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## NOTICE OF A MEETING

### ATTRIBUTABLE FUNDS COMMITTEE

MID-OHIO REGIONAL PLANNING COMMISSION  
111 LIBERTY STREET, SUITE 100  
COLUMBUS, OHIO  
*SCIOTO CONFERENCE ROOM*

Wednesday, December 6, 2017  
10:00 a.m.

### AGENDA

1. Introductions
2. Approval of May 3, 2017 Minutes
3. Review of Draft Policies Document– Nick Gill
  - Summary of Work Group Discussions
  - Summary of changes by Section
  - Draft Policies Document
4. Proposed Changes to AFC Bylaws – Nick Gill
5. Update on Statewide CMAQ Program – Nick Gill
6. Timeline and Next Steps – Nick Gill
7. Other Business

PLEASE NOTIFY BRENDA AT 233-4146 or [bnoe@morpc.org](mailto:bnoe@morpc.org)  
TO CONFIRM YOUR ATTENDANCE FOR THIS MEETING OR  
IF YOU REQUIRE SPECIAL ASSISTANCE

The next AFC meeting is  
**January 3, 2018, at 10:00 a.m.**  
111 Liberty Street, Suite 100  
Columbus, Ohio 43215

When parking in MORPC's parking lot, please be sure to park in a MORPC visitor space or in a space marked with an "M." Handicapped parking is available at the side of MORPC's building. MORPC is accessible by CBUS.

William Murdock, AICP  
Executive Director

Matt Greeson  
Chair

Rory McGuinness  
Vice Chair

Karen J. Angelou  
Secretary

**ATTRIBUTABLE FUNDS COMMITTEE  
MEETING SUMMARY**

Wednesday, May 3, 2017  
10 a.m.  
Scioto Meeting Room at MORPC  
111 Liberty Street, Suite 100  
Columbus, OH 43215

**Members Present:**

<u>Name</u>	<u>Representing</u>	<u>Name</u>	<u>Representing</u>
Ted Beidler	Franklin Co. Eng.	Mike Bradley	COTA
Greg Butcher	Violet Township	Bill Ferrigno	City of Delaware Eng.
Cindi Fitzpatrick	City of Grove City	M. Todd Fortune	LCATS
Nick Gill	MORPC	Chris Huber	City of Powell
Darryl Hughes	Grandview Heights	Paul Kennedy	CRAA
Ryan Lowe	City of Columbus	Kim Moss	OSU
Tiffany Jenkins	Delaware Co.	Holly Mattei	Fairfield Co. RPC
Matt Peoples	City of Canal Winchester	Rob Priestas	City of Gahanna
Doug Roberts	City of Columbus	Maria Ruppe	City of Columbus
Denny Schooley	DATABus	Anthony Turowski	ODOT District 6
Kevin Weaver	City of Westerville	Dan Whited	City of Worthington

**Staff Present:**

Bernice Cage  
Ronni Nimps  
Nathaniel Vogt

**Guests Present:**

Dave Becker, DLZ  
John Gallagher, Carpenter Marty  
Tiffany Jenkins, Delaware County Eng.  
Eddie King, ODOT  
Ed Kiesel, AECOM  
Chad Rundle, DLZ  
Kristin Studabaker, Carpenter Marty

**Meeting Summary**

1. **Introductions.** Chair Holly Mattei called the meeting to order at 10:15 a.m. Members/guests introduced themselves.
2. **Approval of the January 4, 2017 Minutes.** Ted Beidler moved to approve and Dan Whited seconded the approval of the January 4, 2017 minutes. The motion carried.

3. **Overview of Policies Update Process.** Nick Gill gave a PowerPoint presentation on this subject, which is available at: <http://www.morpc.org/Assets/MORPC/files/2017-05-03%20AFC%20Policies%20overview.pdf>
4. **Brainstorm Thoughts on Process and Changes for Next Round.** Gill said that the next round of applications will be in June 2018. Please go to <http://morpc.org//Assets/MORPC/files/May3AFCBrainstormDocument.pdf> for brainstorming ideas.

As suggested at the January AFC meeting, a smaller work group will be formed to lead the update to the Policies. The following members volunteered to be on the work group:

- Ted Beidler
- Mike Bradley
- Bill Ferrigno
- Tiffany Jenkins
- Holly Mattei
- Doug Roberts
- Rob Priestas
- Scott Tourville

The first meeting of this group will be after the September TAC meeting.

5. **Update on Statewide CMAQ Program.** Gill said that this summer/fall is when the Statewide CMAQ program will make CMAQ commitments to new funding. Through our process we just included, we have the projects for which we want CMAQ funds. Staff will work through the statewide process to have the CMAQ funds committed to them.
6. **Timeline and Next Steps.** The Policies work group will meet on September 6 at 10 a.m., after the TAC meeting. All members are welcome to attend, but attendance is optional for those who have not volunteered for the work group.
7. **Other Business.** Mattei adjourned the meeting at 11:00 a.m.

