new TIP or MTP requiring quick action due to impending federal or state requirements or deadlines (or for other reasons deemed in the community's best interest) may be accomplished by a 75% vote of the TPB quorum present to waive the routine two-step process. In these cases, the Transportation Policy Board will hold a special public hearing within their normal meeting agenda to specifically solicit public comment on the proposed TIP or MTP amendment or new TIP and/or MTP document. These actions will be emphasized on the meeting agenda that is both mailed and e-mailed out ten (10) days prior to the Transportation Policy Board meeting. This will alert the public and permit special attendance to comment on the action prior to adoption by the Transportation Policy Board.

Governing bodies of the sponsoring agencies will promptly notify the MPO in writing of any currently programmed projects that are proposed to be deleted from the TIP. The governing body of the sponsoring agency shall state its preference for project replacement in the written notification. The Transportation Policy Board will provide direction and/or may consider action at the next appropriate meeting with respect to amending the TIP.

To the extent possible, any project amended outside the timeframe of the current TIP due to funding limitations will have priority consideration in being amended back into the TIP when additional funding becomes available.

G. Administrative Revisions

The MPO Director is authorized to approve certain "administrative changes" to the TIP and/or MTP with the notification of such to the appropriate transportation planning partners. The intent of this section is not to circumvent the public process for amending the TIP and/or MTP, but to allow for minor corrections to the TIP and/or MTP that do not materially change a project's function including minor revisions to project limits, scope or cost.

H. General Project Considerations

Unless expressly approved by the Transportation Policy Board, under funding Categories 5 CMAQ, 7 STBG, and 9 TA, the MPO will not reimburse any project development costs associated with project administration, preliminary engineering, environmental analysis or mitigation, right-of-way, or utilities.

Although the Transportation Policy Board makes all funding decisions associated with these funds, TxDOT is the federal designated pass-through agency for Category 5 CMAQ, 7 STBG, and 9 TA. Entities awarded funding under these categories will enter into agreements with TxDOT. TxDOT will charge the entity the direct state cost for review of all aspects of the project.

Projects will be considered for funding from Category 5 CMAQ, 7 STBG, and 9 TA if the governing body of the sponsoring agency either owns, controls or has written authorization from the owner of the facility for the project to be submitted for consideration. Failure to show ownership or written authorization from the governing body that owns the facility, will disallow the project from being considered for funding. If a project is funded on behalf of an applicant who is not the owner of the facility, and the owner of the facility withdraws its authorization after funding is approved, that project will be removed from funding. The governing body of either the sponsoring agency or owner of the facility will promptly notify the MPO in writing of the programmed project that is proposed to be deleted. Once the project is deleted, the governing body of the sponsoring agency shall have priority in stating its preference for project replacement. The Transportation Policy Board will provide direction and/or may consider action at the next appropriate meeting.

I. Category 7 (STBG) Projects

Basic Requirements for STBG Projects

All projects submitted for consideration for funding through normal Category 7 (STBG) program allocations will compete through a standard project call when a new TIP is being developed. The Transportation Policy Board will approve a schedule, parameters and project selection criteria prior to the formal project call. Submitted projects must meet the following basic requirements:

1. Projects will be submitted to the MPO through an implementing agency (Alamo Area Council of Governments, Alamo Regional Mobility Authority, Texas Department of Transportation, VIA Metropolitan Transit and cities and counties within the MPO Study Area) and appropriate commitments of local match shall be made. Approval of the commitment of the local match from the Texas Department of Transportation District Engineer or the policy body of the local agency submitting the project for consideration will be obtained and submitted to the MPO. An 'in-kind' match is not allowed.
2. All submitted projects shall be developed in accordance with minimum standards as defined by AASHTO and/or NACTO, as applicable.

3. Each implementing agency is encouraged to address Title VI and Environmental Justice considerations in submitting projects to the MPO for consideration.
4. Agencies should consider the transit service area when submitting projects.
5. Pedestrian and bicycle facilities will be included in all future transportation improvement projects. Any exceptions will need to be adequately justified by management of the implementing entity. Bicycle and pedestrian components included in a funded project may not be deleted from the project at a future date.
6. Funded STBG projects will also be included in the MTP. Note: Amendments to the MTP and the TIP are made through the amendment process at the discretion of the Transportation Policy Board. Amendments to the MTP and TIP, can be made simultaneously.
7. A roadway project submitted for funding consideration in the TIP must be on a federally functionally classified facility as defined by the MPO and approved by the Federal Highway Administration through the State. Roadway projects on facilities classified as a local street or minor collector do NOT qualify for Federal funding.
8. All deadlines set by the MPO are firm.

