



Fresno Council of Governments

Cycle 6

**2023 REGIONAL COMPETITIVE
ACTIVE TRANSPORTATION
PROGRAM**

GUIDELINES

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2023 FCOG ACTIVE TRANSPORTATION PROGRAM GUIDELINES

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INTRODUCTION

BACKGROUND

The Active Transportation Program (ATP) was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking. Senate Bill 1 (Chapter 2031, statutes of 2017) directs additional funding from the Road Maintenance and Rehabilitation Account to the ATP.

The California Transportation Commission (Commission) develops guidelines for each ATP cycle that describes the policy, standards, criteria, and procedures for the development, adoption, and management of the ATP. The Commission guidelines lay out the programming policies, procedures, and project selection criteria for the statewide competitive program, small urban/rural and large MPO regional competitive programs. Large MPOs, such as Fresno COG, have the option of developing regional guidelines.

These guidelines describe the policy, standards, criteria, and procedures for the development, adoption, and management of the Regional Competitive Fresno Council of Governments ATP (Regional ATP). The Regional ATP guidelines substantially follow those of the Commission, but include some differences based on the region's existing priorities. The guidelines were developed in consultation with FCOG's ATP Multidisciplinary Advisory Group (MAG). The MAG includes a representative from Caltrans, other government agencies, and active transportation stakeholder organizations with expertise in public health and pedestrian and bicycle issues, including safe routes to school programs.

The Commission must approve these guidelines so that FCOG may carry out the ATP at the Metropolitan Planning Organization (MPO) level.

PROGRAM PURPOSE AND GOALS

Pursuant to statute, the purpose of the program is to encourage increased use of active modes of transportation, such as biking and walking. The goals of the ATP are to:

- Increase the proportion of trips accomplished by biking and walking.
- Increase the safety and mobility of non-motorized users.
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals as established pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) and Senate Bill 391 (Chapter 585, Statutes of 2009).
- Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding.
- Ensure that disadvantaged communities fully share in the benefits of the program.
- Provide a broad spectrum of projects to benefit many types of active transportation users.

In addition to the goals listed in statute, the ATP will also consider state goals and provisions set forth in the Climate Action Plan for Transportation Infrastructure (CAPTI).

PROGRAM SCHEDULE AND FUNDING YEARS

The Cycle 6 statewide guidelines for the 2023 four-year program of projects (covering state fiscal years 2023/24, 2024/25, 2025/26, and 2026/27) were adopted on March 16, 2022, by the Commission. Each program of projects must be adopted no later than the date designated in statute of each odd-numbered year; however, the Commission may alternatively elect to adopt a program annually.

The following schedule lists the major milestones for the development and adoption of the 2023 ATP:

Project Milestones	Revised Schedule
Commission approves or rejects MPO guidelines	June 29-30, 2022
Statewide project applications to Caltrans (postmark date)	June 15, 2022
Commission staff recommendations for statewide and small urban and rural components and quick-build pilot program	October 21, 2022
Regional project application copies and resolutions due to FCOG	November 18, 2022
Commission adopts statewide and small urban and rural portions of the program	December 7-8, 2022
Projects not programmed distributed to large MPOs based on location	December 2022
FCOG MAG reviews and Scores regional projects	January 11, 2023**
FCOG project recommendations to TTC/PAC for approval	February 10, 2023
Deadline for MPO Draft project programming recommendations to the Commission	February 20, 2023
FCOG project recommendations to Policy Board for adoption	February 23, 2023
Deadline for MPO Final project programming recommendations to the Commission	April 21, 2023
Commission adopts MPO selected projects	June 2023*

*Exact dates will coincide with the Commission’s adopted 2023 calendar.

**Date subject to change

FUNDING

SOURCE

The ATP is funded from various federal and state funds appropriated in the annual Budget Act. These are:

- 100% of the federal Transportation Alternative Program funds, except for federal Recreation Trail Program funds appropriated to the Department of Parks and Recreation.
- \$21 million of federal Highway Safety Improvement Program funds or other federal funds.
- State Highway Account funds.
- Road Maintenance and Rehabilitation Account (SB 1) funds.

In addition to furthering the purpose and goals of this program, all ATP projects must meet eligibility requirements specific to at least one ATP funding source.

DISTRIBUTION

ATP funds from the State of California provide an important funding source for active transportation projects. State and federal law segregate the ATP into multiple, overlapping components. The ATP Fund Estimate must indicate the funds available for each of the program components.

Forty percent of ATP funds must be distributed to Metropolitan Planning Organizations (MPO) in urban areas with populations greater than 200,000. These funds must be distributed based on total MPO population.

The 2023 ATP Fund Estimate was originally adopted at the March 16-17, 2022, Commission meeting and augmented through the State's general fund at the Commission's August 18 meeting. The regional shares available for Cycle 6 of ATP funding (FY 2023-24 through FY 2026-27) total \$18.6 million per the augmented adopted 2023 ATP Fund Estimate (Appendix A).

MATCHING REQUIREMENTS AND LEVERAGING

Although FCOG encourages the leveraging of additional funds for a project submitted to the regional competitive ATP, matching funds are not required to be eligible. FCOG encourages the leveraging of additional funds for a project by considering leveraging in the evaluation criteria for infrastructure projects. Leveraged funds are a financial commitment toward the cost of a project from a different funding source.

The Commission will only consider cash funds for leveraging. Funds expended by the local agency for the Project Approval and Environmental Document (PA&ED), Plans, Specifications, and Estimates (PS&E), and Right-of-Way (R/W) phases will be considered for leveraging even if the funds were expended before the application deadline. Refer to section 8 of the adopted statewide ATP guidelines for more information on leveraging.

REIMBURSEMENT

The ATP is a reimbursement program for eligible costs incurred. In order for an item to be eligible for ATP reimbursement, that item's primary use or function must meet the ATP purpose and at least one of the ATP goals. Reimbursement is requested through the invoice process detailed in Chapter 5, Invoicing, Local Assistance Procedures Manual. Costs incurred prior to Commission allocation and, for federally funded projects, Federal Highway Administration project approval (i.e., Authorization to Proceed) are not eligible for reimbursement.

MINIMUM FUNDING AWARD REQUEST

There is no minimum ATP award request required for FCOG's Regional Competitive ATP which is different than the statewide requirement. This applies to all project categories.

MAXIMUM FUNDING AWARD REQUEST

FCOG encourages ATP funding awards of \$3,500,000 or less per project.

FUNDING SET-ASIDES

The Fresno COG Regional Competitive ATP does not include any set-aside funding for Safe Routes to School projects, Recreational Trails projects, or Active Transportation Plans. All regional projects will compete within the same funding source and will be scored accordingly. All Infrastructure projects will be scored based on the Infrastructure Criteria.

ELIGIBILITY

ELIGIBLE APPLICANTS

The applicant and/or implementing agency for ATP funds assumes responsibility and accountability for the use and expenditure of program funds. Applicants and/or implementing agencies must be able to comply with all the federal and state laws, regulations, policies and procedures required to enter into a Local Administering Agency-State Master Agreement (Master Agreement). Refer to Chapter 4, Agreements, of the Local Assistance Procedures Manual for guidance and procedures on Master Agreements. The following entities, within the State of California, are eligible to apply for ATP funds:

- Local, Regional or State Agencies-Examples include city, county, MPO, and Regional Transportation Planning Agency.
- Transit Agencies – Any agency responsible for public transportation that is eligible for funds under the Federal Transit Administration.
- Natural Resource or Public Land Agencies – Federal, Tribal, State, or local agency responsible for natural resources or public land administration. Examples include:
 - State or local park or forest agencies
 - State or local fish and game or wildlife agencies
 - Department of the Interior Land Management Agencies
 - U.S. Forest Service
- Public schools or School districts.
- Tribal Governments -Federally-recognized Native American Tribes.
 - For funding awarded to a tribal government, a fund transfer to the Bureau of Indian Affairs (BIA) may be necessary.
 - A tribal government may also partner with another eligible entity to apply if desired.
- Private nonprofit tax-exempt organizations that are responsible for the management of public lands may only apply for projects eligible for [Recreational Trails Program](#). Eligible project types include recreational trails and trailheads, park projects that facilitate trail linkages or connectivity to non-motorized corridors, and conversion of abandoned railroad corridors to trails. Projects must benefit the general public, and not only a private entity.
- Any other entity with responsibility for oversight of transportation or recreational trails that the Commission determines to be eligible.

