ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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May 28, 2009
Agenda Item 6.3.3

Memorandum

DATE: May 14, 2009

TO: CMA Board

FROM: Plans and Programs Committee

RE: Federal Surface Transportation Program/Congestion Mitigation Air Quality (STP/CMAQ) Program: At Risk Report

Action Requested
It is recommended that the Board approve the attached At Risk Report for local projects programmed in the Federal STP/CMAQ Program.

Discussion
The report, dated April 30, 2009, is intended to identify activities required to comply with the requirements set forth in MTC's Resolution 3606, the Regional STP/CMAQ Project Delivery Policy. There are 59 locally sponsored federally funded projects segregated by "zone." Red zone projects are considered at a relatively high risk of non-compliance with the provisions of Resolution 3606. Yellow zone projects are considered at moderate risk, and green zone at low risk. The criteria for determining the project zones are listed in Appendix A of the report.

The durations included in the criteria are intended to provide adequate time for project sponsors to perform the required activities to meet the deadline(s). A project may have multiple risk factors that indicate multiple zones. The risk zone associated with each risk factor is indicated in the tables. Projects with multiple risk factors are listed in the zone of higher risk. Appendix B provides details related to the Resolution 3606 deadlines associated with each of the Required Activities used to determine which zone of risk a project is assigned to. Appendix C provides the date of the last invoice for projects with obligated funds. The deadline for submitting the environmental package one year in advance of the obligation deadline for right of way or construction capital funding is tracked and reported, but is not affiliated with any zone of risk.

Per MTC Resolution 3606-revised, for projects programmed with funding in federal FY 2008/09, the deadline to submit the request for authorization is February 1, 2009 and the obligation deadline is April 30, 2009.

The report is based on the information made available to the CMA's project monitoring team. This information stems from the project sponsors as well as other funding agencies such as MTC and Caltrans Local Assistance.

Attachment

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Red Zone Projects

Index	TIP ID / Source	Sponsor / Prog'd Amount ($x 1,000)	Project Title / Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes	Prev Zone
1	**ALA050017**	**AC Transit**	**Enhanced Bus - Telegraph/Int'l/East 14th**						
	CMAQ	$35,000	Con	08/09	Obligate Funds	04/30/09	R	$35M amended into TIP Pending Transfer to FTA	NA
2	**ALA070020**	**ACCMA**	**I-580 (Tri-Valley) Corridor - EB HOV Lane**						
	CMAQ	$6,161	Con	08/09	Award Contract	09/18/09	R	$6,161 Obligated 12/19/08	Y
					Submit First Invoice	12/19/09	G	Funds De-Obligated 2/4/09	
					Liquidate Funds	12/19/14	G		
3	**ALA070040**	**Ala. County**	**Hampton Rd Streetscape Improvement**						
	CMAQ	$2,999	Con	08/09	Obligate Funds	04/30/09	R	Revised Req sub'd 4/15/09	R
4	**ALA050072**	**Ala. County**	**Castro Valley Blvd Pavement Rehabilitation -Foothill Blvd. to Stanton Ave.**						
	STP	$758	Con	08/09	Obligate Funds	04/30/09	R	Req Sub'd 12/29/08	Y
	STP	$83	PSE	06/07	Liquidate Funds	06/26/13	G	$83 obligated 6/26/07	
5	**ALA070051**	**BART**	**BART Station Electronic Bike Lockers, Phase 2**						
	CMAQ	$130	Con	08/09	Obligate Funds	04/30/09	R	Pending Transfer to FTA	R
6	**ALA050073**	**Berkeley**	**University Ave Reconstruction**						
	STP	$630	Con	08/09	Advertise Contract	08/05/09	R	$630 Obligated 2/5/09	R
					Award Contract	11/05/09	Y		
					Submit First Invoice	02/05/10	G		
					Liquidate funds	02/05/15	G		
7	**ALA050082**	**Dublin**	**East Dublin BART Station Corridor Enhancements**						
	CMAQ	$2,587	Con	08/09	Advertise Contract	09/09/09	R	$2,587 Obigated 3/9/09	R
					Award Contract	12/09/09	Y	Combined w/ALA050083	
					Submit First Invoice	03/09/10	G		
	CMAQ	$489	PE	06/07	Liquidate Funds	04/12/13	G	$284 Obligated 4/12/07	
8	**ALA070037**	**Fremont**	**Bay Street Streetscape and Parking Project**						
	CMAQ	$1,570	Con	08/09	Advertise Contract	07/21/09	R	$1,570 Obligated 1/21/09	Y
					Award Contract	10/21/09	R		
					Submit First Invoice	01/21/10	G		
					Liquidate Funds	01/21/15	G		
9	**ALA050080**	**Oakland**	**7th St, W. Oakland Transit Village Imps**						
	CMAQ	$2,330	Con	08/09	Award Contract	10/21/09	R	$2,330 Obligated 1/21/09	Y
	CMAQ	$320	PE	07/08	Liquidate Funds	11/05/13	G	$320 Obligated 11/5/07	
10	**ALA070039**	**Oakland**	**Oakland Waterfront Bay Trail**						
	CMAQ	$899	Con	07/08	Submit First Invoice	Note 1	R	$599 Obligated 4/16/08	Y
					Liquidate Funds	04/16/14	G	Add'l $300 Obligated 7/11/08 Contract Awd 8/12/08	
11	**ALA050069**	**San Leandro**	**Washington Ave Rehab -San Lorenzo Creek to I-880 O/C**						
	STP	$442	Con	07/08	Submit First Invoice	05/07/09	R	$442 Obligated 5/7/08	R
	STP	$49	PE	06/07	Liquidate Funds	03/05/13	G	$49 Obligated 3/5/07	
12	**ALA050078**	**San Leandro**	**Bay Trail Bridge at Oyster Bay Slough**						
	CMAQ	$750	Con	08/09	Advertise Contract	06/19/09	R	$750 Obligated 12/19/08	Y
					Award Contract	09/19/09	R		
					Submit First Invoice	12/19/09	G		
					Liquidate funds	12/19/14	G		
13	**ALA070048**	**San Leandro**	**San Leandro ATMS Upgrade**						
	CMAQ	$184	Con	07/08	Submit First Invoice	Note 1	R	$184 Obligated 4/2/08 Force Account	Y
					Liquidate Funds	04/02/14	G		
14	**ALA050070**	**Union City**	**Alvarado-Niles Pavement Rehabilitation**						
	STP	$421	Con	08/09	Advetise Contract	07/29/09	R	$421 Obligated 1/29/09	Y
					Award Contract	10/29/09	R		
					Submit First Invoice	01/29/10	G		
					Liquidate Funds	01/29/15	G		
	STP	$5	PSE	07/08	Liquidate Funds	04/04/14	G	$5 Obligated 4/4/08	

