

Regional Solicitation Action Item

2026-51 Revisions to Community Considerations and Process

METROPOLITAN COUNCIL

Nov 4, 2026

Community Considerations Update

8/26/26 USDOT Letter to Council

Based on a March request from Scott County, USDOT asked the Council to modify the Community Considerations criterion to align with current federal policy:

1. Eliminate race-based prioritization in scoring
2. Remove the environmental justice framework
3. Broaden the definition of “Community”

10/2/26 Council Letter to USDOT

The Council maintains it is compliant with all federal laws but recommended revisions to Community Considerations criterion to clarify the intent of the measures:

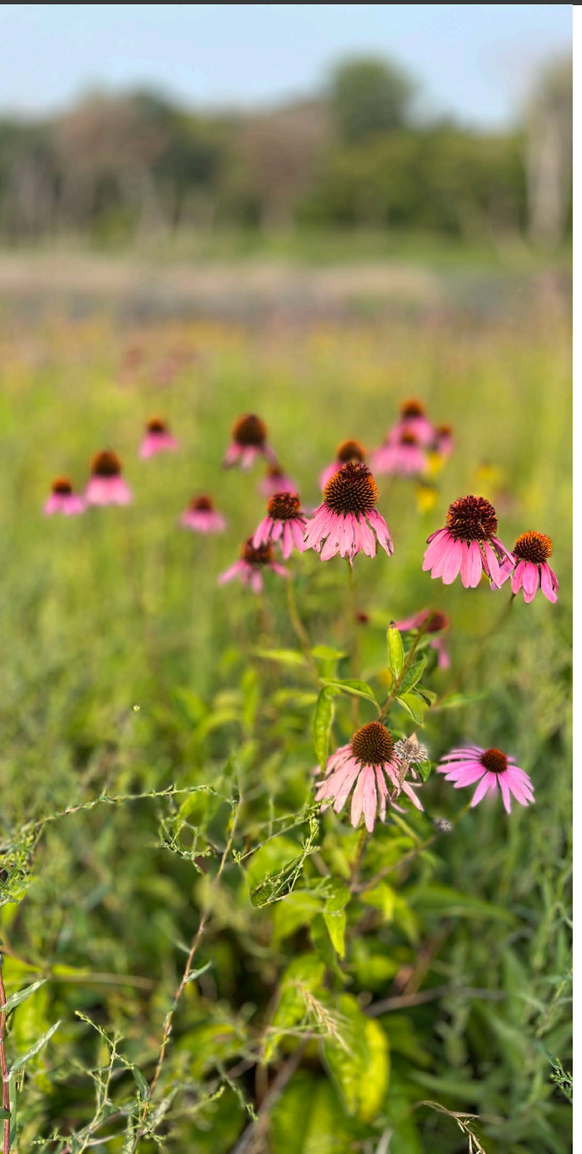
1. Scoring prompts have been removed along with references to the foundational policies
2. References to the environmental justice framework and historical harms have been removed
3. The definition of “Community” has been removed
4. Prohibition against illegal discrimination has been added and highlighted

The Community Considerations revisions apply to both the federal funds and the AT regional sales tax funds.

Timeline Example with Option 2



Proposed Schedule with Option 2



1. Action on revised Community Considerations description and scoring guidance:
    a) Oct 22nd F&P
    b) Nov 4th TAC and Nov 18th TAB
    c) Nov 23rd Transportation Committee
    d) Dec 2nd Metropolitan Council
2. Scoring appeals at F&P for quantitative scores in early 2027 (by rule, the appeals do not include qualitative scoring measures)
3. Opportunity for applicants to revise and resubmit their responses to the revised measures (late Dec-Jan)
4. Training session with Community Considerations scorers on the revised description and scoring guidance (Jan)
5. Rescore all applications for Community Considerations measures (Feb/early March)
6. Finalize all scores and start funding options discussions (March/April)
7. TAB approval on the Regional Solicitation program of projects (May/June)
8. Council concurrence with the TAB approval of projects (June/July)

Project Implementation Impacts

Changing the project selection schedule may impact funding recipients.

