

CMAQ Programming and Set-Asides

As you know, because our area will achieve attainment status for ozone next year, we have assumed that Congestion Mitigation and Air Quality (CMAQ) funding will not be available in the new TIP beyond October 1, 2014. This means that projects funded with CMAQ funding before October 1, 2014 still have funding, but will need to maintain the schedule and cost in the current TIP. This also means that projects funded with CMAQ after October 1, 2014 will more than likely not have funding.

Many of the regional set-asides and the transit projects in the current TIP have been funded for years with CMAQ funding, but many of the locally-sponsored projects also have CMAQ funding. They include the following:

TIP #	Project Description	Total CMAQ FFY 2012-2013	Total CMAQ FFY 2013-2014	Total CMAQ FFY 2014-2015
A435	ITS Transit Signal Priority on Washington and Western Avenues	\$0.810M	\$5.353M	
A436	Western Ave. sidewalks	\$0.678M		
A464	Helderberg Hudson Rail Trail	\$2.728M		
A465	Guilderland ped safety	\$0.551M		
A466	Westmere Corridor ped	\$0.420M		
A499	Carman Road connector sidewalk		\$0.148M	
A500	Sheridan Hollow sidewalk		\$0.080M	\$0.260M
A503	ITS Signals on New Scotland	\$0.816M		
R255	Route 20 Corridor Bike/Ped		\$0.852M	
R262	Park & Ride Lots, US 20	\$0.108M		
R277	Lansingburgh Sidewalks			\$0.128M
R278	126 th St / US 4 Roundabout		\$0.275M	\$1.100M
R279	US 4 / Mannix Roundabout	\$0.742M		
R280	ITS Signals on Pawling Ave	\$0.070M	\$0.705M	
SA217	Crescent Road Bike/Ped	\$0.978M		

TIP #	Project Description	Total CMAQ FFY 2012-2013	Total CMAQ FFY 2013-2014	Total CMAQ FFY 2014-2015
SA257	Park & Ride Lot at Wilton Mall	\$0.110M		
S155	Scotia Sidewalks			\$0.025M
S187	Mohawk/Hudson Crossing		\$0.148M	
S188	Erie Blvd/Jay/Nott Roundabout		\$2.598M	
S191	Mohawk/Hudson kiosks			\$0.022M
Total		\$8.011M	\$10.159M	\$1.535M

Because this will probably be our last opportunity to program CMAQ funding, we want to ensure that we do not leave “any money on the table” and that all the CMAQ is expended. We also need to determine if we are currently over-programmed or under-programmed in CMAQ.

In order to accomplish the above goals, we need to determine status of the above local projects as soon as possible. Please contact Glenn Posca on our staff this week, and give us your best estimates for cost and schedule for your project.

We are also concerned with the programming and expenditure of the following set-asides which are funded with CMAQ funding in the current TIP:

TIP #	Project Description	FFY 2012-2013	FFY 2013-2014
RG28	Regional ITS Set-Aside	\$1.730M	\$0.750M
RG39	Local ITS Set-Aside	\$0.270M	\$0.450M
RG41	Spot Improvement Program	\$0.100M	\$0.100M
RG103	Bicycle/Pedestrian Set-Aside		\$0.109M
Total		\$2.100M	\$1.409M

These set-asides are not programmed for specific projects. In the past, we have approved CMAQ funding for projects in these set-asides either on a “first come, first served basis” or we have solicited members for projects.

There are several options for programming projects for the above set-asides. They include:

1. Because the funding amounts are small (\$3.2M for ITS set-asides and \$0.309M for bike/ped set-asides) the Planning Committee could select a few currently programmed regional projects that need additional funding, and agree to add the above CMAQ funding to these projects.

2. The Planning Committee could conduct a limited solicitation to sponsors who have successfully completed CMAQ projects or have CMAQ programmed on the current TIP.
3. The Planning Committee could conduct a broad solicitation to all CDTC members and all 78 municipalities in the 4-County region.

Unfortunately this is a very unusual and unique situation, and we do not have examples of previous actions like this. We are also under very strict and difficult timelines. If a sponsor agrees to progress a new project in less than 2 years (i.e. construction obligation before October 1, 2014) and that sponsor does not meet the deadline, the sponsor could be liable for the federal funding spent during project design. Sponsors will need federal-aid project experience and will need the funding for the local match (Assume 20%, but ITS projects may be eligible for Marchiselli funding which would reduce the local match to 5%). Any project funded with these set-asides will still need to meet eligibility requirements for CMAQ funding and, depending on the Planning Committee's action, may need to be completed under the approved project cost cap. No matter what solicitation option is chosen by the Planning Committee, sponsors need to understand that this process will be progressed very quickly and will have very short deadlines.

In addition to selecting a CMAQ set-aside programming strategy, the Planning Committee should consider capping the selected project costs. The set-asides are meant to fund several small projects, and in some cases like the Spot Improvement Program, project cost caps already exist. The Committee also needs to consider project selection criteria. For both of the 2 bike/ped set-asides we recommend using the Spot Improvement Program selection criteria (handout available at the meeting). For the 2 ITS set-asides we recommend using existing ITS project selection criteria (handout available at the meeting). Finally the Committee should consider a submission deadline. We recommend that sponsors be given 1 month to complete an application and that they submit application to us on or before December 7, 2012.

We request Planning Committee approval to solicit for the above four (04) set-asides as soon as possible.