Yellow Zone Projects

Index	TIP ID / Source	Sponsor / Prog'd Amount ($x 1,000)	Project Title / Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes	Prev Zone
15	**ALA010032**	**ACCMA**	**I-580 San Leandro Estudillo Noise Barrier**						
	STP	$7,262	Con	08/09	Award Contract	12/27/09	Y	$7,262 Obligated 3/27/09	
					Submit First Invoice	03/27/10	G	Advertised 4/8/09	
					Liquidate funds	03/27/15	G		
16	**ALA070038**	**Livermore**	**Downtown Livermore Ped Transit Connection**						
	CMAQ	$1,060	Con	08/09	Advertise Contract	09/30/09	Y	$888 Obligated 3/30/09	R
					Award Contract	12/30/09	Y		
					Submit First Invoice	03/30/10	G		
					Liquidate funds	03/30/15	G		
	CMAQ	$140	PE	07/08	Liquidate Funds	11/16/13	G	$140 obligated 11/16/07	
17	**ALA070059**	**Livermore**	**Downtown Pedestrian Improvements**						
	CMAQ	$845	Con	08/09	Advertise Contract	10/08/09	Y	$845 Obligated 4/8/09	NA
					Award Contract	01/08/10	Y		
					Submit First Invoice	04/08/10	G		
					Liquidate funds	04/08/15	G		
18	**ALA070011**	**Oakland**	**Coliseum Gardens**						
	CMAQ	$1,230	Con	08/09	Advertise Contract	9/31/09	Y	$1,230 Obligated 3/31/09	R
					Award Contract	12/31/09	Y		
					Submit First Invoice	03/31/10	G		
					Liquidate Funds	03/31/15	G		

