

**FINAL DRAFT**

**TRANSPORTATION  
IMPROVEMENT  
PROGRAM (TIP) 2010-15**

**For Policy Board Review**



*This Capital District Transportation Committee (CDTC) report was prepared in cooperation with local governments, regional agencies, New York State agencies, and the Federal Highway Administration and Federal Transit Administration of the United States Department of Transportation. The contents do not necessarily reflect the official views or policies of these governmental agencies.*



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**RESOLUTION #10-X - RESOLUTION OF CAPITAL DISTRICT  
TRANSPORTATION COMMITTEE REGARDING SELF-  
CERTIFICATION**

WHEREAS, the Capital District Transportation Committee (CDTC) is the designated Metropolitan Planning Organization (MPO) responsible for the performance of the transportation planning process for the Capital District Transportation Management Area (TMA), which includes the Albany and Saratoga Springs urbanized areas and the remainder of Albany, Rensselaer, Saratoga and Schenectady Counties (with the exception of the Town of Moreau in Saratoga County), and

WHEREAS, it is the responsibility of the CDTC to ensure that said policy, planning, and programming process is consistent with applicable Federal and State Law, and is also consistent with local area objectives, and

WHEREAS, it is recognized that the Federal Regulations (23 CFR 450) for metropolitan transportation planning were revised, the revisions becoming effective on October 28, 1993, in response to the passage of the Intermodal Surface Transportation and Efficiency Act (ISTEA), and

WHEREAS, the State and the MPO must now certify prior to TIP submission, that the MPO planning process is being carried out in conformance with all applicable requirements of specific Federal Acts and Regulations.

NOW THEREFORE BE IT RESOLVED, that the Capital District Transportation Committee does hereby affirm that:

1. the CDTC's metropolitan transportation planning process includes activities to support the development and implementation of a transportation plan and TIP and subsequent project development activities including the environmental impact assessment process, and,
2. the CDTC's planning process is consistent with Federal Laws, Acts, and Regulations pertaining to involvement of appropriate public and private transportation providers, and,
3. any problem identified through this certification review or FHWA's Program Management Review will be addressed by the appropriate CDTC member agencies, and,

BE IT FURTHER RESOLVED, that the CDTC does hereby certify that the CDTC planning process is being carried out in conformance with all applicable requirements of:

1. 23 U.S.C. 134, 49 U.S.C. 5303, and 23 CFR 450 Subpart C;

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Continued

2. In nonattainment and maintenance areas, section 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
6. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-Aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27, 37 and 38;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

BE IT FURTHER RESOLVED, that the CDTC does hereby request that New York State join this affirmation and certification and forward this joint State and MPO finding to both FHWA and FTA.

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JOHN T. McDONALD, MAYOR OF COHOES  
Chairman, Capital District Transportation Committee

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June 3, 2010

**RESOLUTION #10-X - RESOLUTION OF THE CAPITAL DISTRICT  
TRANSPORTATION COMMITTEE ENDORSING THE  
TRANSPORTATION IMPROVEMENT PROGRAM**

WHEREAS, Title 23, Code of Federal Regulations, Part 450; and title 49, Code of Federal Regulations, Part 613, require the development of a Transportation Improvement Program (TIP); and,

WHEREAS, the Capital District Transportation Committee (CDTC) has been designated by the Governor as the Metropolitan Planning Organization for the Capital District metropolitan area; and

WHEREAS, the adopted "metropolitan area boundary" for CDTC's Transportation Management Area includes the Census-defined Albany and Saratoga Springs urbanized areas; and,

WHEREAS, the central cities of the Albany and Saratoga Springs urbanized areas are represented on CDTC's Policy Board; and,

WHEREAS, the Capital District Transportation Committee, in cooperation with the New York State Department of Transportation, has reviewed and documented compliance of the CDTC planning process with all existing federal rules and regulations; and,

WHEREAS, the Capital District Transportation Committee, in accordance with Federal requirements for a Transportation Improvement Program, has developed an integrated program of federally funded highway, transit and other transportation projects for the Capital District metropolitan area; and,

WHEREAS, the Transportation Improvement Program shows reasonable estimates of project cost and staging, and the procedure for project selection at the State level for projects is incorporated into this TIP; and

WHEREAS, the procedure to update the project cost, scope and schedules of the TIP is contained in the TIP; and,

WHEREAS, the Transportation Improvement Program includes projects consistent with the *New Visions* long-range Regional Transportation Plan for the Capital District metropolitan area; and,

WHEREAS, it is recognized the Transportation Improvement Program document includes for informational purposes significant Thruway, state, local, and privately funded projects in addition to those metropolitan projects within the legal programming and responsibility of the Capital District Transportation Committee; and,

WHEREAS, the Planning Committee, at its May 5, 2010 meeting, recommended approval by the Capital District Transportation Committee of the 2010-15 Transportation Improvement Program for the Capital District metropolitan area.

THEREFORE BE IT RESOLVED, the Capital District Transportation Committee endorses the five-year Transportation Improvement Program for the fiscal period 2010-15; and,

BE IT FURTHER RESOLVED, that the Capital District Transportation Committee endorses the 2010-15 TIP as consistent with all current plans and programs, including conformity with the State Implementation Plan for Air Quality in accordance with requirements of the Clean Air Act Amendments of 1990, and recommends the initiation of those projects and plans so specified; and,

BE IT FURTHER RESOLVED, that the Capital District Transportation Committee endorses the conformity analysis performed in the context of the 2010-15 TIP as an update to the conformity determination of the long-range Regional Transportation Plan (*New Visions*); and

BE IT FURTHER RESOLVED, that projects listed in the committed column of the TIP are automatically incorporated into the 2010-11 element if they are not obligated by September 30, 2010, as long as fiscal constraint is demonstrated; and

BE IT FURTHER RESOLVED, that the Capital District Transportation Committee provides latitude to the New York State Department of Transportation with regard to assigning fund sources to particular projects in order to obligate funds and implement the program, as described in CDTC's official policy on TIP changes (see Table 5, "Guidelines for TIP Changes") in the 2010-15 TIP document, and

BE IT FURTHER RESOLVED, that the Committee directs the Secretary to submit this resolution and appropriate documentation of the program through the New York State Commissioner of Transportation to the Federal Highway Administration and Federal Transit Administration as (1) amendments to the existing State Transportation Improvement Program as necessary and appropriate, and (2) a component of the new State Transportation Improvement Program to cover Federal Fiscal Years 2010-11 through 2013-14.

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JOHN T. McDONALD, MAYOR OF COHOES  
Chairman, Capital District Transportation Committee

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June 3, 2010

**SECTION I -  
NARRATIVES**



## INTRODUCTION AND OVERVIEW

### Overview of the Capital District Transportation Committee

The Capital District Transportation Committee (CDTC) is the designated Metropolitan Planning Organization (MPO) for the Capital District Transportation Management Area (TMA) which includes the metropolitan area of Albany, Rensselaer, Saratoga and Schenectady counties, with the exception of the Glens Falls urban area, which extends into northern Saratoga County. As the MPO, CDTC, in cooperation with the New York State Department of Transportation (NYSDOT) and the Capital District Transportation Authority (CDTA), is responsible for carrying out the continuing, comprehensive, coordinated transportation planning process for the Capital District region. Part of the planning responsibility is the maintenance of a long-range Regional Transportation Plan (RTP). CDTC's most recent RTP is called *New Visions*. Additionally, the Committee is responsible for maintaining short-range Transportation Improvement Programs (TIP's) for the metropolitan area's major highway and transit facilities.

The CDTC Policy Board is composed of representatives of local governments and transportation agencies. Its membership includes the chief elected officials of each of the region's eight cities and four counties and members representing the area's towns and villages. Representatives of NYSDOT, CDTA, the Capital District Regional Planning Commission (CDRPC), the New York State Thruway Authority, the Albany County Airport Authority, and the Albany Port District Commission complete the roster. The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) serve as advisory members to the Committee. Through this intergovernmental forum, local and regional transportation issues are discussed, and transportation policies and programs are developed. Further information concerning the organizational structure of CDTC, its responsibilities and the responsibilities of member organizations, is presented in *A Reference Guide to the CDTC* published in April 1999.

### Overview of the Transportation Improvement Program

One of the important responsibilities of CDTC is to program for the implementation of the products of the planning process through development of a staged multi-year program of transportation improvements (the Transportation Improvement Program or TIP). Federal regulations require that transit, highway and other transportation improvement projects within the Capital District metropolitan area be included in this TIP if these projects are to be eligible for federal capital or operating funding from Titles I, III and IV fund sources (see appendix C for a list of these fund sources). The program should also include, for informational purposes, non-federally funded projects and New York State Thruway Authority projects located in the region. Sufficient information must be given in project listing to:

- ◆ identify each project;

- ◆ estimate total costs and the amounts of federal, state, and local funds proposed to be obligated by project phase during the program period by federal fiscal year against those costs;
- ◆ designate the proposed type of federal funds to be used by the project;
- ◆ identify the responsible party for project implementation;
- ◆ note the exempt/non-exempt status for air quality conformity purposes, and
- ◆ identify the planning reference from which each project was derived (23 USC §134 (a)(h) or FTA §8(a)(h)).

Appendix C contains a complete list of all funding programs required to be included in the TIP. All projects in the CDTC TIP are located within a defined metropolitan area boundary, for which the air quality designation is consistent throughout. Therefore, individual project listings do not specify location in terms of metropolitan versus non-metropolitan or attainment versus non-attainment designation.

In addition, the TIP should indicate present estimates of total TIP costs and revenues for the program period. The TIP must be constrained to estimates of federal-aid revenue attributable to the CDTC area by federal fiscal year (10/1 to 9/30). Meeting this requirement has necessitated adjustments to project schedules, and certain assumptions regarding the use of flexibility among federal-aid fund sources. Project Selection Procedures, presented on page 47, provide flexibility necessary when CDTC's TIP is incorporated in the State Transportation Improvement Program (STIP).

The TIP must also meet the requirements established by the 1990 amendments to the Clean Air Act (42 USC Sections 7140 et seq.) regarding the conformity of transportation plans and programs. This Air Quality Conformity finding begins on page 59. Federal regulations also require that the TIP be approved by CDTC as the MPO for the Capital District metropolitan area, undergo a minimum 30-day public comment period, and that a public meeting be held (23 CFR §450.324(c)).

The public review period was from March 4, 2010 until May 4, 2010. A summary of those comments appears in Appendix F.

## 2010-15 TIP UPDATE

### Introduction

The 2010-15 TIP update was a four-step programming exercise. The first step was to estimate available resources. The second step was to examine and endorse existing projects for which there were changes in cost or scope from previous commitments. The third step was to review existing post-period projects regarding commitment, schedule and funding. The fourth step was to consider new project additions from a solicited candidate pool. .

The 2010-15 TIP update differed from previous TIP updates. It started as the 2009-14 TIP update. But, in order to program approximately \$90M in funding from the American Recovery and Restoration Act (ARRA) or “Stimulus” funding, CDTC interrupted its 2009-14 TIP update in early 2009. Since the task of programming Stimulus funds proved to be similar to a TIP update in itself, only with much less time to act, New York State and the 13 Metropolitan Planning Organizations (MPOs) in New York agreed to delay submission of the new STIP, one year, until 2010. This effectively turned the update into the 2010-15 TIP update. Since CDTC had completed most of the work, CDTC decided to attempt to incorporate most the work already completed into either the current TIP at the time (2007-12) or the 2010-15 TIP. Thus, the programming for the 2009-10 and 2010-11 FFYs were included by amendment into the 2007-12 TIP, and the programming for all the years in the 2009-14 draft project listings were the starting point for the 2010-15 draft project listings.

### Step One - Estimating Available Funds

Available highway resources were estimated in cooperation with NYSDOT Region One and, to a lesser extent, with AGFTC. The current federal funding legislation Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), expired before the five-year TIP period began. This made budget estimates more difficult and speculative than usual. Nevertheless, budget estimates were required. Therefore, the NYSDOT Main Office provided the Regions with regional allocations. Region One and CDTC staff then each produced proposed allocations for the CDTC area. For the third TIP update in a row, Region One’s proposed CDTC allocations were, in aggregate, close to the amount determined by CDTC’s historic approach. Therefore, allocations proposed by Region One were used for programming in the STIP period. Also, for the third TIP update in a row, IM funds were not estimated for CDTC because they were programmed at a NYSDOT Region One level rather than at an MPO level. It is CDTC’s understanding that the final TIP reflects reconciliation of resource estimates for the CDTC area with those for the balance of the ten-county, NYSDOT Region One area.

The new TIP will take effect October 1, 2010 and cover the period through September 30, 2014 (the four-year federal period) and through September 30, 2015 (CDTC's full five-year period).

CDTC last undertook a broad solicitation of candidate projects for prioritization in 2002. Since that time, much progress has been made in advancing programmed projects. The ARRA (Stimulus) funding has recently further accelerated construction of many projects. As a result, the majority of the projects funded from the 2002 solicitation has been completed, are near completion, or have had to be re-scoped and delayed.

Therefore, CDTC undertook a broad solicitation to identify the next generation of federal-aid projects, even though (and because) the federal program has not been reauthorized and future funding levels are unknown. Completing a full-scale solicitation, evaluation and prioritization of project candidates both ensures that CDTC will be poised with a list of projects in the event that the region receives additional monies under the next highway bill and provides a context for difficult near-term TIP actions.

