



Memo

Date: Friday, July 26, 2024
To: Regional Partners and Interested Parties
From: Grace Cho, Senior Transportation Planner, Metro
Subject: 2028-2030 Regional Flexible Fund Allocation (RFFA) – New Project Bond Nomination Instructions (Step 1A.1)

Purpose

To provide information to potential applicants on the process and how to nominate a project for the new project bond.

Background

The Regional Flexible Funds are one source of the region’s transportation funding, though they represent a small (~5%) percentage of the total funding spent on transportation across the region. Comprised of federal surface transportation funds provided by the federal government, the allocation of the Regional Flexible Funds is one of Metro’s requirements as a federally designated metropolitan planning organization (MPO) to carry out the metropolitan planning process. In July 2024, the Metro Council adopted the JPACT recommended 2028-2030 RFFA Program Direction, establishing the key objectives and framework for the allocation process. As part of the adoption, JPACT and Council provided Metro staff the direction to develop a new project bond proposal – backed by a commitment of future Regional Flexible Funds – for consideration by the region in concert with the Step 2 allocation decision of the 2028-2030 Regional Flexible Funds.

New Project Bond

The development of a new project bond proposal(s) for consideration by the region will take place from August 2024 through February 2025. TPAC and JPACT will be asked to make a recommendation to select and release a preferred project bond proposal for public comment at their March 2025 meeting. In addition to the described role, TPAC may be asked to weigh in on technical aspects of the bond development, while remaining informed throughout the process.

The work to develop a bond proposal will take place over five phases of work. A memorandum to TPAC from July 12th describes the phases of work in further detail. Table 2 is a summary of key dates for the new project bond. The remainder of this memorandum focuses on the instructions for nominating a project for consideration of Step 1A.1 new project bond proceeds.

Instructions

Nominations for projects for the Regional Flexible Fund Step 1A.1 New Project Bond will begin being accepted on **Friday July 26, 2024**. All nominations or candidate projects due no later than **4pm on Friday September 6, 2024**. Nomination instructions for the project categories are outlined below. For any inquiries or to schedule a conversation to discuss new project bond candidate projects, please email Grace Cho (grace.cho@oregonmetro.gov).

Step 1A.1 – New Project Bond – Nomination Window and Screening Key Dates

Table 1 outlines key dates related to the nomination window for candidate projects for Step 1A.1 – New Project Bond.

Table 1. 28-30 RFFA Step 1A.1 New Project Bond – Nomination Key Dates

Activity	Date
Nomination window opens <ul style="list-style-type: none"> Scheduling of consultation or candidate project proposal meetings can begin prior to July 26th, but meetings will begin on July 26th. 	Friday July 26, 2024
Nomination window closes	Friday September 6, 2024
Screening of nominated candidates begin <ul style="list-style-type: none"> Assess and verify for minimum requirements and consistency with bond principles. 	Monday September 9, 2024
Screening process completed <ul style="list-style-type: none"> Screening for minimum requirements as outlined in the bond development guidelines in the Program Direction and in the instructions. 	End of September 2024
Notifications to nominated projects on status entering the project evaluation phase. <ul style="list-style-type: none"> Recommendations may include shifting the candidate project nomination to the Step 2 allocation. 	Friday October 4, 2024
Follow up requested project data due for submissions	Friday October 18, 2024

Minimum Qualifications to Nominate Projects – Nominator Eligibility

Eligible entities to submit nominations for the Regional Flexible Fund Step 1A.1 New Project Bond include those public agencies located within the region’s Metropolitan Planning Organization (MPO) boundary. These public agencies include Washington County and its cities, Clackamas County and its cities, Multnomah County and its eastern cities, the City of Portland, Port of Portland, TriMet, SMART, the Oregon Department of Transportation, and Metro.

Special districts (e.g. parks districts) and agencies without a transportation or public works arm may be eligible entities to apply but encouraged to review the remaining instructions and reach out to Metro staff for consultation.

Minimum Qualifications to Nominate Projects – Local Agency Certification/Project Delivery

At this time, nominations for the Regional Flexible Fund Step 1A.1 New Project Bond should assume the proceeds will remain federalized. As a result, the nominating agencies will need to plan for project delivery under the federal aid process. Nominators that are certified agencies by ODOT for parts or all project delivery in the federal aid process may lead the delivery for the tasks they are certified to lead. If the nominator is not certified agency for all or portions of project delivery tasks, they will need to arrange for a certified local agency or for ODOT to lead delivery of the project. The project budget should account for the costs of project delivery administration by the certified agency or ODOT and recognize the deliver agency may implement federal guidance in a manner that is more expensive than a nominator previously presumed with local funds.

Minimum Requirements for All Project Nominations

Per the Program Direction, projects nominated for the new project bond must be classified as projects within at least one of the three project categories:

- Capital Investment Grants (CIG) projects or large transit capital projects leveraging other federal funding;
- First/last mile transit and/or safe access to transit;
- Transit vehicle priority
 - Examples include Better Bus type projects or transit signal priority improvements

If a candidate transit project concept does not clearly fit within one of the project classifications, please reach out to Metro staff to schedule a consultation.

