



**Board Report**

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**Agenda Number:**

**Attached is the official record distributed to the board.**

**NOVEMBER 16, 2022**

**TO: BOARD OF DIRECTORS**  
**THROUGH: STEPHANIE WIGGINS**  
**CHIEF EXECUTIVE OFFICER**  
**FROM: JAMES DE LA LOZA**  
**CHIEF PLANNING OFFICER**  
**SUBJECT: SB 1 CYCLE 3 CANDIDATE PROJECTS**

**ISSUE**

At the August meeting of the California Transportation Commission, SB 1 Cycle 3 was announced, including \$1.48 billion in funding available for which Metro can apply. This report presents \$383 million worth of potential SB 1 funding requests for candidate projects for which Metro staff would submit applications, as well as details the evaluation process by which we selected these candidate projects. Since 2017, when the Evaluative Criteria Framework (ECF) - the strategic process by which staff selects candidate projects for grant opportunities -was shared with the Board (as detailed in File #: 2017-0546 and File #: 2019-0601). Metro has amassed a total of \$2.4 billion in federal and state grant awards. Our ongoing success depends on the use of the ECF, which guided Metro applications for funding under Senate Bill 1, the Road Repair and Accountability Act of 2017 (SB 1) programs and the Fixing America's Surface Transportation (FAST) Act of 2015.

**BACKGROUND**

To maximize Metro's ability to secure funding made available by SB 1, staff developed the ECF in 2017 as the set of guiding principles to support decisions on evaluation and selection of Metro projects for various competitive and formulaic funding programs. The ECF has also guided our work in evaluation and selection of Metro projects for various competitive grant programs created over the past several years. Staff is currently preparing to submit grants for SB 1 Cycle 3 and a number of these other new funding opportunities.

**DISCUSSION**

Attachment A shows the candidate projects for Metro to submit for funding in the Local Partnership

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Program (Formula and Competitive), the Solutions for Congested Corridors Program and the Trade Corridors Enhancement Program under SB 1 Cycle 3. These funding requests total \$383 million and are selected from among Measure M, Measure R, and prior Board-approved Long Range Transportation Plan priorities. The projects were identified using the ECF In order to focus on the Board's highest priorities-within these priorities the ECF also helps staff identify the projects that can compete most effectively for state and federal programs. Additionally, the candidate projects for the Solutions to Congested Corridors Program underwent additional analysis through the Comprehensive Multimodal Corridor Plan development process.

Attachment B shows two additions to the ECF. The first change was needed to ensure competitiveness and deliverability of our projects, by identifying projects that are feasible, timely, and ready to go, so that the resulting grant awards can be successfully drawn down. The second change strengthens our framework to better reflect Metro priorities such as equity. The additions reflect the Metro Equity Platform and the current suite of equity assessment tools. This will also serve to support our responsiveness to grant criteria under development for federal and state funding programs.

#### Project Readiness, Deliverability, and Cost Estimates

Staff proposes to update the first ECF parameter, "Match Competitiveness of Projects to New/Expanded Program Criteria" to better reflect the importance of ensuring the readiness and deliverability of our projects. Ensuring the timely deliverability of the projects is the critical first step in identifying projects for grant applications. If the project is not construction-ready to receive funding in the current cycle, it will not be able to compete for funding until a later cycles. Also, if the project is not able to complete construction or meet other milestones specified by individual grant guidelines in a timely manner, it will risk the need to request rescheduling or rescoping, or the lapsing of hard-won competitive funds.

Project Readiness and Deliverability also apply strongly to cost estimates. When funding is applied for before a project scope is well-developed and is understood by all relevant partners, the project runs the risks of having costs increase as the project scope is finalized, leaving the acquired package of grants and committed Measure funding insufficient to carry the project to completion. Most grant programs do not allow a second grant for the same scope of work, or to leverage similar funding from another program from the original program, leaving Metro few options for obtaining the funds needed to close the gap and construct the project. Planning staff will consider applying local funds to pre-development activities, and only applying for grant funding for capital expenditures, such as right-of-way, construction, and final design if the design-build method is chosen. This decision may lead to a period of grant activities being focused on ready-to-go projects such as vehicle purchases, as many important projects proceed through the environmental, planning, and design (or early design) phases. Prior to committing to a grant application, staff will review projects carefully to assure timeliness, deliverability, and overall readiness. This process will have benefits as discussed above and may also lead to increased success on grant awards, as graphics, modeling and narrative will be developed as part of environmental, planning, and preliminary design processes which can be helpful in supporting grant applications and giving grant reviewers a clearer, more attractive impression of the project.

