

MEMORANDUM

TO: Genesee Transportation Council Members & Alternates
FROM: James Stack, Executive Director JS
DATE: December 6, 2017
SUBJECT: FHWA/FTA Joint Certification Corrective Action

Per Title 23 Section 134 and Title 49 Section 5303 of the United States Code, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must jointly review and evaluate the transportation planning process in each Metropolitan Planning Organization (MPO) with a Transportation Management Area (TMA) no less than once every four years to ensure that the process meets federal requirements.

FHWA – New York Division and FTA – Region II completed their joint certification review of the Genesee Transportation Council (GTC) transportation planning process earlier this year. FHWA – New York Division staff presented the findings and key points of the joint certification review at the September 7, 2017 GTC Board meeting. At that time, it was noted that that GTC has three Corrective Actions, including "GTC must update the Financial Plan and amend it into the TIP by January 30th, 2018. The Financial Plan should clearly indicate resources from public and private sources that are reasonably expected to be made available to carry out the TIP, and recommend any additional financing strategies for needed projects and programs."

The following item is provided for your information:

- 1. Proposed Council Resolution 17-134** (Amending the *2017-2020 Transportation Improvement Program* by revising the narrative related to the Financial Plan)

GENESEE TRANSPORTATION COUNCIL

RESOLUTION

Resolution 17-134 Amending the *2017-2020 Transportation Improvement Program* by revising the narrative related to the Financial Plan

WHEREAS,

1. The Genesee Transportation Council (GTC) has been designated by the Governor of New York State as the Metropolitan Planning Organization responsible for transportation planning for the nine-county Genesee-Finger Lakes Region, including the Rochester Metropolitan Planning Area (MPA);
2. Federal regulations require that the urban transportation planning process include the cooperative development of a transportation improvement program, consisting of a staged multi-year program of projects consistent with the metropolitan transportation plan;
3. The *Long Range Transportation Plan for the Genesee-Finger Lakes Region 2040* is the current metropolitan transportation plan which guides the planning and development of transportation improvements and their selection for inclusion in the transportation improvement program;
4. GTC adopted the *2017-2020 Transportation Improvement Program (TIP)* on June 8, 2016;
5. The adopted *2017-2020 TIP* is wholly consistent with the *Long Range Transportation Plan for the Genesee-Finger Lakes Region 2040*;
6. The TIP has been developed in accordance with the adopted *GTC Transportation Improvement Program Procedures Manual* and the *Agreement by and among GTC, New York State Department of Transportation, and Rochester Genesee Regional Transportation Authority*, which identifies and specifies the responsibilities and cooperative procedures for carrying out transportation planning (including without limitation corridor and subarea studies) and programming consistent with Title 23 Section 450 (23 CFR 450) Subpart C of the Code of Federal Regulations;
7. In July 2017, the GTC Transportation Certification Review identified the need to revise the Financial Plan to fully meet the requirements of 23 CFR 450.326(j); and
8. Exhibit 1 provides a revised narrative of the TIP related to the Financial Plan.

NOW, THEREFORE, BE IT RESOLVED

1. That GTC hereby amends the *2017-2020 Transportation Improvement Program* (TIP) for the Rochester Metropolitan Planning Area;
2. The narrative of the TIP is hereby amended as shown in Exhibit 1; and
3. That this resolution takes effect immediately.

CERTIFICATION

The undersigned duly qualified Secretary of the Genesee Transportation Council certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Genesee Transportation Council held on December 14, 2017.

Date _____

KEVIN C. BUSH, Secretary
Genesee Transportation Council

Chapter 2

THE TRANSPORTATION IMPROVEMENT PROGRAM

What is the TIP?

As a condition for receipt of transportation funding, the federal government requires that the metropolitan transportation planning process include the cooperative development of a TIP. The TIP identifies the timing and funding of all capital and non-capital highway, bridge, transit, bicycle, pedestrian, and other surface transportation projects scheduled for implementation in a given region using federal transportation funds.