In addition to the project classification requirement, all candidate projects meet the following:

- Be included in the financially constrained 2023 Regional Transportation Plan (RTP).
 - Candidate projects which are not in the financially constrained 2023 RTP may request a consultation meeting with Metro staff prior to September 6th, to discuss the status and consideration for the project to enter the candidate pool.
- Demonstrate prior to the close of the nomination window they have authority to deliver the candidate project and agreement by any necessary partners (e.g. facility owners, operators) through a documentation.
- Demonstrated community support for advancing the project.
 - Examples can include letters of support from a previous grant application for the project (or similar project in the same location) or documented comments of community support from the most recent transportation system plan.
- Demonstrate the ability to expend the bond proceeds funds between fiscal years 2026 through 2030.
- Meet a minimum local match of 10.27%.

Specific project categories have additional minimum requirements. Those category specific minimum requirements are identified below.

Capital Investment Grant (CIG)/Large Transit Capital Projects

Candidate projects for consideration in this project category must also include the following:

- Meet the definition/requirements of the Federal Transit Administration (FTA) Capital Investment Grant (CIG) Program.
- Identified in the Regional High Capacity Transit Plan.

First/Last Mile-Safe Access to Transit & Transit Vehicle Priority Projects

Candidate projects for the first/last mile-safe access to transit and transit vehicle priority project categories must also meeting the following requirements:

- Total project costs for candidate projects seeking funding for construction activities must be a minimum of \$8 million.
 - A minimum of 10.27% local match is required for the nominated project.
- While the preference for the bond proceeds is to implement projects earlier than otherwise possible, those candidate projects seeking planning/early project development to define the project concept and alternatives are eligible. Candidate projects must meet the project cost minimum of \$2 million.
 - Planning/early project development candidates will need to demonstrate a funding strategy to move the project forward from planning/early project development into formal project development activities leading towards construction. Additionally, minimum local match of 10.27% is required.
- A project implementation schedule must be submitted. (Separate from what was requested as part of the application form with any other additional details on the implementation schedule.) This schedule will be evaluated for risks to on-time completion and considered relative to the timeline of the bond process. Bond projects needing construction support should be ready to utilize bond funds between the years 2026 and 2030.
- Candidate projects for first/last mile-safe access to transit and/or transit vehicle priority must be identified in a regional modal or topical plan, including, but not limited to: the 2021 Regional Transportation System Management and Operations (TSMO) Strategy, the Regional Transit Strategy, and/or the Regional Active Transportation Plan.

Candidate Project Nominations

The candidate project identification will differ for the project categories. A description of the nomination process for each category is described in the following sections.

Unlike the Step 2 competitive allocation to local transportation project, application assistance is unavailable for nominators in the Step 1A.1 New Project Bond nomination process.

Capital Investment Grant (CIG)/Large Transit Capital Leverage Projects Nominations

For consideration in the CIG/larger transit capital leveraging other federal discretionary funding project category, regional partners with a possible candidate large transit capital project are required to meet with Metro during the nomination window (July 26 – September 6) to discuss the candidate project to determine eligibility. Projects deemed ineligible for the CIG/Larger Transit Capital Leverage project category may be directed to apply within the First/Last Mile-Safe Access to Transit and/or Transit Vehicle Priority project categories.

To schedule the meeting to discuss a candidate project for the Capital Investment Grant (CIG)/Large Transit Capital Leverage project category, please reach out to grace.cho@oregonmetro.gov. Attendance of the lead nominating agency is needed for the meeting, but other involved regional partners such as the transit operator and/or the facility owner may also be included as part of the intake meeting.

Regional partners with a candidate project for the CIG/Large Transit Capital Leverage project category need to arrive to the meeting prepared to discuss the following specifics about the candidate project:

- Project scope and/or concept
- Project status in development, including expected type of NEPA review and work completed to date.
- Description of project cost estimate method, including contingency appropriate to status of project development work and any project risks
- Project financial plan with description of status and amount of each component funding source, including:
 - RFFA bond funding requested
 - Federal or state discretionary funding programs targeted, including:
 - Schedule/timing of the grant program and which funding cycle the project intends to apply
 - Documentation or history showing the project positioning for the discretionary funding program (if available)
 - Expected competitiveness of the discretionary funding application considering such factors as agency/region past performance, match of project elements to funding program prioritization criteria, expected demand to available funding, etc.
 - Contingency plan for other funding sources or description of scope adjustment process to address gap if requested discretionary funding is only partially awarded.
 - Other fund sources
 - Commitment by operating agency to operate the project.
 - Commitment by all affected facility owners to support implementation of project per the described scope and budget.

Supplemental materials for reference to support the conversation are also welcome to walk in or provide in advance of the meeting.