A project applicant found to have purposefully misrepresented information that could affect a project's score may result in the applicant being excluded from the program for the current cycle and the next cycle.

As noted above, all applicants must comply with the federal aid process. Agencies applying for infrastructure funding that are not familiar with the federal aid process and federal policies and procedures shall partner with a local agency that possesses expertise in these funding program requirements. See below for more information on partnering opportunities.

PARTNERING WITH IMPLEMENTING AGENCIES

Eligible applicants that are unable to apply for ATP funds or that are unable to enter into a Master Agreement with the State must partner with an eligible applicant that can implement the project. In addition, eligible applicants that are unfamiliar with the requirements to administer a Federal-Aid Highway Program project are encouraged to partner with an eligible applicant that can implement the project.

If another entity agrees to be the implementing agency and assume responsibility for the ongoing operations and maintenance of the facility, documentation of the agreement (e.g., letter of intent) must be submitted with the project application, and a copy of the Memorandum of Understanding or Interagency Agreement between the parties must be submitted with the request for allocation. The implementing agency will be responsible and accountable for the use and expenditure of program funds.

ELIGIBLE PROJECTS

All projects must be selected through a competitive process and must meet one or more of the ATP goals. Because some of the funds in the ATP are federal funds, all projects must be federal-aid eligible. Example projects can be found on Appendix B in the adopted statewide ATP guidelines.

- Infrastructure Projects: Capital improvements that will further the goals of this program. This typically includes the environmental, design, right-of-way and construction phases of a capital (facilities) project. A new infrastructure project will not be programmed without a complete project study report (PSR) or PSR equivalent. The application will be considered a PSR equivalent if it defines and justifies the project scope, cost and schedule. The PSR or equivalent may focus on the project phases proposed for programming, it must provide at least a preliminary estimate of costs for all phases. PSR guidelines are posted on the [Commission's website](#).

A capital improvement that is required as a condition for private development approval or permits is not eligible for funding from the ATP.

- Plans: The development of a community wide bicycle, pedestrian, safe routes to school, or active transportation plan that encompasses or is predominately located in a disadvantaged community. Priority of funding for plans will follow the statewide guidelines. Plan Project Guidance, including required plan components, can be found on Appendix A in the adopted statewide ATP guidelines.
- Non-infrastructure Projects: Education, encouragement, and enforcement activities that further the goals of this program. Examples of NI activities can be found on Appendix B in the adopted statewide ATP guidelines.
 - Non-infrastructure projects are not limited to those benefiting school students.
 - NI projects can be start-up programs or new and/or expanded components of existing programs.
 - The Commission intends to focus funding for non-infrastructure on start-up projects. A project is considered to be a start-up when no program currently exists.
 - A project with components added to an existing program must demonstrate how the original program is continuing without ATP funding.
 - All NI projects must demonstrate how the program is sustainable and will be continued after ATP funding is exhausted.
 - The ATP funds cannot fund ongoing program operations.

- Infrastructure projects with non-infrastructure components: This is a capital improvement project that includes an education, encouragement, or enforcement component. The non-infrastructure component should be mentioned throughout the application and enhance the infrastructure project.
- Quick-Build Project Pilot: The Commission will consider a small number of quick-build projects for the 2023 ATP as a phase II pilot. Quick-build projects are interim capital improvement projects that further the goals of the ATP. These projects do require construction, but are built with durable, low to moderate cost materials and last from one year to five years. See Appendix D in the adopted statewide ATP guidelines for additional details. Quick-build projects are not applicable to the region if they are not selected at the state.

PROJECT TYPE REQUIREMENTS

As discussed in the Funding Distribution section (above), State and Federal law segregate the ATP into multiple, overlapping components. SB 99 specifies that at least 25% of funds must benefit disadvantaged communities within each of the program components. However, the ATP also includes other project types that must meet certain requirements. Below is an explanation of the requirements specific to the project types listed in SB 99.

DISADVANTAGED COMMUNITIES

For a project to contribute toward the disadvantaged communities funding requirement of 25%, the project must clearly demonstrate, with verifiable information, a direct, meaningful, and assured benefit to a disadvantaged community. A project is considered beneficial if it fulfills an important need of a disadvantaged community in a way that provides a significant value. The project's benefits must primarily target a disadvantaged community while avoiding substantial burdens on that community.

It is incumbent upon the applicant to clearly articulate how the project benefits the disadvantaged community; there is no presumption of benefit, even for projects located within a disadvantaged community. For a project to qualify as directly benefiting a disadvantaged community, the project must:

- Be located within, or be within reasonable proximity to, the disadvantaged community served by the project,
- Have a direct connection to the disadvantaged community, or
- Be an extension or a segment of a larger project that connects to or is directly adjacent to the disadvantaged community.

To qualify as a disadvantaged community the community served by the project must meet at least one of the following criteria:

- **Median Household Income**: The Median Household Income (Table ID B19013) is less than 80% of the statewide median based on the most current Census Tract (ID 140) level data from the 2015-2019 American Community Survey (<\$60,188). Communities with a population less than 15,000 may use data at the Census Block Group (ID 150) level. Unincorporated communities may use data at the Census Place (ID 160) level. Data is available at the [United States Census Bureau Website](#).
- **CalEnviroScreen**: An area identified as among the most disadvantaged 25% in the state according to the CalEPA and based on the California Communities Environmental Health Screening Tool 4.0 (CalEnviroScreen 4.0) scores (scores must be greater than or equal to 40.05). This mapping tool can be found [here](#) and the list can be found under [SB 535 List of Disadvantaged Communities](#).

- **National School Lunch Program:** At least 75% of public-school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program. Data is available at the [California Department of Education website](#). Applicants using this measure must indicate how the project benefits the school students in the project area. Project must be located within two miles of the school(s) represented by this criteria.
- **Healthy Places Index:** The Healthy Places Index includes a composite score for each census tract in the State. The higher the score, the healthier the community conditions based on 25 community characteristics. The scores are then converted to a percentile to compare it to other tracts in the State. A census tract must be in the 25th percentile or less to qualify as a disadvantaged community. The live map and the direct data can both be found on the [California Healthy Places Index website](#).
- **Native American Tribal Lands:** Projects located within Federally Recognized Tribal Lands (typically within the boundaries of a Reservation or Rancheria) and projects submitted by tribal governments (Federally recognized Native American Tribes).
- **Other:** If a project applicant believes a project benefits a disadvantaged community but the project does not meet the aforementioned criteria due to a lack of accurate information, the applicant may submit another means of qualifying for consideration. Suggested alternatives that can be submitted under this category include:
 - Census data that represents a small neighborhood or unincorporated area. The applicant must submit for consideration a quantitative assessment, such as a survey, to demonstrate that the community's median household income is at or below 80% of that state median household income.
 - CalEnviroScreen data that represents a small neighborhood or unincorporated area. The applicant must submit for consideration an assessment to demonstrate that the community's CalEnviroScreen score is at or above 40.05.

SAFE ROUTES TO SCHOOL PROJECTS

Safe Routes to School projects must directly increase safety and convenience for public school students to walk and/or bike to school. Safe Routes to Schools infrastructure projects must be located within two miles of a public school or within the vicinity of a public school bus stop, and the school community, including students, parents, caregivers, teachers, and staff, must be the intended beneficiaries of the project. For Safe Routes to School non-infrastructure, the program must benefit school students, parents, caregivers, teachers, and/or staff and primarily be based at the school.

RECREATIONAL TRAILS PROJECTS

Trail projects that are primarily recreational should meet the federal requirements of the [Recreational Trails Program](#) as such projects may not be eligible for funding from other sources. However, trails that serve active transportation purposes (such as multi-use paths, Class I bikeways, etc.) are fully eligible in the ATP and need not meet the Recreational Trails Program requirements.

PROJECT SELECTION PROCESS

REGIONAL COMPETITIVE ATP PROJECT SELECTION

Fresno COG will hold a separate call for projects for the Regional Active Transportation Program and have a regional evaluation process. Applicants may apply for either the State ATP program or Regional ATP program, or to both. Fresno COG encourages all ATP projects be submitted to the State ATP competitive program, although it is not required. Projects not selected for programming in the statewide competition must be considered in the regional competition. In administering a competitive selection process, FCOG will use a multidisciplinary advisory group (MAG) to assist in evaluating project applications. Following the competitive selection process, FCOG will submit its programming recommendations to the Commission and include all of FCOG 2023 Active Transportation Program Guidelines

the required documents.