STBG Call for Projects Process

Prior to each STBG project call, MPO staff will develop the schedule, submittal form and call for projects process, to include workshop(s) jointly hosted by the MPO and TxDOT. These items will be reviewed and acted upon by the Bicycle Mobility Advisory Committee (BMAC), Pedestrian Mobility Advisory Committee (PMAC), and Technical Advisory Committee (TAC) with final action by the Transportation Policy Board.

A subcommittee of BMAC and PMAC will score standalone bicycle and pedestrian projects. A subcommittee of TAC will score added capacity, operational, and transit projects.

STBG Project Selection

The TAC will review the technical scoring, public input, project readiness and agency priorities and provide a funding recommendation to the MPO's Executive Committee and/or Transportation Policy Board, as directed by the approved call for projects process. The TAC may request presentations by implementing agencies.

STBG Project Implementation

1. Unless allocated a fixed amount, each STBG project will have a cost figure in the approved TIP that is an estimate. This TIP "Estimated Construction Bid" shall include all construction costs at 100% and shall designate what percent match is required by the local agency.

"Estimated Construction Bid" is defined as all anticipated bid item costs of the improvement project, other than for right-of-way acquisition, utility relocation or betterment, preliminary engineering, environmental analysis/clearance, contingency, change orders and construction engineering. The amount programmed as the "Construction Cost" in the TIP shall equal the "Estimated Construction Bid".

2. Unless allocated a fixed amount, each selected STBG project may be adjusted when bids are approved.
 - a. If bids are higher than the TIP Construction Cost, the TIP estimate shall become a fixed construction funding cap.
 - b. If the Approved Construction Bid is lower than the TIP Construction Cost, the TIP shall be administratively revised by MPO staff to reflect the approved Construction bid (excludes any right-of-way acquisition, utility relocation or betterment, preliminary engineering, environmental analysis/clearance, contingency, and construction engineering)
 - c. Following the establishment of the project construction amount in items 2a and 2b above, the sponsoring entity is then eligible for up to 10% contingency of STBG project funding towards eligible change orders and up to 11% of STBG project funding towards eligible construction engineering and construction management costs. An under run in contingency cannot cover an over run in construction engineering/construction management and vice versa.

As these eligible change orders and eligible construction engineering costs are potential costs, they are not specifically programmed in the TIP towards the STBG funding levels. These costs, if incurred, would impact future fiscal allocations and it must be acknowledged that this could require the delay and/or re-scoping of existing TIP projects to remain fiscally constrained by fiscal year.

3. Once a project is included in the TIP, TxDOT and the local governmental entity (implementing agency) shall execute a Funding Agreement.
 - a. Prior to letting, the executed Funding Agreement will be based on the Estimated Construction Bid (identified as Construction Cost in the TIP) and reflect:

Estimated Construction Bid + maximum 10% contingency of STBG project funding for eligible change orders + maximum 11% of STBG funding for eligible construction engineering and construction management costs.
 - b. Post Letting, if the Approved Construction Bid (excluding any right-of-way acquisition, utility relocation or betterment, preliminary engineering, environmental analysis/clearance, contingency, and construction engineering) is lower than the TIP

Construction Cost, the Funding Agreement will be amended and re-executed to reflect:

Approved Construction Bid + maximum 10% contingency of STBG project funding for eligible change orders + maximum 11% of STBG funding for eligible construction engineering and construction management costs.

4. Owner requested change orders will be covered 100% by the local agency. Owner requested change orders are the result of changes requested by the local agency, not included in the original TPB approved scope of work.
5. Non-let programs and studies are considered a fixed amount and are not subject to this section.

