



BOARD COMMITTEE TRANSMITTAL

June 10, 2013

To: Members of the Board of Directors
From: *WK*
Wendy Knowles, Clerk of the Board
Subject: Measure M2 Environmental Cleanup Allocation Program –
Funding Program Guidelines Revisions and Tier 2 Grant
Program Call for Projects

Regional Planning and Highways Committee Meeting of June 3, 2013

Present: Directors Bates, Donchak, Harper, Lalloway, Miller, Murray,
and Spitzer
Absent: Director Nelson

Committee Vote

This item was passed by the Members present.

Committee Recommendations

- A. Approve the revised Environmental Cleanup Program Tier 2 Comprehensive Transportation Funding Program Guidelines.
- B. Authorize staff to issue the fiscal year 2013-14 call for projects for the Tier 2 Grant Program, totaling approximately \$25.3 million.



ORANGE COUNTY TRANSPORTATION AUTHORITY

**Measure M2 Environmental Cleanup Allocation Program –
Funding Program Guidelines Revisions and Tier 2 Grant
Program Call for Projects**

Staff Report



June 3, 2013

To: Regional Planning and Highways Committee

From: Darrell Johnson, Chief Executive Officer

Subject: Measure M2 Environmental Cleanup Allocation Program – Funding Program Guidelines Revisions and Tier 2 Grant Program Call for Projects

Overview

The Measure M2 Environmental Cleanup Program, Project X, provides funds to assist jurisdictions in addressing water quality impacts related to transportation. In May 2012, the Orange County Transportation Authority Board of Directors approved the addition of the Tier 2 Environmental Cleanup Program Guidelines, which provide grants to regional projects, to the Comprehensive Transportation Funding Program. The Tier 2 guidelines have been updated to reflect lessons learned from the prior call for projects process. Staff is recommending approval of the revisions and authorization to issue the fiscal year 2013-14 Tier 2 Grant Program's call for projects.

Recommendations

- A. Approve the revised Environmental Cleanup Program Tier 2 Comprehensive Transportation Funding Program Guidelines.
- B. Authorize staff to issue the fiscal year 2013-14 call for projects for the Tier 2 Grant Program, totaling approximately \$25.3 million.

Background

The Environmental Cleanup Program, Project X (ECP), provides for the allocation of Measure M2 (M2) revenues to improve overall water quality in Orange County from transportation-related pollution. Funding for the ECP is allocated on a countywide competitive basis to assist jurisdictions in controlling transportation-related pollution. These funds are intended to supplement, not supplant, existing transportation-related water quality programs. Funds are awarded to priority projects that improve water quality in streams, harbors, and other waterways that have a nexus to transportation-related pollution

consistent with Orange County Transportation Authority's (OCTA) M2 Ordinance No. 3.

In May 2010, the OCTA Board of Directors (Board) approved a two-tiered approach to fund the M2 ECP. Specifically, the funding plan called for up to \$19.5 million in Tier 1 grants on a “pay-as-you-go” basis through fiscal year (FY) 2017-18, and up to \$38 million in Tier 2 grants via bonding through FY 2014-15. The Tier 1 Grant Program (Program) consists of funding for equipment purchases and upgrades to existing storm drains and related best management practices. The Tier 2 Program consists of funding regional, potentially multi-jurisdictional, capital-intensive projects.

On February 25, 2013, the Board approved eight (of 12) projects for \$12.7 million in funding for the first Tier 2 call for projects (call).

Discussion

To prepare for the Tier 2 call, a consultant was retained to assist OCTA and the potential funding applicants in identifying opportunities for water quality projects. The focus will be on the most strategically effective areas for implementation of structural best management practices within Orange County's 11 watersheds. Since February 2013, staff has continued to reach out to various potential applicants to further develop projects.

The Tier 2 Grant Program Planning Study (Planning Study) provides the framework in identifying the most impaired water bodies in Orange County by using geographic information system and analysis of water quality data. This information provides the basis for technical project evaluation through watershed and location-specific needs and priority analyses. The Planning Study supported development of the Tier 2 guidelines and scoring criteria which are used to evaluate eligible projects.

During staff's presentation to the Executive Committee (Committee) in February 2013 for the Tier 2 call funding recommendations, the Committee provided input on the public outreach efforts, more focus on high-priority areas as outlined in the Planning Study, and encouraged more participation by reducing the program match requirements.

Since then, staff has continued to reach out to cities within the most strategically effective areas for implementation of structural best management practices. Staff has been working with the cities and the consultant to identify the potential projects to allow the cities to choose the best project(s) to meet the Tier 2 Grant Program objectives. Furthermore, staff will continue to conduct Tier 2 field reviews, workshops, and one-on-one meetings with potential applicants throughout the 90-day call period (further discussed below).