PROJECT APPLICATION

ATP project applications will be available at the [Caltrans Local Assistance website](#).

The FCOG Regional ATP guidelines, supplemental application, and additional information will be available on the [Fresno COG website](#).

Projects not selected for programming in the statewide competition must be considered in the FCOG Regional Competitive ATP. Per the adopted statewide ATP guidelines, a copy of the application submitted to the state MUST be submitted to FCOG at the same time.

There are five different applications available for applicants to complete depending on the project type and size. It is incumbent on the applicant to complete the application appropriate for their project. Applicants applying for infrastructure projects must utilize the application type based on the entire project cost, not the ATP request amount. All eligible projects must apply with one of the following application types. Applications for plans may not be combined with applications for infrastructure or non-infrastructure projects. Applications for the 2023 ATP Quick-build project phase II pilot program must be submitted to the statewide ATP in the manner outlined in Appendix D of the adopted ATP guidelines.

The five application types are:

A. Large Project, Infrastructure only or Infrastructure/Non-infrastructure:

- Projects with a total project cost of greater than \$10 million will be considered a Large Project and must use the Large Project application. Commission staff may conduct onsite field reviews on a selection of projects that qualify as large projects. Field reviews are not indicative of the project's likelihood of funding.
- Projects that qualify for the large application do not need to apply for construction and may apply for pre-construction phases only.

B. Medium Project, Infrastructure only or Infrastructure/Non-infrastructure:

- Projects with a total project cost of more than \$3.5 million and up to \$10 million will be considered a medium project and must use the medium project application.

C. Small Project, Infrastructure only or Infrastructure/Non-infrastructure:

- Projects with a total project cost of \$3.5 million or less will be considered a small project and must use the small project application.

D. Non-infrastructure Only

E. Plan:

- Applicants can only apply for a plan with the plan application. This application cannot be combined with any other type of project. Plan projects must be within or encompass a disadvantaged community.

REGIONALLY SCALED OPTIONS

All infrastructure projects will be scored based on the infrastructure scoring criteria. If a medium or large application was submitted to the state, an agency may choose to request pre-construction phases only in the regional ATP.

An applicant may submit a medium or large infrastructure project with a scalability plan in the regional FCOG 2023 Active Transportation Program Guidelines

supplemental application to meet the encouraged maximum funding request amount. If the project is selected based on the scalability plan, the implementing agency will be required to submit an updated PPR including the updated scope and financial plans. Additional documents may be requested by Caltrans, the Commission, or Fresno COG.

SUBMITTAL REQUIREMENTS

One electronic application must be submitted to the ATP program manager. A project application must include:

- A complete Caltrans cycle 6 ATP application, available at <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program/cycle6>
- FCOG Regional Supplemental Application (Appendix B), available at <https://www.fresnocog.org/project/active-transportation-program-atp/>
- Electronic Project Programming Request (ePPR) form, available at CalSMART
- Formal council/board/district resolution of local support for the ATP project
- Projects that will be implemented by an agency other than the applicant, documentation of the agreement between the project applicant and implementing agency must be submitted with the project application.
- A project application must also include documentation of all other funds committed to the projects. All letters of support and resolutions must be included with the application and not mailed separately.
- All applications for projects within 500 feet of a freeway or roadway with a traffic volume over 125,000 annual average daily traffic (AADT) must include a description of any project design elements intended to minimize exposure to air pollution and an explanation of the circumstances that make locating project components in close proximity to heavily travelled freeways or roadways unavoidable or an explanation of why this location was chosen. This item will not be scored.

ATP Program Manager

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SCREENING CRITERIA

Before evaluation, project applications will be screened for the following:

- Consistency with an adopted regional transportation plan.
- Use of appropriate application.
- Supplanting Funds: A project that is already fully funded will not be considered for funding in the Active Transportation Program. ATP funds cannot be used to supplant other committed funds.
- Eligibility of project: Project must be one of the four types of projects listed in Section 13 of the adopted ATP Cycle 6 guidelines.

Applications will be screened for eligibility. Applications will be removed from the competitive process if found ineligible based on the guidelines/criteria, and if the project application is incomplete. Projects not selected for programming in the statewide competition but deemed eligible for the regional program will be considered. Applicants with projects that are screened out will be notified as soon as non-eligibility has been determined. Please reference section 14 in the adopted ATP guidelines for further screening criteria requirements.

SCORING CRITERIA

Proposed projects will be scored and ranked on the basis of applicant responses to the below criteria. The chart below references the scoring criteria and points allotted to the different types of applications. The chart shows the maximum number of points allowed for each scoring criteria and type of application. If a scoring topic is gray, it is not applicable to that application type.

	Scoring Topic	Infrastructure or Infrastructure/Non-Infrastructure Applications	Plan Application	Non-Infrastructure Only Application
A.	Benefit to Disadvantaged Communities (DAC)	6	30	10
B.	Need	50	20	40
C.	Safety	25		10
D.	Public Participation & Planning	10	25	15
E.	Scope and Plan Layout Consistency and Cost Effectiveness			
F.	Scope and Plan Layout Consistency	5		10
G.	Implementation & Plan Development		25	
H.	Context Sensitive & Innovation			5
I.	Transformative Projects			
J.	Evaluation and Sustainability			10
K.	Leveraging	3		
L.	Corps (0 or -5)	0 or -5		0 or -5
M.	Past Performance (0 to -10)	0 to -10	0 to -10	0 to -10
N.	Consistency with FCOG adopted 2018 RTP or adopted ATP Plan	1		
	Total	100	100	100

- A. Benefit to Disadvantaged Communities. The benefit provided to the disadvantaged community affected by the project. The score will be impacted by the project location in relation to the disadvantaged community, the severity, and the direct benefit the project will provide. Applicants must also explain how anti-displacement policies and actions are being implemented to discourage gentrification of the community being impacted by the project. If displacement is not an issue, applicants must explain why it is not a concern for the community.
- B. Need. Potential for increased walking and bicycling, especially among students, including the identification of walking and bicycling routes to and from schools, transit facilities, community centers, health care facilities, employment centers, and other destinations; potential to promote equity of access to shared infrastructure for people of all ages and varying abilities, including increasing and improving connectivity and mobility of non-motorized users.
- C. Safety. Potential for reducing the number and/or rate or the risk of pedestrian and bicyclist fatalities and injuries, including the identification of safety hazards for pedestrians and bicyclists, with consideration of safety concerns for students, older adults, and persons with disabilities.
- D. Public participation and Planning. Identification of the community-based public participation process that culminated in the project proposal, which may include noticed meetings and

consultation with local stakeholders. Project applicants must clearly articulate how the local participation process (including the participation of disadvantaged community stakeholders and community-based organizations) resulted in the identification and prioritization of the proposed project. If there is significant opposition to the project, applicants should summarize any major points of concern raised by the opposition and provide a response.

- E. Scope and Plan Layout Consistency and Cost Effectiveness. Evidence that the application, scope, and plan layout are consistent with one another and depict what is being proposed. A project's cost effectiveness is the relative costs of the project in comparison to the project's benefits.
- F. Scope and Plan Layout Consistency. Evidence that the application, supplemental application, scope, and plan layout are consistent with one another and depict what is being proposed.
- G. Implementation and Plan Development. Specific to applicants using the "plan" application form. Applicant should show evidence that the plan will lead to implementation of the identified projects.
- H. Context sensitive bikeways/walkways and innovative project elements. The "recognized best" solutions appropriate for the local community context will be considered. Applicants should discuss how the project advances a lower stress environment or a low-stress network. Additionally, applicant should provide a description of the innovative features of the project or explain why the context of the project best lends itself to standard treatments/features.
- I. Transformative Projects. Evidence of the transformative nature of the project will help to inform the score. Applicants should describe how nearby projects and local policies and ordinances will contribute to the project's transformative nature. In addition, applicants should address the potential for the project to support existing and planned housing, especially affordable housing, and how the project will advance local transportation and land use goals. Applicants are encouraged to apply for the California Department of Housing and Community Development's (HCD) [Prohousing Designation Program](#) and to describe how local policies align with prohousing criteria. If housing is not an issue for the community, the applicant should explain why it is not a concern.
- J. Evaluation and Sustainability. How will the effectiveness of the program be measured and sustained after completion?
- K. Leveraging. Leveraging of non-ATP funds (excluding in-kind contributions) on the ATP project scope proposed.
- L. Corps. Use of the California Conservation Corps or a certified local community conservation corps, as defined in Section 14507.5 of the Public Resources Code, as partners to undertake or construct applicable projects in accordance with Section 1524 of Public Law 112-141. Points will be deducted if an applicant does not seek corps participation or if an applicant intends not to utilize a corps in a project in which the corps can participate. An exception applies for applicants using the Plan application type.
 - a. General information and instructions for consulting with the Corps on ATP projects can be found at the [California Conservation Corps website](#) or at the [California Association of Local Conservation Corps website](#).
 - b. The California Corps can be contacted at atp@ccc.ca.gov.