This meant that the TIP update was advancing on two tracks:

- 1) Track one must respect the official NYSDOT funding estimates by fund source and produce a new TIP that is fiscally-constrained against these estimates for the four-year STIP period beginning October 1, 2010. This part of the TIP will automatically become part of the new STIP.
- 2) Track two will include additional project commitments that reflect a scenario that is more optimistic with regard to future fund sources that are in the category that CDTC considers competitive – such as the current Surface Transportation Program (STP), Congestion Mitigation / Air Quality Program (CMAQ), National Highway System Program (NHS), and Highway Safety Improvement Program (HSIP). For track two, CDTC decided to program \$150M in new projects.

Available transit funds in this TIP are all outside the period of SAFETEA-LU legislation (2009-12). For programming purposes, NYSDOT provided projected Section 5307 formula funds for the five-year TIP period on December 15, 2009. For the Albany-Schenectady-Troy urbanized area, \$74.265M for 1010 through 2015, which includes a projected 4.8% growth rate. The Saratoga Springs urban area is project to received \$7.279M in Section 5307 allocations at a 4.9% growth rate. This results in a total of about \$81.544M for the five-year TIP period.

### **Step Two – Routine Detailed Changes to Existing Projects**

As stated above, CDTC received project cost and schedule information from NYSDOT Region One as part of its 2009-14 TIP update effort. This data included estimated changes to the locally administered projects. Since several months had passed between the time these new project costs were incorporated into the 2009-14 draft listings, and the time those listings were converted into 2010-15 draft listings, CDTC relied on project sponsors to review the information for accuracy, as it is possible that some projects could've experienced delays, more progress than expected, or increases or decreases to estimated costs. In addition to the updated cost and schedule information, these cost changes included the following:

- ◆ All TIP amendments approved since July 2007 (the approval of the 2007-12 TIP).
- ◆ Existing TIP projects considered ongoing commitments or set-asides were continued at previous levels. There was no significant net change to the total funding of Regional projects.
- ◆ Funding changes (increases and decreases) were made to some existing HBRR projects. Several HBRR projects were added during the programming of new projects, and some rolled off the program. The net increase to the five-year HBRR program was about \$89M.
- ◆ 100% State Dedicated Fund (SDF) projects greater than \$0.500M in cost, are included as submitted by NYSDOT. These projects are not funded with federal-aid. Therefore, they show on the TIP for information only and are not subject to CDTC project evaluations.
- ◆ 100% Thruway and Canal Corporation funded projects greater than \$0.500M in cost, are included as submitted by the Thruway Authority. These projects are not funded with federal-aid. Therefore, they show on the TIP for information only and are not subject to CDTC project evaluations.

### **Step Three – Review of Existing Post-Period Projects**

CDTC also reviewed the status of its projects with construction funding showing in the 2007-12 TIP project listings, but outside the five-year TIP period. This time period is called the “Post” period: specifically, the “post-2012” period in the 2007-12 TIP. The pre-existing commitments in the post period were determined to have priority for access to funds in the new five-year TIP, ahead of any projects added to the TIP during the 2010-15 update. Therefore, the construction funds were put in the fifth year of the 2010-15 TIP. The list of such projects follows, along with the amount of construction funds moved into the fifth year:

- ◆ A240: I-87 Exit 3 or 4 Airport Connector (\$15M)
- ◆ A295: New Karner Road (NY 155) Corridor Improvements (\$15.4M)
- ◆ A453: Watervliet Shaker Road Corridor Improvements, Phase 3 (\$6.4M, including \$2.8M local)
- ◆ A487: NY 7, I-87 To I-787 Overlap, Minor Rehabilitation (\$9.1M)
- ◆ A491/R268: Patroon Island Bridge (\$144M)
- ◆ R187: NY 7, from Raymertown to Tomhannock Reservoir, Reconstruction (\$9.4M)
- ◆ R238: US 9/9J over Amtrak Rensselaer County (\$12M)
- ◆ SA88: NY 50, North of Saratoga Springs, Reconstruction (\$13.2M)

The construction funds of one project in the post period were not moved into the fifth year.

- ◆ A290, Selkirk Bypass: Additionally, the funding for this project was set at \$7.985M. This amount is possibly less than the amount of funds that will eventually be needed.

The cost estimate has not been updated since 2001, and CDTC is committed only to the \$7.985M. Additional funds, if needed, must come from another source.

#### **Step Four – Programming New Projects**

As stated above, CDTC decided to program funds in anticipation of new legislation that would make such funds available. But, until such legislation materializes, these additional funds must be programmed beginning in the fifth year of the TIP. Therefore, in early September 2009, CDTC sent letters to potential project sponsors seeking candidate projects. As a result of this broad solicitation, CDTC received 83 applications for funding for a wide range of projects exceeding \$500 million in estimated costs. Because of the extensive work put into the applications by sponsors and into the project review and evaluations by the CDTC staff, agreed program \$150M of new projects from the candidates submitted, and to the extent possible, the new commitments should be viewed as “when” and not “if”. That is, it is hoped that the new project list will have a sufficient “shelf life” to serve as CDTC’s sequential priority list in coming years, without being dependent upon a specific annual funding level.

The CDTC staff has estimated that it would take approximately nine years to fund all existing projects and all of the \$150 M of new projects using competitive fund sources, if funding occurs according to the official estimates. The more optimistic scenario, reflecting the desires expressed by Congressional leaders, would provide the same resources in approximately six to seven years.

Track one of the TIP update could include some of the new projects from the \$150M commitments, as well as early phases of others. Track two will result in showing the remaining set of new projects in the fifth year and “post” columns of the new TIP – demonstrating CDTC’s intent without violating fiscal constraint rules.

The specifics of the discussion and reasoning for the programming of new projects are detailed in the section “Programming New Projects in the 2010-15 TIP” on page 11.

#### **Funds Reserved for Rollovers**

Starting in the 2005-10 TIP, CDTC did not consider the committed period separate from the five-year period. Instead, CDTC considered funding and programming for the seven-year period (2005-12), which includes both the five-year and the committed period. This negates the need to leave room in the five-year period for projects that won't be obligated in the committed period, and would need to roll into the five-year period, and therefore, to some extent, negated the need for offsets (project deferrals, reductions or deletions) to compensate for rollovers as required by NYSDOT policy. Maintaining fiscal constraint in the seven-year program increased the likelihood that at the next update there would be significant funding for new projects.

However, the budget estimates supplied by the NYSDOT Main Office for each Region did not include a discrete starting point at the beginning of the seven-year period. This made it impossible for CDTC to constrain its TIP over a seven-year period as it had been doing, or to reserve funds for possible rollovers as it had previously done.

### **Fiscal Balance and the 2010-15 TIP**

CDTC's adopted 1997-02 TIP, incorporated into the 1997-00 State Transportation Improvement Program, included a conscious over-programming of STP fund sources (STP Urban and STP Flex were overprogrammed over the five years by about \$47M) balanced by a conscious under-programming of NHS and other federal highway fund sources. This reflected the outcome of the open, collaborative state-local planning and programming process and selection of the most important projects in the region. CDTC and NYSDOT Region One were able to advance this program because of the wide latitude granted to NYSDOT by federal law (in transferring funds from one source to another) and because of the wide latitude granted to NYSDOT in CDTC's adopted "project selection" guidelines (in shifting individual projects from one fund source to another).

The draft 2003-08 TIP continued to require the use of fund source latitude, but to a lesser degree than in the past. CDTC's practice in this regard was consistent with that of New York State as a whole and with federal spending on a national level. According to Table 1 of the Surface Transportation Policy Project (STPP) January 2003 newsletter, from 1992 (the beginning of ISTEA) to 2001, the STP-Flex funds were overspent by 55% nationwide and by 58% statewide. STPP cites the Fiscal Information System, Highway Statistics, Federal Notices from FHWA and original analysis from the FHWA as its source. By contrast, the draft CDTC 2003-08 TIP was overprogrammed in STP-Flex by approximately 34% in the three-years and *underprogrammed* by 24% in the five-year period.

During the public review period of the draft 2003-08 TIP, CDTC received updated resource availability information from NYSDOT. Strong demand across the state for access to STP funds meant that CDTC could no longer rely on NYSDOT to transfer or shift funds to cover any overprogramming of STP sources. As a result, the final draft of the 2003-08 TIP reflected a strict balance of STP commitments within the three-year TIP. A modest overprogramming of the STP program remained in the fourth and fifth years. Numerous schedule delays resulted from this effort to balance the books in the final TIP.

In the 2005-10 TIP Update, CDTC continued toward a strict constraining of programming each fund source to the amount estimated to be available. Because of these efforts, for the first time in many years, the 2005-10 TIP is was fiscally constrained by fund source. It therefore, does not rely on the type of latitude from NYSDOT Region One mentioned above.

The practice established in the 2005-10 update was continued in the 2007-12 update, and at the 2010-15 update. CDTC's level of fiscal constraint is demonstrated in Table 4 in the Financial Summary Tables section of this document.

**Year of Expenditure and the TIP**

During the approval process of the State Transportation Improvement Program, NYSDOT is expecting to provide FHWA and FTA with a detailed report of how the project costs in there expect year of expenditure is addressed. Since the STIP includes the CDTC TIP completely and unchanged, CDTC addressed the same issue during the 2010-15 TIP update.

Cost estimates provided by NYSDOT include increases for inflation as detailed below:

<b>SFY</b>	<b>Compounded Rate</b>
2009-10	0.00%
2010-11	1.00%
2011-12	2.25%
2012-13	4.57%
2013-14	7.18%
2014-15	10.40%
2015-16 and beyond	13.17%

Cost estimates provided by CDTC for locally-sponsored projects being added to the TIP include a 10% compound inflation factor and are typically added to the fifth year of the TIP.

Cost estimates provided by CDTA, use the inflation factor that is used in the funding estimates provided by NYSDOT for Section 5307.

## PROGRAMMING NEW PROJECTS IN THE 2010-15 TIP

### Overview

The goal of CDTC is to produce a “balanced” TIP that contributes to implementation of the New Visions 2030 Plan. The CDTC approach meets both the letter and spirit of federal regulations by allowing CDTC to look at the array of projects and their relative merit, and to establish a program that best implements the range of goals included in the metropolitan transportation plan.

An overall programming approach was approved which compares New Visions categorical budgets to actual projects that have been implemented and suggested that the emphasis should be on infrastructure renewal projects (with accommodation of the needs of non-auto modes, etc).

Given the possibility that more funds will be programmed than will be available in the five-year TIP, rules were established to handle the possibility that not all projects could be funded in the five-year period. The below chart shows the default priority of each project group, and its year in the 2010-15 TIP. It is up to the CDTC Planning Committee and Policy Board to determine that a given project needs to be advanced in a different order than shown below. The following notes apply:

- 1) HBRR projects progress on a separate track as HBRR funding allows.
- 2) Projects added to the 2010-15 TIP in Rounds One, Two or Three are prioritized within their group in the order in which they were approved by the Planning Committee.
- 3) Round Three projects had not been added at the printing of this document.
- 4) The Year of the TIP can change if funding levels change. In that case, the priority will determine what year a project is scheduled.

<b>Project Group</b>	<b>Priority</b>	<b>Year Of TIP</b>
Projects in the five-year period of the 2007-12 TIP	1	1 to 4
Projects in the post period of the 2007-12 TIP	2	5
Projects added to the 2010-15 TIP in Round One	3	5
Projects added to the 2010-15 TIP in Round Two	4	post
Projects added to the 2010-15 TIP in Round Three	5	post

### Round One Programming

Round One is the phase of program building that considers new projects based strictly on quantitative merit evaluations and limits consideration to only those projects that are in project categories that are the most seriously-underfunded in the TIP, relative to the New Visions budgets. The Planning Committee also determined that Round One commitments should be viewed as having a higher priority than other new commitments, but not as high as

projects moved into the five-year period from the post period of the 2007-12 TIP. \$75M was the amount targeted for programming in Round One. The list of projects programmed in Round One follows. The total amount programmed was \$73.36M.

**Highway Rehabilitation (\$68.56M total):** Before new projects were funded, the scope and funding of an existing project, SA245 (South Street Safety Improvements in Mechanicville), were increased. Then, the first six projects on the pavement project merit list (projects on the most important roads with the highest B/C ratio) were programmed. Project number 17 was not funded because the cost exceeded the remaining budget. Lastly, project number 8 and project number 10 were approved.