Green Zone Projects

Index	TIP ID / Source	Sponsor / Prog'd Amount ($x 1,000)	Project Title / Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes	Prev Zone
19	**ALA050009**	**ACTIA**	**I-580 Castro Valley Interchange Improvements**						
	STP	$1,000	Con	07/08	Liquidate Funds	04/28/14	G	$1,000 Obligated 4/28/08	G
20	**ALA010034**	**AC Transit**	**Maintenance Facilities Upgrade**						
	STP	$4,000	Con	07/08		Obligated for Transfer to FTA Grant			
21	**ALA010063**	**AC Transit**	**Acquire 416 Bus Catalyst Devices**						
	CMAQ	$68	Con	04/05		Obligated for Transfer to FTA Grant			
22	**ALA070047**	**AC Transit**	**Travel Choice -Berkeley**						
	CMAQ	$216	Con	07/08		Obligated for Transfer to FTA Grant			
23	**ALA070055**	**AC Transit**	**Bike Racks for New Buses**						
	CMAQ	$100	Con	07/08		Obligated for Transfer to FTA Grant			
24	**ALA050018**	**ACCMA**	**Grand/MacArthur Bus Improvements**						
	CMAQ	$500	Con	06/07	Liquidate Funds	05/22/14	G	$500 Obligated 5/22/08	G
25	**ALA050036**	**ACCMA**	**SMART Corridors Operations & Management**						
	CMAQ	$283	Con	06/07	Liquidate Funds	01/27/15	G	$283 Obligated 1/27/09	G
	STP	$135	Con	05/06	Liquidate Funds	09/07/12	G	$135 Obligated 9/7/06	
	CMAQ	$518	Con	07/08	Liquidate Funds	07/03/14	G	$518 Obligated 7/3/08	
26	**ALA070041**	**ACCMA**	**I-80 Integrated Corridor Mobility**						
	CMAQ	$3,243	PE	07/08	Liquidate funds	07/10/14	G	$3,243 Obligated 7/10/08	G
27	**ALA070042**	**ACCMA**	**I-880 SB HOV Lanes -Marina to Hegenberger**						
	STP	$198	PE	08/09	Liquidated Funds	12/19/13	G	Req Sub'd by Sponsor	R
	CMAQ	$6,781	PE	07/08 08/09	Liquidate funds	12/19/13	G	$4M obligated 12/19/07 STP to CMAQ 4/18/08 $2.781M added 4/15/09	
28	**ALA070025**	**Alameda**	**City of Alameda Signal Coordination**						
	CMAQ	$59	Con	06/07	Liquidate Funds	05/31/13	G	$59 Obligated 5/31/07 Force Account	G
29	**ALA070049**	**Alameda**	**Signal Coordination: 8th St, Otis Dr., & Park St.**						
	CMAQ	$138	Con	07/08	Liquidate Funds	04/18/14	G	$138 Obligated 4/18/08	Y

Green Zone Projects (cont.)

Index	TIP ID / Source	Sponsor / Prog'd Amount ($x 1,000)	Project Title / Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes	Prev Zone
30	**ALA030002**	**Ala. County**	**Vasco Road Safety Imps. Phase 1**						
	STP	$9,350	Con	07/08	Liquidate Funds	06/20/14	G	$9,350 Obligated 6/20/08 Contract Awarded 7/29/08	G
	STP	$3,900	R/W	04/05	Liquidate Funds	06/29/11	G	$3,900 Obligated 6/29/05	
31	**ALA050021**	**Ala. County**	**East Ave Rehab (Windfeldt Rd. to E St.)**						
	STP	$505	Con	05/06	Liquidate Funds	07/09/12	G	$505 Obligated 7/9/06	G
		$27	PSE	04/05	Liquidate Funds	02/28/11	G	$27 Obligated 2/28/05	
32	**ALA050052**	**Ala. County**	**East Castro Valley Blvd/ Dublin Canyon Rd.**						
	STP	$44	PE	05/06	Liquidate Funds	01/20/12	G	$44 Obligated 1/20/06	G
	STP	$572	Con	05/06	Liquidate Funds	08/13/12	G	$572 Obligated 8/13/06	
33	**ALA050065**	**BART**	**Ed Roberts Campus**						
	CMAQ	$2,000	Con	07/08		Obligated for Transfer to FTA Grant 8/1/08			
34	**ALA070034**	**BART**	**Ashby BART Station / Ed Roberts Campus**						
	CMAQ	$1,386	Con	08/09		Obligated for Transfer to FTA Grant 8/1/08			
35	**ALA990078**	**Berkeley**	**San Pablo Ave. Corridor Bicycle Path**						
	CMAQ	$1,034	R/W	06/07	Liquidate Funds	06/08/12	G	$1,034 Obligated 6/8/06	G
36	**ALA050059**	**Caltrans**	**SR 13 Median Landscaping**						
	STP	$500	Con	06/07	Liquidate Funds	05/15/13	G	$400 Obligated 5/15/07	G
	STP	$100	Con	08/09	Liquidate Funds	01/13/15	G	$100 Obligated 1/13/09	
37	**ALA050022**	**Fremont**	**Rehab on Various Sts**						
	STP	$2,172	Con	05/06	Liquidate Funds	06/13/12	G	$2,172 Obligated 6/13/06	G
	STP	$2,850	Con	06/07	Liquidate Funds	05/30/13	G	$2,850 Obligated 5/30/07	
38	**ALA070050**	**Fremont**	**Mowry Ave Arterial Management**						
	CMAQ	$419	Con	07/08	Submit First Invoice	09/15/09	G	$419 Obligated 9/15/08	G
					Liquidate Funds	09/15/14	G		
39	**ALA050025**	**Hayward**	**Hesperian Blvd Rehab**						
	STP	$713	Con	05/06	Liquidate Funds	06/27/12	G	$713 Obligated 6/27/06	G
	STP	$8	Env	05/06	Liquidate Funds	02/15/12	G	$8 Obligated 2/15/06	
40	**ALA050056**	**Hayward**	**West A Street Rehab**						
	STP	$117	Con	05/06	Liquidate Funds	06/27/12	G	$117 Obligated 6/27/06	G
	STP	$5	Env	05/06	Liquidate Funds	02/15/12	G	$5 Obligated 2/15/06	
41	**ALA050071**	**Hayward**	**Rehab on Various Streets (Arterial Pavement Rehab)**						
	STP	$776	Con	07/08	Liquidate Funds	03/26/14	G	$835 Obligated 3/26/08	G
	STP	$104	PE	06/07	Liquidate Funds	04/03/13	G	$104 Obligated 4/3/07 E-76 revised to $45 3/26/08	
42	**ALA070052**	**Hayward**	**Second Street New Sidewalk Construction**						
	CMAQ	$337	Con	07/08	Liquidate Funds	05/07/14	G	$337 Obligated 5/7/08 Contract Awarded 7/1/08	G
43	**ALA030015**	**LAVTA**	**Acquire 25 Bus Catalyst Devices**						
	CMAQ	$175	Con	04/05		Obligated for Transfer to FTA Grant			
44	**ALA030017**	**LAVTA**	**Exp. Bus –Route 70 & Subscript. Routes**						
	CMAQ	$89	Con	04/05		Obligated for Transfer to FTA Grant			
45	**ALA070028**	**LAVTA**	**ACE Station Shuttle Services**						
	CMAQ	$88	Con	06/07		Obligated for Transfer to FTA Grant			
46	**ALA070029**	**LAVTA**	**E. Dublin/ Pleasanton BART Station Shuttle**						
	CMAQ	$102	Con	06/07		Obligated for Transfer to FTA Grant			
47	**ALA050054**	**Livermore**	**East Ave Rehab (Hillcrest to Loyola)**						
	STP	$158	Con	05/06	Liquidate Funds	05/01/12	G	$158 Obligated 5/1/06	G
48	**ALA050024**	**Livermore**	**South Vasco Rd Rehab**						
	STP	$300	Con	05/06	Liquidate Funds	05/01/12	G	$300 Obligated 5/1/06	G

