

2022 Local Partnership Program Guidelines: Discussion Document

Local Partnership Program Workshop – March 29, 2022

FORMUALIC PROGRAM

❖ Section 15A. Project Cost Savings

(proposed text is blue and bolded, deleted text is red and strikethrough)

Project cost savings will be returned proportionally through a Commission action with the following requirements:

- **Cost savings will be returned proportionally to the formulaic funding balance of the eligible taxing authority that nominated the project.**
- **The implementing agency must coordinate with Caltrans and the nominating agency to confirm the cost savings amount prior to a Commission action.**
- **The Commission will only consider a request to return cost savings after Caltrans submits the request with a recommendation to Commission staff. The recommendation from Caltrans must include confirmation of the cost savings and the amount to be returned.**
- **Cost savings returned to the taxing authority are available for programming after the Commission action.**
- **Returned cost savings must be programmed and allocated within twelve (12) months of the Commission action. Funds that remain unprogrammed and unallocated after twelve months will be redistributed in the subsequent Local Partnership Program.**
- **Cost savings will be returned proportionally unless the agency requests to use the savings on the same project to fund a cost increase on a subsequent programmed phase.**

“Proportionally”, when used in reference to project cost savings, means that savings will be returned based on the amount contributed from each fund source. As an example, cost savings realized in a project phase that is funded 50 percent with Formulaic Program funds and 50 percent with local funds, the savings will go back to each “pot” of funds based on the amount contributed to the project phase from each funding type.

Construction Phase Cost Savings

Cost savings at contract award may be used to expand the scope of the project. The expanded scope will be considered as a scope change amendment and must be reviewed and ~~accepted~~ approved by Commission staff prior to contract award (refer to Section xA-Amendments). All other contract award savings will be returned proportionally ~~through a Commission action~~ at project completion. ~~to the taxing authority’s formulaic funding balance~~

Cost savings at project completion must be returned proportionally except when an agency has, ~~subsequent to~~ after project programming, committed additional funds to the project to fund a cost increase. In such instances, savings at project completion may be returned to other fund types first, until the proportions match those at programming. Any additional savings must be returned proportionally. ~~through a Commission action, to the taxing authority’s formulaic funding balance.~~

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Cost Savings in Pre-construction Phases

The Commission must be notified of cost savings in pre-construction project phases within the expenditure deadline (refer to Section xA-Timely Use of Funds). Pre-construction phases include Project Approval and Environmental Documentation; Plans, Specifications, and Estimate; and Right-of-Way.

❖ **Attachment 1 – Project Nominations - Formulaic Program**
(proposed text is blue and bolded, deleted text is red and strikethrough)

Project Nomination Deadline

- Project nominations ~~and supporting documentation~~ must be submitted to the Commission by ~~June 12, 2020~~ **November 14, 2022 to be included in the initial program of projects.**
- **Project nominations for subsequent programming must be submitted to the Commission by April 30, 2026.**

General Submission Instructions

- **All project nominations must be submitted by the deadlines listed above.**
 - **Project nominations submitted on November 14, 2022 or April 30, 2026 must be submitted at or before 11:59 pm.**
- **Project** nominations will be treated in accordance with California Public Records Act requirements, and information subject to those requirements, may be publicly disclosed.
- Applicants must submit ~~two (2) hard copies of the nomination package and~~ one (1) electronic copy **of the project nomination package.**
- Electronic copies should be sent via e-mail to LPP@catc.ca.gov.

~~All nomination materials should be bound, addressed and delivered to:
California Transportation Commission
Executive Director
1120 N Street, MS-52
P.O. Box 942873
Sacramento, CA 95814~~

- Each project nomination should be limited to 35 pages, excluding information requested in appendices.
- Each project nomination must utilize the letter convention as specified.

A. Cover Letter

- **A cover letter must be submitted with the project nomination.**
- The cover letter must be addressed to the California Transportation Commission's Executive Director and clearly identify the nominating agency or agencies **and the implementing agency or agencies.**

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- **Nominations** **The cover letter** must include the signature of the Chief Executive Officer or other officer authorized by the nominating agency's governing board, **authorizing** and approving the **project** nomination.
 - Jointly nominated projects must have the duly authorized signatures of both agencies.
 - Where the project will be implemented by an agency or multiple agencies other than the nominating agency, the **nomination cover letter** must include the signature(s) of the Chief Executive Officer or other authorized officer(s) of the implementing agency or agencies.