1. SA245, South Street Safety Improvements in Mechanicville (Sponsor is Mechanicville)  
Change: This project was added to the TIP as a drawdown on RG105 in 2008, with a cap of \$0.625M federal funds. It was since determined that the project could not be constructed for the funds approved, either at the original scope, or a slightly enhanced preferred scope. Therefore, the scope was enhanced and the funding increased from \$0.556M to \$3.170M.  
Cost Increase: \$2.614M
2. A525, NY 910D (Washington Avenue Extension) (Sponsor is NYSDOT)  
Project Limits: NY 155 to Fuller Road, City of Albany (excludes Fuller Intersection)  
Description: Repaving/reconstruction, drainage and safety improvements.  
Cost: \$11.86 M
3. R294, US 20 East Greenbush, Schodack, Nassau (Town and Village) (Sponsor is NYSDOT)  
Project Limits: US 4 (East Greenbush) to East Nassau Village Line  
Description: Pavement resurfacing/rehabilitation (1R and 2R treatments), drainage and curb improvements, accessibility improvements (scoping phase will consider pedestrian accommodation, ADA Compliance and transit needs).  
Cost: \$13.59M
4. A523, Albany Shaker Road Rehabilitation (Sponsor is City of Albany)  
Project Limits: Corporate Woods Boulevard to US 9 Overpass Bridge; Northern Boulevard from US 9 Bridge to I-90 Bridge  
Description: Reconstruction of Albany Shaker Road: new sidewalks and curbs, ADA compliant pedestrian facilities, crosswalks, bicycle facilities, replace traffic signals, and drainage. Northern Boulevard reconstruction with turning lanes, raised landscaped median, shared travel lane.  
Cost: \$ 11.07M
5. R292, US 4/I-90 Exit 9 Corridor Improvements (Sponsor is Town of East Greenbush)  
Project Limits: NY 151 to Mannix Road (excludes Mannix Road and NY 151 intersections)  
Description: Sidewalks, crosswalks, ADA curb ramps, repaving, bike lanes, raised

- median, driveway relocation, modified interstate access, new curbing, closed drainage and culverts. Consideration of installation of a two lane roundabout (at I-90 EB ramps).  
Cost: \$ 6.74M
6. S199, Lower State Street (NY 5) and Washington Avenue Reconstruction and Improvements (Sponsor is City of Schenectady)  
Project Limits: State St (City Line to Erie Blvd), Washington Ave (NY 5 to I-890)  
Description: Reconstruction, curbing, water line replacement, sidewalks, install limited raised median (possibly at Washington Ave only), crosswalks, ADA pedestrian signals and curb ramps, bike facilities, bike racks and landscaping  
Cost: \$ 10.94M
  7. S200, Hamburg Street (NY 146) Corridor Improvement (Sponsor is Town of Rotterdam)  
Project Limits: Curry Road to Caldicott Road (sidewalks), reconstruction from 4th St to Stoodley Place  
Description: Reconstruction of 0.5 miles of roadway with curbing, maintenance strips, a 14 foot shared bike lane and a parking lane, access management. Replacement and installation of 8900 feet of sidewalk from Curry Road to Caldicott Road.  
Cost: \$ 5.71M
  8. S201, Broadway Reconstruction (Sponsor is Town of Rotterdam)  
Project Limits: Broadway (Rotterdam) City/Town line to NY 7 and N. Westcott  
Description: Reconstruction of Broadway with curbing, access management, storm drain replacement, sidewalks, crosswalks, curb ramps and bus stop shelter. Sidewalk construction on one side of N. Westcott from NY 7 to Library.  
Cost: \$ 2.65M
  9. S202, Upper Union Street Reconstruction (Sponsor is County of Schenectady)  
Project Limits: West City/Town line at Van Antwerp Rd to NY 146 (Balltown Road)  
Description: Reconstruction with reduced cross section from Van Antwerp Road to Oregon Avenue, replace drainage system, curb, extend/consolidate driveways, replace sidewalks, add crosswalk at St. Helen's and a pedestrian island, new landscaping with lights and bus stop shelters, utility pole relocation and left turn lanes at two intersections.  
Cost: \$3.39M

***Highway and Bridge Maintenance (\$4.2M total):***

10. RG117, Pavement Maintenance Set-aside (Sponsor is NYSDOT)  
Project Limits: Various locations in the CDTC planning area  
Description: Single course pavement overlay with minimal additional work at locations with pavement scores of 6 and 7 to maintain current good condition.  
Cost: \$4.2M

**Goods Movement (\$0.6M total):**

11. RG116, Goods Movement Set-aside (Sponsor is TBD)  
Project Limits: Various locations in the CDTC planning area  
Description: Regional set-aside for small scale goods movement projects such as the implementation of Linkage study recommendations, goods movement security measures, rail improvements, environmentally friendly truck parking and other related freight activities.  
Cost: \$0.6M

**Round Two Programming**

In Round Two (and Three), the Planning Committee opens the consideration to all projects in all categories and seeks to select additional projects for funding based on quantitative merit, other compelling non-quantitative arguments, geographic distribution and other issues to ensure a balanced program. Projects added to the TIP in Round Two, start in the post period of the 2010-15 TIP, and are a lower priority than those of Round One. A total of \$11.46M was programmed.

**Safety (\$5.21M total):**

1. A514, Albany County High Risk Rural Road Safety Program (Sponsor is Albany County)  
Project Limits: Various locations from local roads to Principal Arterials.  
Description: Guide rail, fixed object removal/modification, slope flattening, advanced warning signs, curve delineation with chevrons and similar low cost safety improvements at high risk land departure crash locations on county roads.  
Cost: \$0.54 M
2. R294, 21st Street Realignment & Hoosick Street/Burdett Avenue Intersection (Sponsor is City of Troy)  
Project Limits: Hoosick Street /Burdett Avenue intersection to 500 feet north at connection with 21st Street  
Description: Realignment of 21st St to connect to Hoosick/Burdett intersection, 500 feet of new road, sidewalks, replacement of traffic signal and pedestrian pole, relocate bus shelter, access management, utility relocation and new storm drains.  
Cost: \$1.37 M
3. SA258, North Line Road/Old Post Road and Malta Avenue Intersection (Sponsor is Town of Malta)  
Project Limits: Malta Avenue at North Line Road and Old Post Road  
Description: Reduce 3 intersections to one roundabout, new curbs, sidewalks, ramps, crosswalks, landscaping, storm water drainage, utility pole relocation.  
Cost: \$3.30 M

**Regional Set-Asides (\$6.25M total):** In addition to the Goods Movement set-aside programmed in Round One the following regional set-asides were also programmed:

4. RG118, ADA Set-aside (PIN 180856) (Sponsor is NYSDOT) Project Limits: Various locations Description: Implementation of NYSDOT ADA Transition Plan: curb ramp and sidewalk improvements on and off state owned routes in the CDTC planning area. Approx. 6+ miles of gaps/deficiencies to be addressed in set-aside targeting transit routes Cost: \$5 M
5. RG41, CDTC Spot Improvement Program (Sponsor is NYSDOT w/Local Sponsors) Description: Increase the program budget for Spot Improvements for Bicycle and pedestrian access per New Visions 2030 from \$100,000/year to \$150,000/year over the five year TIP to reflect the regional commitment to bicycle and pedestrian related Projects that improve accessibility and enhance safety.  
Cost: \$ 0.25M
6. RG119, Linkage Transition Engineering (Sponsor is TBD) Description: Annual regional set-aside to finance supplemental or follow up work of a preliminary engineering quality to address outstanding issues and confirm the feasibility of Linkage study concepts.  
Cost: \$ 1.0M



## ADVANCE CONSTRUCTION PROGRAMMING IN THE 2010-15 TIP

### Background

Advance Construction is a funding mechanism to leverage Federal-Aid. To use Advance Construction funds, a project is designed and built to federal-aid standards and funded with a non-Federal-Aid fund source. After project completion, the sponsor can be reimbursed with Federal-Aid borrowed against a future year. The details and risks are complicated. In its simplest terms, it is a loan with 0% interest and no requirement for repayment under normal circumstances. At this writing, it is the understanding of NYSDOT that most states have borrowed the equivalent of about one and one-half years' worth of Federal-Aid using Advance Construction, while New York state has borrowed about one-half year's worth.

During the public review period in the 2007-12 TIP Update, NYSDOT Region One proposed funding some of the projects in its State Dedicated Fund (SDF) program with STP-Flex funding through Advance Construction. The specific proposals were:

1. A495: NY 5 (Central Avenue) from Fuller Road to Wolf Road and Woolard Avenue to NY 155 (New Karner Road) Resurfacing. The project includes milling and \$1M of intersection work at each of the NY 5/Fuller Road and NY 5/NY 155 intersections. Only the construction phase was requested, making the cost on the TIP about \$7.4M. This project was obligated and completed. It shows in the committed period of the 2010-15 TIP.
2. R271: NY 2 from the Brunswick Town Line to the Grafton State Park, Resurfacing. Only the construction phase was requested, making the cost on the TIP about \$5.4M. This project was removed from the TIP during the 2010-15 TIP update due to changes in priorities and is now funded with 100% state funds. Therefore, it shows on the 2010-15 TIP for information only.

### Addition of Advance Construction Projects

The projects proposed by NYSDOT for funding were evaluated according to CDTC's merit evaluation procedure documented in Appendix H. Both projects were then added to the TIP. However, they were added with the following understandings:

1. It is the intent of CDTC that this be the final occurrence of federal funding being made available solely for the projects of one sponsor. The first time this was done was for the NY 7 Reconstruction/Resurfacing project in Schenectady (S172) in June 2004
2. CDTC will submit its strong concerns on the conflict between CDTC's principles and New York State's use of advance construction funding to cover shortfalls in SDF funding for state projects. The subsequent problems

associated with this use of Advance Construction were substantial for CDTC as an institution and NYSDOT Region 1 as a key participant.

Also, the Central Avenue project was approved with the following understandings:

1. A steering committee will be appointed that will have input into the project design.
2. NYSDOT will try to accommodate some streetscape design features between curbs from the following plans: a) New Visions, b) NY5 Land Use and Transportation Plan, c) BRT, and d) Village of Colonie. The project will not be rescoped, but consideration will be given to these features.
3. A second phase of this project can be introduced as a project candidate (without prejudicial status) at the next project solicitation. The second phase could be for New Visions design features not incorporated into the project approved at the 2007-12 TIP Update (phase one), and would be evaluated along with phase one as one project. The costs and benefits would be combined into one project for the purpose of evaluation and consideration against other candidates.
4. A (\$230,000) Corridor Management Initiative project (RG31) will be initiated to identify an access management plan for the NY 5 corridor.

## ADDITION OF NEW PROJECTS IN PROGRAM DEVELOPMENT

Projects are selected for inclusion in the TIP based on the selection cooperatively developed by the CDTC Staff, NYSDOT, CDTA, other members of CDTC's Planning Committee and other interested parties. In general, the overall process requires the identification of candidate highway and transit projects, the objective evaluation of the merits of each project, and selection of projects in accordance with a set of principles. Project selection for dedicated transit funds (FTA Sections 5307, 5309, 5310, and 5311) is considered separately.

New candidate projects are evaluated for merit in three steps.

1. **Screen:** Minimum requirements were established that each project is required to meet. These screening criteria insure that every project considered for programming is consistent with *New Visions* and local land use plans, has a funding plan, could be constructed within the five-year TIP period, and is eligible for federal funds.
2. **Evaluate Merit:** A project must pass screen in order to proceed to merit evaluation. The merits of every project passing screen are fairly evaluated and summarized on a one-page fact sheet. A blank fact sheet is included for reference on page **Error! Bookmark not defined.** The merit evaluation procedure used the best available information from CDTC's models, from corridor studies, and from the project sponsor.
3. **Choose Projects:** A balanced Transportation Improvement Program (TIP) contributes to a staged regional plan for maintenance of essential facilities and services, demand management and capacity improvements. Before considering new projects, the balance of the TIP's existing commitments is examined, from a variety of perspectives -- project sponsor, geographic, and by project type. Then, programming capacity is normally assigned to projects in three rounds. Round One is based primarily on quantified merit, insuring programming status to the best candidates. This is done by project category; setting programming targets based on knowledge of the existing program balance. Round Two funds projects from any category for any reason, insuring an opportunity for projects whose benefits don't quantify well. After public review, in Round Three, CDTC may program the balance of the funds to projects, insuring some ability to respond to public comment.

The project selection process for new projects is detailed in Appendix G and the merit evaluation procedure is detailed in Appendix I. CDTC follows this procedure whenever evaluating projects competing for the same funds. At the time of the approval of this document, Round Two programming was still underway.



## NYSDOT INTERCITY RAIL PASSENGER INITIATIVE

Before 1998-99 CMAQ allocations were made to NYSDOT Regions and MPO's, CMAQ funds were reserved for NYSDOT Regions and MPOs to fund its high speed rail passenger initiatives. Capital District projects related to the initiative were added to CDTC's TIP.

At this time there are no federal funds allocated to intercity rail passenger projects. Both NYSDOT and the NYS Senate High Speed Rail Task Force continue to identify initiatives, but currently, only state funds are available to develop and initiate projects. Projects under consideration for funding include:

1. **Livingston Avenue Bridge Rehabilitation, Albany (former A394):** In conjunction with the double tracking project, this project would increase the bridge's capacity and address existing high-speed operational restrictions. The rehabilitation of the bridge made it back onto the TIP as A517. A517 will be funded with \$46M of rail stimulus funds if approved by FRA.
2. **Rensselaer-Schenectady Double Track:** This project would provide greater dispatching flexibility to improve freight and passenger operational efficiencies. The project made it back onto the TIP, pending FRA approval with about \$90M of rail stimulus funds and is split evenly between the Albany County and Schenectady County divisions in the TIP.



## RECREATIONAL TRAILS PROJECTS

The Transportation Equity Act for the 21st Century (TEA-21) authorized the Recreational Trails Program. This program continues under the SAFETEA-LU legislation. This program replaced the original National Recreational Trails Funding Program authorized by the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). The U.S. Department of Transportation, Federal Highway Administration (USDOT/FHWA) administers the Recreational Trails Program in consultation with the Department of Interior (National Park Service and Bureau of Land Management) and the Department of Agriculture (U.S. Forest Service).

The Recreational Trails Program is a state-administered, federal assistance program to provide and maintain recreational trails for both motorized and non-motorized recreational trail use. The Recreational Trails Program legislation requires that states use 40% of their funds apportioned in a fiscal year for diverse recreational trail use, 30% for motorized recreation, and 30% for non-motorized recreation.

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) is the state agency administering this program in New York. It offers communities the opportunity to receive this federal transportation funding in support of trail development, maintenance and improvement activities. Awards can range from \$5,000 to \$100,000 with 20% match requirements.

The following is a list of eligibility requirements for proposed projects:

- ◆ The proposed project must be legally and physically accessible to the public, or be a portion of an identified trailways project which, when completed, will be legally and physically accessible to the public.
- ◆ The proposed project must be physically and environmentally developable as a trailway.
- ◆ The proposed project must be planned and developed under the laws, policies and administrative procedures of the state.
- ◆ The proposed project must be identified in, or further a specific goal of, a recreational trail plan, or a statewide comprehensive outdoor recreation plan (SCORP) required by the Land and Water Conservation Fund Act of 1965.