#### Equity Considerations

Staff proposes to incorporate equity consideration into the Geographic Balance parameter to provide guidance on how the Equity Platform will be applied to selecting projects for grant applications. The proposed revision would require an approved equity assessment or Board report Equity Platform section prior to grant consideration. These equity assessments will be conducted by the responsible project management staff in the Planning, Operations, Program Management or other departments, depending on the phase or status of the project at the time of grant consideration. A previous assessment can be used for the grant decision purpose, so long as the project scope and mitigations have not changed in the interim. This will help to ensure that the staff responsible for the assessment have direct access and knowledge of the necessary information.

### Equity Scoring Criteria in State Programs

Most state transportation funding programs are incorporating equity provisions into their guidelines for the new funding cycles. Most are aligned well in concept with Metro equity policies. Metro staff is finding some areas where criteria are neither complete nor consistent and is working with federal and state staff to improve them when there are opportunities for comment. Attachment C shows summaries of language related to equity considerations found in current state guidelines. Local Jurisdiction Grant Assistance for the State Active Transportation Program Metro does not follow the ECF when considering local jurisdictions' projects for grant assistance for the state Active Transportation Program (ATP). This is a state program that distributes state and federal funding. Our ATP grant assistance is guided by a separate policy framework (File #: 2021-0587) that closely aligns with and amplifies state equity policy.

### NEXT STEPS

- CTC Adoption of Funding Guidelines for 3 SB 1 Programs: August 2022
- SB 1 Applications Due: November-December 2022
- SB 1 Awards: June 2023



**Metro**


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Metropolitan Transportation Authority


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## **DISCUSSION**

Attachment A shows the candidate projects for Metro to submit for funding in the Local Partnership Program (Formula and Competitive), the Solutions for Congested Corridors Program and the Trade Corridors Enhancement Program under SB 1 Cycle 3. These funding requests total \$383 million and are selected from among Measure M, Measure R, and prior Board-approved Long Range Transportation Plan priorities. The projects were identified using the ECF in order to focus on the Board's highest priorities—within these priorities the ECF also helps staff identify the projects that can compete most effectively for state and federal programs. Additionally, the candidate projects for the Solutions to Congested Corridors Program underwent additional analysis through the Comprehensive Multimodal Corridor Plan development process.

Attachment B shows two additions to the ECF. The first change was needed to ensure competitiveness and deliverability of our projects, by identifying projects that are feasible, timely, and ready to go, so that the resulting grant awards can be successfully drawn down. The second change strengthens our framework to better reflect Metro priorities such as equity. The additions reflect the Metro Equity Platform and the current suite of equity assessment tools. This will also serve to support our responsiveness to grant criteria under development for federal and state funding programs.

### **Project Readiness, Deliverability, and Cost Estimates**

Staff proposes to update the first ECF parameter, "Match Competitiveness of Projects to New/Expanded Program Criteria" to better reflect the importance of ensuring the readiness and deliverability of our projects. Ensuring the timely deliverability of the projects is the critical first step in identifying projects for grant applications. If the project is not construction-ready to receive funding in the current cycle, it will not be able to compete for funding until a later cycles. Also, if the project is not able to complete construction or meet other milestones specified by individual grant guidelines in a timely manner, it will risk the need to request rescheduling or rescoping, or the lapsing of hard-won competitive funds.

Project Readiness and Deliverability also apply strongly to cost estimates. When funding is applied for before a project scope is well-developed and is understood by all relevant partners, the project runs the risks of having costs increase as the project scope is finalized, leaving the acquired package of grants and committed Measure funding insufficient to carry the project to completion. Most grant programs do not allow a second grant for the same scope of work, or to leverage similar funding from another program from the original program, leaving Metro few options for obtaining the funds needed to close the gap and construct the project. Planning staff will consider applying local funds to pre-development activities, and only applying for grant funding for capital expenditures, such as right-of-way, construction, and final design if the design-build method is chosen. This decision may lead to a period of grant activities being focused

on ready-to-go projects such as vehicle purchases, as many important projects proceed through the environmental, planning, and design (or early design) phases.

