

## 2024 Comprehensive Transportation Funding Programs Guidelines (Off Cycle) - Proposed Changes List

No.	Chapter	Section	Page No.	Proposed Change
1	II. Funding Sources	Renewed Measure M	viii	Clarified that LFS funds are to be used for local transportation needs, unless otherwise allowed by the M2 Ordinance.
2	II. Funding Sources	State/Federal Programs	ix	Clarified that if state and federal funds are provided for use by local agencies, the funds would not flow through OCTA, except in very rare circumstances. The funds would be allocated directly by the state or federal agency to the local agency.
3	II. Funding Sources	Call for Projects	ix	Added language to clarify that information required to participate on the call for projects will be included and updated in CTFP Guidelines Section V
4	III. Definitions	1. Agency	x	Added "local jurisdiction" to clarify its use as a synonymous term with "agency".
5	III. Definitions	2. Construction Support	x	Added term and definition for "construction support" in response to discussion from the June 14, 2023 TSC meeting.
6	III. Definitions	3. Construction	x	Added term and definition for "construction" and "construction activities" in response to discussion from the June 14, 2023 TSC meeting.
7	III. Definitions	4. Complete Project	x	Clarified that the term "complete project" refers to the entire project, from environmental clearance through implementation, where applicable.
8	III. Definitions	6. Encumbrance	x	Clarified that other actions to demonstrate encumbrance include entering into an agreement to carry out work and that other forms of documentation not listed may be accepted.
9	III. Definitions	9. Environmental Mitigation	xi	Clarified the definition of environmental mitigation to align with Caltrans' definition.
10	III. Definitions	15. Lead Agency	xi	Clarified that the term "local jurisdiction" is synonymous with "administering agency" when referring to the entity responsible for the submission of the grant application.
11	III. Definitions	17. Match Rate	xi	Added language to clarify that match commitments pledged by local agencies in calls for projects are to be fulfilled through cash contributions unless other acceptable methods are explicitly outlined in program specific guidelines.
12	III. Definitions	18. Micro-Purchase	xi	Increased the amount of a micro-purchase from \$2,500 to \$5,000 to align with revisions to the OCTA Procurement Policies and Procedures approved by the OCTA Board on November 27, 2023.
13	III. Definitions	21. Primary Implementation (PI) Report	xi	Clarified that the PI report is for the Regional Traffic Signal Synchronization Program (Project P).
14	III. Definitions	22. Operations and Maintenance (O&M) Report	xii	Clarified that the O&M report is for the Regional Traffic Signal Synchronization Program (Project P).
15	III. Definitions	23. Project Phase and Programming for RCP	xii	Combined the term "Project Phase" with the "Programming for RCP" term. Clarified that the term "project phase" refers to infrastructure projects. For the engineer phase, clarified that final design is included. For the ROW phase, clarified that ROW support is included and ROW engineering work may also be included. For the construction phase, clarified that utility relocation may be included if utility relocation work is being carried out by construction contractor. Updated "Planning and Implementation" to "Pre-construction" to be consistent with language commonly used to describe development or preconstruction capital phases.