Respectfully submitted,

Thea Walsh  
Secretary

# **Summary of AFC Work Group Discussions**

(Meetings in September, October, November and emailed comments)

## **Policies**

- Should there be a threshold at which previous commitments must compete for additional funds?
- Remove the PE incentive (cost-benefit for only 25% federal participation)
- Determine what happens to committed funds when a project is dropped

## **Application Process**

- Clarify and shorten the application process
  - What is unclear now? What can we eliminate?
  - Are there criteria that do not differentiate projects? Do they provide important information for other purposes, or should we eliminate them?
- Discourage agencies from pursuing Final Applications that have little or no chance of success (after reviewing the Screening Applications)

## **Evaluation Criteria**

- Reduce number of criteria in each goal
- Identify which criteria are more important
- What weight should an applicant's priority receive?
  - Can we adequately compare jurisdictions with few applications to jurisdictions with many?
- How do we define the "best" projects, especially when comparing across categories?
  - Should the scoring process create "bright line" breaks in the ranking?
- How should we account for other funding sources? Does leveraging additional funds receive sufficient weight for in the scoring process?
- Determine the impact on a project's score when its sponsor voluntarily reduces funding during the selection process

## **Funding & Project Categories**

- Review the project category definitions
- Review funding targets by category and what they mean
- Review category weights that define funding targets
- Maximum dollar amount per project based each category's thresholds
- Raise or eliminate the maximum commitment allowed for a project in any one year
- Create a "shovel-ready" category
- Year 5 Projects
  - Fewer funding commitments in year 5 and beyond to increase flexibility in future
  - Do not specify a year for commitments in years 5+
- Are target thresholds for all future funding commitments or just the allocation of funding in current cycle?

## **Information Sharing**

- Share more information on scoring with the AFC, including how data leads to a score
- More information posted to the website (with an email that something new was posted)
- Share AFC member comments with all as they come in before next meeting

# Summary of Revisions

## *Policies for Managing MORPC-Attributable Funds December 2017 Draft*

### **1. Introduction**

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No significant changes.

### **2. Attributable Funds Committee (AFC)**

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No significant changes.

### **3. Process Milestones and Schedule**

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Dates in schedule table were updated. Partnering Agreement dates were added at the end.

### **4. Eligibility and Requirements**

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#### **4.1 Eligible Sponsors**

No changes.

#### **4.2 Eligible Roadways: The Federal-Aid System**

Added text from previous application forms: bridge, sidewalk, and multi-use path projects on local roads are typically eligible.

#### **4.3 Eligible Activities: The Metropolitan Transportation Plan**

Text from the former Principle 4 about adding projects to the MTP was added, which mentions that a project may need to be removed from the MTP to maintain fiscal constraint.

#### **4.4 Eligible Costs**

##### **4.4.1 Non-Federal Matching Requirements**

No changes.

##### **4.4.2 Toll Revenue Credit**

No changes.

#### 4.4.3 Eligibility of Preliminary Engineering

The provision to allow attributable funds to cover 25 percent of PE costs as an incentive to generate fast-developing projects was deleted. There has been little demand and the lengthy procurement process erodes the benefit.

A notice was added that attributable funding for PE means that the ODOT procurement process must be followed. It had appeared on the application form in the past. Clarification was added that ODOT's process ensures compliance with federal regulations, whether they are from FHWA or FTA.

#### 4.4.4 Prior Federal Authorization

No significant changes.

#### 4.5 Eligible Activities

No significant changes.

#### 4.6 Guidance for Applicants

No significant changes.

### 5. Activity Categories

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#### 5.1 Purpose

No changes.

#### 5.2 Definitions

Revised definitions of the categories were proposed to improve clarity. A short process for determining the category for roadway applications with characteristics of multiple categories was proposed. This change was in response to a general desire for greater clarity and questions posed by hypothetical scenarios brought forth by AFC members. The proposals are not intended to modify how the categories have been applied in past practice.

#### 5.3 Funding Target Ranges

Added this clarification in response to a request: The basis of the target percentages is the total amount of funding commitment from the present SFY through two SFYs beyond the next TIP update. For this cycle, that is SFYs 2019-2025.

There was a request to raise the maximum percentage of the Transit category from 10 to 15 percent:

	Major Widening	Minor/ Intersections	Transit	System Preservation	Bike & Pedestrian
<b>Minimum %</b>	40	20	5	10	5
<b>Maximum %</b>	50	30	15	15	15

## 6. Application Process for New Funding Commitments

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### 6.1 Screening Application

Added this text to reflect recent practice: “identify ways large funding requests can be split or reduced in scope.”