Prior to committing to a grant application, staff will review projects carefully to assure timeliness, deliverability, and overall readiness. This process will have benefits as discussed above and may also lead to increased success on grant awards, as graphics, modeling and narrative will be developed as part of environmental, planning, and preliminary design processes which can be helpful in supporting grant applications and giving grant reviewers a clearer, more attractive impression of the project.

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### Equity Scoring Criteria in State Programs

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### Local Jurisdiction Grant Assistance for the State Active Transportation Program

Metro does not follow the ECF when considering local jurisdictions' projects for grant assistance for the state Active Transportation Program (ATP). This is a state program that distributes state and federal funding. Our ATP grant assistance is guided by a separate policy framework (File #: 2021-0587) that closely aligns with and amplifies state equity policy.

## **NEXT STEPS**

- CTC Adoption of Funding Guidelines for 3 SB 1 Programs: August 2022
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## **ATTACHMENTS**

- A. 2022 SB 1 Projects and Match
- B. Proposed Revisions to Evaluative Criteria Framework
- C. Equity Language in State Grant Programs

## 2022 SB 1 Project Candidates and Local Match Commitments

(\$ millions)

**Local Partnership Program – Formulaic**

Max. available to Metro: \$77.4 million

Applications due: November 14, 2022

Project	Subregion	Priority	Total Cost	Local Match	Request
Bus Mobile Validator Replacement for TAP Municipal Partners	n/a	n/a	\$ 5.0	\$ 2.4	\$ 2.4
East San Fernando Valley Light Rail Transit Phase 1	sfv	n/a	\$ 3,635.0	\$ 908.8	\$ 75.0
<b>Total</b>			<b>\$ 3,640.0</b>	<b>\$ 911.2</b>	<b>\$ 77.4</b>
<b>Metro request as % of total available funds</b>					<b>100.0%</b>

**Local Partnership Program - Competitive**

Max. available to Metro: \$130.2 million

Applications due: November 29, 2022

Project	Subregion	Priority	Total Cost	Local Match	Request
Zero Emission Buses Charging Infrastructure	sfv	1	\$ 68.3	\$ 25.8	\$ 25.0
Southeast LA Transit Improvements Project	gc	2	\$ 31.1	\$ 16.5	\$ 14.6
North Hollywood Transit Center	sfv	3	\$ 50.0	\$ 25.0	\$ 25.0
<b>Total</b>			<b>\$ 149.4</b>	<b>\$ 67.3</b>	<b>\$ 64.6</b>
<b>Metro request as % of total available funds</b>					<b>49.6%</b>

**Solutions for Congested Corridors Program**

Max. available to Metro: \$449.7 million

Applications due: December 2, 2022

Project	Subregion	Priority	Total Cost	Local Match	Request
Metro C (Green) Line Platform and Power Substations	sb	1	\$ 195.1	\$ 92.5	\$ 88.0
Electric Buses and Bus Speed and Reliability Improvements	sfv, wc	2	\$ 83.1	\$ 50.3	\$ 32.0
Shoreline Drive Realignment	gc	3	\$ 69.2	\$ -	\$ 60.0
<b>Total</b>			<b>\$ 278.2</b>	<b>\$ 142.8</b>	<b>\$ 180.0</b>
<b>Metro request as % of total available funds</b>					<b>36.0%</b>

**Trade Corridor Enhancement Program**

Max. available to Metro: \$773.6 million

Applications due: November 18, 2022

Project	Subregion	Priority	Total Cost	Local Match	Request
I-710 ICM	gc	1	\$ 40.2	\$ 7.2	\$ 27.8
I-605 at Valley Blvd.	sgv	2		\$ 14.2	\$ 33.1
<b>Total</b>			<b>\$ 40.2</b>	<b>\$ 21.4</b>	<b>\$ 61.0</b>
<b>Metro request as % of What's Available to Metro*</b>					<b>7.9%</b>

\*Our freight partners in LA County are requesting additional funding which doesn't count toward this share.