Green Zone Projects (cont.)

Index	TIP ID / Source	Sponsor / Prog'd Amount ($x 1,000)	Project Title / Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes	Prev Zone
49	**ALA050068**	**Livermore**	**Murrieta Blvd Pavement Rehabilitation**						
	STP	$486	Con	06/07	Liquidate Funds	04/27/13	G	Final Invoice Sub'd 11/17/07	G
50	**ALA010021**	**Oakland**	**City of Oakland Street Resurfacing Program**						
	STP	$825	Con	05/06	Liquidate Funds	06/21/12	G	$825 Obligated 6/21/06	G
51	**ALA030007**	**Oakland**	**Coliseum Transit Hub (San Leandro St. btwn 73rd & 66th Ave)**						
		$89	Con	06/07	Liquidate Funds	01/17/13	G	$89K Obligated 1/17/07	G
52	**ALA050023**	**Oakland**	**Rehab on Various Sts**						
	STP	$2,486	Con	07/08	Liquidate Funds	04/11/14	G	$2,486 Obligated 4/11/08 Contract Awd 1/6/09	Y
	STP	$1,573	Con	05/06	Liquidate Funds	06/21/12	G	$1,573 Obligated 6/21/06	
53	**ALA050028**	**Oakland**	**Chinatown Ped Imps**						
	CMAQ	$1,933	Con	05/06	Liquidate Funds	06/30/12	G	$1,933 Obligated 6/30/06	G
	CMAQ	$267	Env	04/05	Liquidate Funds	05/17/11	G	$267K Obligated 5/17/05	
54	**ALA050039**	**Oakland**	**MacArthur Transit Hub Improvement Project**						
	CMAQ	$996	Con	06/07 07/08	Liquidate Funds	03/30/13	G	$681 Obligated 3/30/07 $215 Obligated 9/5/07 $100 Obligated 6/11/08	R
	CMAQ	$200	PE	05/06	Liquidate Funds	03/30/12	G	$200 Obligated 3/30/06	
55	**ALA070027**	**Oakland**	**W. Oakland Bay Trail: Mandela Pkwy & 8th Street**						
	CMAQ	$770	Con	06/07	Liquidate Funds	03/19/13	G	$770 Obligated 3/19/07	G
56	**ALA050026**	**San Leandro**	**Washington Ave Rehab**						
	STP	$30	PSE	04/05	Liquidate Funds	02/24/11	G	$30 Obligated 2/24/05	G
	STP	$445	Con	05/06	Liquidate Funds	03/24/12	G	$455 Obligated 3/24/06	
57	**ALA050055**	**San Leandro**	**Floresta Blvd Street Rehab**						
	STP	$185	Con	05/06	Liquidate Funds	03/24/12	G	$185 Obligated 3/24/06	G
58	**ALA070030**	**San Leandro**	**Traffic Signal System Improvements**						
	CMAQ	$100	Con	06/07	Liquidate Funds	04/30/13	G	$100 Obligated 4/30/07	R
59	**ALA990015**	**Union City**	**UC Intermodal Station**						
	CMAQ	$124	Con	07/08		Obligated for Transfer to FTA Grant 2/6/08			
	CMAQ	$1,702	Con	07/08		Obligated for Transfer to FTA Grant 1/25/08			
	CMAQ	$3,024	Con	05/06		Obligated for Transfer to FTA Grant 7/10/06			