- c. Certified local community conservation corps can be contacted at inquiry@atpccommunitycorps.org.
 - d. Direct contracting with the California Conservation Corps or a qualified community conservation corps without bidding is permissible provided that the implementing agency demonstrates cost effectiveness per 23 CFR 635.204 and obtains approval from Caltrans. A copy of the agreement between the implementing agency and the proposed conservation corps must be provided to Caltrans.
 - e. Funded projects will be required to report on the use of the California Conservation Corps or a certified local community conservation corps as noticed in the application
- M. Past performance. Applicant's performance on past ATP projects. Point reduction for non- use of the Corps as committed to in a past ATP award; adverse audit findings on a past ATP project that are the fault of the applicant; or project failure on any past ATP project.
- N. Consistency with FCOG adopted 2018 RTP, FCOG Regional Active Transportation Plan or an adopted local Active Transportation Plan. This may include Bicycle/Pedestrian, Master Trails, Vision Zero, or Safe Routes to School Plans. Must provide documentation highlighting the project listing on the adopted plan.

PROJECT SELECTION BETWEEN PROJECT APPLICATIONS WITH THE SAME SCORE

If two or more project applications receive the same score that is the funding cut-off score, the following criteria will be used to determine which project(s) will be funded:

1. Project readiness including, but not limited to, completed environmental documents
2. Highest score on the highest point value question
3. Highest score on the second highest point value question.

PROJECT EVALUATION COMMITTEE

FCOG formed a Multidisciplinary Advisory Group (MAG) to assist in the development of the guidelines, scoring criteria, and will participate in the evaluation of the project applications. In forming the MAG, staff sought participants with expertise in bicycling and pedestrian transportation, including Safe Routes to Schools type projects, and in projects benefiting disadvantaged communities. The representatives are geographically balanced representing state agencies, FCOG, local jurisdictions in Fresno County, and non-governmental organizations. Priority for participation in the MAG was given to those who would not represent a project applicant or would not benefit from projects submitted by others; if they do, they must recuse themselves from scoring their application. In addition, members are not allowed to provide input, verbally or in writing, regarding their project/plan/program during the evaluation period.

The MAG will prioritize, rank the applications, and ensure that 25% of available funds are dedicated to projects and programs benefiting Disadvantaged Communities as identified in the adopted ATP guidelines. The MAG will then recommend the project list to Fresno COG's Transportation Technical Committee (TTC), Policy Advisory Committee (PAC), and to the Policy Board for approval before requesting final approval from the Commission for the program of projects.

PROGRAMMING

The ATP must be consistent with the adopted fund estimate and the amount programmed in each fiscal year must not exceed the amount identified in the fund estimate. Requested programming years may vary based on programming capacity.

The program of projects for each fiscal year will include, for each project, the amount to be funded from the ATP, and the estimated total cost of the project. In the case of a large project delivered in segments, include the total cost of the segment for which ATP funds are requested.

Project costs in the ATP will include costs for each of the following phases:

- Project approval and environmental document (PA&ED);
- Plans, specifications, and estimates (PS&E);
- Right-of-way (R/W);
- Construction (CON); and
- Construction non-infrastructure (CON-NI), if applicable.

When proposing to fund only preconstruction phases for a project, the applicant must demonstrate the means by which it intends to fund the construction of a useable segment, consistent with the regional transportation plan.

FCOG will program and allocate funding to projects in whole thousands of dollars and will include a project only if it is fully funded from a combination of ATP and other committed funding. FCOG will propose to fund projects with uncommitted funds only if a project is at the funding cut-off and there are not enough available funds to fund the full project. FCOG will consider funds as committed when the Commission adopts the program of projects or when the agency with discretionary authority over the funds has made its commitment to the project by ordinance or resolution. If a project is funded with federal funds, the cost of each project phase will be listed in the Federal Transportation Improvement Program (FTIP) no earlier than the fiscal year in which the particular project phase can be implemented.

If the program of projects adopted by FCOG does not program the full capacity identified in the fund estimate for a given fiscal year, the balance will remain available to advance programmed projects. Subject to the availability of funds, a balance not programmed in one fiscal year will carry over and be available for projects in the following fiscal year.

Projects from prior cycles that are found to not meet Project Study Report (PSR) equivalency will be required to take corrective action prior to allocation of funds. Refer to the adopted statewide ATP guidelines; section VI, for specific requirements.

PERFORMANCE METRICS

Successful projects must submit the required performance metric data within six months of programming. The Commission may delete a project for which no performance metric data is received. The Commission will not consider approval of a project allocation for projects that have not submitted the required performance metric data. Refer to the adopted ATP guidelines; section 23 for required performance metric data.

CONTINGENCY PROJECT LIST

FCOG will adopt a list of projects for programming the Regional Competitive ATP that is financially constrained with the amount of ATP funding available adopted in the ATP Fund Estimate. In addition, FCOG will include a list of contingency projects, ranked in priority order based on the project's evaluation score. FCOG intends to fund projects on the contingency list should there be any cost savings, if a project is deleted from the program, or if the ATP is augmented. This contingency list will be in effect only until the adoption of the next programming cycle.

BASELINE AGREEMENTS

In accordance with the SB 1 Accountability and Transparency Guidelines the Commission requires Baseline Agreements for ATP projects with a total project cost of \$25 million or greater (all funds) or a total programmed amount of \$10 million or greater in ATP funds. Please reference section 27 of the adopted ATP guidelines for requirements for baseline agreements.

PROGRAM/PROJECT AMENDMENTS

Implementing agencies who wish to request project amendments must obtain approval from all partner and funding entities before submitting these requests to the Commission. Implementing agencies must submit amendment requests in a timely manner and include documentation that supports the requested change and its impact on the scope, cost, schedule, public support and benefits.

Caltrans shall coordinate all amendment requests and utilize the Project Programming Request (PPR) form to help document the change. Implementing agencies must notify Caltrans in writing of proposed project amendments.

Project amendments will be considered for the ATP as follows:

- Scope Changes – The Commission may consider changes to the scope of the project only as described below.
- Funding Distribution Changes – The Commission may consider a request to move funds between phases after a project has been programmed only as described below.

Project Segmenting – the Commission may consider a request to segment a project into two or more segments only as described in the subsection below.

Schedule changes to a project will not be considered, however, time extensions are allowed as specified in the timely use of funds section. ATP will not fund any cost increases to the project. Any cost increases should be funded from other fund sources. If there is a change in the cost estimate, the implementing agency must notify Caltrans as soon as possible. The written notification should explain the change and the plan to cover the increase.