Added this text by request: “identify applications that have little or no chance of success.”

### 6.2 Final Application

The table of information needed for the final application was removed and will be replaced with an application form in an appendix.

Specific instructions that have appeared on the application forms in the past were incorporated into the document.

## 7. Evaluation and Selection Process

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Moved some text from Sec. 7.1 to this section.

### 7.1 Evaluation Criteria

The AFC requested that the number of criteria be reduced. In response, some criteria were combined, as noted in the sections for each goal below.

The AFC requested some insight into how much weight is given to each criterion relative to other criteria for determining the score for a goal. In response, three levels of priority among the criteria for each goal were assigned:

- A criteria are given the highest priority
- B criteria are given a priority level between A and C
- C criteria are given the lowest priority

Sec. 7.2 (Application Scoring Process) was mostly merged into this section.

#### 7.1.1 *Economic Opportunity Goal Criteria*

Several similar, previously separate criteria were merged together. The other substantive changes were:

- The job retention assessment was changed from the applicant’s subjective statement and documentation of retention to the number of jobs served by using GIS to estimate the number of jobs within one mile of the project.
- Two criteria measuring the private and public financial support of the project were dropped from this goal, as they are also considered under the Collaboration goal.

#### 7.1.2 *Natural Resources Goal Criteria*

No significant changes beyond designating priority levels for the criteria.

### **7.1.3 Energy Goal Criteria**

No significant changes beyond designating priority levels for the criteria.

### **7.1.4 Collaboration and Funding Goal Criteria**

Several similar, previously separate criteria were merged together. The other substantive changes were:

- A local match threshold of 30 percent was established for a sponsor to benefit by matching over the required minimum 20 percent.
- Thresholds were established for penalizing large requests and rewarding small requests relative to the amount of funds available in each category.
- Only the applicant's highest priority project within each Category will benefit from their ranking, rather than attempting to score all sponsors' rankings relative to each other and across Categories.
- Agency Funding Capacity was revised so that only the smallest agencies can benefit, rather than attempting to score all agencies relative to each other.

### **7.1.5 Health, Safety & Welfare Goal Criteria**

No significant changes beyond designating priority levels for the criteria.

### **7.1.6 Sustainable Neighborhoods and Quality of Life Goal Criteria**

Several similar, previously separate criteria were merged together. Other substantive changes were:

- Added to the pedestrian and bikeway system criteria that projects that facilitate the construction of pedestrian or bicycle facilities along a regionally significant active transportation corridor will score higher.
- For Origin/Destination Density, the buffer within which the density is estimated was reduced from two miles to one mile to better reflect the time/distance from which users would travel to access the facility.

## **7.2 Application Scoring Process**

This section was merged in large part with Sec. 7.1 and in small part with former Sec. 7.4 (Prioritizing and Recommending Applications for Funding).

### **7.2 Scoring Phased Construction Projects**

Moved section, formerly Section 7.5.

Clarification on what components to include when applying for a phased project was added by request. It may alter how the guidance was previously interpreted. Generally, only the components that would be built as part of the project requesting the funding will be evaluated.

## **7.3 Agency Prioritization of Multiple Applications**

Moved section, formerly Section 7.6. No other changes.



## 7.4 Weighting Scores by Goal and Category

Weights were modified for all categories other than Major and Other to put more weight on the criteria that are most likely to distinguish between projects for the category.

Activity Category	Economy	Natural Resources	Energy	Collaboration	Health, Safety & Welfare	Sustainable Neighborhoods
<b>Major Widening/New Roadway</b>	30	10	5	15	30	10
<b>Minor Widening/Intersections/Signals</b>	20	10	10	15	30	15
<b>Bike and Pedestrian</b>	5	5	5	15	35	35
<b>Transit</b>	10	10	15	15	25	25
<b>System Preservation</b>	15	5	10	15	35	20
<b>Other</b>	NA	NA	NA	NA	NA	NA

## 7.5 Prioritizing and Recommending Applications for Funding

The AFC asked that the Policies address a scenario encountered previously:

During the ranking and prioritization process, sponsors may voluntarily reduce the amount of funding requested in an application to advance their interests. This would increase the amount of funding available for other applications or make the reduced request more feasible within available funding.

Several changes were made to address the fact that ODOT no longer allows us to program funds for a phase as payments over multiple fiscal years unless a SIB loan agreement (or other financing, presumably) is in place. There has also been some hesitancy from local sponsors to commit to a SIB loan as large phases came closer to authorization.

We attempted to mitigate the effects of that change by proposing that funding commitments more than 4 years out (beyond the next TIP) not be assigned to a specific year. That makes the amount for a phase in a given year moot when it's far in the future. When the large phase advances through project development to the point that it is within the next TIP, the total amount can be committed to a specific year. This will bring more certainty to funding availability for the large phase, but increases the risk of lapsing funds if the phase is not delivered.