The following is a list of eligible activities:

- ◆ Maintenance and restoration of existing recreational trails

- ◆ Development and rehabilitation of trailside and trailhead facilities and trail linkages
- ◆ Purchase or lease of trail construction and maintenance equipment
- ◆ Construction of new trails, subject to certain conditions in cases where the new trails would cross federal lands
- ◆ Acquisition of easements and fee-simple title to property for trails or trail corridors

There are also activities specified as ineligible as follows:

- ◆ Condemnation of property or the use of the value of condemned land toward the match requirement
- ◆ "Upgrading, expanding or otherwise facilitating motorized use or access to trails predominantly used by non-motorized trail users, and on which, as of May 1, 1991, motorized use was prohibited or had not occurred" (basically, encouraging motorized use of trails historically limited to non-motorized use)
- ◆ Conducting trail feasibility studies
- ◆ Routine law enforcement
- ◆ Trail planning if it is the sole purpose of the project
- ◆ Improvements to roads and/or bridges intended to be generally accessible by regular passenger cars unless they are specifically designated for recreational trail use by the managing agency
- ◆ Construction of paths or sidewalks along or adjacent to public roads or streets unless they would complete missing links between other recreational trails.

There are also project activities that receive special consideration as funding priorities:

- ◆ Clearly and specifically provide access for the disabled
- ◆ Mitigate and minimize impacts to the natural environment
- ◆ Utilize the youth conservation or service corps to perform construction and maintenance of recreational trails
- ◆ Receive Millennium Trails recognition
- ◆ Are on National Scenic Trails, National Historic Trails or trails designated as National Recreational Trails

CDTC approved funding for this program in the TIP as project RG96. Since CDTC is not directly approving specific projects, it granted approval to the entire list of specific known candidates for the CDTC area. Therefore, whichever projects receive approval from the OPRHP are on the TIP for the funding approved by the OPRHP. The TIP project listing shows an estimate of funding for each year in the TIP, and is not intended to be a required minimum or maximum.

## **LOCAL ADVANCEMENT OF PROJECTS**

Prior to the 1997-02 TIP, TIP projects were normally advanced by NYSDOT or CDTA. Beginning with the 1997-02 TIP, local (county, town, city, village or other) agencies advanced design of projects on facilities under local jurisdiction. By the time of the adoption of the 2007-12 TIP, local agencies had brought several consequential projects through design, to construction and completion. It is now considered routine for local agencies to be the lead (or implementing) agency. It is also now assumed that a local agency is the implementer of a project under its jurisdiction.

Still, NYSDOT involvement is essential in the implementation process, both as a repository of information and as an intermediary between the local agency and FHWA. An established reimbursement procedure and Municipal Agreement process is followed. For this to occur, the understanding is that the sponsoring agency will assume the lead in project development. The lead agency also takes responsibility for ensuring consistency of the project with the scope and cost approved in the TIP. Thus, delivering the ambitious agenda of projects included in the TIP is a shared responsibility.



## **FINANCING AGREEMENT FOR ALBANY-SHAKER ROAD AND WATERVLIET-SHAKER ROAD PROJECTS**

### **Background**

In response to growing development pressures in the early 1990s that included plans to reconstruct and expand the Albany International Airport, the Town of Colonie and Albany County initiated a planning effort called the Albany County Airport Area Generic Environmental Impact Study (GEIS) to develop a comprehensive plan for addressing the impacts of future growth in the area. The GEIS recommended eleven transportation actions and a plan for financing the implementation of those improvements. The plan called for careful strategy of managing development, demand management to reduce peak hour travel, and for a public/private partnership to advance several major roadway and transit projects. The plan called for 1) placing Northway access improvements (Exit 3 or 4) entirely in the hands of the public sector for financing, 2) developer contributions, or mitigation funds, to fully cover the cost of several other projects largely precipitated by local development, and 3) a mix of public and private funds to share in the cost of improvements to Albany Shaker Road and Watervliet Shaker Road.

The plan calls for roughly \$90 million in improvements to the Airport Area's transportation system. Mitigation fees collected under the plan are expected to cover roughly 35 to 40 percent of the cost the recommended improvements.

### **TIP Programming of Albany Shaker Road and Watervliet Shaker Road Projects**

Largely on the strength of the GEIS initiative, the Town and County's commitment to integrated transportation and community planning, and a financing plan that respected CDTC's adopted public/private financing policy, the CDTC Policy Board added the Albany Shaker Road and Watervliet Shaker Road projects to CDTC's Transportation Improvement Program in 1993. The projects were added with the understanding that the standard funding splits (80 percent Federal, 15 percent State, and 5 percent local) would cover half the cost of each project. Based on GEIS development forecasts, it was assumed that a combination of mitigation funds and right-of-way donations would cover the balance of the total costs of the two projects. At the time these projects were programmed, CDTC participants recognized the possibility that all the mitigation funds needed to cover 50 percent of project costs might not be "in the bank" prior to letting the project, and that it would be necessary for the County, as owner of the two roadways, to advance some of the project costs with County funds or bond proceeds. If this were to happen, the County would be reimbursed by mitigation funds as development occurred.

For the projects in the corridor (A275, A294, and A372) the project costs totaled \$24 million in the 1997-02 Transportation Improvement Program. The TIP required that the public share would total no more than 50 percent of the project costs, or \$12 million (\$9 million Federal; \$1.8 million State; and \$0.6 million County). The TIP listed a private share of 50 percent, or

\$12 million. The TIP noted that the private share would be covered by available mitigation funds and supplemented with public funds which would be reimbursed with mitigation funds as they are collected. Since the adoption of the 1997-2002 TIP, the costs of these three projects have increased to roughly \$43 million. The cost of the Albany Shaker Road project by itself totaled \$30 million. The current mitigation cost responsibility calculates to about \$15 million for this project, and \$22 million for all three projects.

### **Exploration of Alternative Funding Methods**

Concerns over the pace of mitigation fund receipts and Albany County's responsibilities for advancing funds to cover project costs while awaiting the collections led to exploration of alternative funding methods during the development of the 1999-04 TIP. While the development plans in the airport area and the mitigation responsibilities assigned to specific projects seeking town approval were keeping pace with expectations at the time of GEIS adoption, the amount of mitigation funds collected, unspent and in escrow was modest. This is partly because funds are not fully collected until the completion of individual development projects and partly because a good portion of the mitigation responsibilities are kept "on paper" until roadway designs are complete and right-of-way credit is determined. The current 2008-10 recession further slowed the collection of mitigation funds because of the slowdown in new development in the Airport area and elsewhere in the Town.

### **The CDTC-NYSDOT-County-Town TIP Agreement**

Under federal law, CDTC may finance projects at any federal participation level up to 80 percent. Thus, no outside approval is needed for CDTC to use federal funds to cover up to 80 percent of the private share of the Albany Shaker and Watervliet Shaker Road projects at the time the funds are obligated, and replenish these funds to the TIP as mitigation costs are collected. With this in mind, CDTC adopted the following provisions in 1999 to govern the financing of these two projects:

1. Albany County committed to full 20 percent non-federal share for remaining public share of the two projects, and would receive Marchiselli funds to offset 75 percent of this share.
2. CDTC committed to cover up to 80 percent of the private half of projects and established procedures for mitigation costs to replenish these funds to the TIP.
3. Mitigation costs "in hand" at the time of the loan would be applied against the requirement for a 20 percent match on the federal share for the private half. Any additional mitigation funds in hand at the time of the loan would reduce the size of the federal commitment on the private half of the projects.
4. As further mitigation costs assigned to the corridor are received by the Town, these funds are to be held in escrow by the Town. They would then be applied to other

TIP projects in the GEIS area to reduce the public share of these other projects. For example, they could be applied through a "betterment" agreement between the Town and State to reduce the Federal costs of intersection improvements related to project A240 (Exit 3) or similar planned actions that are slated for Federal funding.

5. CDTC retained the liability to adjust future TIP commitments should mitigation costs prove insufficient over time. Should mitigation costs prove insufficient, CDTC will end up having committed a greater amount of federal funds on these projects than initially intended, but will also end up having a facility with greater reserve capacity for through traffic than initially intended. The final federal share would end up being a share that matches the CDTC public-private financing policy.
6. When mitigation funds reach a total that covers the repayment installments, additional funds are to be kept in escrow to undertake future improvements in the corridor.

In addition to CDTC approval, NYSDOT, CDTC, Albany County, and the Town of Colonie agreed to jointly concur on financial responsibilities, mitigation cost transactions, and future betterments. This practice does not require formal NYSDOT or Federal concurrence.

#### **Distribution of Mitigation Fees to the Albany Shaker Road And Watervliet Shaker Road Projects**

As of April 1, 2010 roughly \$10.8 million in development mitigation funds have been collected for all Airport area FGEIS projects, of which \$8.0 million, including about \$3 million in right-of-way and other credits, has been allocated to the Albany Shaker Road and Watervliet Shaker Road projects. CDTC has covered the entire \$15.0 million mitigation share with federal-aid, and includes the \$7.7 million shortfall at the time the projects were let in 2001. (Including construction cost increases, the shortfall totaled \$12.0 million). As of April 1, 2010, it looks an additional \$7.0 million in mitigation funds will be needed to "pay back" the federal advance. These "paid back" funds can be used to cover a portion of the costs of other federal-aid projects in the FGEIS plan. A detailed review of the mitigation cost program will be undertaken during 2010.



## ENHANCEMENT PROJECTS

### Transportation Enhancements Program

On June 26, 2001, CDTC sent letters to local communities and other potential applicants under New York State's second round of the TEA-21 Transportation Enhancements Program. Applications were due to NYSDOT by November 1, 2001. CDTC evaluated all applications within CDTC's TIP area and identified a short list of high priority projects, which NYSDOT compared with submissions from across the state in selecting projects for funding. Five CDTC area proposals were selected for Enhancements Program funding:

1. Albany County's Mohawk-Hudson Bike-Hike Trail: Widening and Resurfacing and Amenities (A425)
2. The Town of East Greenbush's Sherwood Avenue Sidewalks (R229)
3. Zim Smith Mid-County Trail (SA195)
4. Saratoga County's Historic Hadley Bow Bridge (SA196), and
5. The Town of Glenville's Glenville and Scotia Sidewalks (S161)

These projects were added to the TIP by amendment at the CDTC Planning Committee's November 6, 2002 meeting. CDTC's evaluation procedure for these projects is in Appendix J.

In April of 2006, NYSDOT began solicitation for the first round of the Transportation Enhancement Program (TEP) under SAFETEA-LU. Applications were due on June 30, 2006. A review team with representatives from CDTC staff, CDTA, NYSDOT Region 1, NYS Department of Health, and Parks and Trails New York evaluated all of the applications within CDTC's TIP area and developed a prioritized list of projects. This list was then forwarded to the Transportation Enhancements Advisory Committee (TEAC) where submissions were compared from across the state. Four CDTC area proposals were selected for Enhancements Program funding:

1. Clifton Park's Erie Canal Towpath Community Connector (TIP#)
2. The Town of East Greenbush's Luther Rd (NY 151) Pedestrian and Bicycle Access Improvements (TIP#)
3. The City of Cohoes' Erie Canal Heritage Trail
4. Milton's Sidewalk and Curb Project

### "Second Chance" Enhancements Program

CDTC's commitment to bicycle, pedestrian, and canal projects goes beyond the federal Enhancement funds. At its May 27, 1999 meeting, the CDTC Policy Committee voted to endorse the 1999-04 Transportation Improvement Program, which included as project RG83 a "second chance" program setting aside \$1 million of STP-Flex funds for "high priority" Transportation Enhancements Program candidates not funded in Round One of the TEP.

Following the March 21, 2000 announcement of statewide selection of projects for Round One of the Transportation Enhancements Program, CDTC solicited the responsible agencies for the highest-ranked unsuccessful candidates to inquire as to whether they wished to submit their proposals for consideration under the CDTC program. As the average total cost of initial proposals was over \$850,000, and in the interest of getting as many strong projects implemented as possible, this solicitation included the requirement that candidates for the "Second Chance" program reflected a minimum 50% local match and/or a cap of \$200,000 on the federal fund share of project cost. Three additional proposals were selected for funding as a result of this process: the City of Saratoga Springs' Spring Run Trail project (SA181), which was reduced in scope from the original proposal; Schenectady County's Mohawk-Hudson Bike-Hike Trail project (S156), for which the local match was increased to 50%; and the Town of Malta's Ruhle Road Bridge project (SA182), which was not modified from the original proposal.

### **Enhancement-Type Projects Funded with Flexible Funds**

CDTC has also used additional funds (beginning with the 1997-02 TIP and continuing through the 2005-10 TIP) for bicycle, pedestrian, and canal projects. The intention is to administer these projects as if they were Enhancement Program projects. The significance of this is two-fold:

1. The Enhancement program was administered as a grant program. The federal contribution is fixed at the time of project programming at a maximum of 80% of project cost. *Any cost increases above 80% of the original project cost estimate are the responsibility of the project sponsor to absorb. Any cost decreases cannot have the effect of increasing the federal share above 80%.*
2. An agreement is negotiated with the project sponsor for project implementation. The project sponsor is the lead agency and builds the project on a reimbursement basis.

Since the original set of enhancement-type projects, others have been added. In some cases, the local match exceeds 20%. The TIP listings include a notation in the project descriptions for these projects that they will be administered as Enhancement projects (regardless of federal funding source) and that the federal contribution is capped at the specified percentage of the original total cost estimate.