SCOPE CHANGES

The Commission will consider changes to the approved scope submitted in the project application to assist agencies in implementing their ATP projects and maximize the overall benefits of the ATP. An agency requesting a scope change must submit a request to Caltrans that includes the following:

- An explanation of the proposed scope change.
- The reason for the proposed scope change.
- The impact the proposed scope change would have on the overall cost of the project.
- An estimate of the impact the proposed scope change would have on the potential of the project to increase walking and bicycling as compared to the benefits identified in the project application (increase or decrease in benefit).
- An estimate of the impact of the proposed scope change on benefits to disadvantaged communities, if applicable (increase or decrease in benefit).
- An estimate of the impact the proposed scope change would have on the potential of the project to increase the safety of pedestrians and bicyclists as compared to the benefits identified in the project

- application (increase or decrease in benefit).
- An explanation of the methodology used to develop the estimates.
- Evidence of public support for the new scope.
- Revalidation of the environmental document(s), if needed.
- How the scope change impacts the project schedule.
- For projects in which the original ATP scope has been or will be completed through a different project or funding source, the implementing agency must submit an explanation overlapping scopes of the projects and/or change in funding source. If the scope change is approved, the agency must continue to report on any items that were in the original ATP scope but were or will be completed through a different project or funding source.
- Identification of any funding sources used to complete the project that were not included in the project application.
- Identification of any savings expected due to a reduced or modified scope.
- An explanation of how the scope change affects the project budget, and how increases will be funded, or savings will be utilized.
- For projects programmed in the Metropolitan Planning Organization (MPO) component, evidence of MPO approval and the MPO rationale for their approval

Caltrans will review the proposed scope change and forward the proposal along with Caltrans' written analysis and recommendation to the Commission for the Commission's approval.

Commission staff may accept or deny minor scope changes and will present those that are accepted to the Commission as a part of the project allocation request. Minor scope changes are those that stay true to the project proposed in the application, with little or no impact to project benefits, strong public support, or increase the benefits of the project. If Commission staff denies approval of a minor scope change request, Caltrans, in collaboration with the requesting agency, may resubmit the scope change request as a major scope change for the Commission's consideration.

Caltrans will present recommendations to approve or disapprove major scope changes to the Commission as a project amendment agenda item at a regularly scheduled Commission meeting. Commission staff may recommend denying a scope change if the request dramatically changes the project scope and intent from what was approved in the application, or if there is a loss in benefits. The Commission may approve or deny the scope change request, regardless of staff and Caltrans' recommendations.

Scope change requests must be submitted as soon as practicable following identification of the needed change, and prior to the allocation of any additional project phases. Scope change requests must be submitted prior to an agency requesting the allocation of construction funds, except in instances where the contract bid cost savings, as described in Section 36 of the adopted statewide ATP guidelines.

FUNDING DISTRIBUTION CHANGES

Agencies may request to move fund amounts between programmed phases, including Project Approval and Environmental Documentation (PA&ED), Plans, Specs and Estimates (PS&E), Right of Way (RW) and Construction (CON). Moving funds between phases will not increase the total programmed amount. The agency must show that the project remains fully funded and that the benefit of the project will remain the same or increase. All funding distribution change requests must be considered by the Commission for approval.

When preparing a request for a funding distribution change, agencies should consider the following:

- The request must be made prior to the state fiscal year in which the funds have been programmed.
- The funds that are part of the request cannot have been allocated.
- Funds programmed in construction cannot be moved out of construction.
- An agency may only request a funding distribution change once during the life of the project. Agencies should consider waiting until after the environmental review has been completed to submit a funding distribution change.

The notification to Caltrans must include:

- A revised Project Programming Request (PPR) that outlines the proposed funding distribution change.
- The reason for the proposed funding distribution change.
- The impact the proposed change would have on the overall cost of the project. The project must remain fully funded.
- A discussion of whether the funding distribution change will affect the benefit of the project as described in the project application

PROJECT SEGMENTING

The Commission will consider project segmenting requests that aid in the overall delivery of the project.

When preparing a request to segment a project, agencies should consider the following:

- In segmenting a project, phases or segments may not be reprogrammed to later years.
- An agency may only request to segment a project once during the life of a project.
- Segmenting must be approved prior to construction allocation. An allocated phase cannot be segmented.

An agency wishing to segment a project must submit a request to Caltrans that includes the following:

- An explanation of the proposed project segmentation.
- The reason for the proposed project segmentation.
- A map clearly showing each project segment or phase.
- Separate PPRs for each project segment.

Caltrans will review the proposed project segmenting request and forward the proposal along with Caltrans' written analysis and recommendation to Commission staff for the Commission's consideration.

ALLOCATIONS

When an agency is ready to implement a project or project phase, the agency will submit an allocation request to Caltrans. The typical time required, after receipt of the request, to complete Caltrans review and recommendation and Commission allocation is 60 days.

Caltrans will review the request and determine whether or not to recommend the request to the Commission for action. The recommendation will include a determination of project readiness, the availability of appropriated funding, the availability of all identified and committed supplementary funding, and the consistency with the project's baseline agreement, if applicable. When Caltrans develops its construction

allocation recommendation, the Commission expects Caltrans to verify that a project's plans specifications and estimate are complete, and match the application scope or approved scope amendment, environmental and right-of-way clearances are secured, and all necessary permits and agreements are executed. The Commission will only consider an allocation of construction funds to projects that are ready to advertise. Projects using the design-build or design-sequencing contracting methods shall be considered ready for allocation upon completion of environmental clearance. Readiness for projects to be transferred to the Bureau of Indian Affairs (BIA) or Federal Transit Administration (FTA) shall be consistent with BIA's or FTA's definition of readiness for obligation. BIA and FTA transfers may be requested to transfer programmed ATP funds and must follow the requirements in Section 29 of the adopted statewide ATP guidelines.

In compliance with Section 21150 of the Public Resources Code, the Commission will not allocate funds for a non-infrastructure project or plan, or for design, right-of-way, or construction of an infrastructure project, prior to documentation of environmental clearance under the California Environmental Quality Act (CEQA). As a matter of policy, the Commission will not allocate funds, other than for the environmental phase, for a federally funded project prior to documentation of environmental clearance under the National Environmental Policy Act (NEPA). Exceptions to this policy may be made in instances where federal law allows for the acquisition of right-of-way prior to completion of NEPA review.

The Commission will approve the allocation in whole thousands of dollars if the funds are available and the allocation is necessary to implement the project as included in the adopted ATP. The ATP does not fund cost increases. If there is a cost increase to the project, the implementing agency must submit an updated PPR form that identifies the cost increase and the fund source that will cover the cost increase. If the fund source(s) is (are) not identified to cover the cost increase, the project component will be lapsed.

Applicants that have partnered with an implementing agency must include a copy of the Memorandum of Understanding or Interagency Agreement between the project applicant and implementing agency with the allocation request.

The Commission will consider the allocation if the funds are available and the allocation is necessary to implement the project as included in the adopted ATP. If there are insufficient program funds to approve an allocation, the Commission may delay the allocation of funds to a project until the next fiscal year without requiring an extension.

To ensure the timely use of all program funds, the Commission will, contingent upon availability, advance allocate funds to projects programmed in a future fiscal year on a first-come, first-served basis. Should requests for advance allocations exceed available capacity; the Commission will give priority to projects programmed in the current year.

Allocation requests for a project in the MPO ATP projects must include a recommendation by the MPO.

Any scope changes must be presented to Caltrans for consideration prior to allocation in the manner described above and in section 28 of the adopted ATP guidelines.

PROJECT DELIVERY

LETTER OF NO PREJUDICE

The Commission will consider approval of a Letter of No Prejudice (LONP) to advance a project programmed in the ATP. Approval of the LONP will allow the agency to begin work and incur eligible expenses prior to allocation. The LONP Guidelines are available on the Commission's website.

TIMELY USE OF FUNDS

ATP allocations are requested by project phase, Environmental Phase (PA&ED), Design Phase (PS&E), Right-of-Way Phase (ROW), and Construction Phase (CON). Each allocation must be requested in the fiscal year that the phase is programmed. When programmed funds are not allocated within the fiscal year programmed or within the time allowed by an approved extension, the project will be deleted from the Active Transportation Program.

The Commission may extend the deadline only once for each allocation phase and only if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and cannot exceed twelve months. If extraordinary issues exist that require a longer extension, the implementer may request up to 20 months for allocation only. Extension requests for a project in the MPO selected portion of the program must include a recommendation by FCOG, consistent with the preceding requirements.

Funds allocated for PA&ED, PS&E, and R/W costs must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated. The implementing agency must invoice Caltrans for these costs no later than 180 days after the fiscal year in which the final expenditure occurred.

Construction contracts must be awarded and executed within six months of construction allocation. The Commission may extend the contract award deadline only once if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and cannot exceed twelve months.