**GRAND TOTAL REQUEST FOR ALL PROGRAMS** \$ **383.0****Metro request as % of max. available funds/share** **25.9%**



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### REVISED EVALUATIVE CRITERIA FRAMEWORK

The Evaluative Criteria Framework (ECF) is used to match appropriate state and federal fund sources with ready-to-go, eligible projects. The framework serves several purposes, and they fall into two key areas. One is to maximize the amount of grant funding awarded by identifying projects which are eligible, competitive, and responsive to individual funding program requirements; and to maximize the grant funds that can be successfully drawn down, by identifying projects which are ready-to-go, vetted by community residents, and deliverable within the deadlines of the various programs. The second key area is to focus grant-seeking efforts on projects which flow out of established priorities, plans, and policies of the Metro Board, such as the Equity Platform Framework.

The ECF comprises six main project assessment parameters to guide project selection for competitive grant opportunities as shown below. The first parameter focuses grant funds, just the same as Metro-programmed funds, on meeting the Metro Board's most critical priorities. When exploring grant fund opportunities, the ECF instructs staff to consider projects drawn from a major Board-adopted program, namely the Measure M expenditure plan.

The next two parameters focus our attention on the goals and priorities of our federal and state grantors. Once Metro's highest priorities have been identified, it is imperative to ensure that the projects put forward in grant applications are eligible, timely, and competitive, or attractive, to our grantor agencies. There are frequently many great projects under development, but if they are not ready, they will not make good competitors without good data on benefits and good graphics showing attractive attributes. Additionally, if funded, they can be extremely difficult for staff to deliver within strict grant deadlines and rigorous scope of work guidelines.

The final three factors direct staff to complete due diligence on consistency with major policies, goals, and plans, and ensure geographic balance. Metro's major plans are developed with the assumption of state and federal grant funds helping to maximize their reach and effectiveness. Therefore, staff must always return to our plans when considering projects to apply for federal and state funds. The following is a brief listing of the criteria.

For SB Cycle 3, staff enhanced the first ECF parameter, "Match Competitiveness of Projects to New/Expanded Program Criteria" to better reflect the importance of ensuring the readiness and deliverability of our projects. Additionally, staff proposes to update the sixth parameter, "Geographic Balance" to reflect an agency emphasis on social equity and provide guidance on how equity will be applied to selecting projects for grant applications. Changes are shown below in underline and strikeout. Ordering changes made for readability are not marked.

## ATTACHMENT B

### Focusing Grant Funds on Metro's Highest and Most Critical Priorities

#### *1. Sustain Measure M and other Pre-Measure M/LRTP Priorities and Schedules*

With its passage in November 2016, Measure M encompasses Metro's largest single policy objective over the next 40 years. In combination with \$52 billion in direct Measure M revenues, the expenditure plan identifies over \$40 billion in other local, state, and federal funds required to fully fund the major transit and highway capital projects along with the multiyear subregional capital programs. These major projects and programs are promises made to voters that must be kept. To do so, Metro must actively pursue funding opportunities and strategies that can realize assumptions of other local, state, and federal revenues for these projects and programs.

### Fit and Responsiveness to Grant Programs

#### *2. Match Competitiveness of Projects to New/Expanded Programs Criteria*

As candidate projects are considered for state and federal funding programs, it is important to recognize that other state and federal agencies adopt the guidelines that determine what projects will be eligible and most competitive for applications. While Metro staff actively participate in the guidelines development process for all SB 1 programs to support Metro priorities, the adopted guidelines will emphasize federal and state goals and require performance and equity metrics that may differ from Metro's own. With the higher share of funding in SB 1 going to capital projects through competitive versus formula programs, there will be increased levels of competition that require projects that respond to federal and state goals and requirements to secure the maximum share of funding for Los Angeles County to support the implementation of Measure M and Board priorities. One example of paramount importance is project readiness to meet aggressive state delivery schedules. Our projects must meet certain readiness standards for us to be able to commit to, describe, and document the projected benefits of a specific scope of work. Once programmed, we must also be able to deliver the projects within the program deadlines and programmed funding. Prior to committing to a grant application, staff will review projects carefully to assure readiness and deliverability.

#### *3. Certainty (Formula) vs. Risk (Competitive/Discretionary)*

The difference in risk between investing formula funds and securing discretionary grant funds requires strategic decisions to support individual projects and overall program delivery. Metro must seek discretionary funds for competitive capital projects that can tolerate risk for delivery. This tolerance can include longer timelines to realize funding as a project progresses through project development. Metro must seek formula funds for projects that are not competitive or have delivery risk that is incompatible with uncertainty inherent in discretionary program awards.