TABLE 1

## ENHANCEMENT PROJECTS FUNDED WITH FLEXIBLE FUNDS

TIP#/PIN	SPONSOR	PROJECT
A377/1754.67	Voorheesville	Pedestrian Circulation
A406/1755.61	Albany (County)	Albany County Sign Management
A407/1755.62	Albany (City)	City of Albany Sign Management
A425	Albany County	Mohawk-Hudson Bike-Hike Trail
A436	Guilderland	McKownville/Western Avenue Sidewalks
A437	Cohoes	Hudson-Mohawk Bike-Hike Bridge Rehabilitation
A492	Cohoes	Erie Canal Heritage Trail
R178/1754.52	Troy	Troy-Menands Bridge Bicycle Access
R197/1754.69	Rensselaer (City)	Washington Avenue Sidewalks
R198/1754.70	North Greenbush	Brookside Avenue Sidewalks
R223/1755.66	Troy	Troy Pedestrian Bicycle Trail
R229	East Greenbush	Sherwood Avenue Sidewalks
R267	East Greenbush	Luther Rd (NY 151) Ped/Bicycle Access Improvements
SA136/1754.57	Saratoga Springs	Downtown Pedestrian Improvements
SA158/1754.71	NYSOPRHP	Peebles Island Bridge (Waterford)
SA160	Saratoga Springs	Pedestrian Improvements on Broadway
SA165	NYSTA	Rehabilitation of Lock C-5
SA181/1755.93	Saratoga Springs	Spring Run Trail Construction
SA182	Malta	Ruhle Road Pedestrian Bridge
SA195	Saratoga County	Zim Smith Mid-County Trail
SA196	Saratoga County	Historic Hadley Bow Bridge Preservation
SA200	Halfmoon	Canal Road Bike Path
SA238	Clifton Park	Erie Canal Towpath Connector
SA239	Milton	Sidewalk and Curb Project
SA246	Saratoga County	The Dix Bridge Rehabilitation Project
S140/1754.63	Schenectady (City)	Mohawk-Hudson Bikepath Improvements
S141/1754.65	Schenectady (City)	Rail corridor bridge improvements
S142/1754.64	Schenectady (City)	Kings Road sidewalks
S143/1754.66	Glenville	Lock 8 Bicycle and Pedestrian Access
S146	Schenectady (City)	State Street Transportation Corridor Streetscape
S156	Schenectady County	Mohawk-Hudson Bike-Hike Trail Connector
S161	Glenville	Glenville & Scotia Sidewalks
S165	NYSTA	Mohawk-Hudson Trail: Rotterdam Jct to Amsterdam



## SPOT IMPROVEMENT PROJECTS

### Spot Improvement Program Introduction

At its July 31, 1997 meeting, the CDTC Policy Committee voted to endorse the 1997-02 Transportation Improvement Program (TIP), which included as project RG41 a "Spot Improvements for Bicycle and Pedestrian Access" program. This established an ongoing program that sets aside \$100,000 per year of STP-Flex funds for projects whose scopes are too small for other programs like the Transportation Enhancements Program. RG41 was replenished in both the 1999-04 and the 2001-06 TIP's.

Spot Improvements are actions that address problems at specific locations such as intersections, short lengths of roadway, or single destinations (e.g., an office building or shopping center). They can be distinguished from other bicycle and pedestrian-related projects such as development of new trails in that they bridge physical or functional gaps in the system rather than in and of themselves providing new routes.

The first project to be funded as a drawdown under RG41 was the Bikes on Buses program (T58). This project was approved by the Planning Committee at its November 18, 1998 meeting. Since that time, projects were awarded funding through two competitive rounds. Round one began with a solicitation letter on January 12, 2000 calling for project proposals. The submission deadline was March 3, 2000 and a total of 17 proposals were received. After follow-up discussions with project sponsors and several discussions with the CDTC's Planning Committee, the Committee approved funding for 13 projects as listed in Table 2 below.

**TABLE 2**

### SPOT IMPROVEMENT PROJECTS FUNDED IN ROUND ONE

<b>TIP#/PIN</b>	<b>SPONSOR</b>	<b>PROJECT</b>
A409/1755.72	Albany (City)	Bike Racks
A410/1755.73	Bethlehem	Sidewalks
A411/1755.74	Cohoes	Bike Racks
A412/1755.75	Colonie (Town)	Mohawk-Hudson Bike Trail
A413/1755.76	Green Island	Green Island Bridge Sidewalks
A414	Menands	Wards Lane Sidewalks
SA177	Malta	Malta Trail Improvements
SA178	Clifton Park	Arongen-Shenendehowa Public Library Multi-Use Path
SA179	Saratoga Springs	Station Lane Sidewalks
SA180/1755.81	Stillwater	Crosswalk and Four Pedestrian Signs
S153/1755.78	Niskayuna	Bike Trail Repairs
S154	Schenectady	Mohawk-Hudson Bike-Hike Trail
S155/1755.79	Scotia	Sidewalks

Round two began with a solicitation letter on May 1, 2002. The submission deadline was July 31, 2002 and a total of 17 proposals were received. A review committee with representatives from CDTC and NYSDOT Region One was established. After reviewing each of the proposals, the review committee ranked each project and offered three options to the Planning Committee. On September 4, 2002 the Planning Committee chose to program the eight top ranked projects as listed in Table 3 below.

TABLE 3

## SPOT IMPROVEMENT PROJECTS FUNDED IN ROUND TWO

TIP#/PIN	SPONSOR	PROJECT
A422	Voorheesville	Railroad Pedestrian Crossing
A423	Guiderland	Carmen Road Sidewalks
R228	Hoosick Falls	Village Pedestrian/Cyclist Crosswalks
SA190	Schuylerville	Green Street Connector Sidewalk Reconstruction
SA191	Hadley	Hadley Sidewalk Improvement
SA192	Malta	Pedestrian Improvements
SA193	Milton	Property Streetscape Improvements
S160	Schenectady County	State/Washington Intersection Pedestrian Improvements

CDTC began round three with a solicitation letter on May 17, 2004. The submission deadline was July 30, 2004 and 22 proposals were received. As in previous rounds, a review committee was formed consisting of CDTC staff, NYSDOT Region 1, and Parks and Trails New York. After review of the proposals, funding options were offered to the Planning Committee. At their September 2004 meeting, Planning Committee agreed to fund the nine projects shown in Table 4 below.

TABLE 4

## SPOT IMPROVEMENT PROJECTS FUNDED IN ROUND THREE

TIP#/PIN	SPONSOR	PROJECT
A445	Colonie (V)	Central Avenue Safety Improvements
A446	Colonie (T)	Paving MHBHT to Cohoes
A447	Guiderland	McKown Road Sidewalks
R248	Troy	9 <sup>th</sup> Street Sidewalks
R249	Rensselaer (C)	First Alley Connector Sidewalk
R250	East Greenbush	Route 151 Flashing Beacons
R251	Castleton (V)	Scott Avenue Sidewalks
SA213	Mechanicville	South Street Sidewalks
Included with SA101	Clifton Park	Sherwood Dawson Trail

A fourth round of funding took place in 2006. A solicitation letter was sent out on July 31<sup>st</sup> with an application deadline of September 29, 2006. Eight proposals were received. A review committee was again formed with representatives from CDTC staff, NYSDOT Region 1 and the NYS Department of Health, to review the proposals and generate options for Planning Committee consideration. At the November 2006 meeting, the Planning Committee agreed to fund all eight of the proposals received, shown in Table 5.

**TABLE 5****SPOT IMPROVEMENT PROJECTS FUNDED IN ROUND FOUR**

<b>TIP#</b>	<b>SPONSOR</b>	<b>PROJECT</b>
SA230	Village of Waterford	Burton Ave. Project-Champlain Canalway Trail
A478	City of Albany	Southern Intersection of Euclid Ave w/Berkshire Blvd
A479	City of Cohoes	Western Gateway Speed Table
SA217	Town of Clifton Park	Crescent Road-Okte School Crossing Improvements
SA217	Town of Clifton Park	Crescent-Southbury-Lapp Roads Intersection Improvements
SA231	Town of Halfmoon	Halfmoon Physically-Challenged Fishing Access/Trail
A480	Town of Bethlehem	Elsmere Avenue and Feura Bush Sidewalk Connections
SA232	Town of Malta	Community Center Route 9 Spur

A fifth round of funding took place in 2008. A solicitation letter was sent out on June 16th with an application deadline of August 29, 2008. Thirteen proposals were received. A review committee was again formed with representatives from CDTC staff, NYSDOT Region 1 and the NYS Department of Health, to review the proposals and generate options for Planning Committee consideration. At the October 2008 meeting, the Planning Committee agreed to fund eight of the proposals received, shown in Table 6.

**TABLE 6****SPOT IMPROVEMENT PROJECTS FUNDED IN ROUND FIVE**

<b>TIP#</b>	<b>SPONSOR</b>	<b>PROJECT</b>
SA246	Town of Malta	Route 9/ Town Court Pedestrian Connectivity Project
A506	City of Albany	Catherine Street between S. Swan and S. Hawk
SA247	City of Saratoga Springs	Core Area Mobility Impaired Accessiblity Improvements
S191	Schenectady County	MHBHT Informational Kiosks
S192	Town of Rotterdam	Hamburg Street Sidewalk Connection
S190	City of Schenectady	Seneca Street and Maxon Road Canalway Trail Crossings

All Spot Improvement Projects are funded with a maximum of 80% federal funds and are capped at the time of project programming. In cases where sponsors committed more than the minimum required 20% local match, the project was capped at the amount of federal funding requested. *Any cost increases above 80% of the original project cost estimate or the approved level of federal funding will be absorbed by the project sponsor. Any cost decreases cannot have the effect of increasing the federal share above 80%.*

## **NEW VISIONS AND THE TIP**

### ***The New Visions Regional Plan***

CDTC's New Visions plan has positively changed the Capital District. Since its adoption in March 1997, the actions of many parties to incorporate the plan's principles and strategies into programs and projects have produced commendable results. The vast majority of short-range recommendations in the New Visions plan had been implemented in part or in whole by the time CDTC adopted an updated New Visions 2021 plan in October 2000. The effort to go beyond the existing plan and create a "New Visions 2030" plan took several years. New planning requirements in SAFETEA-LU further broadened CDTC's responsibilities and put new emphasis on subjects such as safety, security, environmental mitigation and the congestion management process. With these new requirements in mind, six new planning and investment principles were developed as part of the New Visions 2030 update process.

A long list of new areas for exploration for 2030 called for new technical work and new opportunities for public reaction. Five working groups examined issues ranging from local governmental practices to the "big ticket" question, from "larger than regional policy questions" to the high cost of reconstructing an aging expressway system. Public involvement ranged from engagement in the dozens of "Linkage" studies at the local level to a recent Center for Economic Growth / SUNYA / CDTC / CDRPC (Capital District Regional Planning Commission) work documenting the fiscal impact on the region of several alternative growth scenarios for the next 30+ years. New Visions 2030 broadened the scope and deepened the treatment of many issues. The incorporation of alternative growth and development scenarios into the plan has few parallels in the nation. The consideration of potential "big ticket" initiatives that would call for transportation investment of billions of dollars carefully frames a simultaneously cautious and creative policy framework. Cautious, because the plan does not commit to major system redesign or dramatic new services without the funds to support them. Creative, because the plan empowers CDTC members and others to continually explore big ideas. This innovative approach ensures that the Capital District maintains vision during periods of financial constraint.

New Visions 2030, adopted in 2007, resulted in a new financial plan and several new official principles for the region articulated for critical issues of safety, security and community context; consideration of roundabouts; tradeoffs between capacity and other project considerations; and a commitment to "managing" any new capacity considered on the expressway system.

CDTC's Transportation Improvement Program (TIP) efforts since 1997 have followed the budget guidance and priorities set in the New Visions plan, assigning nearly \$100M in funds in 1997 alone to new projects that create a healthy project balance and implement the policies of the plan. Planning, programming and project development efforts over the past decade have continually refined and reaffirmed the concepts of the New Visions plan.

Today, it is widely accepted across the Capital District that transportation investments can add significantly to community quality of life; that transit, bike, pedestrian, goods movement

and aesthetic features are equally as important as motor vehicle accommodation in highway design; that technology can be used to assist the traveler; and that ensuring economic and environmental health is an important objective of the transportation system. In 1997, these were bold assertions by the members of CDTC.

As with the 1997 plan, full implementation of the current New Visions 2030 plan means steady progress with physical and technological improvements to the region's transportation system, coupled with significant land use and demand management actions that dampen the rate of travel growth. The plan focuses on managing and redesigning existing facilities, services and ways of doing business more than on physically expanding the system.

Critical to the TIP development, CDTC uses the plan's principles and strategies to guide the screening of TIP candidates. The seventeen budget categories in the plan play a central role in prioritizing candidates for funding, as well. The interconnectedness of CDTC's plan and its TIP continues to be quite firm.

CDTC and its members have worked hard over many years to implement the New Visions plan. To a greater degree than typical for MPOs, CDTC has linked the plan to implementation. Progress has been and continues to be made across all project categories. Continued dialogue and discussion of transportation and land use policy has reaffirmed the basic New Visions plan and budgetary priorities. New Visions program recommendations ranging from a spot improvement program to significant funding for integrated transportation and land use planning have been successfully instituted by CDTC. As a result, it was not necessary for CDTC to reinvent its budgetary approach in New Visions 2030. Rather, the focus in the New Visions 2030 finance plan work was on adjustments of budgets for the individual elements and a comparison of those funding requirements with reasonably anticipated revenues.