Proposed changes also aim to provide more flexibility to address fast-developing and increased cost estimates in future cycles by leaving 25 percent of funds in the fifth and sixth years uncommitted.

Recommended timeframes for project schedules from previous application forms were added.

## 7.6 Reservoir Commitments

More revisions were made to address the fact that ODOT no longer allows us to program funds for a phase as payments over multiple fiscal years were made here, in addition to those in Sec. 7.5 above.

Added text:

[Large phases will] receive a funding commitment in a later fiscal year [than requested]. Sponsors with a delayed commitment should work to maintain the intended schedule and will be considered to be reservoir commitments. The following commitments will have priority in keeping their requested fiscal year:

1. Commitments made in previous cycles
2. Right-of-way phases of new construction commitments

If sufficient funds are not available when needed to proceed, the sponsor will need to arrange financing, such as loan through the State Infrastructure Bank (SIB), to be repaid with attributable funds.

Staff may work with a project sponsor to arrange a commitment as a series of payments.

## **8. Project Development Requirements**

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No significant changes.

## **9. Maintaining Funding Commitments**

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No changes.

### **9.1 Partnering Agreements**

Several paragraphs were added to specify how amounts and milestone dates are determined for the agreements and the circumstances under which they can be modified, such as when funds are insufficient for the year for which they are requested or needed:

The amounts and SFYs in the Partnering Agreement will be consistent with the MORPC resolution adopting the funding commitments as approved by the TPC.

When funding sources other than attributable funds and local agency funds are committed to a phase, the Partnering Agreement will document the amount or percentage from these sources. The agreement will incorporate the expectation of how each source of funding will be adjusted as cost estimates are updated throughout project development.

MORPC and the sponsor can agree to make modest adjustments to the reference dates dictated by the schedule in the application, provided the partnering agreement is executed prior to first incorporating the project into the TIP.

If funding is not available in the same SFY as the reference date, the reference date will be delayed to March 30 of the SFY one year before that to which MORPC has committed the funds. In practice, this means that penalties will begin to apply to a sponsor if the funds are not encumbered in the SFY to which the funding commitment was delayed. Otherwise, the reference dates in the partnering agreement can be changed only with the approval of the AFC during the commitment update cycle.

## 9.2 Project Monitoring

No significant changes.

## 9.3 Commitment Update Form

Definitions of significant cost and schedule changes from previous application forms were added.

The AFC requested that a description of the process used previously to handle Commitment Updates requesting significant changes to the amount of attributable funds:

Staff will present the requests to the AFC, which may consider the requests in aggregate and/or individually. The AFC has recommended approval of all updated requests when it has found the net change in total funds committed would be acceptable, notwithstanding significant changes in individual commitments or any sponsor's total commitments. When it would result in a significant net increase, the AFC has asked sponsors of individual commitments requesting the largest percentage increases to submit a Final Application for evaluation and recommended approval of the other requests. Staff will use the recommendations as the basis of determining the availability of funds for new commitments.

If the AFC required a Final Application for a large increase, it considered its score and ranking with new applications in its category to inform its recommendation on the requested increase. Sponsors of unsuccessful applications for increases could either continue developing the same project (without significant alterations of the scope) without additional funding assistance or cancel the outstanding commitment.

## 9.4 Cost Overruns at Time of Authorization

Added a new paragraph to address how funding caps are set for projects that have commitments from other external sources.

## 9.5 Delays and Penalties

Deleted some bullets that are addressed in new text in Sec. 9.3 above.

## 9.6 Cancelled Commitments

New section added at AFC's request.

If a project sponsor decides not to proceed with a project or not to fulfill the requirements of the funding commitment, the commitment is cancelled and returned to the balance of uncommitted funds available for other uses. The sponsor is not permitted to transfer the funds to another unrelated project or activity without the approval of the TPC.

# 10. Other Policies for Program Management

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## 10.1 Out-of-Cycle Requests

No significant changes.

## 10.2 Trading Funds with Other MPOs

No significant changes.

## 10.3 Ohio Statewide Urban CMAQ Program

No significant changes.

## 10.4 Participation in ODOT Freeway Projects

Entire new section added:

MORPC roadway funding is focused on arterial and collector facilities to support local agency roadway needs. Freeway facilities and system interchanges are generally the responsibility of ODOT, and MORPC does not intend to participate in funding those types of projects. However, MORPC will consider funding participation in the following:

- New or modified interchanges that connect to an arterial or collector (service interchanges)
- Components of a freeway project that modify an arterial or a collector
- Actual freeway or system interchange components if participation is structured as a series of payments over 10 to 20 years such that it does not significantly impact the ability to support local agency roadway needs.

In all cases, a local agency or multiple local agencies must be the applicant and follow the application process.