

## **2010-15 Transportation Improvement Program Resolution of Round Two Programming Approach**

### **Background**

CDTC's 2010-15 TIP development involved a decision to program approximately \$150M in "anticipatory" revenues. That level of funding is higher than the modestly-optimistic forecast for the five year period established by the Main Office of NYSDOT, but lower than would be provided by initiatives then-active in Congress. The funding level was viewed as sufficient to entertain a wide range of candidate proposals with the intention of identifying a new generation of projects that reflect New Visions priorities. It was also intended to allow initiation of projects in early years of the TIP that would likely not be constructed until years six through nine if lower funding levels prevail, but would be more quickly advanced if higher funding levels materialize.

After addressing schedules, budgets and commitments to existing projects (including those listed for the "post period"), CDTC completed a Round One of programming of new high-ranking projects within a limited set of project categories. A Round Two of programming was begun to consider other candidates and ensure that, overall, the 2010-15 TIP is balanced and equitable.

Round Two was suspended by the Planning Committee in July, 2010 (an action affirmed by the Policy Board in September, 2010) after agreeing that a minimum of \$20M of a \$57M programming balance would be directed to pavement and bridges and that all new projects would be scheduled later than those already programmed. At that point, the Planning Committee determined that the urgency of identifying additional "out-year" projects was less than originally expected, given that no progress had occurred in Washington with regard to reauthorization legislation.

With Policy Board concurrence, the Round Two programming effort was tabled for at least six months.

### **Status**

Six months have passed since the Policy Board's decision to suspend Round Two. Since that time, federal funding authorization has been maintained through short term extensions but no action has been taken by Congress on a multi-year reauthorization bill. It is likely that implementation of the first two years (2010-11 and 2011-12) of the 2010-15 TIP will face federal funding levels that are, at best, flat. Nationwide, hopes for a more robust federal funding program are now pinned on the latter years of the current TIP, making it unlikely that the full \$150M of "anticipatory" funding will be seen within the 2010-15 TIP period.

### **Planning Committee Recommendation**

At its February 8, 2011 meeting, the Planning Committee recommended that Rounds Two and Three of the 2010-15 TIP update remain tabled at this time. This would involve informing sponsors that CDTC will not be considering remaining TIP candidates until federal funding levels are better known, but that consideration of remaining TIP candidates would be among the first CDTC programming activities at that time. Sponsors would be informed that current candidate lists would be maintained until Round Two can

be completed, and that, if the effort remains tabled for another year or more, sponsors will be asked to confirm candidates before CDTC considers them. *Continuing to table Rounds Two and Three maintains the value of the candidate list evaluated for the 2010-15 TIP and reaffirms CDTC's programming approach. If Congress acts on the reauthorization within the next year, CDTC can fold completion of Round Two and Three into the 2012-17 TIP update. If Congress does not act by that time, CDTC would need to revisit the issue; the shelf-life of the existing candidate list is not indefinite.*

Three other options were considered:

- 1. Truncate the 2010-15 TIP process.** This would involve informing all sponsors that there will be no further consideration of their candidates at this time, and that they will be informed of any future opportunities to resubmit their candidates to CDTC. Sponsors would be informed that it is unlikely that a new, broad solicitation would be initiated in the fall of 2011 (for a 2012-17 TIP) and that the next opportunity would be in the fall of 2013. **Comments:** *The legitimacy of Round One of CDTC's TIP process – which is limited to certain categories of projects and heavily dependent on quantitative rankings – is related to the existence of Round Two and Three which provide an opportunity to consider the compelling arguments for funding other projects. In short, Round One ensures that the TIP has very good projects in key categories; Rounds Two and Three ensure that the TIP process provides fair consideration of all projects regardless of location, sponsor, scale or category. While this is the easiest option, truncating the 2010-15 TIP process without a Round Two conflicts with CDTC's programming approach.*
- 2. Complete Rounds Two and Three.** This would involve returning to the Planning Committee discussions over the compelling arguments for each of the remaining candidates, within the broad funding framework set before the subject was tabled. Projects selected for programming through this effort would be subjected to public review and comment as draft amendments to the TIP/New Vision Plan. (Being largely outside the five-year timeframe at current funding levels, they would be less TIP amendments than they would be long-range plan commitments.) After review, Policy Board action would be taken on the selected Round Two projects and one or two projects could be chosen in reaction to public review (which is Round Three). With a full complement of project priorities, no project solicitation would be anticipated in the fall of 2011 (for the 2012-17 TIP), and a full solicitation would be unlikely even in the fall of 2013 (for the 2014-17 TIP). **Comments:** *Completing Rounds Two and Three satisfies CDTC's programming approach by providing a full, balanced set of projects that stand ready to use federal funds over the next six to nine years. It does, however, further limit the opportunity to consider new projects for several years.*
- 3. Abbreviate Rounds Two and Three.** This is essentially a hybrid between options 1 and 3. CDTC would inform sponsors that it plans to complete its programming effort from last year, but that given the delay experienced with reauthorization, CDTC must reduce its estimate of “anticipatory” TIP resources. A lower estimate somewhere \$10 M and \$25 M would be used in place of the previously-determined \$57 M balance and then the process outlined in option 3 would take place. The lower funding level would be intended to allow consideration of most of the remaining candidates while avoiding excessive over-programming of the out years. **Comments:** *An abbreviated effort partly (if not completely) satisfies CDTC's planning approach and allows completion of some project-specific discussions that were suspended last July.*

