

Policy on Reasonable Progress for Missouri Transportation Enhancement Projects

Approved by the Missouri Transportation Enhancements Committee July 6, 2011

Reasonable Progress

For Missouri Transportation Enhancement projects or programs included in the TIP, “reasonable progress” will have been made if the project has advanced to the point of obligating all federal funds programmed for that project according to the schedule in the project agreement, regardless of the phase of work (i.e., PE, ROW, or PSE/Construction). If a project fails to obligate the programmed federal funds according to its project agreement schedule, the funding will be forfeited and returned to the regional funding pot for redistribution to regional projects. Actual progress toward implementation is to be measured against the schedule originally included in the project sponsor’s programming agreement with MoDOT.

Policy Procedures and Enforcement

Nine months before a project’s scheduled obligation deadline, a notification letter will be sent to sponsors. Six months before a project’s scheduled obligation deadline, a second letter will be sent to the project sponsor informing the sponsors that, in three months, their projects will be taken to the meetings of the Total Transportation Policy Committee (TTPC) and Board of Directors for the Board to set a suspense date for any projects not yet obligating federal funds. At that meeting, the MARC Board of Directors will be asked to set a suspense date for projects not yet obligating federal funds. The suspense date will be the initial obligation date according to the schedule in project agreements.

MARC’s commitment to provide funds for any projects that do not obligate all federal funds by the Board approved suspense date will be removed from the TIP, and these funds will be returned to the regional funding pot for redistribution by the Missouri Transportation Enhancements Committee, TTPC and the Board of Directors. The removal of federal funds from any such project will require no further Board action and the sponsor would have to repay any federal funds already spent on earlier phases of the same project if the funding is forfeited. The project sponsor may resubmit such a project for consideration in competition with other projects in a future programming cycle for federal funds.

If reprogramming of project funds occurs for any reason (such as failure to comply with this policy or sponsor withdrawal of the project), the committee shall use the following to guide recommendations for reprogramming funds returned to the regional funding pot. These guidelines consider the funding round of the project releasing federal funds as the basis for determining projects for consideration.

- Projects that were not initially selected for funding where the project sponsor can demonstrate the project can meet applicable funding time frames;
- Projects that only secured partial funding in that funding round;
- Projects that require additional funding due to unanticipated conditions; and
- If there are no projects suitable for the reprogrammed funds, the funding may be returned to the regional funding pot for future redistribution, subject to MoDOT approval.

The project sponsor will be allowed to reschedule a project once after a project is included in the TIP. Any shifts in subsequent phases of a project caused by that rescheduling (if identified at the time of the rescheduling) will not be considered a separate change. To initiate the schedule change, the sponsor must submit a letter requesting the change accompanied by a Project Schedule Change form. The request can be made at any time during the year.

The one time schedule change shall not extend beyond the time period within the approved TIP. If the requested schedule change is greater than one year, the MARC Missouri Transportation Enhancements Committee must approve the request.

If a project has used its one time schedule change, and the project is realizing delays that will put the federal funding at risk of forfeiture (i.e. not meet the suspense date deadline), the project sponsor will be required to ask the TTPC and Board for consideration of an “extension” in the suspense date. The extension request has to be made before the month in which TTPC and the Board will be asked to set the suspense date. To be considered for this extension the sponsor has to demonstrate: a) the delay is beyond their control; b) funds have already been obligated on the project; and c) a realistic strategy is in place to obligate all funds. The ultimate decision regarding the disposition of each project will be made by the Board of Directors.

Once all federal funds identified for the project have been obligated, the project sponsor has nine months from Authority to Advertise to issue a Notice to Proceed. If the sponsor fails to issue a Notice to Proceed within that nine-month period, the MARC Board of Directors will be asked to take action on removing the federal funding from the project and returning those funds to the regional funding pot.

If a project is realizing delays in issuing a Notice to Proceed that will put the federal funding at risk of forfeiture, the project sponsor will be required to ask the TTPC and Board for consideration of an “extension” in the deadline date. The extension request has to be made no less than one month prior to the nine-month deadline. To be considered for this extension the sponsor has to demonstrate: a) the delay is beyond their control; and b) a realistic strategy is in place to move toward implementation. The ultimate decision regarding the disposition of each project will be made by the Board of Directors.

Project Monitoring

An extensive monitoring program has been developed to help track programmed projects and ensure that funding commitments and plans are met. Regular reports are developed and posted on the MARC website, using project information provided by the MoDOT District office. Additionally, project sponsors are contacted, at least every six months, by MARC staff for project status interviews.

Schedule Tables

MARC has developed templates for use by project sponsors in establishing the schedules for critical milestones in the development of Missouri Transportation Enhancement Projects.

Schedules based on these templates will be prepared and submitted by project sponsors, as requested by MARC, for use by the Transportation Enhancements Committee and others to monitor project progress.