

**2021
REGIONAL
ACTIVE TRANSPORTATION PROGRAM
GUIDELINES**

*Adopted April 16, 2020
Amended May 28, 2020*

San Joaquin Council of Governments

**SAN JOAQUIN COUNCIL OF
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I. Introduction

1. Background

The Active Transportation Program (ATP) is a competitive statewide program created to encourage increased use of active modes of transportation, such as biking and walking. Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) created the ATP, and Senate Bill 1 (SB 1) (Chapter 2031, statutes of 2017) directs additional funding from the Road Maintenance and Rehabilitation Account to the ATP. The ATP distributes the total annual funding capacity between three programs with 10% going to small urban/rural areas with populations of 200,000 or less, 40% going to Metropolitan Planning Organizations (MPO) in urban areas with populations greater than 200,000 and 50% going to a statewide program. All funding must be competitively awarded, the requirement that 25% of the funds in each program benefit disadvantaged communities. The ATP has two separate grant processes, one led by the California Transportation Commission (CTC) and the other led by the nine large MPOs including the San Joaquin Council of Governments (SJCOG). The 2021 ATP Guidelines were adopted by the CTC on March 26, 2020.

The Measure K Renewal Ordinance and Expenditure Plan as passed by the voters of San Joaquin County in 2006 includes a Bicycle, Pedestrian, and Safe Routes to School Funding Program. The Measure K Expenditure Plan specifies that 60% of the funds will be allocated according to a competitive process. The Expenditure Plan specifies a minimum of \$65 million in federal transportation funding or Measure K funding will be made available during the Measure K Renewal program for smart growth incentives to local jurisdictions in San Joaquin County. These funds will be available for infrastructure improvements that will assist local agencies in integrating transportation and land use, such as street calming, walkable community projects, transit amenities and alternative modes of transportation. These funds will be available to enhance infill development, neighborhood revitalization and downtown improvements.

The Congestion Mitigation and Air Quality Improvement Program (CMAQ) was reauthorized under the Transportation Equity Act for the 21st Century in 1998, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users in 2005, the Moving Ahead for Progress in the 21st Century Act in 2012, and most recently, the Fixing America's Surface Transportation Act in 2015 (FAST Act). The purpose of the CMAQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards for ozone, carbon monoxide, and particulate matter. SJCOG, as the Metropolitan Planning Organization (MPO) for San Joaquin County, is responsible for selecting and programming CMAQ projects. In April 2019, the SJCOG Board adopted a policy to reserve 15% of CMAQ funding for bicycle and pedestrian projects.

To reduce administrative burden and streamline the process for applicants, SJCOG has combined these funding sources into one Call for Projects in the 2021 Regional Active Transportation Program. These guidelines describe the policies, standards, criteria, and procedures for the development of the 2021 Regional Active Transportation Program. Where silent, these guidelines will defer to the CTC's 2021 ATP Guidelines.

2. Program Goals

Pursuant to statute, the purpose of the ATP is to encourage increased use of active modes of transportation, such as biking and walking. The goals of the ATP are to:

- Increase the proportion of trips accomplished by biking and walking.
- Increase the safety and mobility of non-motorized users.
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals as established pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) and Senate Bill 391 (Chapter 585, Statutes of 2009).
- Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding.
- Ensure that disadvantaged communities fully share in the benefits of the program.
- Provide a broad spectrum of projects to benefit many types of active transportation users.

Pursuant to the Measure K Strategic Plan, the goals of the Measure K Bicycle, Pedestrian and Safe Routes to School Program and the Smart Growth Incentive Program are to:

- Meet the mobility needs for people of all ages and abilities in San Joaquin County by improving and enhancing the existing bicycle and pedestrian network
- Providing better connectivity, accessibility, and safety measures between specific origins and destinations referred to as Community Activity Centers (CACs)
- Assist local agencies in better integrating transportation and land use
- Support infill development, neighborhood revitalization, and downtown improvements

3. Program Schedule and Funding Years

The guidelines for this program of projects must be adopted by March 26, 2020. Programming capacity for the 2021 Regional Active Transportation Program will be for state fiscal years 2021/22 through 2024/25. The following schedule lists the major milestones for the development and adoption of the 2021 Regional Active Transportation Program:

