

Regional Program Year Policy

The Regional Program Year Policy is intended to manage the development and timely delivery of transportation projects awarded federal funds through the TAB's Regional Solicitation Process.

Project sponsors awarded federal funds through the regional solicitation process are expected to get their project ready for authorization in their program year.

The program year is July 1 to June 30 (FHWA) or October 1 to September 30 (FTA) of the year in which the project is originally programmed in the Transportation Improvement Program (TIP).

Additionally, if a regionally selected project is not ready to request authorization by June 15 of its program year, the project will not be carried over into the new TIP unless the project sponsor receives a program year extension from the TAB.

Project sponsors that have made significant progress but are delayed by circumstances that prevent them from delivering their projects on time should coordinate with the appropriate grants manager (i.e., MnDOT Metro District State Aid or Met Council MTS on application eligibility prior to submitting a request for a program year extension to the TAB Coordinator by the deadline of December 31 of the project's program year.

The maximum length of a program year extension is one year. Projects are eligible for only one program year extension request. Exceptions to these limitations can be made due to extraordinary circumstances (for example, a circumstance related to a project's connection to another project or delays related to a need for more stringent environmental review). In these cases, the project sponsor must provide justification for an exception. Any requests beyond a second request will need to be reviewed and recommended by the TAB Executive Committee prior to consideration by the TAC Funding and Programming Committee.

If a program year extension is granted, funding the project will be contingent on the availability of federal funds. A project sponsor is responsible for funding the project until federal funding becomes available.

Projects receiving program year extensions will not receive an inflationary cost increase in their federal cost caps.

Criteria for Meeting Program Year

Construction Projects through the FHWA Process:

- Environmental document approved – June 1
 - *Environmental Documentation draft submittal due December 1*
- Right of way certificate approved – June 1
 - *Condemnation proceedings formally initiated by February 28 with title and possession by June 1.*
- Final construction plans approved– June 1
- Engineer’s estimate – June 1
- Utility relocation certificate – June 1
- Permit applications submitted – June 1

Construction Projects through the FTA Process

- Environmental document completed; project plans complete and reflect the project that was selected
- Letting date can be set within 90 days
- FTA notification that grant approval imminent

Right of Way Only Projects through FHWA Process

- Environmental document approved – June 1
- Right of way plans and estimate approved – June 1
- OCPPM/SALT authorization to proceed – June 1

Right of Way Only Projects through FTA Process

- Environmental document completed
- Appraisals over \$250,000 approved by FTA; under \$250,000 reviewed by Right of Way Section
- FTA notifies that grant approval is imminent
- OCPPM transfers funds
- Offers made/condemnation initiated if offers refused

Program Project - FTA

- Grant application submitted to FTA; includes work plan
- Notification from FTA that grant approval is imminent
- Work will begin within 90 days after grant approval
- Agreement executed between MnDOT and proposer once funds are transferred
- If project start date will be more than one year after end of program year, project manager notifies grants manager and consults with TAB Coordinator to demonstrate ability to complete project.

PROCEDURE TO REQUEST A PROGRAM YEAR EXTENSION

If it appears that a project cannot meet the deadline for authorization within its program year and a program year extension is necessary, the project sponsor must demonstrate to the Funding and Programming Committee that significant progress has been made on the project and the program year criteria can be met within the requested one-year time extension. Projects may be granted only one program year extension. Exceptions to both restrictions can be granted, if TAB deems that extraordinary circumstances, as laid out by the applicant, exist. Requests for a program year extension must be submitted by December 31 of the project's program year.

The project sponsor must submit the following materials to the Funding and Programming Committee. The information provided under "Project Progress" below will determine whether a project is eligible for a one-year extension.

- 1) Project Background.
- 2) Project Progress; Requests must include an agency's anticipated schedule:
 - a) Environmental document approval date or anticipated approval date
 - b) 100% plan approval date or anticipated approval date
 - c) Right-of-way certificate approval date or anticipated approval date
- 3) Justification for Extension Request:
 - a) What circumstances have led to the need for an extension?
 - b) What is unique about this project that requires an extension of the program year?
 - c) What are the financial impacts if this project does not meet its current program year?
 - d) What are the implications if the project does not obtain the requested extension?
 - e) Will delaying the project negatively impact the affected area (e.g., would a longer delay allow for dangerous conditions to persist)?
 - f) Are there interim steps that can be taken to address the project and mitigate impacts in the interim?

PROCESS AND ROLES

The Funding and Programming Committee will hear all requests for extensions (though any project that has already had at least two extensions must first be reviewed by the TAB Executive Committee). The Committee's recommendation will be forwarded to the TAC and TAB for action. The requests will be presented to the TAB for action on its consent agenda at the chair's discretion. Staff for the Funding and Programming Committee will notify the applicant of the committee's decision.

PROGRESS SCHEDULE FOR PROGRAM YEAR EXTENSION

Enter request date _____

1. Project Background (Project description, federal cost, non-federal cost, current program year, original program year):

2. Project Progress; Requests must include an agency's anticipated schedule:
 - Environmental document approval date or anticipated approval date _____
 - 100% plan approval date or anticipated approval date _____
 - Right-of-way certificate approval date or anticipated approval date _____
3. Justification for Extension Request. Please describe the circumstances of this request.

What circumstances have led to the need for an extension? What is unique about this project that requires an extension of the program year?

What are the implications if the project does not obtain the requested extension? (e.g., withdraw the project, attempt to complete the project on time)?

Will delaying the project negatively impact the affected area (e.g., would a longer delay allow for dangerous conditions to persist)? Are there interim steps that can be taken to address the project and mitigate impacts in the interim?