~~Where the project is to be implemented by an agency other than the nominator, documentation of the agreement between the project nominator and implementing agency must be submitted with the nomination.~~

~~B. Fact Sheet~~

~~A one page fact sheet describing the project scope, cost, schedule, and benefits (outputs/outcomes). The fact sheet will be posted on the Commission's website and therefore must meet the latest state and federal web accessibility laws. Information about California website accessibility laws.~~

B. Screening Criteria

- **Eligible Project:** Explain (no more than one or two paragraphs) how the project is eligible based on the categories outlined in the guidelines, Section xA.
- The **Electronic** Project Programming Request (**ePPR**) form, ~~Appendix I~~, **must be included in the project nomination and** list all funding match sources (federal, state, local, and private).
 - **The Formulaic Program request and the required match should be clearly identified.**
 - **The information submitted in the ePPR must align with the project nomination.**
 - **The final version of the ePPR must be submitted ("draft" watermark not shown).**
 - **If the project is divided into more than one independent contract, a separate ePPR must be submitted for each contract.**
- The required **Performance Metrics** in Appendix II **may be submitted as part of the ePPR.** ~~must support the narrative of the project.~~
 - **Performance metrics must be applicable and relevant to the proposed project scope, and support the narrative of the project.**
 - **The SB 1 Technical Performance Measurement Methodology Guidebook provides instructions on how to complete required performance metrics.**

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C. General Information

- **Overview:** ~~Project title, with~~ Provide a brief, **one to three paragraph**, non-technical description of the project. If the project includes multiple project modes, each project mode must be described. ~~A concise description of the type of project, scope and anticipated benefits (outcomes and outputs) proposed for funding.~~
- **Project Location:** Provide a brief description of the project location(s) including city and county boundaries.
 - Provide a map (or maps) ~~of~~ that clearly show(s) the project location(s).
 - Photos: Photos (rendering or actual) of the project location(s).
- **Scope:** A relatively brief and concise (no more than two paragraphs) description of the project scope to be programmed with Formulaic Program funding.
- **Project Benefits:** A brief description of the project benefits including the outcomes proposed for funding. Include a list of outputs for the project.
 - Make sure the outputs listed here match the outputs submitted in the electronic Project Programming Request.
 - Projects requesting Formulaic Program funding only in pre-construction phases may include a brief description of the completed project's anticipated outcomes.
- **Nominating Agency/Implementing Agency Agreement (if applicable):** Where the project is to be implemented by an agency other than the nominator, provide confirmation of the agreement between the project nominator and implementing agency.
- **Reversible Lanes:** A confirmation that any capacity-increasing project or a major street or highway lane realignment project was considered for reversible lanes pursuant to Streets and Highways Code Section 100.15.

D. ~~Funding and Deliverability~~ Project Delivery

~~A description of the project delivery plan, including a description of the known risks that could impact the successful implementation of the project and the response plan of the known risks. The risks considered should include, but not be limited to, risks associated with deliverability and engineering issues, and funding commitments.~~

- **Delivery Method:** Specify which delivery method is being used for the project. This can be one sentence but no more than one paragraph.
 - If a delivery method other than design-bid-build is used for the project, identify the delivery method used.
 - If the delivery method is unknown at the time of nomination, it should be noted in the project nomination and then reported as soon as it is known.
- **Contracts:** If the project is divided into more than one contract and separate allocations are needed, explain in this section.
- **Schedule Risks:** In narrative form or table format, list any potential risks and proposed mitigation strategies to keep the project on schedule.

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- The risks considered should include, but not be limited to, risks associated with deliverability, engineering issues, and funding commitments.
- **Examples of schedule risks include the need for geotechnical analysis or related concerns, complicated utility relocations, or land acquisition concerns.**

E. Project Funding

- **Funding Plan: Provide the table below for all project phases. The table should align with the information provided in the ePPR.**
 - **Cost Estimates:** A project cost estimate **which** includes the amount and source of all funds committed to the project and the basis for concluding that the **funds are funding-is** expected to be available. Cost estimates should be escalated to the year of proposed implementation and be approved by the Chief Executive Officer or other authorized officer of the implementing agency.
 - **Required Match: The project funding plan must include the required funding match (Section XA) in each project phase where Formulaic Program funds are requested.**
 - **Total Project Cost: Include the total project cost.**
 - **If the project nomination is requesting Formulaic Program funding for pre-construction phases only, provide the estimated total project cost through the Construction phase.**
 - **Uncommitted Funds: May only be from those programs outlined in Section xA.**
 - **When uncommitted funds are proposed, the project nomination must address the plan for securing a funding commitment, explain the risk of not securing that commitment, and the plan for securing an alternate source of funding.**