Draft Guidelines and Application Released for Public Review	March 5, 2020
SJCOG Board adoption of Guidelines	April 16, 2020
SJCOG Submits Guidelines to CTC	April 17, 2020
CTC Action on SJCOG Guidelines	May 13, 2020
Call for Projects	May 29, 2020
Electronic project applications due to SJCOG (postmark date)	September 15, 2020
SJCOG staff funding recommendations for program	April 1, 2021
SJCOG Board adopts funding recommendations	April 22, 2021
SJCOG funding recommendations submitted to CTC	May 14, 2021
CTC adopt SJCOG selected ATP projects	June 24, 2021

II. Funding

4. Sources

The 2021 Regional Active Transportation Program is funded from various state, local, and federal funding sources:

- Approximately \$3.546 million from the regional portion of the Active Transportation Program (ATP)
- Approximately \$3.628 million from the Measure K Bicycle, Pedestrian, and Safe Routes to School Competitive Program
- Approximately \$7.578 million from the Measure K Smart Growth Incentive Program
- Approximately \$3.6 million from the federal Congestion Mitigation & Air Quality Improvement Program (CMAQ)

All projects must meet eligibility requirements specific to at least one of these four funding sources.

5. Distribution

The 2021 Regional Active Transportation Program will be distributed as follows

- Approximately of \$3.546 million of Active Transportation funds will be programmed on a competitive basis to Bicycle, Pedestrian, and Safe Routes to School projects
- Approximately of \$3.628 million of Measure K funds will be programmed on a competitive basis to Bicycle, Pedestrian, and Safe Routes to School projects
- Approximately \$7.578 million of Measure K funds will be programmed on a competitive basis to Smart Growth Incentive Program projects
 - For projects requesting funds from the Smart Growth Incentive Program, the maximum Measure K contribution is \$2 million per project
 - For project planning, the Measure K contribution is capped at \$250,000 per project
 - For environmental analysis, design, and engineering, the Measure K contribution is capped at \$250,000 per project
 - For project construction, the Measure K contribution is capped at the difference between the funds spent for other phases and an allocation limitation not to exceed \$2 million.
- Approximately of \$3.6 million of CMAQ funds will be programmed on a competitive basis to Bicycle, Pedestrian, and Safe Routes to School projects

6. Matching Requirements

SJCOG does not require a funding match for the 2021 Regional Active Transportation Program.

7. Leveraging Funds

SJCOG encourages the leveraging of additional funds for a project by considering leveraging in the evaluation criteria for all projects, however, applicants are not required to leverage funds. SJCOG will only consider cash funds for leveraging. In-kind contributions are not permitted. Pre-construction phases funded by the applicant will be considered for leveraging even if the funds were expended before the application deadline.

Except for State Transportation Improvement Program (STIP) funding, SJCOG will only consider funds that are not allocated by the CTC on a project specific bases as eligible funds for leveraging points. Leveraging funds may include Non-competitive Measure K Bicycle, Pedestrian, and Safe Routes to School funds, other Measure K funds derived by formula, or other federal or local funds.

Applicants must provide a complete (phase-by-phase) project funding plan through construction that demonstrates that any competitive funding and leveraged funding in the plan (local, federal, state, private) are reasonably expected to be available and sufficient to complete the project.

8. Funding for Plans

Funding from the ATP and the Bicycle, Pedestrian, and Safe Routes to School Program may be used to fund the development of community-wide active transportation plans, including bicycle, pedestrian, safe routes to schools, or comprehensive active transportation plans. ATP funds may only be used to fund plans within or encompassing disadvantaged communities. A list of the components that must be included in an active transportation plan can be found Appendix A of the 2021 ATP Guidelines as adopted by the CTC on March 26, 2020.

Funding from the Smart Growth Incentive Program will be available for planning studies. During the initial years of the program, a larger percentage of Smart Growth Incentive Program funds shall be used to support planning activities. Measure K competitive funds used for Smart Growth Incentive Program planning may only be allocated based on a 50 percent match. Applications for plans may not be combined with applications for infrastructure or other non-infrastructure projects.

9. Reimbursement

The ATP and CMAQ are reimbursement programs for eligible costs incurred. In order for an item to be eligible for reimbursement through Caltrans, that item's primary use or function must meet the program purpose and at least one of the program goals. Reimbursement is requested through the invoice process detailed in the Caltrans Local Assistance Procedures Manual, Chapter 5, Invoicing. Costs incurred prior to CTC allocation and, for federally funded projects, Federal Highway Administration project approval (i.e. Authorization to Proceed), are not eligible for reimbursement.

