

Detailed Information Regarding the Programming of Title I Economic Stimulus Funding

Using Title I Economic Stimulus Funding on Existing TIP Projects

In anticipation of substantial federal Title I Economic Stimulus funding, CDTC adopted a draft list of candidate projects for public review that could receive this funding. Title I (Surface Transportation) fund sources include those commonly referred to as highway fund sources and a few that aren't. The list of fund sources is in CDTC's TIP Appendix C (Federal Funding Programs). Title III funds are for mass transit, and could have a different means of access, and therefore, these options will likely not apply. The estimated cost of all projects on the list of candidates for public review totals about \$483M, the vast majority of which are currently funded on the TIP. Since fiscal constraint rules will apply for stimulus funding, at some point, projects will need to be programmed, totaling whatever funding is available to CDTC. The below is a multi-point mechanism for choosing existing TIP projects for this funding.

1. Show the available stimulus funds in the TIP summary tables, but don't program the funds on specific new projects. Instead, leave a portion of the funds unprogrammed that is expected to be spent on existing projects as they become ready for obligation.
2. When a project is ready for obligation, NYSDOT will then use its project selection authority to switch from another Title I fund source to stimulus funding in order to obligate the stimulus funds. This method does not require an amendment, speeding up the obligation, but removing the opportunity for the Planning Committee to have indirect approval.
3. According to the list of stimulus candidates released for public review, it appears that any TIP projects using these funds would be on the non-state system, but this is not a requirement of this mechanism.
4. Funds replaced by the stimulus funds would be accumulated and available for programming by CDTC at a later date.
5. Region One should provide either the Planning Committee or CDTC staff (who would then provide the Planning Committee) with the details of any fund source switching. This mechanism would then be under constant review to help insure that all available funds will be spent, and that CDTC will be able to spend the funds made available for programming later.
6. Using this mechanism, NYSDOT, by current project selection rules, would be able to fund any Title I project with stimulus funding whether it shows in an adopted list or not. The advantage of this is that no sponsor or project currently on the TIP is eliminated from consideration for stimulus funds based on how fast the project is **expected** to be delivered. Instead, the ability to **actually** deliver the project for obligation is the criteria for funding.

Using Title I Economic Stimulus Funding on New Projects

For projects not currently on the TIP to receive stimulus funding, a different mechanism must be used, such as a set-aside as detailed below:

1. Create a regional set-aside on the TIP for the amount of stimulus funding dedicated to each project type (state pavements, state bridges and local pavements). This will require Policy Board approval.
2. In order to be obligated within the expected time frame, projects would need to be submitted to the Region, ready for obligation by 4/30/09 for local projects and mid-March for state projects.
3. When projects are ready for obligation, they will be proposed for inclusion in the TIP by amendment request.
4. The Planning Committee, presumably at its regular meetings, will add projects from the set-asides to the TIP.
5. The Planning Committee may want to decide ahead of time if projects will be added in the order in which they are ready for obligation, or all at once at its May 6 meeting. If they are added as they arrive, obligations may be able to take place sooner for those that are ready, which presumably is advantageous to CDTC, the Region and the State. If they are added all at once, decisions must be made regarding which ones are added to the TIP if they exceed the amount of funds available.
6. Projects added to the TIP to be funded with stimulus funds, will, at the next opportunity to program funds through the usual fund sources, be counted, for the purpose of geographical and jurisdictional balance, to have been programmed as if from the usual fund sources.