### **Meeting Regional Goals through TIP Programming**

An objective of the CDTC TIP is to make progress in meeting the goals and objectives of the *New Visions* plan. Within the context of broader national, state, regional and local public and private actions to meet the economic, social, educational and other needs of the region, CDTC's long-range transportation system goals are:

- ◆ *Transportation Service*
  - Maintain or improve overall service quality from current conditions.
  - Enhance the quality of life in the region.
  
- ◆ *Resource Requirements*
  - Reduce the per-capita resource requirements related to provision, operation, use and mitigation of the impacts of the transportation system from current per capita costs.
  - Reduce the per capita cost of accidents.
  
- ◆ *External Effects*
  - Build strong urban, suburban and rural communities.
  - Knit them together into a cohesive metropolitan area.
  - Support economic and social interactions that accommodate population, household, employment and commercial and industrial growth while improving environmental quality and enhancing the natural and built environment.

### **Programming Principles**

The *New Visions* plan goes further than stating these broad goals: Programming principles and a budget that calls for "comparable progress" across multiple project types is stated. New planning requirements in SAFETEA-LU broadened CDTC's responsibilities and put new emphasis on subjects such as safety, security, environmental mitigation and the congestion management process. As a result six new planning and investment principles were included in the *New Visions 2030* update process. All of *New Visions 2030* planning and investment principles are organized under four broad themes:

1. **Preserve and Manage.** CDTC's highest priority is maintaining our investment in the existing transportation system. Strategically improving system performance, managing congestion, and balancing access concerns with safety are part of an overall principle that treats the transportation system as an asset and an investment. Continuous improvement to the planning process must be coupled with improvements to project design and delivery. Future transportation investments must be wisely and carefully chosen in a fair process that results in timely project implementation.
  
2. **Develop the Region's Potential.** The Capital Region is a single economic unit containing a rich heritage, historic communities that cannot be replicated elsewhere, vibrant suburban areas, abundant open space and recreational opportunities, great natural resources and a highly educated work force. This region can grow into a uniquely attractive, vibrant and diverse metropolitan area.

- CDTC will consider community development and regional development plans as key factors in making transportation investment decisions.
3. **Link Transportation and Land Use.** Local land use decisions impact the function of the transportation system -- and vice versa. This relationship is paramount to all transportation planning and programming decisions. Achieving the plan's goals is as much dependent upon achieving unprecedented success in the land use area as it is on improving the transportation system.
  4. **Plan and Build for All Modes.** Transportation planning and project design need to consider and accommodate more than cars. Transportation planning today routinely encompasses all modes and the connections between them. Pedestrians, bicycles, freight, transit, air, and water transport -- and the connections between these systems -- have a legitimate and important role in the healthy function of a transportation system that meets people's needs. Regional transportation planning efforts must be comprehensive enough to look beyond eligibility for specific fund sources towards an interconnected intermodal system.

The principles state when and how CDTC believes transportation investment is warranted, and when it believes such investment is not warranted. *New Visions* budgetary guidance is stated as follows:

**1. CDTC desires full implementation of all plan elements.**

For example, reducing the percentage of deficient bridges to 20% (one element of the plan) and improving bike and pedestrian accommodations on a priority network (another element) are both important and complete implementation success is desired for both.

**2. Under constrained budgets, preserving the existing transportation system has a higher priority than making improvements or additions.**

CDTC's existing principles and the *New Visions* effort have repeatedly emphasized the need to maintain what we currently have as a priority.

**3. Even under constrained budgets, making some degree of progress with improvements is essential.**

It is realistic and appropriate to assume that some amount of highway or bridge improvement, bike accommodation or access management redesign will be included in CDTC's and members' action agendas -- even if budgets are reduced from historic levels.

**4. Availability of funds dedicated to a particular mode, system or purpose frees up "flexible" funds.**

Sources with a tightly defined list of eligible purposes are a reality. These benefit specific purposes directly, and other purposes indirectly. Practically speaking, if CDTA receives a discretionary Section 5309 capital grant for bus replacement, or if State Dedicated Funds for state highway projects are increased, this increase reduces the load on other, flexible fund sources.

#### **5. Priority for the use of flexible funds is not to be based on ownership.**

This statement emphasizes CDTC's historic perspective, on funding, reaffirmed through the *New Visions* effort -- funding availability and project design should be based on function and location, not on issues of jurisdiction.

Based on these principles, CDTC's approach to TIP development is based upon the conclusions that:

- ◆ Flexible funds can be broadly targeted to specific project categories based on relative funding need -- after accounting for the availability of dedicated funds and after assigning extra weight to the funding requirements of preserving the existing system; and,
- ◆ Project priority within a project category can be determined based on need, cost effectiveness, urgency and other factors.

The budgets for various project types established in *New Visions* were used explicitly as a reference in assessing TIP balance and influenced the mix of projects chosen for programming. Using *New Visions* budgets to target funding to various project categories was treated broadly during TIP development, as a guide in developing a balanced program rather than a rigid funding sub-allocation. Partly this recognizes the fact that the full implementation budget estimates are imperfect and will be refined in coming years. Broad treatment will also keep this potentially valuable tool from becoming a hindrance to CDTC's effective decision-making process. CDTC is not a project sponsor or builder, and flexibility is necessary to respond to those aspects of the plan which are implemented.

The *New Visions* budgets were particularly valuable in selecting a large number of new projects in developing the 1997-02 TIP. During the 1999-04 TIP and 2001-06 development, most new funding was dedicated to implementing the existing project set. Only a handful of new projects were added. But despite the limited opportunity for new projects, the *New Visions* principles and budget helped in project selection.

For the 2003-08 TIP, CDTC again undertook a full solicitation and evaluation of projects. As in 1997, the *New Visions* principles, strategies and budgets played a central role in project prioritization.

The 2005-10 TIP update included a "focused" solicitation limited to HBRR, NHS and CMAQ-eligible candidates. Projects added to the TIP (after screening, evaluation and programming decisions) again help the TIP reflect the balance of initiatives shown in the

plan. Projects added fit into the following New Visions funding categories: highway and bridge rehabilitation, Intermodal Transportation Systems, travel demand management and bike and pedestrian accommodations.

The 2007-12 TIP update has also reflected a focused solicitation limited primarily to bridge rehabilitation and various New Visions project categories that fit the eligibility requirements for Congestion Mitigation / Air Quality (CMAQ) funding.

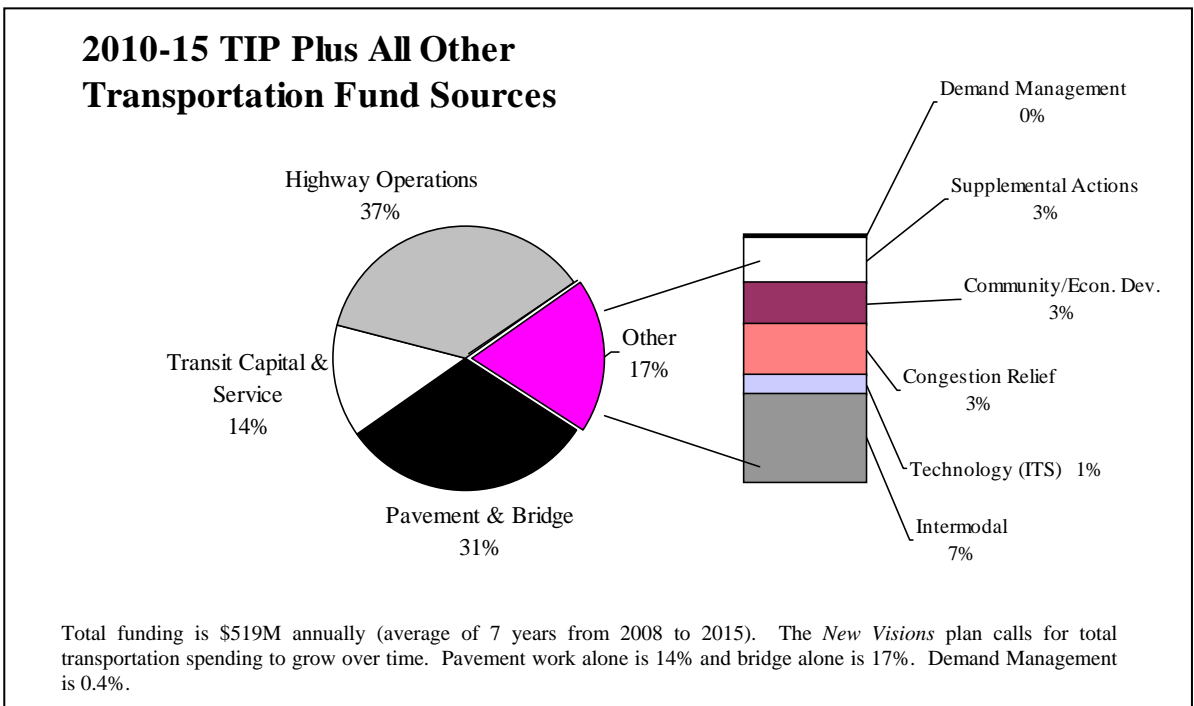
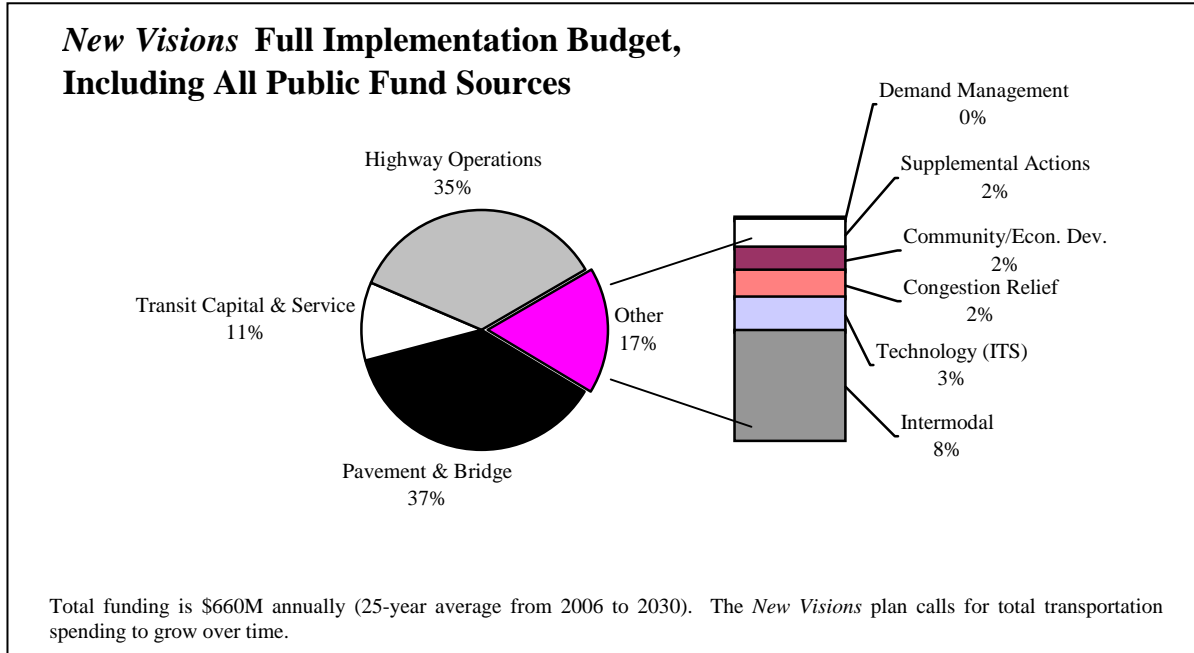
In addition to the direct budgetary link between the *New Visions* plan and the TIP, there are a number of policy linkages as well. Integration of the planning and investment principles adopted in *New Visions* influenced every aspect of TIP development, from the types of projects solicited from sponsors to the evaluation criteria used. Implementation of the projects in the TIP will continue to rely heavily on a multimodal performance-based approach to project development that takes into account community compatibility and economic development concerns.

*New Visions* budgets include all fund sources (federal, state and local) over twenty years. TIP commitments, complemented by non-federal sources total to about \$517M per year in the Capital District. This compares to the long-range budget averaging \$655M per year. The two pie charts on the next page compare annualized New Vision budget targets by project type with the overall transportation-funding picture for the 2010-15 period. The contribution of the federal-aid program to meeting important regional goals in transportation is highlighted. While federal-aid provides for less than 25% of the total expenditures, it provides for significantly larger share of system improvements.

Largely because of a recent (year 2000 to the present) run-up in the unit costs of highway and bridge projects, the overall annual budget requirements for the New Visions 2030 plan are substantially higher in nominal dollars (2007\$) than they were in previous plans. On a nominal basis, the new budget of \$655M per year for all public investment in transportation in the Capital District exceeds the previous estimate by 30%. In contrast, CDTC's best estimates indicate that public investment has increased 17% on an annual basis since the previous estimate. As before, the budget is overwhelmingly dominated by system preservation – “state of good repair” categories. Highway and bridge operations, maintenance, rehabilitation and reconstruction categories alone account for 73% of the annual budget requirement. However, work in these categories includes corrective and preventive work on transit, bicycle and pedestrian accommodations, and in some cases new accommodations where none existed before. It also often includes replacement of some or all of existing water lines and sewer systems and can include other utility work.

"Supplemental Actions" includes stand-alone bicycle and pedestrian accommodations, safety improvements, and goods movement actions, beyond those improvements incorporated into other projects. Using the federal-aid program to fund these types of projects is a major factor in the achievement of a high degree of correlation between the long range budget targets and the short-range capital program.