The Measure K Bicycle, Pedestrian, and Safe Routes to School and Smart Growth Incentive

Programs are reimbursement programs for eligible costs incurred. A cooperative agreement must be signed by SJCOG and the project sponsor before funds are available for the project. Once a cooperative agreement has been signed by both parties, the project sponsor is required to submit monthly progress reports to the SJCOG. Also, monthly invoices may be submitted. Expenses are reimbursed in arrears, with the exception of a one-month advance for construction projects (upon request of the sponsor). Expenses incurred prior to the execution of a Measure K Renewal contract are not reimbursable. By the last day of each month, the SJCOG will pay all invoices received by the 10th of that month. The following items are not eligible for Measure K Renewal reimbursement under a cooperative agreement:

- Activities relating to obtaining matching funds for a project.
- Activities related to general Measure K Renewal administration (not specific to the project), education or preparation performed by the project sponsor or contractor.
- Activities relating to another project not covered in the cooperative agreement, even if it is a Measure K Renewal project.
- Activities conducted prior to executing a Measure K Renewal cooperative agreement

III. Eligibility

10. Eligible Applicants

Active Transportation Program

Eligible applicants for the Active Transportation Program are specified in Section 11 of the 2021 ATP Guidelines as adopted by the CTC on March 26, 2020.

Measure K

The applicant and/or implementing agency for Measure K funds assumes responsibility and accountability for the use and expenditure of program funds. Applicants and/or implementing agencies must be able to comply with all the federal, state, and local laws, regulations, policies and procedures required to complete the project. The following entities, are eligible to apply for Measure K Bicycle, Pedestrian, and Safe Routes to School and Smart Growth Incentive Program funds:

- The cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy
- The County of San Joaquin
- The San Joaquin Regional Rail Commission
- The San Joaquin Regional Transit District
- Any other public agency in San Joaquin County that is eligible to receive federal transportation funding may apply for funding only from the Smart Growth Incentive Program
- School districts and private nonprofit 501(c)(3)s may only apply for ancillary support need projects through the Bicycle, Pedestrian, and Safe Routes to School program. These are individualized community-based needs that are not part of a larger project and include:

- Bicycle racks and enclosed bicycle storage facilities
- Lighting & signage
- Bicycle and pedestrian education and promotion efforts
- School site specific safe routes to school assessments

Congestion Mitigation and Air Quality Improvement Program

Applicants for CMAQ funding must have a master agreement with Caltrans to receive federal transportation funding.

11. Partnering With Implementing Agencies

Applicants are encouraged to partner with other agencies/groups, including private and non-profit organizations, in applying for funds.

12. Eligible Projects

All projects must be selected through a competitive process and must meet one or more of the program goals:

- a. Infrastructure Projects: Capital improvements that will further the goals of this program. This typically includes the environmental, design, right-of-way, and construction phases of a capital (facilities) project.
- b. Plans: The development of a community wide bicycle, pedestrian, safe routes to school, or active transportation plan, or planning studies for a project through the Smart Growth Incentive Program or the Active Transportation Program.
- c. Non-infrastructure Projects: Education, encouragement, and enforcement activities that further the goals of this program. SJCOG intends to focus funding for non-infrastructure on start-up projects. A project is considered to be a start-up when no program currently exists. Start-up projects must demonstrate how the program is sustainable after funding is exhausted. The program cannot fund ongoing program operations. Non-infrastructure projects are not limited to those benefiting school students. Program expansions or new components of existing programs are eligible for funding as long as the existing program will be continued with other funds.
- d. Infrastructure projects with non-infrastructure components.
- e. Quick-Build Pilot Projects: Quick build projects are interim capital improvement projects that further the goals of the program. These projects do require construction, but are built with durable, low to moderate cost materials and last from one year to five years. See Appendix D of the CTC's 2021 ATP Guidelines for details.

13. Minimum Request for Funds

To maximize the effectiveness of program funds and to encourage the aggregation of small projects into one larger comprehensive project, the minimum request for funding that will be considered is \$250,000. This minimum does not apply to non-infrastructure projects, safe routes to school projects, plans, and quick-build pilot projects.

14. Project Type Requirements

As discussed in the Funding Distribution section (above), the program include multiple, overlapping components for which the requirements specific to these components are below.

