

**Resolution # TC -1936**  
**Award of FASTER State Transit Funds**

**Approved by the Transportation Commission on:**  
**December 16, 2010**

WHEREAS, pursuant to 43-4-811 (2) the Department will receive, from the State share of the FASTER program, ten million dollars for state fiscal year 2009-10 and for each succeeding state fiscal year, to be used by the Department “for the planning, designing, engineering, acquisition, installation, construction, repair, reconstruction, maintenance, operation, or administration of transit-related projects, including, but not limited to, designated bicycle or pedestrian lanes of highway and infrastructure needed to integrate different transportation modes within a multimodal transportation system, that enhance the safety of state highways for transit users;” and

WHEREAS, this funding is herein referred to as the FASTER State transit funds; and

WHEREAS, the Transportation Commission of Colorado has agreed to use a portion of the FASTER State transit funds for administrative expenses associated with the Division of Transit and Rail and has budgeted such funds in the amount of \$6.7 million for FY 2010-2012; and

WHEREAS, the Transportation Commission considered a variety of options for how the remaining \$23.3 million could be distributed and awarded; and

WHEREAS, the Commission selected an option that called for maximum cooperation and collaboration between the CDOT Engineering Regions, TPRs and MPOs, Division of Transit and Rail and Division of Transportation Development in order to build upon the guidance developed for the FASTER local funds program and to maximize the coordination of the two programs; and

WHEREAS, the Transportation Commission, in Resolution No. 1906, dated September 16, 2010, described that option and established written guidelines to be followed in implementing the selected option; and

WHEREAS, Division of Transit and Rail staff distributed the guidelines throughout the State and issued a call for projects throughout the State in cooperation with the CDOT Engineering Regions, TPRs, MPOs, and the Colorado Association of Transit Agencies; and

WHEREAS, the Division of Transit and Rail and the CDOT Engineering Regions received applications for FASTER funding; and

WHEREAS, Division of Transit and Rail staff reviewed FASTER applications and conducted individual meetings with each CDOT Engineering Region to discuss which project applications should be considered for FASTER State transit funds, given that requests that would be eligible for FASTER State transit funds greatly exceeded the available amount; and

WHEREAS, Division of Transit and Rail staff scored the applications considered for FASTER State transit funds using six evaluation criteria, those being criticality, financial capacity, financial need, project impacts, readiness, and multimodal/interregional value; and

WHEREAS, the Division of Transit and Rail staff applied the six criteria to all but park-and-ride projects, which were deemed to have the same score except for the multimodal/interregional value criterion; and

WHEREAS, Division of Transit and Rail staff, in the absence of both a statewide transit plan and a permanent advisory committee for the Division, chose to recommend the award of funds with consideration to Regional equity by distributing funds in close proximity to the formula used for the FASTER local funds; and

WHEREAS, the Division of Transit and Rail conducted a joint meeting with all the CDOT Engineering Regions to present and discuss its recommendations;

NOW THEREFORE BE IT RESOLVED, the Commission directs staff to award \$20.97 million in FASTER State Transit funds for Fiscal Years 2010 through 2012 using “Table D: FASTER Statewide Transit Funds By Region and Year,” “Table E: FASTER Statewide – Project Contingencies,” both dated December 15, 2010, as well as the associated Tables A through C, as contained in the official agenda, contingent upon the projects’ inclusion in the appropriate MPO Transportation Improvement Program and the Statewide Transportation Improvement Program (STIP), using the implementation procedures set forth below:

- A. Projects awarded funds for 2010 and 2011 will generally be expected to begin project implementation within calendar year 2011 or at least demonstrate considerable and sustained progress towards implementation; projects awarded funds for 2012 will generally be expected to begin project implementation within State Fiscal Year 2012 or at least demonstrate considerable and sustained progress towards implementation. Funding may be withdrawn by the Commission from projects failing to begin project implementation or failing to at least demonstrate considerable and sustained progress towards implementation projects within the awarded year. Funding withdrawn from projects may be requested for consideration for future FASTER award. Funds withdrawn from projects may be transferred to another

project which requested but was not awarded FASTER funds or was not awarded full funding.

- B. Special conditions for specific projects are set forth in Table B. In addition, the Division of Transit and Rail and the CDOT Engineering Regions will negotiate scopes of work for the projects and may establish timelines and expectations related to the project as set forth in the application.
- C. All local projects must have a 20 percent local match in cash or property linked directly to the project, except that local match for equipment must be in cash. Federal funds may not be used as local match, but the FASTER funds may be used to match a Federal grant.
- D. Division of Transit and Rail staff shall work in collaboration with the CDOT Engineering Regions to implement the projects, based on the type of project. Equipment-related projects, studies and projects that are part of a larger Federal Transit Administration grant will normally be administered by the Division of Transit and Rail as grants and construction-related projects would be administered and overseen by the CDOT Engineering Regions as pass-through local projects.
- E. CDOT funding commitments will be held to the dollar amount awarded herein, not to the final project cost. Recipients will be responsible for any increased costs to finalize and accomplish the project as proposed in its application. Any reductions in original scope must be approved by CDOT.
- F. A contingency is set aside for the CDOT-sponsored projects only, and shall be limited to 4.23% for each project unless otherwise provided by the Commission.
- G. No State funds may be used to pay for Local Agency staff unless otherwise provided for by CDOT. Local construction oversight may be accepted as local match.
- H. All projects shall be developed assuming there may be Federal funds used for a portion of the project, and that Federal regulations must be followed as a result. If a local agency does not plan to use Federal funds for the project, this shall be explicitly stated in the negotiated scope of work. In such cases, Federal funds may not later be used for the project, since it would be too late to comply with Federal regulations.

BE IT FURTHER RESOLVED, the Commission directs staff to provide recommendations for the remaining \$2.33 million available for 2011 including with respect to the original proposed recommendation at the January Transportation Commission meeting.