



S A C O G

## SACOG Board of Directors

Item #09-8-12  
Consent

August 12, 2009

### Approve 2010 Project Delivery Plan Process

**Issue:** Whether or not to approve the proposed process for the 2010 Delivery Plan.

**Recommendation:** That the Transportation Committee recommends that the Board approve the attached proposed 2010 Delivery Plan process.

**Committee Action/Discussion:** While the 2009 Project Delivery Plan process is not yet finished, it is expected that the results will be very positive when the final accounting is completed next month. This is particularly impressive when one considers that the workload of local agencies has also included the delivery of the American Recovery and Reinvestment Act (ARRA) projects. In order to foster and promote continued project delivery success, it is important to lay the groundwork now for the 2010 Federal Fiscal Year (FFY) which commences on October 1, 2009.

Last year, SACOG staff recommended advancing the deadlines for the 2009 Delivery Plan in order to encourage early delivery. The results were very favorable, with virtually all of the region's Regional Surface Transportation Program (RSTP) and Congestion Mitigation and Air Quality (CMAQ) funds authorized at this point in time. Next year, we expect a number of delivery challenges which will make early delivery important if the region is to maintain its record of success in this area.

At least four project delivery challenges are on the horizon. First, federal rescissions or takeaways are becoming a way of life, and it is expected that the upcoming FFY will include continued reductions in apportionments, particularly since the existing Transportation Act appears headed for an 18 month extension. Second, the overall funding picture at both the state and federal levels continues to be murky due to the economy, state budget problems, and uncertainties about the current Transportation Act which expires on September 30, 2009. Third, Caltrans Headquarters Local Assistance Division has maintained May 1 (moved up from June 1) as the "free for all" date on which it will release Statewide Obligation Authority (OA). Lastly, other regional agencies are becoming more aggressive in their efforts to obtain OA, making it more difficult for the SACOG region to continue to count on getting more than its "fair share."

After consulting with the Regional Planning Partnership, Caltrans, and local agencies, SACOG staff has developed the attached proposal for the Transportation Committee's review. This process is almost identical to last year's process, which was adopted by the Board at its August 21, 2008, meeting. The one policy clarification requested by the Transportation Committee, and reflected in the attachment, is to have the Executive Director confer with the Board Chair and Transportation Committee Chair before executing any loan agreements if urgent action is needed before full Board consideration is possible. Consistent with past practice, staff would continue to report back to the full Board at the first opportunity on any loan agreements made.

Approved by:

Mike McKeever  
Executive Director

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Attachment

Key Staff: Matt Carpenter, Director of Transportation Planning, (916) 340-6276  
Olin Woods, Manager of Capital Programs, (916) 340-6220

## 2010 Delivery Plan Process August 12, 2009

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The SACOG region's delivery over the last ten years has been strong and, over the last six years in particular, has been exceptional. During this six-year period, the region has been among the top leaders in the state for authorizing apportionments and using Obligation Authority (OA). In order to keep performing at this high level, SACOG staff has consulted with Caltrans, the Regional Planning Partnership, and local agency staffs to prepare for the 2010 Delivery Plan. This collaboration has resulted in SACOG staff's recommendation to continue the same process used successfully to implement the 2009 Delivery Plan.

Staff proposes to finalize the initial 2010 Delivery Plan by mid-October 2009. The plan will be comprised of projects submitted by local agencies through a call for projects that will be coordinated with Caltrans District 3 and Headquarters. As part of this call for projects, staff would continue to ask that submittals include key project information, including project title, phase of work, and intended source(s) of funds (i.e., RSTP, CMAQ, STIP), etc.

Through the winter of 2009-10, staff will monitor delivery on a regular basis and then prepare an updated 2010 Delivery Plan for submittal to Caltrans Headquarters by its April 1, 2010, deadline. Coordination with local agencies would continue throughout this time period. The updated Delivery Plan would be based on an assessment of the region's delivery to date and the state's revised forecast of apportionments and OA.

Any project approved in Tier I (2010 MTIP) for delivery for which a complete Request for Authorization (RFA) had not been received by Caltrans District 3 by March 10, 2010, would lose its priority status. At this point, the project would remain in the plan, but SACOG would no longer hold its "place in line" after March 10. Any Tier II (2011 MTIP) projects that were ready to deliver could then submit RFAs to Caltrans. If on May 1, 2010, there were still undelivered projects in Tier I and Tier II, then Tier III (2012 MTIP) could come forward for obligation. Finally, after June 1, 2010, any projects on the Reserve List (2013 MTIP or later or unprogrammed projects ready for delivery) could be advanced.

Following past practice, staff proposes to expand SACOG's project delivery potential by (1) borrowing apportionments, as appropriate, from other regional agencies and (2) continuing to use as much OA as may be available from other local agencies or from the state. Extending these practices for the 2010 Delivery Plan may help fund additional projects in the region. With respect to borrowing funds, under normal circumstances, staff will bring any proposed loan agreements to the Board for its review and approval prior to signature by the Executive Director. In the event that there is an urgent need for SACOG to execute a loan agreement, the Board delegates responsibility to the Executive Director to commit SACOG for such purposes. The Executive Director will first confer with the Board Chair and Transportation Committee Chair before making such a commitment. Consistent with past practice, staff would then report back to the full Board at the first opportunity.