A. Disadvantaged Communities

For a project to be considered a Disadvantaged Community, the project must clearly demonstrate, with verifiable information, a direct, meaningful, and assured benefit to a disadvantaged community. To count as providing a benefit, a project must fulfill an important need of low-income people in a way that provides a significant benefit and targets its benefits primarily to low-income people while avoiding substantial burdens on a disadvantaged community. It is incumbent upon the applicant to clearly articulate how the project benefits the disadvantaged community; there is no presumption of benefit, even for projects located within a disadvantaged community. For a project to qualify as directly benefiting a disadvantaged community, the project must:

- Be located within or be within reasonable proximity to, the disadvantaged community served by the project,
- Have a direct connection to the disadvantaged community, or
- Be an extension or a segment of a larger project that connects to or is directly adjacent to the disadvantaged community.

To qualify as a disadvantaged community the community served by the project must meet at least one of the following criteria:

- Median Household Income: (Table ID B19013) is less than 80% of the statewide median based on the Census Tract (ID 140) level data from the 2014-2018 American Community Survey (<\$56,982). Communities with a population less than 15,000 may use data at the Census Block Group (ID 150) level. Unincorporated communities may use data at the Census Place (ID 160) level. Data is available at the United States Census Bureau Website at: https://data.census.gov/cedsci/?intcmp=aff_cedsci_banner
- CalEnviroScreen: An area identified as among the most disadvantaged 25% in the state according to the CalEPA and based on the California Communities Environmental Health Screening Tool 3.0 (CalEnviroScreen 3.0) scores (score must be greater than or equal to 39.34). The mapping tool can be found here and the list can be found at: <http://www.calepa.ca.gov/EnvJustice/GHGInvest/>

- National School Lunch Program: At least 75% of public-school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program. Data is available at the California Department of Education website at <http://www.cde.ca.gov/ds/sd/sd/files.asp>. Applicants using this measure must indicate how the project benefits the school students in the project area. Project must be located within two miles of the school(s) represented by this criteria.
- Healthy Places Index: The Healthy Places Index includes a composite score for each census tract in the State. The higher the score, the healthier the community conditions based on 25 community characteristics. The scores are then converted to a percentile to compare it to other tracts in the State. A census tract must be in the 25th percentile or less to qualify as a disadvantaged community. The live map and the direct data can both be found on the California Healthy Places Index website.
- Other: If an applicant believes that the project benefits a disadvantaged community, but the project does not meet the aforementioned criteria due to a lack of accurate information, the applicant may submit another means of qualifying for consideration. SJCOG staff will assess and score this question for applicants using the “Other” category to qualify as a disadvantaged community. Suggested alternatives that can be submitted under this category include:
 - Census data that represents a small neighborhood or unincorporated area. The applicant must submit for consideration a quantitative assessment, such as a survey, to demonstrate that the community’s median household income is at or below 80% of the state median household income.
 - CalEnviroScreen data that represents a small neighborhood or unincorporated area. The applicant must submit for consideration an assessment to demonstrate that the community’s CalEnviroScreen score is at or above 39.34.

B. Safe Routes to School Projects

For a project to qualify for Safe Routes to School designation, the project must directly increase safety and convenience for public school students to walk and/or bike to school. Safe Routes to Schools infrastructure projects must be located within two miles of a public school or within the vicinity of a public school bus stop and the students must be the intended beneficiaries of the project. Other than traffic education and enforcement activities, non-infrastructure projects do not have a location restriction.

IV. Project Application

All applications will must use the latest state 2021 ATP Cycle 5 Electronic Applications available at the Caltrans Local Assistance Website located at: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program/general-and-technical-information>. In addition, the 2021 SJCOG Regional ATP Supplemental Application must be submitted as described below.

There are five different applications available for applicants to complete depending on the project type and size. It is incumbent on the applicant to complete the application appropriate for their project. Applicants applying for infrastructure projects must utilize the application type based on the entire project cost, not the ATP request amount. All eligible projects must apply with one of the following application types. Applications for plans may not be combined with applications for infrastructure or non-infrastructure projects.