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16	III. Definitions	24. Project Phase Completion	xiii	Added language to specify that two project phase completion dates may be provided for construction projects with required environmental mitigation work.
17	III. Definitions	29. Scope Change	xiii	Added term and definition for "scope change" in response to an Internal Audit report.
18	V. Precepts	Precept 6	xix	Clarified that pre-award authority is granted to funded transit projects upon Board approval of the M2 grant.
19	V. Precepts	Precept 8	xix	Clarified that if agency work force is not being used, then consultants should be selected on a competitive bidding environment. However, if using local work force, additional provisions may apply in Chapter 9 Reimbursements.
20	V. Precepts	Precept 17	xx	Changed term "extension" to "delay" for clarification and consistency.
21	V. Precepts	Precept 18	xxi	Changed term "extension" to "delay" for clarification and consistency.
22	V. Precepts	Precept 19	xxi	Specified that there will be one encumbrance date determined for each project phase excluding RCP and RTSSP projects (see precept 20).
23	V. Precepts	Precept 20	xxi	Specified that there will be one encumbrance date determined for each RCP and RTSSP project phase and added precept for timely use for RCP and RTSSP projects to align with the M2 Ordinance timely-use of funds requirements, in response to recommendation by Internal Audit.
24	V. Precepts	Precept 22	xxi	Updated web address for Call for Projects website.
25	V. Precepts	Precept 23	xxi	Deleted sentence since SLPP funds are no longer programmed through the CTFP.
26	V. Precepts	Precept 29	xxii	Increased construction support limit to 20 percent (20%) of M2 grant from 15 percent (15%) of eligible project cost.
27	V. Precepts	Precept 30	xxii	Added language stating contract change orders cannot exceed ten percent (10%) "of eligible construction cost" and "whichever amount is higher" to clarify how the ten percent (10%) contract change order threshold will be calculated.
28	Chapter 2	Programming Policies	2-5	Clarified that adjustments between PI and O&M phases can occur after programming approval for sixty calendar days after contract award, in order to reflect actual contract award amounts.
29	Chapter 2	Programming Policies	2-6	Clarified that an agency must have a fully executed Letter Agreement prior to obligating funds unless project has been approved for pre-award authority.
30	Chapter 2	Programming Policies	2-6	Removed TAC approval under scope change to avoid a hold in the approval process due to not meeting quorum.
31	Chapter 2	Schedule Change Request	2-6	Deleted "extensions" and added "delays" for consistency and clarified that agencies shall provide documentation justifying the delay request.
32	Chapter 2	Timely-Use of Funds	2-7	Updated language to be in line with revisions made under the precepts 19 and 20.
33	Chapter 2	Project Advancements	2-7	Clarified that in instances when OCTA cannot approve advancement of M2 funds, local funds spent as part of project advancements may be used as match, as long as OCTA approves this revised arrangement.
34	Chapter 6	Scope Reductions/ Modifications and Cost Savings	6-16	Added language on the scope change review and approval process for Project V grants.
35	Chapter 6	Project Cancellations	6-17	Clarified that an agency may cancel service without OCTA Board approval.
36	Chapter 7	Project Cost Estimate Form	7-8	Updated construction support percentage to align with revisions to Precept 29.

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37	Chapter 7	Utility Relocation	7-17, 7-34, 7-44	Revised the phrase "with an initial payment" to "at time of a request" due to not all agencies requesting an initial payment.
38	Chapter 7	Ineligible Expenditures	7-18	Clarified rehabilitation and reconstruction expenses that would not be eligible to be consistent with Potentially Eligible Items section of the guidelines.
39	Chapter 7	Ineligible Expenditures	7-18	For grade separation projects added "defined as new railroad and roadway grade separations".
40	Chapter 8	2024 Call for Projects Project Definition Eligible Activities	8-3 & 8-8	Clarified that Caltrans does not need to be a participant of the Baseline Project in order for an application to claim Baseline participation.
41	Chapter 8	Matching Funds	8-20	Updated construction support percentage to align with revisions to Precept 29.
42	Chapter 9	Procedures for Receiving Funds	9-1	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
43	Chapter 9	Payment Request	9-3	Deleted "an agency shall use the report checklist provided in the CTFP Payment Supplement see <a href="https://ocfundtracker.octa.net/report_payment_excel.asp">https://ocfundtracker.octa.net/report_payment_excel.asp</a> ) in order to determine the reporting and documentation requirements for initial payment requests" due to CTFP Payment Supplement packages no longer in use or supplied.
44	Chapter 9	Payment Request	9-3	Added "checklist" to clarify that both the checklist and interactive electronic versions of all payment forms can be downloaded through the OCFundtracker database.
45	Chapter 9	Payment Request	9-3	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
46	Chapter 9	Payment Request	9-4	Clarified what is required for documentation for costs in ROW phase, added language for an allowance that agencies may submit equivalent documentation for OCTA's consideration on a case-by-case basis, and updated the initial payment language for ROW.
47	Chapter 9	Calculation of Payment	9-5	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
48	Chapter 9	Final Payment Documentation Requirements	9-6	Clarified that the final payment is based on the OCTA share of eligible costs or up to the grant amount.
49	Chapter 9	Final Payment Documentation Requirements	9-7	Added "NTP" under documentation of the contract award as documentation needed for on-call consultants.
50	Chapter 9	Final Payment Documentation Requirements	9-7	Deleted "the Division of Cost Form 10-6" and added it to "supportive materials shall equal the Division of Cost form 10-6 totals that are located in the final report form"
51	Chapter 9	Final Payment Documentation Requirements	9-7	Clarified for Project O construction phases, overall project costs for projects in which 20 percent (20%) or greater of the overall cost is not attributable to the MPAH facility, will be prorated consistent with the ratio of MPAH benefits compared to non-MPAH benefits.
52	Chapter 9	Final Payment Documentation Requirements	9-7	Clarified that jurisdiction shall submit the most recently updated final design plans or "as-built" plans.
53	Chapter 9	Final Payment Documentation Requirements	9-7	Clarified what is required for justification that agency workforce is more cost effective and more timely.