Fund Source	Committed or Uncommitted	Fiscal Year of Allocation (LPP-F)	PA&ED	PS&E	Right of Way	Construction	Total
LPP-Formulaic Request							
Example Fund #1 (match)							
Example Fund #2							
Total							

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F. Other

- **Interagency Cooperation:** Projects on the state highway system must provide evidence of cooperation between the nominating agency and Caltrans. (see Appendix III).
- **Transfer of Formulaic Program Funds Between Taxing Authorities:** (if applicable) The project nomination must include a letter, addressed to the California Transportation Commission’s Executive Director, that clearly identifies the following:
 - The taxing authority to which the funds are being transferred,
 - The project (title and scope) where funds will be programmed,
 - The implementing agency of the project, and
 - The amount of Formulaic Program funding being transferred.

The letter must include the signatures of both taxing authorities:

- Taxing authority transferring the funding: The Chief Executive Officer or another officer authorized by the taxing authority’s governing board to authorize and approve the transfer.
- Taxing authority receiving the funding: The Chief Executive Officer or another officer authorized by the taxing authority’s governing board to authorize and approve the acceptance of the transfer.

❖ **Attachment 1A – Supplemental and Amendment Project Nominations - Formulaic Program**

(This is a proposed new section.)

General Submission Instructions

- Project nominations will be treated in accordance with California Public Records Act requirements, and information subject to those requirements, may be publicly disclosed.
- Applicants must submit one (1) electronic copy of the project nomination package.
- Electronic copies should be sent via e-mail to LPP@catc.ca.gov.
- Each supplemental or amendment project nomination should be limited to ten (10) pages and utilize the letter convention as specified.

A. Cover letter

- A cover letter must be submitted with the supplemental or amendment project nomination.
- The cover letter must be addressed to the California Transportation Commission’s Executive Director and clearly identify the nominating agency or agencies and the implementing agency or agencies.

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- The cover letter must clearly identify the existing programmed project and briefly describe the supplemental or amending funding request (one or two sentences).
- The cover letter must include the signature of the Chief Executive Officer or other officer authorized by the nominating agency's governing board, authorizing and approving the nomination.
 - Where the project will be implemented by an agency or multiple agencies other than the nominating agency, the cover letter must include the signature(s) of the Chief Executive Officer or other authorized officer(s) of the implementing agency or agencies.

B. Screening Criteria

- The revised Electronic Project Programming Request (ePPR) form must list all funding match sources (federal, state, local, and private) and other committed funds.
 - The supplemental or amendment funding request and the required match should be clearly identified separately from the original Formulaic Program funding request.
 - The information submitted in the ePPR must align with this project nomination.
 - The final version of the ePPR must be submitted ("draft" watermark not shown).
 - If the original project nomination was divided into more than one independent contract, a separate revised ePPR must be submitted for each contract.
 - If an ePPR was not part of the initial project nomination, one must be submitted for the project as part of this request.
- The revised Performance Metrics required in the initial project nomination.
 - If Performance Metrics were not part of the initial project nomination, they must be submitted for the project as part of this request.

C. General Information

- Overview: Provide the project title and implementing agency.
- Project status: Provide a brief description of the current status of the project.
- Funding Request: Provide a clear description of the supplemental and/or amendment funding request and the reason for the proposed request.
- Project Updates: Describe how the following differs from the original project nomination. If no changes are anticipated, provide notation in section.
 - Project scope.
 - Project location: Provide a brief description of the revised project location(s) including city and county boundaries.

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- **Revised Map (if applicable):** A revised map (or maps) that clearly show the original and revised project location(s).
- **Project schedule.**
- **Project benefits:** Provide a comparison between the proposed benefits (outputs and outcomes) and those submitted in the initial project nomination, noting an increase, decrease, or no change.
- **Funding plan:** Provide the table below with updates to the funding plan submitted in the original project nomination.

Fund Source	Committed or Uncommitted	Fiscal Year of Allocation (LPP-F)	PA&ED	PS&E	Right of Way	Construction	Total
Total							