FIGURE 1: COMPARISON OF NEW VISIONS BUDGET TO TIP





## **PROJECT SELECTION FROM, AND AMENDING, THE TIP**

Federal law requires that all projects in a given TIP be given a rank, which determines the order in which they may be obligated. CDTC has assigned the year of the element as the rank. So, all elements in the first year of the TIP are given top priority, and the projects in the second year are given second priority, etc. This, and the need for updates to project costs and scopes, as well as the addition and deletions of projects and project elements, necessitates that procedures be in place to make changes to TIP projects in between TIP updates. Therefore, responsibility to make changes to the TIP is shown in the chart below.

Normally, the TIP is updated every two years. However, three years passed between the 2007-12 update and the 2010-15 update. Therefore, during the 2009-10 FFY, it became necessary to allow NYSDOT the flexibility to move projects among all four years of the STIP and to make project selections from the fourth year of the TIP, instead of the third. That change has been carried over into the current project selection guidelines.

Changes from 1) any federal fund source to IM and 2) any STP fund source to any other STP fund source are covered in sections 3a and 3b, respectively. Section 3c, "Change between any other Title I federal fund sources" requires additional clarification too large for a footnote to the table. A change between any other Title I fund sources would be require Planning Committee approval. In such cases, in order to approximate equity with other candidate projects, the Planning Committee should consider the priority of the subject project relative to other candidates that did or will compete for those funds. This could necessitate that the project be evaluated and compared to projects in the previous solicitation.

**TABLE 7  
GUIDELINES FOR TIP CHANGES**

*An amendment normally requiring Planning Committee approval, linked to another amendment requiring Policy Board approval, also requires Policy Board approval.*

<b>Type of Change</b>	<b>Responsibility</b>		
	<b>CDTA or NYSDOT</b>	<b>Planning Committee<sup>1</sup></b>	<b>Policy Board<sup>2</sup></b>
<b>(1) Addition or Deletion</b>			
(a) Addition of project from regional set-asides	---	Approve	---
(b) Addition of project under or equal to \$0.250M	---	Approve	---
(c) Addition of project over \$0.250M	---	Recommend	Approve
(d) Addition of project element under or equal to \$0.250M <sup>3</sup>	Approve	---	---
(e) Addition of project element over \$0.250M <sup>3</sup>	---	Approve	---
(f) Addition of STP Enhancement Project after approval by state advisory committee	---	Approve	---
(g) Combining two or more existing projects	---	Approve	---
(h) Other	---	Recommend	Approve
<b>(2) Scope and Cost</b>			
(a) Over 25% (minimum \$250 k) or over \$500 k <sup>4</sup>	---	Approve	---
(b) Over 50% (minimum \$1M) or over \$3M <sup>4</sup>	---	Recommend	Approve
(c) Scope change necessitating recalculation of system-level air quality conformity of non-exempt project	---	Recommend	Approve
(d) Other significant scope change <sup>5</sup>	---	Approve	---
(e) Other	Approve	---	---
<b>(3) Fund Source Change</b>			
(a) Change from any federal fund source to IM	Approve	---	---
(b) Change from one STP fund source to another	Approve	---	---
(c) Change between any other Title I federal fund sources <sup>6</sup>	---	Approve	---
(d) Change from federal to non-federal fund source	Approve	---	---
(e) Change from non-federal to federal fund source	---	Recommend	Approve
(f) Change between Title III federal fund sources	---	Approve	---
(g) Any other federal fund source change	---	Recommend	Approve
<b>(4) Schedule Change</b>			
(a) All affected project elements are contained in the first four years of the TIP before and after the schedule change <sup>7</sup>	Approve	---	---
(b) Any other schedule change	---	Approve	---

<sup>1</sup>Changes requiring Planning Committee action are minor TIP amendments. The Planning Committee may defer approval to Policy Board, if desired.

<sup>2</sup> Changes requiring Policy Board action are major TIP amendments.

<sup>3</sup> A project element is a phase of the project, such as construction or right-of-way acquisition.

<sup>4</sup> Percentages are of total project five-year plus committed column federal cost. Use of toll credits increases the percentage.

<sup>5</sup> A significant scope change is a significant change to the project limits, type or scope.

<sup>6</sup> Change from a capital fund source to Metropolitan Planning Funds (PL) requires UPWP action by CDTC.

<sup>7</sup> This includes funds programmed in the "Committed" column of the TIP that are not obligated by September 30 of the Committed fiscal year.

## PLANNING AND PROGRAMMING FOR THE ELDERLY & DISABLED

### Introduction and Overview

Federal policy directed at providing transportation service to elderly and disabled people requires that public transportation be made available to such people. In 1990 major civil rights legislation was passed -- the Americans with Disabilities Act (ADA) of 1990 -- which instituted sweeping new requirements for accessibility improvements on all transportation services provided to the public. CDTA worked with a special committee (Capital District Committee for Accessible Transportation) created by New York State legislation to develop a plan for implementation of the Americans with Disabilities Act requirements. The plan, containing recommendations concerning the paratransit, main line, and rural services operated by CDTA, was submitted to FTA and NYSDOT on January 22, 1992. As required by the ADA final rule, CDTC certified on March 19, 1992 that it had reviewed the plan and the plan is in conformance with the region's transportation plan developed under the joint FTA/FHWA planning regulations. CDTA submitted an Annual Update to the Compliance Plan to FTA and NYSDOT in January 1993, 1994, 1995 and 1996. As required by the ADA final rule, the CDTC Policy Board reviewed the updates to the plan at the March meetings of those years. Full compliance to the ADA was required and achieved as of January 26, 1997. CDTA is no longer required to submit annual progress reports to the plan as long as the transit system continues to meet all service criteria of the ADA.

In response to this federal and state policy, and local community goals articulated through the planning process, the following special services and efforts will be progressed during the 2007-12 program years:

1. **STAR (Special Transit Service Available by Request) Service:** CDTA's special transit service began operation in the summer of 1982. The service was designed for use by any Capital District resident unable to utilize CDTA's fixed route bus service because of a disability. STAR service was modified in January 1993 to comply with the guidelines set forth in the ADA. The changes affected eligibility, service area and fares. Additional changes to STAR service were instituted in January 1994 to comply with ADA milestones. "Next day" service became available in 1994; CDTA began to process requests for paratransit service up to 14 days in advance of the trip in 1994 as well. During 1995, CDTA installed a state of the art computer system to better manage the STAR service requests and routing. During 1998, CDTA refined the eligibility requirements for STAR access in an attempt to curb clientele growth and to encourage use of the accessible fixed route system. In Spring 1999, CDTA installed the Windows-based version of the STAR scheduling software which allows for faster turnaround times, automated cancellation and verification of trips and is a faster system overall. The STAR fare was raised to \$2.50 on April 1, 2009 in conjunction with other CDTA fare increases. In response to public comment during the public hearings in December 2008, this increase was lowered from a \$3

fare originally proposed. Since June 2007, STAR customers have been provided the option to establish a STAR debit account to pay for rides in advance. Since 2008, CDTA has also contracted with private taxi companies to provide service to customers and this has increased the amount of service available and reduced the number of trip denials significantly.

The STAR fleet now consists of 34 cutaways. A total of \$5.0 Million is programmed over five years in the 2010-2015 TIP under project T6B for the purchase of replacement and expansion STAR vehicles. Cutaways will be used exclusively for the CDTA provided service because of the limited availability of a low-floor heavy-duty vehicle in the marketplace. The proposed vehicle replacement schedule for the STAR fleet allows for the regular retirement of the cutaway vehicles at the end of their useful life, and a gradual increase in fleet size to meet anticipated increases in demand for paratransit services.

220,521 elderly and/or handicapped people were provided specialized trips during fiscal year 09/10; 217,474 in FY 08/09. The growth in STAR ridership is partially attributable to the fact that CDTA contracts for taxi service to meet demand, a trend that is likely to continue. The financial impact of the substantial subsidies required to provide this service is one of the major operating and fiscal issues facing CDTA.

2. **STAR “Town Meetings”:** CDTA conducts “town meetings” to gather feedback from users of the STAR service on a biannual basis. The last two meetings were held in May 2009 and December 2009, and another is scheduled for May 2010. The sessions serve as a mechanism by which information regarding changes in STAR service can be disseminated. Also, the meetings provide an opportunity for STAR users to comment on how CDTA can better serve the disabled community. CDTA will continue to conduct STAR town meetings during the 2010-11 fiscal year.
3. **Fare Policy:** Federal regulations mandate that transit fares for elderly and disabled riders during off-peak hours be no more than one-half the base peak-hour fare. CDTA revamped their fare policy in April 2005; the half-fare policy became effective during all hours, not just the off-peak hours. In fiscal year 2008/09, CDTA sold about 12,707 half-fare SWIPER cards, which were used to pay for 750,000 rides. Another 125,266 half fare day cards were sold on the buses. These day cards were redeemed for a total of 516,976 rides. 81,478 half-fare cash rides were also recorded on the fixed route system during fiscal year 08/09, bringing the total number of half fare rides to close to 1.65 million. The cost of providing half fares in 2008/09 was \$1,237,000. The growth in the cost of the program is attributable to changing demographics and the aging of the baby boom generation. This half fare policy was retained in the fare restructure that began in FY09, and the cost can be expected to continue to grow.

4. **Other Special Efforts:** During 1987, CDTA adopted the policy that all future purchases of fixed route, mainline buses be handicapped accessible. In concert with this policy, CDTA replaced its entire fixed route fleet between 1998 and 2003 with low floor buses, making it 100% accessible. 14,896 wheelchairs were loaded on to a fixed route bus in fiscal year 08/09. Wheelchair boardings on the fixed route system are consistently higher in the summer months.

Over the past several years, CDTA worked on improving bus stop amenities and accessibility and has worked cooperatively with area municipalities and NYSDOT to improve pedestrian amenities. Work on pedestrian access, including issues related to the elderly and mobility disabled population, will continue throughout 2010-11.

5. **Northway Commuter Services:** The fleet used for the Northway Express (NX) service consists of 15 commuter buses that are fully accessible to the disabled. Sponsorship of this service transferred from Saratoga County to CDTA in 2003. \$1.650M of CMAQ funds are programmed in the TIP (SA134) for three replacement vehicles. CDTA is seeking to expand the fleet to broaden and improve the service. The NX carried 229,203 passengers in fiscal year 08/09 and 183,664 in 09/10. Ridership on this service is very sensitive to the price of gas, and was impacted by the 2009 fare increase.

### **Previous, Ongoing and New Initiatives**

During the 1993-94 fiscal year, CDTC, as part of the New Visions process, formed a task force to develop a plan that addresses special transportation needs through 2010. This task force met through November 1996. Findings of the task force were published in December 1996.

CDTC was involved with the Committee for Accessible Transportation (CAT) between January 1992 and February 1996. The CAT was established in the Capital District pursuant to the ADA. The committee was comprised of three transit disabled people, a representative of CDTA, a designee of the State Advocate for the Disabled, one designee of the Commissioner of NYSDOT and a representative from Blue Cross. The CAT met quarterly to monitor the implementation of the 1992 ADA Compliance Plan for CDTA. A member of the CDTC Staff attended the meetings. The CAT voted itself out of formal existence on February 14, 1996, the date that CDTA became fully compliant with the requirements of the ADA.

During 1996, 1997 and 1998, CDTC participated in the Statewide Coordinated Transportation Study (SCOTS). CDTA was the recipient of a demonstration grant under SCOTS. The purpose of SCOTS was to encourage the coordination of transportation provided by human service agencies.

Although the SCOTS demonstration program ended at the end of March 1999, the program resulted in a major accomplishment in coordination for the Capital District -- ACCESS

Transit, a subsidiary of CDTA was created in late 1997 for the purpose of "brokering" medical trips for Medicaid clients. \$750,000 under project T56 was programmed in the annual element of the 1997-02 TIP to provide seed money for the brokerage. A portion of these monies was used to acquire office space, office furnishings, office equipment, a state of the art computer system and phone system.

ACCESS Transit began brokering trips for Rensselaer, Schenectady and Albany counties in the fall of 1998. ACCESS provides for a system where people requiring non-emergency transportation for medical trips (under Medicaid) call one central phone number to arrange trips. ACCESS Transit arranges transportation for the client, bundles trips for maximum efficiency and reimburses transportation providers for services rendered. ACCESS Transit is accountable to the counties and regularly monitors service quality and speed of delivery. In 2003 Albany County decided to withdraw from the brokerage. Albany County has contracted with MTM for this service. ACCESS Transit continues to broker trips for Rensselaer and Schenectady Counties. Approximately 206,000 trips were provided by ACCESS Transit in 2009 to Medicaid eligible residents of Rensselaer and Schenectady counties. The number of brokered trips has been rising; in 2008 approximately 180,000 trips were provided.

A brokerage avoids duplication of service, unproductive trips and eliminates some deadheading. Under a brokerage, the efficiency of trips is improved (more passengers per trip) and maintenance and driver training practices are standardized. Since ACCESS's inception, area transportation providers have improved their performance and quality standards. Consumer satisfaction of the system is measured and is constantly rated high.

During 1998, CDTA submitted two grant applications requesting monies to provide transportation and other services to people transitioning from welfare to work. These were submitted on behalf of a regional task force that was formed to grapple with these issues. The task force consisted of members from the Albany County Department of Social Services (DSS), the Rensselaer County DSS, the Schenectady County DSS, representatives from job training agencies, the workforce development board, CDTA, CDTC and others. CDTA was notified in the Spring of 1999 that they were approved for monies from both the New York State Temporary Assistance to Needy Families (TANF) Grant (\$900,000 over 19 months) and the Federal Transit Administration's Access to Jobs (JARC) Grant (\$497,000 over one year). CDTA was awarded the American Public Transit Association's 2001 Welfare-to-Work Award in recognition of the success of this program partnership.