### Consistency with Plans and Policies

#### *4. Consistency with Board Policies and Directives*

In addition to specific projects identified in Measure M, Measure R and the 2009 LRTP, the Metro Board has expressed or adopted plans and policies for other interests over time. For example, the Board has adopted policies regarding first/last mile connections to transit stations and an ExpressLanes Strategic Plan. Other future Board interests will include but not be limited to the pending Goods Movement Strategic Plan and Zero Emissions Bus Strategy. Consistency with these types of Board interests and policies will be considered as staff brings forward candidate projects for eligible discretionary programs such as the Active Transportation Program (First/Last Mile), the Solutions for Congested Corridors Program (ExpressLanes) and the Trade Corridor Enhancement Program (Goods Movement).

#### *5. Consistency with Metro Long Range Transportation Plan (LRTP) and SCAG Regional Transportation Plan (RTP)*

Developed and adopted by the Southern California Association of Governments (SCAG) as the Metropolitan Planning Organization (MPO) for the six-county region, the Regional Transportation Plan (RTP) is a state- and federally-mandated planning document that substantiates the financial constraint, air quality conformity and greenhouse gas (GHG) emissions of individual projects at the regional program level. Consistency with the RTP has been a standard requirement for both formula and discretionary funding programs at the state and federal levels.

#### *6. Transportation Equity and Geographic Balance*

One key policy development is the Equity Platform, along with the tools that have been developed to support it by assessing each area of Metro investment. To consider projects for a grant application, a project will be required to have an approved equity assessment or Equity Platform section of a Board report. Should the project have undergone scope or mitigation changes following the equity assessment or Board report, a new assessment will be required. This is an area where Metro's equity policy is consistent with, and in fact, exceeds state policies. Our leadership, as demonstrated in our detailed equity assessments, will provide our projects with a competitive edge in equity evaluation as well as providing greater benefits for impacted LA County communities.

Measure M created a structure for geographic balance in both total funding and the schedules of funding availability across the entire 40-year program including the establishment of subregional capital programming targets. The management of this geographic balance was further addressed through provisions to manage project cost

## **ATTACHMENT B**

increases within subregions and ensure no negative impacts to other project schedules if any project is accelerated before its identified funding availability schedule. As competitive funding is pursued through discretionary state and federal programs, geographic balance is not always achievable within each grant cycle or each grant program due to the status of individual projects or their competitiveness in individual grant programs. Geographic balance will be achieved over the entire program portfolio and over multiple discretionary program cycles, within the context of transportation equity.

**Equity Language in State Grant Programs**

Most state and federal transportation funding programs are incorporating equity provisions into their Notices of Funding Opportunities (NOFOs) and guidelines for the new funding cycles. Most are well-aligned in concept with Metro equity policies. Metro staff is finding some areas where these criteria are neither complete nor consistent and is working with federal and state staff to improve these criteria when opportunities for comment emerge. Below are summaries of language focused on equity found in current draft state guidelines and federal NOFOs.

Program	Funding Program Equity Criteria	Compared to EFC
ATP	<p>The Active Transportation Program application awards up to 10 points out of 100 for proximity to and severity of disadvantage and meaningful benefit to a disadvantaged community.</p> <p>DAC is defined using CalEnviroScreen, median household income, National School Lunch Program, Healthy Places Index, federally recognized tribal lands, and other such as MPO-adopted regionally specific definitions. Scoring for community outreach and planning questions also takes disadvantaged status into account.</p>	<p>A similarity is that the disadvantage, community engagement, and planning questions are similar to the equity assessment tools.</p> <p>One key difference is that the Equity Focus Communities is tightly focused on areas of severe disadvantaged, where the ATP definition is a little broader.</p>
<p>SB 1 Competitive Programs</p> <ul style="list-style-type: none"> <li>• LPP</li> <li>• SCCP</li> <li>• TCEP</li> </ul>	<p>The SB 1 applications expect an applicant to discuss a project’s accessibility benefits to and engagement with disadvantaged or historically impacted and marginalized communities. Example indicators of such communities include median household income, CalEnviroScreen, Healthy Places Index, federally recognized tribal lands, MPO-adopted regionally specific definitions, and other such as car-less households.</p>	<p>Broad latitude exists for applicants to use definitions of disadvantaged or historically impacted and marginalized communities that have been tailored to localized differences, such as Metro’s Equity Focus Communities.</p>