The TIP must cover at least a four-year period. It must be consistent with the goals and objectives identified in the current Long Range Transportation Plan for the region, and adopted by the local MPO; in this region, GTC.

The TIP must also be *fiscally constrained*. That is, the total amount of funds programmed in the TIP must not exceed the projected total amount of funds reasonably expected to be available to the region for that period. GTC staff worked with the New York State Department of Transportation (NYSDOT) and Rochester Genesee Regional Transportation Authority (RGRTA) to develop the projections of reasonably expected federal revenues to the region for the time period covered in the TIP.

While this region has been successful in securing discretionary funds, this revenue is not predictable and was not included in the revenue projections. Accordingly, only funds apportioned to NYSDOT and RGRTA via formula are considered reasonably expected to be available for the time period covered by the TIP and discretionary funds included in the TIP are those that have already been authorized or appropriated.

In some cases the TIP may also include, for *illustrative purposes*, major transportation projects for which federal funds are desired but not yet included in the fiscally-constrained revenue projections. The *2017-2020 TIP* does not include any projects for illustrative purposes.

In accordance with federal guidance for demonstrating fiscal constraint, a table presenting reasonably expected revenues and the amounts programmed in the TIP by federal funding source is provided (see Exhibit 3 on page 10). Project costs are provided in Year of Expenditure (YOE) dollars utilizing agreed upon inflation factors representative of likely escalation in materials and labor costs.

This region's TIP spans a four-year period and is updated as often as every two years. This TIP covers the time period of October 1, 2016 through September 30, 2020 (Federal Fiscal Years 2017 through 2020). It is developed in a fashion that directly responds to the goals and objectives of the current GTC Long Range Transportation Plan for the region (see Exhibit 4 on page 13).

How is the TIP funded?

The requirements for a TIP financial plan are specified in 23 CFR 450.326(j). For purposes of transportation operations and maintenance, the financial plan shall contain system-level estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and maintain Federal-aid highways (as defined by 23 U.S.C. 101(a)(6)) and public transportation (as defined by title 49 U.S.C. Chapter 53).

On September 10, 2015, the New York State Department of Transportation (NYSDOT), issued the *TIP/STIP Policy Guidance and Instructions for the Update Period Beginning October 2016* (TIP/STIP Guidance). The Guidance included the amounts of Federal Highway Administration (FHWA) funds by program that are being made available to the GTC/NYSDOT-Region 4 TIP area (Planning Targets) for Federal Fiscal Years (FFYs) 2017 through 2020. The Planning Targets for this TIP update were provided by GTC staff to Council Members and the Planning Committee on September 24, 2015.

The reasonably expected revenues (i.e., Planning Targets) used to initially develop the TIP are presented by source and year in Table 1. Table 2, provides an overview of each funding source.

Table 1. Planning Targets

Source	FFY 2017	FFY 2018	FFY 2019	FFY 2020	Total
HSIP	\$3,594,701	\$3,594,701	\$3,594,701	\$3,594,701	\$14,378,804
NHPP	\$33,068,817	\$33,068,817	\$33,068,817	\$33,068,817	\$132,275,268
STP-Flex	\$16,400,335	\$16,400,335	\$16,400,335	\$16,400,335	\$65,601,340
STP-OSB	\$3,627,259	\$3,627,259	\$3,627,259	\$3,627,259	\$14,509,036
STP-Urban	\$8,313,516	\$8,313,516	\$8,313,516	\$8,313,516	\$33,254,064
FTA 5307	\$9,171,494	<i>Carryover from prior years</i>			\$9,171,494
FTA 5307	\$11,474,953	\$11,474,953	\$11,474,953	\$11,474,953	\$45,899,812
FTA 5339	\$1,084,799	<i>Carryover from prior years</i>			\$1,084,799
FTA 5339	\$963,112	\$963,112	\$963,112	\$963,112	\$3,852,448