Notes

1. MTC Reso 3606 deadline has passed. Sponsor is working with Caltrans, MTC and ACCMA to expedite required activity.

Appendix A
Federal At Risk Report Zone Criteria
Required Activities per Resolution 3606 (Revised July 23, 2008)

Required Activities Monitored by CMA[1]	Criteria Timeframes for Required Activities		
	Red Zone	**Yellow Zone**	**Green Zone**
Request Project Field Review	Project in TIP for more than nine (9) months, or obligation deadline for Con funds within 15 months.	Project in TIP for less than nine (9) months, and obligation deadline for Con funds more than 15 months away.	All conditions other than Red or Yellow Zones
Submit Environmental Package	NA	NA	NA
Approved DBE Program and Methodology	NA	NA	NA
Submit Request for Authorization (PE)	within three (3) months	within three (3) to six (6) months	All conditions other than Red or Yellow Zones
Submit Request for Authorization (R/W)	within four (4) months	within four (4) to nine (9) months	All conditions other than Red or Yellow Zones
Submit Request for Authorization (Con)	within six (6) months		All conditions other than Red or Yellow Zones
Obligation/ FTA Transfer	within two (2) months	within two (2) to four (4) months	All conditions other than Red or Yellow Zones
Advertise Construction	within four (4) months	within four (4) to six (6) months	All conditions other than Red or Yellow Zones
Award Contract	within six (6) months	within six (6) to nine (9) months	All conditions other than Red or Yellow Zones
Award into FTA Grant	within two (2) months	within two (2) to four (4) months	All conditions other than Red or Yellow Zones
Submit First Invoice	within two (2) months	within two (2) to four (4) months	All conditions other than Red or Yellow Zones
Liquidate Funds	within four (4) months	within four (4) to nine (9) months	All conditions other than Red or Yellow Zones
Project Closeout	within four (4) months	within four (4) to nine (9) months	All conditions other than Red or Yellow Zones

Other Zone Criteria	
Red Zone	Projects with funds programmed in the same FY for both a project development phase (i.e. Env or PSE) and a capital phase (i.e. R/W or Con) without the project development phase(s) obligated.
Yellow Zone	Projects with an Amendment to the TIP pending.

Notes: [1] See Apendix B for more information about the Required Activities and Resolution 3606.

Appendix B

Definitions of the Required Activities per Resolution 3606 (As revised July 23, 2008)

Index	Definition	Deadline
1	**Req Proj Field Rev**	
	Per MTC Resolution 3606-Revised, "Implementing agencies are required to request a field review from Caltrans Local Assistance within 12 months of approval of the project in the TIP[1], but no less than 12 months prior to the obligation deadline of construction funds. This policy also applies to federal-aid projects in the STIP. The requirement does not apply to projects for which a field review would not be applicable, such as FTA transfers, regional operations projects and planning activities. Failure for an implementing agency to make a good-faith effort in requesting and scheduling a field review from Caltrans Local Assistance within twelve months of programming into the TIP could result in the funding being reprogrammed and restrictions on future programming and obligations. Completed field review forms must be submitted to Caltrans in accordance with Caltrans Local Assistance procedures."	12 months from approval in the TIP[1], but no less than 12 months prior to the obligation deadline of construction funds.
2	**Sub ENV package**	
	Per MTC Resolution 3606-Revised, "Implementing agencies are required to submit a complete environmental package to Caltrans for all projects (except those determined Programmatic Categorical Exclusion as determined by Caltrans at the field review), twelve months prior to the obligation deadline for right of way or construction funds. This policy creates a more realistic time frame for projects to progress from the field review through the environmental and design process, to the right of way and construction phase. If the environmental process, as determined at the field review, will take longer than 12 months before obligation, the implementing agency is responsible for delivering the complete environmental submittal in a timely manner. Failure to comply with this provision could result in the funding being reprogrammed. The requirement does not apply to FTA transfers, regional operations projects or planning activities."	12 months prior to the obligation deadline for RW or Con funds. (No change)
3	**Approved DBE Prog**	
	Per MTC Resolution 3606-Revised, "Obligation of federal funds may not occur for contracted activities (any combination of environmental/ design/ construction/ procurement activities performed outside the agency) until and unless an agency has an approved DBE program and methodology for the current federal fiscal year. Therefore, agencies with federal funds programmed in the TIP must have a current approved DBE Program and annual methodology (if applicable) in place prior to the fiscal year the federal funds are programmed in the TIP. STP/CMAQ funding for agencies without approved DBE methodology for the current year are subject to redirection to other projects after March 1. Agencies should begin the DBE process no later than January 1 to meet the March 1 deadline. Projects advanced under the Expedited Project Selection Process (EPSP) must have an approved DBE program and annual methodology for the current year (if applicable) prior to the advancement of funds."	Approved program and methodology in place prior to the FFY the funds are programmed in the TIP.
4	**Sub Req for Auth**	
	Per MTC Resolution 3606-Revised, "In order to ensure funds are obligated or transferred to FTA in a timely manner, the implementing agency is required to deliver a complete funding obligation / FTA Transfer request package to Caltrans Local Assistance by February 1 of the year the funds are listed in the TIP. Projects with complete packages delivered by February 1 of the programmed year will have priority for available OA, after ACA conversions that are included in the Obligation Plan. If the project is delivered after February 1 of the programmed year, the funds will not be the highest priority for obligation in the event of OA limitations, and will compete for limited OA with projects advanced from future years. Funding for which an obligation/ FTA transfer request is submitted after the February 1 deadline will lose its priority for OA, and be viewed as subject to reprogramming."	February 1 of FY in which funds are programmed in the TIP.