In September 2000, CDTA submitted a grant application to the New York State Department of Labor for welfare to work monies under the Community Solutions for Transportation (CST) program. Under this program, CDTA submitted an application on behalf of the four counties (Albany, Rensselaer, Saratoga and Schenectady) for \$1,989,000. CDTA was awarded the grant. These monies were used to extend existing CDTA routes, add and extend suburban shuttle services, provide transit service in Saratoga County and continue a transit pass program. CDTA has continued to receive CST monies on behalf of the counties. A total of \$6.6M in CST monies has been allocated to the Capital District since 2000. Only the transit pass program has been funded using CST monies since 2006.

CDTA also applied for a second year JARC grant for \$497,000 under the JARC 2000 program. CDTA was not awarded monies under this program, but was provided an earmark of \$250,000 under the JARC 2001 program (TIP project T66). Given this reduced amount, CDTA refined its Welfare to Work program, focusing on individual trip planners, brokerage services and community and employer outreach. CDTA received an additional \$497,000 award under the JARC 2003. A fourth, part-time Trip Planner was added in 2005 for Saratoga County.

During 2004, the US Department of Transportation, with its partners at the US Departments of Health and Human Services, Labor and Education, launched United We Ride, a five-part initiative, to break down the barriers between programs and set the stage for local partnerships that generate common sense solutions and deliver A-plus performance for everyone who needs transportation. During 2005, NYSDOT developed a partnership with Albany County in the United We Ride effort. The Albany County Department of Social Services administered this effort. A Human Services Transportation Steering Committee was established to guide and inform program activities, particularly related to coordination of human service transportation. County departments, CDTC, CDTA and Statewide Emergency Network for Social and Economic Security (SENSES) were members of the steering committee. The effort should have wrapped-up in early 2008, but personnel changes at the county stalled the effort. Recommendations for coordination and consolidation will be produced as part of the effort.

In 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) legislation was passed. Under this legislation, JARC is no longer a competitive grant, but an allocation based on population. The Capital District's allocation was about \$250,000 for 2007. In addition, SAFETEA-LU requires that projects selected for funding under the Job Access and Reverse Commute (JARC) Program (Section 5316), Section 5310 Elderly Individuals with Disabilities Program and the New Freedom Program (Section 5317) be "derived from a locally developed, coordinated public transit-human services transportation plan", and that the plan be "developed through a process that includes representatives of public, private and nonprofit transportation and human services providers and participation by the public." The FTA suggested that the coordinated plan include three key elements: (1) an assessment of available services; (2) an assessment of needs; and (3) strategies to address gaps for target populations.

In the summer of 2006, the Capital District Transportation Committee convened a committee of stakeholders to help develop the coordinated plan, identify areas of need and ensure that JARC, New Freedom and Section 5310 funds are spent in accordance with SAFETEA-LU requirements. Membership on the new committee, called the Regional Transportation Coordination Committee (RTCC), consists of the regional steering committee that was formed by CDTA to guide the JARC and CST efforts and others that were added to ensure that representation fulfills the guidelines set forth in the SAFETEA-LU legislation. To help identify need, the RTCC, in cooperation with the Albany County United We Ride Effort, conducted a survey of human service agencies that both provide, contract or have clients in need of specialized transportation. The survey was conducted in the fall of 2006. Over 500

survey questionnaires were mailed to human service agencies located in the four counties. About 200 were completed and returned.

A draft a “coordinated plan” was produced by early spring of 2007 and was adopted by CDTC’s Policy Board in June 2007. The Plan documents previous CDTC coordination efforts, the history behind creating Access Transit, United We Ride efforts, and information regarding STAR and transportation service provided by area human service agencies. The plan identifies unmet need using the survey data collected and lists recommendations for future focus. Using the plan, the RTCC developed a solicitation for projects for JARC activities in the summer of 2007. CDTA was the only organization to submit an application for funding. CDTA’s application focused on continuing the successful JARC activities that they have been progressing since 1998. \$0.469M in JARC funds is programmed in the 2010-15 Transportation Improvement Program (T66/T66A) to cover the costs of continuing the safety net brokerage, the salaries of a mobility manager and travel trainers and the capital expenses associated with expanded mobility management role through 2010. It is expected that additional JARC funds will be available for programming starting FFY 2011.

Solicitations for New Freedom projects were advertised in February of 2008 and April 2009. In 2008, Catholic Charities of Schenectady County submitted a joint proposal with the Schenectady County ARC to purchase and install new trip scheduling and dispatch software that both agencies would jointly use. It is expected that the new software will improve efficiency by up to 15%. This project was approved at a total cost of \$86,556.38. The two applicants will contribute 20% match (\$17,311) to the project. Catholic Charities also submitted a project proposal to start weekend service for frail elderly residents of Schenectady County. The service began in October 2009; the cost to plan and implement the service was \$211,390; with Catholic Charities providing \$93,900 in match.

In 2009, the City of Watervliet applied for and received a New Freedom Grant to start shuttle service in the City of Watervliet, connecting to Menands and the CDTA fixed route service. The shuttle will operate on a fixed route and will provide access to mobility challenged individuals to Price Chopper, K-Mart and other establishments in the city. The service should be operational in June 2010. CDTA applied for the remaining New Freedom funds to institute an Accessible Taxi program in the Capital District. To date, persons in wheelchairs in the Capital District have not access to taxi service. CDTA’s project will put two accessible taxis on the road in the summer of 2010, and up to an additional eight accessible taxis on the road if the program proves successful. The cost of the accessible taxi program will be \$428,890 if totally implemented. A total of \$463,000 is programmed for New Freedom Projects under the 2010-15 Transportation Improvement program (T79/T79A).

In addition to the efforts described above, CDTC has been involved in the process in which area agencies apply for FTA Section 5310 funding. As part of this effort, the CDTC staff annually evaluates Section 5310 applications with respect to need, alternatives to funding, and coordination efforts. These evaluations are forwarded to NYSDOT for integration into the State Interagency Review Committee's evaluation process.

The 2005 SAFETEA-LU legislation added the requirement that all Section 5310 projects must be consistent with the locally developed, coordinated public transit-human services transportation plan. For 2008, CDTC was required to submit letters to NYSDOT identifying which applicant's projects were consistent with the plan. The Capital District's Coordinated Plan clearly states that applicants for Section 5310 funding must currently coordinate with other human service agencies in the area, and if they do not, the applicant must coordinate service by the date of their next Section 5310 application. Eight applicants contacted CDTC in 2008 to indicate their intention of applying for Section 5310 funds. All eight applicants received letters certifying their "compliance" with the Capital District's Coordinated Plan. These eight applicants applied for 21 vehicles. All eight agencies were notified in January 2009 that they were approved for funding. Some applicants did not receive funding for all the vehicles requested; \$877,206 (\$701,763 federal) in total funding was awarded to purchase 16 vehicles. Table 8 contains a list and description of the projects that were approved. The figure of \$877,206 is part of the figure that appears in the 2008-10 committed column under project T6A in the 2010-15 TIP.

Eight applicants contacted CDTC in 2009 to indicate their intention of applying for Section 5310 funds. All eight applicants received letters certifying their "compliance" with the Capital District's Coordinated Plan. These eight applicants applied for 17 vehicles. Five agencies were notified in December 2009 that they were approved for funding. Some applicants did not receive funding for all the vehicles requested; \$786,968 (\$629,575 federal) in total funding was awarded to purchase 12 vehicles. Table 9 contains a list and description of the projects that were approved. The figure of \$786,968 is part of the \$1.66M that appears in the 2008-10 committed column under project T6A in the 2010-15 TIP.

A total of \$8.5M (federal share) has been awarded to Capital District Human Service Agencies through the Section 5310 program since FFY 1982.

**TABLE 8**

**FFY 2008 SECTION 5310 APPROVALS FOR FUNDING**

<b>County</b>	<b>Applicant</b>	<b>Vehicles</b>	<b>Federal Share</b>	<b>Applicant Share</b>	<b>Total Cost</b>
Albany	Center for Disability Services	Three 24-passenger wheelchair accessible buses	\$119,949	\$29,988	\$ 149,937
Albany	Colonie Senior Service Centers	Two 12-passenger vans wheelchair accessible	63,016	15,754	78,770
Albany	Rehabilitation Support Services	One 20-passenger wheelchair accessible bus	34,943	8,736	43,679
Albany	Town of New Scotland	One 20-passenger wheelchair accessible bus	34,943	8,736	43,679
Saratoga	Saratoga Bridges	Two 40-passenger wheelchair accessible buses	185,800	46,450	232,250
Schenectady	Catholic Charities of Schenectady County	One 20 passenger wheelchair accessible bus	34,143	8,536	42,679
Schenectady	The Eddy Senior Connection	Two 24-passenger wheelchair accessible buses	77,283	19,321	96,604
Schenectady	Schenectady County NYS ARC	Two 24-passenger wheelchair accessible buses	151,686	37,922	189,608
<b>Total</b>			<b>\$701763</b>	<b>\$175,443.00</b>	<b>\$877206</b>

TABLE 9

## FFY 2009 SECTION 5310 APPROVALS FOR FUNDING

County	Applicant	Vehicles	Federal Share	Applicant Share	Total Cost
Albany	Center for Disability Services	Four 24-passenger wheelchair accessible buses	\$185,658	\$46,415	\$ 232,073
Albany	Colonie Senior Service Centers	Two 12-passenger vans wheelchair accessible	63,526	15,881	79,408
Saratoga	Saratoga Bridges	Three 40-passenger wheelchair accessible bus	270,135	67,533	337,667
Schenectady	Catholic Charities	One 12-passenger wheelchair accessible bus	31,984	7,996	39,980
Schenectady	Schenectady County NYS ARC	Two 24-passenger wheelchair accessible buses	78,272	19,568	97,840
<b>Total</b>			<b>\$629,575</b>	<b>\$157,393</b>	<b>\$786,968</b>



## **REGIONAL EMISSIONS IMPACT OF THE CDTC TIP**

The Air Quality conformity analysis could not be completed in time for the copying of this document due to necessary coordination with the ICG (Air Quality Interagency Consultation Group). It may be included elsewhere in this mailout.



**ENERGY CONSUMPTION IMPACTS OF THE PROJECTS  
CONTAINED IN CDTC'S TIP**

The energy consumption impacts analysis is related to the Air Quality conformity analysis, which could not be completed in time for the copying of this document due to necessary coordination with the ICG (Air Quality Interagency Consultation Group). The energy consumption impacts analysis may be included elsewhere in this mailout.

## **CIVIL RIGHTS AND ENVIRONMENTAL JUSTICE**

### **Background**

On February 11, 1994, President Clinton issued Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations". This Executive Order is closely related to Title VI of the Civil Rights Act of 1964. As a federally funded agency, the Capital District Transportation Committee is required to be in compliance with both of these federal regulations. USDOT has encouraged a proactive approach to the implementation of Title VI and Environmental Justice. In April of 1997, USDOT issued an Order on Environmental Justice (EJ Order 5610.2) requiring DOT to implement the principles of Executive Order 12898 through the incorporation of EJ principles in all programs, policies and activities carried out by USDOT. In December of 1998, the Federal Highway Administration issued a similar order requiring the incorporation of EJ principles in all FHWA programs, policies, and activities.

Executive Order 12898 was created to bring federal attention to the environmental and human health conditions in low-income and minority communities with the goal of achieving EJ. The goal of Environmental Justice is to ensure that any adverse human health or environmental effects of any government activities do not disproportionately affect minority or low-income populations. EJ does not intend to provide preferential treatment to these populations, but rather fair treatment to all populations. Specific to transportation, Executive Order 12898 has been issued in order to ensure that all Federally-funded transportation-related programs, policies, and activities that have the potential to cause adverse affects, specifically consider the effects on minority and low-income populations. EJ is a public policy objective that has the potential to improve the quality of life for those whose interests have traditionally been overlooked.

### **Planning and Programming Treatment**

CDTC's Civil Rights and Environmental Justice objective is to assure equitable access to, consideration within and effects of the planning agenda, planning products and program of federally-assisted transportation projects in the Capital District.

Within the context of the Transportation Improvement Program development, CDTC looks to the following to assist with full Civil Rights and Environmental Justice compliance:

1. CDTC's TIP is developed with a strong, budgetary relationship to the New Visions 2030 plan, including its commitment to urban revitalization.
2. CDTC's TIP is developed with a strong relationship to local planning activities. Since its adoption of the New Visions plan, CDTC has increased its local planning efforts through its Transportation and Community Linkage Planning Program. A total of 65 Linkage studies have been funded, including a number specifically focusing on issues of Environmental Justice target areas and populations.

3. Project solicitation requests go out to all eligible parties, including not-for-profit corporations.
4. Merit evaluation processes include a GIS-based identification of location to ensure equitable treatment of both positive and negative project effects on EJ populations as well as on non-EJ populations. All candidate projects were identified in terms of the project's location in a minority area, in a low income area, in a minority and low income area, or in neither a minority area nor low income area.
5. Merit evaluation processes include articulation of the project's expected land use compatibility; community or economic development impacts; environmental issues; and business or housing dislocations.

As a result, the needs of minority and low income areas are reasonably well represented in the outcome of the TIP process. Of the twenty-one federal-aid highway projects added to the TIP other than HBRR-funded bridge work and regional projects, thirteen are positive-impacting projects located either in a minority area or a low income area. These projects include transit improvements, street rehabilitation and streetscape improvements, safety improvements and bicycle/pedestrian accommodations.