J. Category 9 (TA) Projects

Basic Requirements for TA Projects

The MPO will hold a competitive call for projects for TA funding. The Transportation Policy Board will approve a schedule, parameters and project selection criteria prior to the formal project call. Submitted projects must meet the following basic requirements:

1. Projects will be submitted to the MPO through an implementing agency and appropriate commitments of local match shall be made. Approval of the commitment of the local match from the agency submitting the project for consideration will be obtained and submitted to the MPO. An 'in-kind' match is not allowed.
2. All submitted projects shall be developed in accordance with minimum standards as defined by AASHTO and/or NACTO, as applicable.
3. Each implementing agency is encouraged to address Title VI and Environmental Justice considerations in submitting projects to the MPO for consideration.
4. Agencies should consider the transit service area when submitting projects.
5. Funded TA projects will also be included in the MTP. Note: Amendments to the MTP and the TIP are made through the amendment process at the discretion of the Transportation Policy Board. Amendments to the MTP and TIP, can be made simultaneously.
6. All deadlines set by the MPO are firm.

TA Call for Projects Process

Prior to each TA project call, MPO staff will develop the schedule, submittal form and call for projects process to include informational workshop(s) jointly hosted by the MPO and TxDOT. These items will be reviewed and acted upon by the Bicycle Mobility Advisory Committee (BMAC), Pedestrian Mobility Advisory Committee (PMAC), and Technical Advisory Committee (TAC) with final action by the Transportation Policy Board.

TA Project Selection

A subcommittee of BMAC and PMAC will score TA projects. BMAC and PMAC will review the technical scoring, public input, project readiness and agency priorities and make a funding recommendation to the Technical Advisory Committee on a slate of projects to be funded. The TAC may request project presentations by implementing agencies and will provide a funding recommendation to the MPO's Executive Committee and/or Transportation Policy Board, as directed by the approved call for projects process.

K. Category 5 (CMAQ) Projects

Basic Requirements for CMAQ Projects

All projects submitted for consideration for funding through normal Category 5 CMAQ program allocations will compete through a standard project call. The Transportation Policy Board will approve a schedule, parameters and project selection criteria prior to the formal project call. Submitted projects must meet the following basic requirements:

1. Projects will be submitted to the MPO through an implementing agency (Alamo Area Council of Governments, Alamo Regional Mobility Authority, Texas Department of Transportation, VIA Metropolitan Transit and cities and counties within the non-attainment area) and appropriate commitments of local match shall be made. Approval of the commitment of the local match from the Texas Department of Transportation District Engineer or the policy body of the local agency submitting the project for consideration will be obtained and submitted to the MPO. An 'in-kind' match is not allowed.
2. All submitted projects shall be developed in accordance with minimum standards as defined by AASHTO and/or NACTO, as applicable.
3. Each implementing agency is encouraged to address Title VI and Environmental Justice considerations in submitting projects to the MPO for consideration.
4. Agencies should consider the transit service area when submitting projects.
5. Funded CMAQ projects will also be included in the MTP. Note: Amendments to the MTP and the TIP are made through the amendment process at the discretion of the Transportation Policy Board. CMAQ project limits and scope changes would require

emissions reductions equal to or greater than the awarded project. Amendments to the MTP and TIP, can be made simultaneously.

6. A roadway project submitted for funding consideration in the TIP must be on a federally functionally classified facility as defined by the MPO and approved by the Federal Highway Administration through the State. Roadway projects on facilities classified as a local street or minor collector do NOT qualify for Federal funding.
7. All deadlines set by the MPO are firm.

CMAQ Call for Projects Process

Prior to each CMAQ project call, MPO staff will develop the schedule, submittal form and call for projects process, to include informational workshop(s) jointly hosted by the MPO and TxDOT. These items will be reviewed and acted upon by the Bicycle Mobility Advisory Committee (BMAC), Pedestrian Mobility Advisory Committee (PMAC), and Technical Advisory Committee (TAC) with final action by the Transportation Policy Board.

Implementing agencies will be responsible for submitting verifiable emissions reductions for each project/program.

CMAQ Project Selection

A multiagency workgroup will score projects. The TAC will review the technical scoring, public input, and agency priorities. The TAC may also request project presentations by implementing agencies and will provide a funding recommendation to the MPO's Executive Committee and/or Transportation Policy Board, as directed by the approved call for projects process.

K. Public Involvement

The MPO commits to a public involvement process that includes the provision of timely information, provides reasonable public access to technical and policy information, provides adequate public notice, seeks out and considers traditionally underserved populations, and documents significant comments. Please see the MPO Policy 2: Public Participation Plan for additional information on public involvement.

Adopted: September 28, 2020