Appendix B - Continued

Definitions of the Required Activities per Resolution 3606 (As revised July 23, 2008)

Index	Definition	Deadline
5	**Obligate Funds/ Transfer to FTA**	
	Per MTC Resolution 3606-Revised, "STP and CMAQ funds are subject to an obligation/FTA transfer deadline of April 30 of the fiscal year the funds are programmed in the TIP. Implementing agencies are required to submit the completed request for obligation or FTA transfer to Caltrans Local Assistance by February 1 of the fiscal year the funds are programmed in the TIP, and receive an obligation/ FTA transfer of the funds by April 30 of the fiscal year programmed in the TIP. For example, projects programmed in FY 2007-08 of the TIP have an obligation/FTA transfer request submittal deadline (to Caltrans) of February 1, 2008 and an obligation/FTA transfer deadline of April 30, 2008. Projects programmed in FY 2008-09 have an obligation request submittal deadline (to Caltrans) of February 1, 2009 and an obligation/FTA transfer deadline of April 30, 2009. No extensions will be granted to the obligation deadline."	April 30 of FY in which funds are programmed in the TIP.
6	**Execute PSA**	
	Per MTC Resolution 3606, "The implementing agency must execute and return the Program Supplement Agreement (PSA) to Caltrans in accordance with Caltrans Local Assistance procedures. The agency must contact Caltrans if the PSA is not received from Caltrans within 60 days of the obligation. This requirement does not apply to FTA transfers. Agencies that do not execute and return the PSA to Caltrans within the required Caltrans deadline will be unable to obtain future approvals for any projects, including obligation and payments, until all PSAs for that agency, regardless of fund source, meet the PSA execution requirement. Funds for projects that do not have an executed PSA within the required Caltrans deadline are subject to de-obligation by Caltrans."	Within 60 days of receipt of the PSA from Caltrans, and within six months from the actual obligation date. [2]
7	**Advertise Contract /Award Contract/Award into FTA Grant**	
	Per MTC Resolution 3606-Revised, "For the Construction (CON) phase, the construction/equipment purchase contract must be advertised within 6 months of obligation and awarded within 9 months of obligation. However, regardless of the advertisement and award deadlines, agencies must still meet the invoicing deadline for construction funds. Failure to advertise and award a contract in a timely manner could result in missing the subsequent invoicing and reimbursement deadline, resulting in the loss of funding. Agencies must submit the notice of award to Caltrans in accordance with Caltrans Local Assistance procedures, with a copy also submitted to the applicable CMA. Agencies with projects that do not meet these award deadlines will have future programming and OA restricted until their projects are brought into compliance. For FTA projects, funds must be approved/ awarded in an FTA Grant within one federal fiscal year following the federal fiscal year in which the funds were transferred to FTA."	Advertised within 6 months of obligation and awarded within 9 months of obligation. **FTA Grant Award:** Within 1 year of transfer to FTA.
8	**Submit First Invoice / Next Invoice Due**	
	Per MTC Resolution 3606-Revised, "Funds for each federally funded (Environmental (ENV/ PA&ED), Preliminary Engineering (PE), Final Design (PS&E) and Right of Way (R/W) phase and for each federal program code within these phases, must be invoiced against at least once every six months following obligation. Funds that are not invoiced at least once every 12 months are subject to de-obligation. There is no guarantee that funds will be available to the project once de-obligated. Funds for the Construction (CON) phase, and for each federal program code within the construction phase, must be invoiced and reimbursed against at least once within 12 months of the obligation, and then invoiced at least once every 6-months there after. Funds that are not invoiced and reimbursed at least once every 12 months are subject to de-obligation by FHWA.	**For Con phase:** Once within 12 months of Obligation and then once every 6 months thereafter, for each federal program code.
	There is no guarantee that funds will be available to the project once de-obligated. If a project does not have eligible expenses within a 6-month period, the agency must provide a written explanation to Caltrans Local Assistance for that six-month period and submit an invoice as soon as practicable to avoid missing the 12-month invoicing and reimbursement deadline. Agencies with projects that have not been invoiced against and reimbursed within a 12-month period, regardless of federal fund source, will have restrictions placed on future programming and OA until the project is properly invoiced. Funds that are not invoiced and reimbursed against at least once every 12 months are subject to de-obligation by FHWA."	**For all other phases:** Once within 6 months following Obligation and then once every 6 months thereafter, for each phase and federal program code.