If through the conversation with Metro staff it is determined the project is eligible for consideration in the CIG/Large Transit Capital Leverage project category, the nominating agency will be asked to provide the information in a document format. Metro staff will work with the nominating agency to determine the appropriate documented format.

First/Last Mile-Safe Access to Transit & Transit Vehicle Priority Projects Nominations

Regional partners may nominate candidate projects for consideration in the First/Last Mile-Safe Access to Transit or Transit Vehicle Priority project categories. There are no limits to the number of applications which can be submitted by eligible agencies.

The attached application form must be submitted for each potential candidate for consideration. A project may blend project scope aspects from the First/Last Mile-Safe Access to Transit and Transit Vehicle Priority project categories and submit a single application. For required supplemental materials, please ensure the supplemental documents are clearly labeled as with the candidate project title and name of the item. (e.g. Project X – Vicinity Map) Additional supplemental materials for reference to support application may be included with the application submission, but it is requested that the supplemental materials be clearly labeled.

While not required, nominators are encouraged to reach out to schedule a consultation meeting with Metro staff to discuss the project scope, schedule, and other details. Through the consultation, Metro staff may be able to direct whether the candidate project is best suited for Step 1A.1 or Step 2 or potentially both allocation processes.

Strong candidate applications should be able to complete the application form with a reasonable amount of detail and must show meeting the minimum requirements. In addition to demonstrating alignment to the Step 1A.1 New Project Bond purpose and principles, strong candidate applications should show a clear description of the scope, schedule, budget, the leveraging opportunities, and advancement of the Regional Transportation Plan goals.

For the First/Last Mile-Safe Access to Transit and/or the Transit Vehicle Priority project categories application submissions, please email the nomination form to rffa@oregonmetro.gov. Please include in the subject line of the email: 28-30 RFFA – Step 1A.1 to indicate and direct the submission.

Candidate Projects Pool – Screening Process

With the candidate nominations received or identified, Metro staff will conduct a screening to determine which candidate projects meet all the necessary minimum requirements and will move forward into the project evaluation phase. The screening process verify minimum requirements, establish a candidate pool that seeks to invest bond proceeds across the region, and ensure the candidate projects for bond proceeds represent a mix of the three project categories identified in the Program Direction according to the bond development guidelines. A draft summary of the nominated projects for Step 1A.1 is anticipated for the September 6th TPAC meetings and a finalized summary by the September 19th JPACT meeting.

Candidate projects which do not move forward to the evaluation phase will be notified no later than October 4th and Metro staff may offer recommendations for other grant funding opportunities, including the 2028-2030 RFFA Step 2. A summary of the screening assessment and results will be provided to regional partners at the October 4th TPAC meeting and October 17th JPACT meeting.

Results from the screening are to determine the pool of candidate projects to move forward into project evaluation. In preparation for the project evaluation, Metro will follow up with individual

nominators to request further information be submitted. Further information including, but not limited to:

- GIS shapefile with populated attribute information
- Aerial photos and/or cross-section photos of the current conditions
- A drawing/schematic of the anticipated completed project
- Detailed project information (e.g. start and end locations, etc.)
- A project description suitable for use in summary documents for committees and at the public comment.

The finalized list of project information needed will be provided to the candidate projects moving forward. Project details are due by 4pm on Friday October 18th for the submission of materials.

Table 2. 2028-2030 RFFA – New Project Bond Development – Key Dates

Activity	Date
Process communication	July 12 & 18, 2024
One-on-one discussions on large transit capital leverage projects	Late July – September 2024
Nominations open for access to transit/safe access and transit vehicle priority projects	July 26, 2024
Nominations due for access to transit/safe access and transit vehicle priority projects	September 6, 2024
Summary of screening assessment and results	October 4, 2024
Notification for projects remaining in contention to move forward	October 4, 2024
Deadline for candidate projects to submit necessary project information for evaluation	October 18, 2024
Candidate project evaluation	October – November 2024
Candidate project evaluation results and summary	December 6, 2024 (tentative)
Bond scenarios development and assessment	December 2024 – January 2025
Bond scenarios results and TPAC input on preferred bond scenario	February 7, 2025
Bond scenario results and JPACT input on a preferred bond scenario	February 20, 2025
Request TPAC action to release recommended preferred bond scenario/proposal	March 7, 2025
Request JPACT action to release recommended preferred bond scenario/proposal	March 20, 2025
2028-2030 RFFA public comment opens	March 24, 2025 (tentative)
2028-2030 RFFA public hearing/testimony	April 17, 2025 (tentative)
2028-2030 RFFA public comment closes	April 28, 2025 (tentative)
Summary of 2028-2030 RFFA public comments with responses and draft/tentative staff recommendations for refinements to TPAC	May 2, 2025 (tentative)
Summary of 2028-2030 RFFA public comments with responses and staff recommendations for refinements to JPACT	May 15, 2025 (tentative)
TPAC and JPACT opportunity to deliberate input received on preferred bond scenario and finalize the preferred bond proposal	June 2025
TPAC and JPACT action on 2028-2030 RFFA	July 2025