The five application types are:

- A. Large Project, Infrastructure Only or Infrastructure/Non-Infrastructure
 - Projects with a total project cost of greater than \$7 million will be considered a large project and must use the Large Project application. SJCOG, Caltrans, and CTC staff may conduct onsite field reviews on a selection of projects that qualify as large projects. Field reviews are not indicative of the project's likelihood of funding.
 - Projects that qualify for the large application may choose to apply for only pre-construction phases.
- B. Medium Project, Infrastructure Only or Infrastructure/Non-Infrastructure
 - Projects with a total project cost of more than \$2 million and up to \$7 million will be considered a medium project and must use the Medium Project application.
- C. Small Project, Infrastructure Only or Infrastructure/Non-Infrastructure
 - Projects with a total project cost of \$2 million or less will be considered a small project and must use the Small Project application.
- D. Non-Infrastructure Only
- E. Plan
 - Applicants can only apply for a plan with the Plan application. This application cannot be combined with any other type of project.

15. Application Submittal Requirements

- All project applications must include the signature of the Chief Executive Officer or other officer authorized by the applicant's governing board.
- Where the project is to be implemented by an agency other than the applicant, documentation of the agreement between the project applicant and implementing agency must be submitted with the project application.
- A project application must also include documentation of all other funds committed to the projects.

The following contents are required to be submitted:

- Signed cover letter (electronic signature is accepted)
- Completed Supplemental Application
 - Project Information – Section I
 - Supplemental Questions – Section II
 - Supplemental Application Checklist – Section III
- Complete Appendix – in order

- State ATP Application
- Any additional exhibits not included in your State ATP Application
- Miscellaneous – Any other information not included in your State ATP Application

One (1) electronic copy must be submitted via thumb drive, CD, or email/file sharing site of the complete grant application no later than 4:00 p.m. on **September 15, 2020** to:

David Ripperda, Associate Regional Planner
 San Joaquin Council of Governments
 555 E. Weber Avenue
 Stockton, CA 95203
ripperda@sjcog.org

V. Project Selection Process

16. Scoring Criteria

Proposed projects will be scored and ranked on the basis of applicant responses to the below criteria. See the chart below to reference the scoring criteria and points allotted to the different types of applications. The chart below shows the maximum number of points allowed for each scoring criteria for each type of application. If a scoring criterion is left blank, it is not applicable to that application type.

Topic	Plan	NI Only	Infrastructure or Infrastructure with Non-Infrastructure		
			Small	Medium	Large
Benefits to Disadvantaged Communities	30	10	10	10	10
Need	40	60	50	40	35
Safety	-	10	25	25	25
Public Participation & Planning	25	15	10	10	10
Scope and Plan Layout Consistency and Cost Effectiveness	-	10	5	5	5
Context Sensitive & Innovation	-	5	-	5	5
Transformative Projects	-	-	-	-	5
Evaluation and Sustainability	-	10	-	-	-
Implementation & Plan Development	25	-	-	-	-
Leveraging of Other Funding	10	10	10	15	15
Project Readiness	-	-	20	20	20
Project Location	20	20	20	20	20
Transit Access	20	20	20	20	20
Mixed Land Uses and Development	15	15	15	15	15
Housing Diversity and Affordability	15	15	15	15	15
Total	200	200	200	200	200

Project programming recommendations may not be based strictly on the rating criteria given the requirements of the various funding sources. A minimum of 25% of ATP funding will be programmed to projects that benefit Disadvantaged Communities per CTC requirements.

17. Project Selection between Project Applications with the Same Score

If two or more projects applications receive the same score that is at the funding cut-off score, the following criteria will be used to determine which project(s) will be funded in the following priority order:

- a. Infrastructure projects
- b. Project readiness including, but not limited to, completed environmental documents
- c. Highest score on the highest point value question (questions with the highest point value may vary by application type).

18. Project Evaluation Committee

SJCOG staff will form a multidisciplinary Project Evaluation Committee to assist in evaluating project applications. In forming the Project Evaluation Committee, staff will seek participants with expertise in bicycling and pedestrian transportation and land use, including Safe Routes to Schools type projects, and in projects benefiting disadvantaged communities, and will seek geographically balanced representation from local jurisdictions and non-governmental organizations.

19. Project Programming

SJCOG staff will program funding to projects based upon the project scores and input from the Project Evaluation Committee. SJCOG staff will attempt to fund projects from only one of the funding types if possible, and will seek to program projects to concentrate federal and state funding on as few projects as possible. Final programming recommendations are subject to review and consideration by the SJCOG committees before adoption by the SJCOG Board. Approval of ATP funding is subject to approval by the CTC.