Appendix B - Continued

Definitions of the Required Activities per Resolution 3606 (As revised July 23, 2008)

Index	Definition	Deadline
8a	**Inactive Projects:** Per MTC Resolution 3606-Revised, "Most projects can be completed well within the state's deadline for funding liquidation or FHWA's ten-year proceed-to-construction requirement. Yet it is viewed negatively by both FHWA and the California Department of Finance for projects to remain inactive for more than twelve months. It is expected that funds for completed phases will be invoiced immediately for the phase, and projects will be closed out within six months of the final project invoice. Funds that are not invoiced and reimbursed at least once every 12 months are subject to de-obligation by FHWA. There is no guarantee the funds will be available to the project once de-obligated."	Funds must be invoiced and reimbursed against once every 12 months to remain active.
9	**Liquidate Funds**	
	Per MTC Resolution 3606-Revised, "Funds must be liquidated (fully expended, invoiced and reimbursed) within six years of obligation. California Government Codes 16304.1 and 16304.3 places additional restrictions on the liquidation of federal funds. Generally, federal funds must be liquidated (fully expended, invoiced and reimbursed) within 6 state fiscal years following the fiscal year in which the funds were appropriated. Funds that miss the state's liquidation/ reimbursement deadline will lose State Budget Authority and will be de-obligated if not re-appropriated by the State Legislature, or extended (for one year) in a Cooperative Work Agreement (CWA) with the California Department of Finance. This requirement does not apply to FTA transfers."	Funds must be liquidated within six years of obligation.
10	**Est. Completion Date/Project Close-out**	
	Per MTC Resolution 3606-Revised, "Implementing Agencies must fully expend federal funds on a phase one year prior to the estimated completion date provided to Caltrans. At the time of obligation, the implementing agency must provide Caltrans with an estimated completion date for that project phase. Any un-reimbursed federal funds remaining on the phase after the estimated completion date has passed, is subject to project funding adjustments by FHWA. Projects must be properly closed out within six months of final project invoice. Projects must proceed to construction within 10 years of federal authorization of the initial phase. Federal regulations require that federally funded projects proceed to construction within 10 years of initial federal authorization of any phase of the project. Furthermore, if a project is canceled, or fails to proceed to construction in 10 years, FHWA will de-obligate any remaining funds, and the agency is required to repay any reimbursed funds. If a project is canceled as a result of the environmental process, the agency does not have to repay reimbursed costs for the environmental activities. However, if a project is canceled after the environmental process is complete, or a project does not proceed to construction within 10 years, the agency is required to repay all reimbursed federal funds. Agencies with projects that have not been closed out within 6 months of final invoice will have future programming and OA restricted until the project is closed out or brought back to good standing by providing written explanation to Caltrans Local Assistance, the applicable CMA and MTC."	**Est. Completion Date:** For each phase, fully expend federal funds 1 year prior to date provided to Caltrans. **Project Close-out:** Within 6 months of final project invoice.

Notes:

[1] Approval in the TIP: For administrative/ minor TIP Amendments it is the date of Caltrans approval. For formal TIP Amendments, it is the date of FHWA approval.

[2] Per DOT letter from Caltrans Local Assistance to MPOs, regarding "Procedural Changes in Managing Obligations", dated 9/15/05.

Appendix C

Date of Most Recent Invoice on Record at CMA

Project Sponsors are required to submit an invoice at least once every six months following obligation for each phase for which federal funds have been obligated (per MTC Resolution 3606 - Revised 7/23/08), with the exception of the first invoice for the construction phase which must be submitted within 12 months following obligation. Funds that are not invoiced and reimbursed against at least once every 12 months are subject to de-obligation by FHWA.