After award of the contract, the implementing agency has up to 36 months to complete (accept) the contract. At the time of construction fund allocation, the implementing agency may request, and the Commission may extend the deadline for completion of work and the liquidation of funds if necessary to accommodate the proposed expenditure plan for the project.

The Commission may extend the deadlines for expenditures for project development or right-of-way, or for contract completion no more than one time, only if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and cannot exceed more than 12 months for project completion and 12 months for expenditure.

Except for the allocation of funds, the request to extend the deadline for any of the above must be received by Caltrans prior to the expiration date. For allocation of funds, the time extension must be approved by the Commission by June 30th of the year the funds are programmed; otherwise, the funds will lapse.

Projects with a right-of-way phase programmed must commence the right-of-way phase within ten years of receiving Project Approval and Environmental Document and/or Plans, Specifications, and Estimates funding through ATP. Projects without a right-of-way phase programmed must commence construction within ten years of receiving Project Approval and Environmental Documentation and Plans, Specifications, and Estimates funding through ATP. Otherwise, the implementing agency must repay the ATP funds and the repaid funds may be made available for redistribution in the subsequent programming cycle.

If there are insufficient funds, the Commission may delay the allocation of funds to a project until the next

fiscal year without requiring an extension. It is incumbent upon the implementing agency to develop accurate project cost estimates. If the amount of a contract award is less than the amount allocated, or if the final cost of a phase is less than the amount allocated, the savings generated will not be available for future programming.

Caltrans will track the delivery of ATP projects and submit to the Commission the required reports showing the delivery of each project phase.

DELIVERY DEADLINE EXTENSIONS

The Commission may extend a delivery deadline, as described in the Timely Use of Funds Section, upon the request of the implementing agency. No deadline may be extended more than once. However, there are separate deadlines for allocations, contract award, expenditures, and project completion. Each project phase has its own deadline. The Commission may consider the extension for each deadline separately.

All requests for project delivery deadline extensions shall be submitted directly to Caltrans for processing prior to the expiration date. The extension request should describe the specific circumstance that justifies the extension and identify the delay directly attributable to the circumstance. Caltrans will review and prepare a written analysis of the proposed extension requests and forward the written analysis and recommendation to the Commission for action.

FEDERAL REQUIREMENTS

Unless fully programmed for state-only funding, project applicants must comply with the provisions of Title 23 and 49 of the U.S. Code of Federal Regulations and with the processes and procedures contained in the Caltrans Local Assistance Procedures Manual and the Master Agreement with Caltrans. Refer to the adopted ATP guidelines; section 33, for examples of federal requirements that must be met when administering ATP projects.

DESIGN STANDARDS

Streets and Highways Code Section 891 requires that all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted utilize all minimum safety design criteria established by Caltrans, except that an agency may utilize other minimum safety design criteria if specific conditions are met, as described in Streets and Highways Code Section 891(b). Refer to the adopted ATP guidelines; section 34, for specific requirements.

PROJECT INACTIVITY

Once funds for a project are encumbered, project applicants are expected to invoice on a regular basis (for federal funds, see 23 CFR 630.106 and the Caltrans' Inactive Obligation Policy). Failure to do so will result in the project being deemed "inactive" and subject to de-obligation if proper justification is not provided.

PROJECT COST SAVINGS

Savings at contract award may be used to expand the scope of the project only if the expanded scope provides additional quantifiable active transportation benefits. The expanded scope must be approved by the Commission staff prior to contract award. All other contract award savings will be returned proportionally.

Savings at project completion must be returned proportionally except when an agency has, subsequent to project programming, committed additional funds to the project to fund a cost increase. In such instances, savings at project completion may be returned to other fund types first, until the proportions match those at programming. Any additional savings at project completion must be returned proportionally.

Any amount allocated for environmental may also be expended for design. In addition, a local agency may expend an amount allocated for environmental, design, right of way, construction (infrastructure) or construction (non-infrastructure) for another allocated project phase, provided that the total expenditure shifted to a phase in this way is not more than 20 percent of the amount actually allocated for either phase. This means that the amount transferred by a local agency from one phase to another may be no more than 20 percent of whichever of the phases has received the smaller allocation from the Commission.

If an implementing agency requests an allocation of funds in an amount that is less than the amount programmed, the balance of the programmed amount may be allocated to a programmed project advanced from a future fiscal year. Project savings, including savings from projects programmed in the MPO component, will return to the overall ATP and be available to a programmed project advanced from a future fiscal year.

PROJECT CANCELLATION

If an implementing agency elects to cancel a project, the agency must cease all invoicing and relinquish any remaining funds to the program.

Project cancellations in the PA&ED, PS&E, and R/W phases require repayment of the reimbursed ATP funds if the investment does not result in a physical improvement within ten years. Project cancellations directly related to compliance with another federal and/or state law, such as NEPA and CEQA, do not require repayment. If an implementing agency feels repayment is not required on a project canceled in the PA&ED, PS&E, or R/W phase, the implementing agency must submit a written request to Caltrans. Caltrans will review the request, obtain FHWA concurrence for federally funded projects, and forward the request and a written recommendation to the Commission staff for the Commission's consideration.

PROJECT REPORTING

The purpose of all required reports is to ensure that the project is executed on time and is within budget, and that it delivers the scope and benefits identified in the project application. The ATP program adheres to the program accountability requirements set forth in the SB1 Accountability and Transparency Guidelines. The reporting provisions specified in the SB 1 Accountability and Transparency Guidelines apply to all projects programmed in the ATP.

All implementing agencies must submit regular progress reports, a completion report and a final delivery report to Caltrans. Implementing agencies should refer to the [Local Assistance website](#) for details. Implementing agencies must submit photographs of the completed project as part of the Completion Report. Photos showing people using the facility are best. If there are recognizable faces in the photos, the agency must include a photo release waiver with the report. Photographs of the completed project should be at least 300 dots per inch (DPI). Implementing agencies will also be encouraged to submit photographs of the project with progress reports when significant project milestones are achieved.

An agency implementing a project in the MPO selected portion of the program is required to also submit copies of all of its reports to the MPO. However, all agencies are encouraged to submit copies of their reports to their MPO or RTPA.

Projects with a Bureau of Indian Affairs or Federal Transit Administration transfer must comply with the reporting requirements set forth by the Bureau of Indian Affairs or the Federal Transit Administration.

AUDITS

The audit requirements as outlined in the SB1 Accountability and Transparency Guidelines apply to all projects

programmed in the ATP.

ROLES AND RESPONSIBILITIES

CALIFORNIA TRANSPORTATION COMMISSION (COMMISSION)

The Commission responsibilities include:

- Adopt guidelines, policies, and application for the ATP.
- Adopt ATP Fund Estimate.
- Evaluate, score and rank projects, including forming and facilitating the Project Evaluation Committee.
- In consultation with Regional Agencies and Caltrans, recommend and adopt a program of projects, including:
 - The statewide component of the ATP,
 - The small urban and rural component of the ATP and,
 - The MPO selected portion of the program based on the recommendations of the MPOs.
 - Ensure that at least 25% of the funds benefit disadvantage communities.
- Maintain a contingency list of projects to be amended into the program in the event a programmed project is delivered under the programmed amount of if a project fails, approve and recommend such amendments for Commission approval. This contingency list will be in effect only until the adoption of the next statewide program.
- Post recommendations and final adopted list of approved projects on the Commission's website
- Allocate funds to projects.
- Publish a Status Report of the ATP annually to increase the transparency of the program and show the progress of the programmed projects
- Review project amendment requests and recommend approval or denial to the commission
- Evaluate and report to the legislature.

CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

Caltrans has the primary responsibility for the administration of the adopted ATP. Responsibilities include:

- Prepare and provide statewide program and procedural guidance. Conduct outreach through various networks such as, but not limited to, the Active Transportation Program website, and at conferences, meetings, or workgroups.
- Develop and provide program training.
- Solicit project applications for the program.
- Perform eligibility and deliverability reviews of ATP projects at the Commission's request and inform the Commission of any identified issues in writing and before consensus scores are submitted by the evaluators.
- Assist as needed in functions such as facilitating project evaluation teams and evaluating applications.
- Notify successful applicants of their next steps after each call for projects.
- Recommend project allocations (including funding type) to the Commission.
- Make project amendment recommendations to the Commission.
- Track and report on project implementation, including project completion.
- Create reports required by the Commission and solicit implementing agencies to submit required reports in a timely manner.
- Perform audits of selected projects in accordance with generally accepted government auditing standards.
- Serve as the main point of contact in project implementation, including administering the contract(s) for the ATP Resource Center.

