

Resolution # TC -1906

Allocation of FASTER State Transit Funds

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 the operation, personnel services and administrative expenses associated with the Division of Transit and Rail; and

WHEREAS, the Transportation Commission has considered a variety of options for how the remaining funds could be distributed and awarded; and

WHEREAS, the Transportation Commission considered geographical equity in the distribution of funds, resource allocation policies, and the ability to reasonably manage the new program; and

WHEREAS, there is a need to make advantageous use of FASTER transit funds while the Division of Transit and Rail is being established yet not commit funds for a substantial period of time that could preclude advancing priorities as identified in studies (State Rail Plan, High Speed Rail Connectivity Study, State Transit Plan) that are still in their initial phases; and

WHEREAS, the Commission determined it should select 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 transit grant program and to maximize the coordination of the two programs; and

WHEREAS, the selected option calls for providing a higher priority to projects that are statewide, interregional, regional and multimodal in nature; and

WHEREAS, the selected option calls for project selection utilizing existing planning processes during the upcoming STIP development process;

NOW THEREFORE BE IT RESOLVED, staff is hereby directed to distribute FASTER State Transit funds for Fiscal Years 2010 through 2012 using an allocation and prioritization process by means of the following guidelines:

- A. Project eligibility shall be limited to items defined as “capital expenses” by the Federal Transit Administration, with the exception of local land purchases and office-related equipment. Planning and study expenses are also eligible, but no more than 10% of

available funding may be spent on such. Operating expenses will not be eligible for funding.

- B. Eligible applicants shall be limited to CDOT, other public agencies and public or private nonprofit organizations that offer either public transportation or transportation for the elderly and disabled that is “open door” service, which refers to service available to any elderly or disabled person in need and not limited to a particular clientele or facility.
- C. There shall be not be a match requirement if the FASTER transit funds are used on a State project sponsored by CDOT.
- D. All FASTER transit fund awards to other public agencies and public or private nonprofit organizations would require a minimum local match of 20%. In such cases where FASTER transit funds are being used to match a federal grant, up to 80% of the required local match for the federal grant may be provided and the grant recipient will be required to sign a Maintenance of Effort agreement committing not to reduce its local contribution to its transit program as a result of receiving the matching funds and to provide documentation of such effort.
- E. The minimum project request shall be \$100,000. Exceptions may be granted, particularly for smaller rural projects and smaller vehicles.
- F. Projects will be defined as being either statewide, interregional, regional or local in nature, defined as follows:
 - Statewide projects are those that provide services or benefits to a substantial portion of the state, including mobility management tools.
 - Interregional projects are those that provide services or benefits in more than one CDOT Region or more than one TPR, or that operate over a long distance. This would generally include, but not be limited to, intercity bus services, commuter routes between significantly separated urban and/or rural areas, mobility management projects associated with the coordination of human services transportation, and services that connect multiple regional services.
 - Regional projects are those that provide services or benefits within one TPR but which serve more than two municipalities and traverse more than about approximately 25 miles, or that serve a significant portion of a region by connecting or coordinating multiple entities.
 - Local projects are those that provide services or benefits within a local area.
- G. All four types of projects are eligible for FASTER State funding, but will be prioritized in the order above.
- H. There will not be a specific set-aside or targeted amount for statewide and interregional projects. Instead, the CDOT Regions, the Division of Transit and Rail and the Division of Transportation Development will cooperatively evaluate, prioritize and select projects deemed to be statewide or interregional projects.
- I. The following criteria will be used by the above parties to evaluate and rank projects, in this priority order:
 1. Extent to which project provides statewide or interregional services or benefits.
 2. Extent to which project is multimodal in nature.
 3. Extent to which project provides regional services or benefits.
 4. Criticality
 5. Financial capacity
 6. Financial need
 7. Project impacts
 8. Readiness

- J. Projects will be solicited during the Project Priority Programming Process (4P) currently underway.
- K. The current STIP will be amended to add selected projects for 2010 and 2011, using funds being made available for those two years by the FASTER legislation.
- L. The CDOT Regions, the Division of Transit and Rail and the Division of Transportation Development will first select statewide and interregional projects that are deemed to be worthy. Funding for such projects would be taken “off the top” of the available funds and not come out of what would otherwise be an allocation to a particular Region.
- M. The funds remaining after statewide and interregional projects are selected will be allocated to the Regions using the same formula as was used for the local FASTER funds, which consists of three components: the existing HUTF distribution formula to cities and counties aggregated by CDOT Region; the most recent population estimate by CDOT Region; and, annual performance data of the public transportation systems within the CDOT Region, which shall consist of total ridership, vehicle miles, and vehicle hours, as listed in the National Transit Database or other database acceptable to the Department. The distribution formula shall be based on the following ratio: 40% HUTF, 30% population and 30% performance.
- N. The Regions would select projects in consultation with the Division of Transit and Rail and Division of Transportation Development, with an emphasis on projects that are carried out by the Region or that are regional in nature, insofar as local projects are intended to be assisted by the FASTER local transit funds program. The Regions will be encouraged to identify projects that could be carried out by the Region that would improve multimodal connections.
- O. This process will be evaluated after three years of funding to determine its effectiveness, in conjunction with the FASTER local transit grant program evaluation.
- P. The Transit and Intermodal Committee will be charged with providing oversight of the project selection process.
- Q. The FASTER funds would be administered based on project type. Regions would contract and oversee construction-related projects using their Local Agency staff, while DTR would manage rolling stock and non-construction statewide and interregional projects.
- R. The terms set forth herein are further detailed in Guidelines dated September 7, 2010, and may be further clarified by the Division of Transit and Rail as needed.