Project Sponsors are requested to provide the CMA with copies of excerpts from invoices showing the invoice number, date, amount, and the signature of the agency representative (i.e. the CMA does not need copies of the entire invoice package).

Index	**TIP ID/ Sponsor** Project	Source	Prog'd Amount ($x 1,000)	Phase	FY	Obligation Date	Date of Most Recent Invoice on Record at CMA	Months[1] Since Most Recent Invoice on Record at CMA
C1	**ALA070042/ ACCMA** I-880 SB HOV Lane	CMAQ	$4,000	PE	07/08	12/19/07		
C2	**ALA070025/ Alameda** City of Alameda Signal Coordination	CMAQ	$59	Con	06/07	5/31/07		
C3	**ALA070049/ Alameda** Signal Coordination: 8th St., Otis Dr.	CMAQ	$138	Con	07/08	4/18/08	11/6/08	**6**
C4	**ALA030002/ Ala. County** Vasco Road Safety Imps., Phase 1	STP 	$3,900 $9,350	R/W Con	04/05 07/08	6/29/05 6/20/08	11/26/07 4/10/09	See Note 2 1
C5	**ALA050022/ Fremont** Rehabilitation on Various Streets	STP STP	$2,172 $2,850	Con Con	05/06 06/07	6/13/06 5/30/07	2/14/08 5/9/2008	See Note 2 **12**
C6	**ALA050056/ Hayward** West A Street Rehab	STP STP	$13 $109	PE Con	05/06 05/06	2/15/06 6/27/06	1/11/07 1/9/08	See Note 2 See Note 2
C7	**ALA050071/ Hayward** Rehab on Various Streets	STP STP	$45 $835	PE Con	06/07 07/08	4/3/07 3/26/08	6/19/08 7/24/08	See Note 2 **10**
C8	**ALA070052 / Hayward** Second St. New Sidewalk Construction	CMAQ	$337	Con	07/08	5/7/08	1/6/08	4
C9	**ALA050054 / Livermore** East Ave Rehab (Hillcrest to Loyola)	STP	$158	Con	05/06	5/1/06	3/21/07	See Note 2
C10	**ALA050024 / Livermore** South Vasco Rd Rehab	STP	$300	Con	05/06	5/1/06	3/21/07	See Note 2
C11	**ALA070038/ Livermore** Downtown Ped Transit Connection	CMAQ	$140	PE	07/08	11/16/07	8/7/08	**9**
C12	**ALA030007/ Oakland** Coliseum Transit Hub	CMAQ	$89	Con	06/07	1/17/07	8/3/07	See Note 2
C13	**ALA050021/ Oakland** Oakland Street Resurfacing Program	STP	$825	Con	05/06	6/21/06	2/5/09	3
C14	**ALA050023/ Oakland** Rehabilittion on Various Streets	STP STP	$1,573 $2,486	Con Con	05/06 07/08	6/21/06 4/11/08	7/18/08	**10**
C15	**ALA050028/ Oakland** Chinatown Ped Imps	CMAQ CMAQ	$267 $1,933	Env Con	04/05 05/06	5/17/05 6/30/06	1/23/08 7/8/08	See Note 2 **10**

Appendix C (cont.)
Date of Most Recent Invoice on Record at CMA

Index	**TIP ID/ Sponsor** Project	Source	Prog'd Amount ($x 1,000)	Phase	FY	Obligation Date	Date of Most Recent Invoice on Record at CMA	Months[1] Since Most Recent Invoice on Record at CMA
C16	**ALA050039/ Oakland**	CMAQ	$200	PE	05/06	3/30/06	7/17/08	See Note 2
	MacArthur Transit Hub Imps	CMAQ	$896	Con	06/07	3/20/07	11/25/08	**6**
C17	**ALA050080/ Oakland** 7th St., W. Oakland Transit Villiage Imps.	CMAQ	$320	PE	07/08	11/5/07	4/3/09	1
C18	**ALA070027 Oakland** W. Oakland Bay Trail: Mandela Pkwy	CMAQ	$770	Con	06/07	3/19/07	1/27/09	4
C19	**ALA050069/ San Leandro**		$49	PE	06/07	3/5/07	11/19/08	**6**
	Washington Ave Rehab - Creek to I-880	STP	$442	Con	07/08	5/7/08		
C20	**ALA070030/ San Leandro** Traffic Signal System Improvements	STP	$100	Con	06/07	4/30/07	6/2/08	**11**
C21	**ALA050070/ Union City** Alvarado-Niles Pavement Rehabilitation	STP	$5	PE	07/08	4/4/08	9/22/08	**8**

Notes: [1] Partial months are rounded up to full months (i.e. 4 months and 1 day = 5 months).
[2] The programmed amount for this phase has been fully invoiced.