METROPOLITAN PLANNING ORGANIZATIONS(MPOS) WITH LARGE URBANIZED AREAS

MPOs with large urbanized areas, such as FCOG, are responsible for overseeing a competitive project selection process in accordance with these guidelines. The responsibilities include:

- Ensure that at least 25% of the funds in the FCOG call for projects benefit disadvantaged communities.
- FCOG is using a different minimum project size for its regional competitive ATP selection process than the statewide guidelines.
- FCOG will notify the Commission of their intent to have a supplemental call no later than the application deadline and will consider the projects that were not selected through the statewide competition along with those received in the supplemental call for projects.
- FCOG will submit copies of all applications received by the MPO. Projects recommended for programming by an MPO will not be considered for funding unless the application is received by the designated deadline.
- In administering a regional competitive ATP selection process, FCOG must use a multidisciplinary advisory group to assist in evaluating project applications.
- In administering a regional competitive ATP selection process, FCOG must explain how the projects recommended for programming include a broad spectrum of projects to benefit pedestrians and bicyclists. The explanation must include a discussion of how the recommended projects benefit students walking and cycling to school.
- FCOG elects to have a contingency list of projects to be amended into the program in the event a programmed project fails to deliver. FCOG will approve and recommend such amendments for Commission approval. This contingency list will be provided to the Commission and will be in effect only until the adoption of the next statewide program.
- Recommend allocation requests for a project in the FCOG regional competitive ATP.
- Determine which projects to advance and make that recommendation to the Commission in consultation with Commission staff and Caltrans.
- Submit an annual assessment of FCOG's regional competitive ATP in terms of its effectiveness in achieving the goals of the overall ATP.

PROJECT APPLICANT

Project applicants nominate ATP projects for funding consideration by submitting an application by the deadline. If awarded ATP funding for a submitted project, the project applicant (or partnering implementing agency if applicable) has contractual responsibility for carrying out the project to completion and complying with reporting requirements in accordance with federal, state, and local laws and regulations, and these guidelines.

For infrastructure projects off the state highway system, the project applicant will be responsible for the ongoing operations and maintenance of the facility. If another entity agrees to assume responsibility for the ongoing operations and maintenance of the facility, documentation of the agreement must be submitted with the project application, and a copy of the Memorandum of Understanding or Interagency Agreement between the parties must be submitted with the request for allocation.

PROJECT SIGNAGE

For all projects receiving SB 1 funds, the implementing agency must include signage stating that the project was made possible by SB 1 – The Road Repair and Accountability Act of 2017. The signage should be in compliance with applicable federal or state law, and Caltrans' manual and guidelines, including but not limited to the provisions of the California Manual on Uniform Traffic Control Devices.

PROGRAM EVALUATION

The ATP will be evaluated for its effectiveness in increasing the use of active modes of transportation in California. Applicants that receive funding for a project must collect and submit data to Caltrans as described in the "Project Reporting" section.

The Commission will include in its annual report to the Legislature a discussion on the effectiveness of the program in terms of planned and achieved improvement in mobility and safety and timely use of funds, and will include a summary of its activities relative to the administration of the ATP including projects programmed, projects allocated, projects completed to date by project type, projects completed to date by geographic distribution, projects completed to date by benefit to disadvantaged communities, and projects completed to date with the California Conservation Corps or qualified community conservation corps.

APPENDIX A – Fund Estimate

Fresno Council of Governments

2023 Active Transportation Program Cycle 6 Regional Share

FY 2023-24 through FY 2026-27

ATP Regional Share (in thousands)

Fund Source	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Total
Federal	\$474	\$500	\$1,034	\$1,034	\$3,042
State	\$4,022	\$4,022	\$3,764	\$3,764	\$15,573
Total ATP Regional Share	\$4,496	\$4,523	\$4,798	\$4,798	\$18,615

Per SB 99, 25% of overall program funds shall benefit disadvantaged communities.

APPENDIX B – Regional ATP Supplemental Application



**Fresno Council
of Governments**

Cycle 6

**2023 REGIONAL COMPETITIVE ACTIVE
TRANSPORTATION PROGRAM**

SUPPLEMENTAL APPLICATION

Due Date: November 18, 2022

SUPPLEMENTAL APPLICATION INFORMATION

Applications will be screened for eligibility. Applications will be removed from the competitive process if found ineligible based on the guidelines and if the project application is incomplete. Projects not selected for programming in the statewide competition, but deemed eligible for the regional program, will be considered.

In addition to the statewide ATP application form, applicants applying for the regional competitive ATP must complete this supplemental application. If you did not submit an application to the statewide competitive ATP, you will also need to complete a statewide ATP application form to include with the regional supplemental application in order to be considered for the regional ATP. Please reference page 9 on the regional ATP guidelines for application submittal requirements.

Infrastructure projects will be scored following the statewide ATP scoring rubrics for the [small infrastructure application](#), except where points differ from the statewide ATP, scores will follow the rubrics shown in this application. Additional information on the Fresno COG regional competitive ATP and application materials is available at: <https://www.fresnocog.org/project/active-transportation-program-atp/>.

PROJECT INFORMATION

Applicant Agency: _____

Project Title (must match Caltrans ATP application project name if applicable): _____

Project Application Number (must match Caltrans ATP application if applicable): _____

ATP \$ Requested: _____

Total Project Cost: _____

Was this project submitted to the statewide competitive ATP? Y / N _____

Are you altering your application for the regional ATP? Y/N _____

If yes, what are you altering? (check all that apply).

- Adding leveraging funding to maximize regional ATP criteria points
- Scaling project to meet the encouraged maximum funding award request of less than \$3.5m. If checked, please complete the scalability plan information.
- Requesting pre-construction funding only including PA&ED, PS&E, and/or ROW.

If you are altering your application, the implementing agency will be required to submit an updated PPR including the updated scope and financial plans at minimum. Additional information may be requested.

REGIONALLY SCALED OPTIONS

Agencies are allowed to phase or segment a project for the Regional ATP if the project was submitted to the statewide ATP to meet our encouraged maximum funding award request. The agency must show that the project phase or segment submitted for consideration in the Regional ATP is a functional segment and meets all eligibility requirements for ATP funding. If the project is selected in the regional

ATP based on the scalability plan, the implementing agency will be required to submit an updated PPR including the updated scope and financial plans. Additional documents may be requested by Caltrans, the Commission or Fresno COG, to reflect the awarded phase or segmented project. An agency may also choose to request pre-construction phases only in the regional ATP.

Please provide the scalability plan, if applicable.

Scaled ATP Funding Request	\$
Scaled Total Project Cost	\$

The scalability plan should include updated scope, benefits, and funding plan, and the updated financial plan.

REGIONAL EVALUATION CRITERIA

LEVERAGING (3 points)

No local match is required. Points will be based on the amount of non-ATP funding pledged to the project. If the project application has been altered to maximize regional ATP points, an updated PPR is required. The Commission will only consider cash funds for leveraging. Pre-construction phases funded by the local agency will be considered for leveraging even if the funds were expended before the application deadline. Previous ATP funds do not quality.

- Project is requesting 100% ATP funds
- Project is leveraging non-ATP funds as shown in the PPR
 - Total Project Cost: \$ _____
 - Total ATP Funding Request: \$ _____
 - Total Non-ATP Funding (if applicable): \$ _____

Points	Amount Leveraged
1 Point	More than 11.47% to 15% of total project cost
2 Points	More than 15% to 20% of total project cost
3 Points	More than 20% of total project cost

CONSISTENCY WITH FCOG ADOPTED 2018 RTP OR ADOPTED ATP PLAN (1 point)

Please attach documentation highlighting the project listing on the adopted plan.