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54	Chapter 9	Final Payment Documentation Requirements	9-7	Clarified what is required for documentation for costs in ROW phase, added language for an allowance that agencies may submit equivalent documentation for OCTA's consideration on a case-by-case basis and update the initial payment language for ROW.
55	Chapter 9	Final Payment Documentation Requirements	9-8	Specified that before and after photographs for implementation and construction phases should be high quality resolution images in JPEG or PNG file formats in order to promote local jurisdiction improvements funded by M2.
56	Chapter 9	Final Payment Documentation Requirements	9-11	Clarified what is required for justification that agency work force is more cost effective and more timely.
57	Chapter 9	Final Payment Documentation Requirements	9-12	Clarified that utilized LFS funds shall be accounted for in the M2 Expenditure Report instead of the project final report.
58	Chapter 9	Initial Payment Requests for Primary Implementation	9-13	Added "checklist" to clarify that both the checklist and interactive electronic versions of all payment forms can be downloaded through the OCFundtracker database.
59	Chapter 9	Initial Payment Requests for Primary Implementation	9-14	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
60	Chapter 9	Initial Payment Requests for Primary Implementation	9-14	Added parameters for "Before and After Project Photos" to be consistent with other CTFP programs.
61	Chapter 9	Project X- Environmental Cleanup Program Reimbursement & Reporting Requirements	9-17	Deleted "the CTFP Payment Supplement provides instructions and sample forms for ECP (Project X) projects" due to CTFP Payment Supplement packages no longer in use or supplied.
62	Chapter 9	Initial Payments	9-17	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
63	Chapter 9	Initial Payments	9-17	Clarified the requirements for the PS&E certification.
64	Chapter 9	Initial Payments	9-17	Clarified the requirements for the Initial Report Form.
65	Chapter 9	Initial Payments	9-18	Clarified the requirements for the Location Map of Installation.
66	Chapter 9	Final Report Process	9-18	Clarified that the final payment is based on the OCTA share of eligible costs or up to the grant amount.
67	Chapter 9	Final Report Process	9-18	Added "NTP" under documentation of the contract award as documentation needed for on-call consultants.
68	Chapter 9	Final Report Process	9-18	Clarified the requirements for the Final Report Form.
69	Chapter 9	Final Report Process	9-19	Clarified the requirements for the Location Map of Installation.
70	Chapter 10	Materials and Other	10-2	Updated evidence of reasonableness of price from \$1,000 to \$5,000 to align with micro-purchase threshold revisions.
71	Chapter 10	Local Agency Work	10-2	Clarified justification for use of agency work force to ensure required justification is provided and on file.
72	Chapter 11	Tier 1 Project Types	11-3	Added "with non-spraying heads" to irrigation systems retrofits in order to clarify the acceptable project types.
73	Chapter 11	Reimbursements	11-5	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
74	Chapter 11	Scope Reductions/ Modifications and Cost Savings	11-5	Updated scope change language to be consistent with Project V scope language.
75	Chapter 11	Eligible Expenditures	11-13	Updated construction support percentage to align with revisions to Precept 29.

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76	Chapter 11	Eligible Expenditures	11-18	Updated construction support percentage to align with revisions to Precept 29.
77	Chapter 11	Reimbursements	11-19	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.

### Acronyms

Baseline Project – Countywide Baseline Project

Board – Board of Directors

Caltrans – California Department of Transportation

CTFP – Comprehensive Transportation Funding Programs

ECP – Environmental Cleanup Program

LFS – Local Fair Share

M2 – Measure M2

MPAH – Master Plan of Arterial Highways

NTP – Notice to Proceed

O&M – Operations and Maintenance

OCTA – Orange County Transportation Authority

PI – Primary Implementation

PS&E – Plans, Specifications and Estimates

RCP – Regional Capacity Program

ROW – Right of Way

RTSSP – Regional Traffic Signal Synchronization Program

SLPP – State-Local Partnership Program

TAC – Technical Advisory Committee

TSC – Technical Steering Committee