Federal Funds

- Projects selected for federal funding in 2030 and 2031 are unlikely to have impacts on their planned project implementation schedules.
- Travel Demand Management (TDM) projects in this solicitation will receive federal funds for program years 2028 and 2029.
- TMO funding is not impacted.

Active Transportation Funds

- Projects selected for Active Transportation funds will have difficulty getting underway in the 2027 construction season.
  - Potential for smaller projects to begin in late summer/early fall.
  - AT grant agreements could be backdated to include expenses from the start of 2027.
- New schedule will not allow for a 2027 Active Transportation Solicitation.
  - Potential to add additional 2027 funding into current process.

Council grants staff are committed to working quickly to execute grant agreements for Active Transportation funded projects and TDM projects.

TAB Discussion on 10/22



Five potential options were identified (shown on the next slide).

1. With any of the options, it will not be perfectly fair to every applicant or potential applicant who didn't apply given that the USDOT asked for changes in the middle of a multi-year process.
    - It was suggested this is somewhat similar to when TAB added the new Active Transportation funding into the 2024 funding cycle after applications were already submitted.
2. Questions on the schedule and how to reduce the amount of delay, particularly for Active Transportation projects that may want to be constructed in 2027.
3. Discussion on the risk levels involved with each of the options.
    - In the past, the USDOT has not been involved in approving MPO funding applications.
    - It is unclear whether the MPO will hear back from USDOT on the changes proposed to satisfy the identified compliance issues, on what timeline, and if additional changes will be requested.
4. If the TAB and Council change their approach through the approval process, then a new letter will be sent to USDOT explaining that the committees voted to change the approach or language.

Options Discussed by TAB

Revision Option	Option 1: Continue Original Course	Option 2: Clarify, Reopen, and Rescore Responses	Option 3: Clarify and Rescore Existing Responses	Option 4: Remove Community Considerations Measures	Option 5: Begin a New Process
Description	• Move forward with the originally adopted solicitation package (i.e., do not make changes based on the USDOT letter).	• Respond to USDOT by revising Community Considerations. • Allow applicants to revise essays. • Retrain scorers and score revised responses.	• Respond to USDOT by revising Community Considerations. • Do not allow for revised essays. • Retrain scorers, complete scoring with new rubric.	• Remove Community Considerations criterion. • Move forward with the remaining measures.	• End this solicitation. • Adopt new solicitation package and release a new call for projects.
Relative Risk	**High**	**Low/Moderate**	**Moderate**	**Moderate/High**	**High**
Delay (From original schedule 2/27)	**+ 2/3 months** April/May 2027	**+ 4/5 months** June/July 2027	**+3/4 months** May/June 2027	**+3/4 months** May/June 2027	**+ 14 months** March/April 2028
Future Funding Impacts	• Potential for late 2027 Active Transportation Solicitation with minor changes to application package. • Minor delay to the Evaluation of the 2026 Regional Solicitation study. • Minor delay to 2028 Regional Solicitation.	• No 2027 AT Solicitation. • Minor delay to the Evaluation of the 2026 Regional Solicitation study. • Minor delay to 2028 Regional Solicitation.	• No 2027 AT Solicitation. • Minor delay to the Evaluation of the 2026 Regional Solicitation study. • Minor delay to 2028 Regional Solicitation.	• No 2027 AT Solicitation. • Minor delay to the Evaluation of the 2026 Regional Solicitation study. • Minor delay to 2028 Regional Solicitation.	• No 2027 AT Solicitation. • No 2028 AT or Federal Solicitations. • Significant delay to the Evaluation of the 2026 Regional Solicitation study. • Next Federal and AT Solicitation date TBD after 2028.

Recommended Motion

Recommend to TAB a preference for Community Considerations Option 2, Clarify, Reopen and Rescore Responses, and Option 3, Clarify and Rescore Existing Responses for all 2026 Regional Solicitation federal and active transportation application categories as preferred actions in response to the USDOT request for changes to the Solicitation and to complete the selection process.



Thank you

METROPOLITAN COUNCIL

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