- Project is consistent with Fresno COG’s adopted 2018 RTP, submitted to the 2022 RTP, Fresno COG’s Regional Active Transportation Plan or an adopted local Active Transportation Plan including Bicycle/Pedestrian, Master Trails, Vision Zero, or Safe Routes to School Plans.
 - RTP Constrained List Link 2018 RTP: <https://www.fresnocog.org/wp-content/uploads/2017/02/2018- RTP Appendix-C FINAL.pdf>
 - Regional ATP Link (Appendix D): https://2ave3l244ex63mgdyc1u2mfp-wpengine.netdna-ssl.com/wp-content/uploads/2016/01/Appendices-C-F.rev_Jun18.pdf

- Project is NOT on an adopted plan (0 Points)

ATTACHMENTS

Council/Board resolution of local support

FRESNO COG REGIONAL SCORING CRITERIA AND SCORING RUBRICS

	Scoring Topic	Infrastructure or Infrastructure/ Non-Infrastructure Applications	Plan Application	Non-Infrastructure Only Application
A.	Benefit to Disadvantaged Communities (DAC)	6	30	10
B.	Need	50	20	40
C.	Safety	25		10
D.	Public Participation & Planning	10	25	15
E.	Scope and Plan Layout Consistency and Cost Effectiveness			
F.	Scope and Plan Layout Consistency	5		10
G.	Implementation & Plan Development		25	
H.	Context Sensitive & Innovation			5
I.	Transformative Projects			
J.	Evaluation and Sustainability			10
K.	Leveraging	3		
L.	Corps (0 or -5)	0 or -5		0 or -5
M.	Past Performance (0 to -10)	0 to -10	0 to -10	0 to -10
N.	Consistency with FCOG adopted 2018 RTP or adopted ATP Plan	1		
	Total	100	100	100

STATEWIDE ATP SCORING RUBRICS

[2023 Small Infrastructure Project Application Scoring Rubric \(PDF\)](#)

[2023 Non-Infrastructure Project Application Scoring Rubric \(PDF\)](#)

[2023 Plan Project Application Scoring Rubric \(PDF\)](#)

FRESNO COG SCORING RUBRICS

The following rubrics will be used by the Fresno COG Regional Scoring Committee based on the information provided in the Caltrans ATP application for the Benefit to Disadvantaged Communities, Need and Scope and Plan Layout Consistency categories.

Benefit to Disadvantaged Communities (6 Points)

Severity (0-4 Points)

Points	Median Household Income (MHI) Criteria – MHI = \$56,982	
0 Points	Greater than 80% of the MHI	greater than \$56,982.40
1 Point	75% through <80% of MHI	\$53,421 through \$56,982.40
2 Points	70% through <75% of MHI	\$49,859.60 through \$53,421
3 Points	65% through <70% of MHI	\$46,298.20 through \$49,859.60
4 Points	< 65% of MHI	less than \$46,298.20
Points	CalEnviroScreen Criteria	
0 Points	Above 25% most disadvantaged	less than 39.34
1 Point	20% through 25% most disadvantaged	39.34 through 42.86
2 Points	15% through < 20% most disadvantaged	42.87 through 46.63
3 Points	10% through < 15% most disadvantaged	46.64 through 51.18
4 Points	< 10% most disadvantaged	51.19 through 94.09
Points	Free or Reduced Lunches	
0 Points	Less than 75% of students receive free or reduced lunches	
1 Point	≥ 75% through 80% of students receive free or reduced lunches	
2 Points	> 80% through 85% of students receive free or reduced lunches	
3 Points	> 85% through 90% of students receive free or reduced lunches	
4 Points	> 90% of students receive free or reduced lunches	
Points	Healthy Places Index Percentile	
0 Points	Healthy Places Index Score above 25 Percentile	
1 Point	Healthy Places Index Score 20 through 25 Percentile	
2 Points	Healthy Places Index Score 15 through <20 Percentile	
3 Points	Healthy Places Index Score 10 through <15 Percentile	
4 Points	Healthy Places Index Score <10 Percentile	

Project Location (0-2 Points)

Points	Applicant's ability to demonstrate the project is located within a DAC.
2 Points	Project location(s) are/is fully (100%) located within a DAC.
1 Point	Project location(s) are/is partially (less than 100%) within a DAC.
0 Points	None of the project location(s) are/is within a DAC.

Need (50 Points)

A. Statement of Project need (0-26 Points)

Points	Applicant’s ability to demonstrate a specific active transportation need.
19-24 Points	<p>The application compellingly demonstrates “need” in the project area, and documents all of the following in a clear narrative:</p> <ul style="list-style-type: none"> • the lack of connectivity, • the lack of mobility for non-motorized users, • data showing the local health concerns, including a comparison to statewide health data AND if applicable • For projects benefiting a disadvantaged community – the need for the project in that community, • For NI components – the need for the education,encouragement and/or enforcement program
13-18 Points	<p>The application duly demonstrates “need” in the project area, and documents: only 2 of the following clearly, and at least one other partially:</p> <ul style="list-style-type: none"> • the lack of connectivity, • the lack of mobility for non-motorized users, • data showing the local health concerns, including a comparison to statewide health data AND if applicable • For projects benefiting a disadvantaged community – the need for the project in that community, • For NI components – the need for the education,encouragement and/or enforcement program
7-12 Points	<p>The application demonstrates “need” in the project area, and documents: only 1 of the following clearly, and at least one other partially:</p> <ul style="list-style-type: none"> • the lack of connectivity, • the lack of mobility for non-motorized users, • data showing the local health concerns, including a comparison to statewide health data AND if applicable • For NI components – the need for the education, encouragement and/or enforcement program
1-6 Points	<p>The application minimally demonstrates “need” in the project area, and partially documents 1 of the following:</p> <ul style="list-style-type: none"> • the lack of connectivity, • the lack of mobility for non-motorized users, • data showing the local health concerns, including a comparison to statewide health data AND if applicable • For NI components – the need for the education, encouragement and/or enforcement program
0 Points	<p>The application does not demonstrate “need” in any way in the project area in any of the three areas of need, and there is no mention of the need of the disadvantaged community and there is no mention of the NI program (if applicable).</p>

Points	Applicant's ability to demonstrate the active transportation needs of STUDENTS.
2 Points	The application addresses the active transportation needs of students
0 Points	The application does not address or mention the active transportation needs of students

B. Describe how the proposed project will address the active transportation need: (0-24 points)

Points	Applicant's ability to make a case that the project will address need for active transportation.
18-23 Points	The application clearly and convincingly demonstrates that the project will best address the active transportation need presented in part A by: <ul style="list-style-type: none"> • creating or improving links or connections, • encouraging use of routes to very important destinations and community identified destinations.
11-17 Points	The application demonstrates that the project will likely address the active transportation need presented in part A by: <ul style="list-style-type: none"> • creating or improving links or connections, • encouraging use of routes to very important destinations and community identified destinations.
5-10 Points	The application somewhat demonstrates that the project will address the active transportation need presented in part A by: (at least 1 of the following) <ul style="list-style-type: none"> • creating or improving links or connections, • encouraging use of routes to very important destinations and community identified destinations.
1-4 Points	The application minimally demonstrates that the project may address the active transportation need presented in part A by: (partially 1 or more of the following) <ul style="list-style-type: none"> • creating or improving links or connections, • encouraging use of routes to very important destinations and community identified destinations.
0 Points	The application did not demonstrate the project would address the need presented in Part A.

Points	Applicant's ability to make a case that the proposal that will increase the number of active transportation trips accomplished by STUDENTS.
1 Point	The project will increase the proportion of active transportation trips accomplished by students
0 Points	The project will not increase the proportion of active transportation trips accomplished by students

Scope and Plan Layout Consistency (5 Points)

If your project was altered for the regional ATP, consistency with the scalability plan will also be taken into consideration.

Points	Evaluating Layouts/Maps
2 Points	The submitted layouts/maps are complete, clear, and/or provide sufficient detail to determine the full scope of the proposed project.
0 Points	The submitted layouts/maps are poorly developed or vague in outlining the various elements of the proposed project, or the applicant failed.

Points	Evaluating Engineer's Estimate
2 Points	The submitted estimate is thorough and consistent with the elements and phases of the proposed project.
0 Points	The applicant failed to provide an estimate that matches the proposed elements.

Points	Evaluating the Project Schedule
1 Point	The submitted schedule fully incorporates all necessary phases and provides adequate time to complete the phases (PA&ED, PS&E, ROW, CON and CON-NI).
0 Points	The submitted schedule failed to incorporate all necessary phases and/or does not provide adequate time to complete the phases (PA&ED, PS&E, ROW, CON and CON-NI).