Table 2. Federal Funding Programs

HSIP	The Highway Safety Improvement Program (HSIP) provides funding to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal lands. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads that focuses on performance. A highway safety improvement project is any strategy, activity or project on a public road that is consistent with the data-driven New York State Strategic Highway Safety Plan (NYSSHSP) and corrects or improves a hazardous road location or feature or addresses a highway safety problem.
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NHPP	The National Highway Performance Program (NHPP) provides support for the condition and performance of the National Highway System (NHS), for the construction of new facilities on the NHS, and to ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in a State's asset management plan for the NHS.
STP	The Surface Transportation Program (STP) provides flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals. STP-Flex funds can be used anywhere. STP-OSB can only be used for bridges carrying roads that are off the federal-aid system. STP-Urban funds can only be used in the Adjusted Urbanized Area.
FTA 5307	The Section 5307 Urban Area Formula Fund program provides capital funding to support public transportation services and facilities in the large urbanized area of Rochester with a population greater than 200,000.
FTA 5339	The Section 5339 Bus and Bus Facilities program provides capital funding to replace, rehabilitate, and purchase buses and related equipment and construct bus-related facilities.

New York State retains a portion of the federal-aid funding apportioned to the state to support projects selected as part of a statewide solicitation. Various solicitations have specific project eligibility criteria. Projects that are selected for funding via statewide solicitations are considered for inclusion in the TIP. Since funds are provided from statewide resources and are specific to a project, they are considered reasonably expected. These additional revenues are offset by the costs of the projects and are incorporated via a TIP Amendment. When such amendments occur, the Financial Summary table demonstrating fiscal constraint is revised as appropriate. These funds are referred to as "Statewide".

The TIP does not include any new funding sources; accordingly, there is no strategy to ensure their availability. During development of the TIP, GTC reached out to NYSDOT, RGRTA, and each County in the region to identify any regionally significant projects that are not federally funded. There are no regionally significant projects that are not federally funded.

In addition to public funds, a TIP must include private funds that support a federal-aid project or a regionally significant project. The East Henrietta Rd. Improvements (Rochester CL to Stan Yale Drive) project (TIP #: H14-57-MN1, PIN 476087) includes funds from a private developer. The City of Rochester has executed an agreement whereby the estimated cost of construction will be split 50 percent federal and 50 percent private. The developer has also committed to covering any construction cost above this estimate.

Programmed Projects versus System Needs

The TIP project list balances cost-effective preventive and corrective maintenance with necessary replacements and rehabilitations of pavements, bridges, and transit assets. There are no roadway expansion projects in the FFYs 2017 through 2020. The projects included in the TIP can be broken down into the following categories:

Exhibit 1

DRAFT REVISION

- Preventive Maintenance – \$132.8 m (48 %)
- Replacement/Rehabilitation – \$80.7 m (29 %)
- Corrective Maintenance – \$18.4 m (7 %)
- Structure Inspections – \$16.3 m (6 %)
- Pavement Marking – \$11.3 m (4 %)
- TSMO – \$11.5 m (4 %)
- Safety – \$5.7 m (2 %)

At the time of adoption, there were over \$200 million of requests that were unfunded across the region due to insufficient available balances given the Planning Targets.

- \$76.7 million in highway preventive maintenance projects
- \$108.3 million in highway reconstruction/rehabilitation projects
- \$1.8 million in bridge preventive maintenance projects
- \$31.7 million in bridge replacement/rehabilitation projects
- \$2.5 million in lighting & guiderail projects
- \$1.4 million in bicycle and pedestrian projects

Table 3 shows the level of funds programmed by project type versus the level of funding requested. The largest discrepancy by far is for more intensive treatments that are beyond preventive maintenance. The gap in the amount of funding needing to address lower cost preventive maintenance projects represents many locations that will degrade to the point of needing more expensive work if they are not addressed in a timely manner.

Table 3.