In the first Tier 2 call, there were opportunities to reduce the local match from 50 percent to 25 percent. In recognition that some smaller cities may not be able to commit resources to meet the minimum match requirement, the Environmental Cleanup Allocation Committee (ECAC) recommended the minimum match be reduced to 20 percent from 25 percent. To accomplish this, the guidelines have been revised to allow agencies to reduce the match based on project readiness and/or an operations and maintenance (O&M) commitment beyond a ten-year minimum.

The proposed minimum match reduction to 20 percent deviates from the streets and roads programs where an applicant can reduce the minimum match to 25 percent based on criteria included in Ordinance No. 3 that is specific to the Streets and Roads Program. The match reduction to 20 percent for Project X Tier 2 projects may mean fewer projects being awarded funding since OCTA would contribute more M2 funds to off-set the lower match obligation by the applicant.

The ECAC also recommended \$25.3 million be allocated for the FY 2013-14 call. Since the Tier 2 type projects may involve multiple jurisdictions and are regional in nature, the ECAC recommended a cap of \$5 million of Project X funds per project.

Staff has taken into consideration the experience from the FY 2012-13 Tier 2 call and evaluation process. Consequently, the ECAC is recommending that the ECP Tier 2 Comprehensive Transportation Funding Program Guidelines (Guidelines) be revised to improve the process (Attachment A). Some of the changes to the Guidelines include:

- Deleted 70 point minimum to maintain consistency with the rest of the streets and roads programs (where no minimum is required)
- Reduced the minimum match requirement percent to 20 percent from 25 percent
- Added definitions for ineligible expenditures

On May 9, 2013, the ECAC endorsed the approval of the Tier 2 Guidelines and the release of the FY 2013-14 Tier 2 call.

Next Steps

Upon Board authorization, the Tier 2 call is anticipated to begin on June 24, 2013 for a 90-day period. Staff will conduct group and one-on-one workshops with applicants to provide guidance and input on the application process. In addition, staff will conduct field visits with potential applicants. Applications will be due on September 24, 2013. The ECAC will evaluate the applications, and staff will return to the Board for funding authorization in the November/December 2013 timeframe.

Fiscal Impact

This project is proposed to be included in OCTA's FY 2013-14 Budget, Planning Division, Account 0017-7831-MX001-T6S, and is funded with M2 funds.

Summary

Staff is recommending the approval of the revised Tier 2 Comprehensive Transportation Funding Program Guidelines and authorization to issue the fiscal year 2013-14 call for projects for the Tier 2 Grant Program, totaling approximately \$25.3 million.

Attachment


- A. Draft Revised Environmental Cleanup Program Tier 2 Comprehensive
Transportation Funding Program Guidelines

Prepared by:



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(714) 560-5907

Approved by:



Kia Mortazavi
Executive Director, Planning
(714) 560-5741



ORANGE COUNTY TRANSPORTATION AUTHORITY

**Measure M2 Environmental Cleanup Allocation Program –
Funding Program Guidelines Revisions and Tier 2 Grant
Program Call for Projects**

Attachment A

DRAFT

**Revised Environmental Cleanup Program Tier 2 Comprehensive
Transportation Funding Program Guidelines**

The Tier 2 Grant Program consists of funding larger (projects treating catchment areas of 50 acres or greater), potentially multi-jurisdictional, capital-intensive structural treatment best management practice (BMP) projects. Proposed projects covering smaller catchment areas which are otherwise eligible are not prohibited from the application process and will be regarded as eligible for consideration if the proposed project can demonstrate highly significant water quality improvement benefits (greater than other competing larger scale proposed projects) and cost-effectiveness under the scoring criteria guidelines. Tier 2 funds are designed to fund large-scale BMP construction projects. Examples include constructed wetlands, detention/infiltration basins and other large-scale BMPs that mitigate litter and debris, heavy metals, organic chemicals, sediment, nutrients, and other transportation-related pollutants. Funds will be awarded through a competitive grant process geared towards awarding funds to the highest scoring, most cost-effective projects.

Pre-Application Process

In order to facilitate a jurisdiction's best use of the Environmental Cleanup Program, Project X (ECP) funds, Tier 2 applicants may engage in a pre-application process with Orange County Transportation Authority (OCTA) staff in order to assist jurisdictions in project planning, proposal and cost estimate development, and determination of likely projected competitiveness in the scoring criteria. The pre-application timeframe is defined as the time between the initiation of the call for projects (call) and one week prior to the application deadline date. Subsequent to the call deadline, applicants will not be able to change the content of their application or scope of the project.

Eligible Applicants

ECP funds can be used to implement street and highway-related water quality improvement projects to assist Orange County cities and the County of Orange to meet federal Clean Water Act standards for urban runoff. Applicants eligible for ECP funds include the 34 Orange County cities plus the County of Orange. Eligible applicants must meet the transportation requirements discussed in the Measure M2 (M2) Ordinance.

For Tier 2 multi-agency collaborations, M2 eligible jurisdictions may partner with other entities such as special districts and non-profits, but the lead agency must be an M2 eligible jurisdiction.

Third parties, such as water and wastewater public entities, environmental resource organizations, non-profit 501(c) environmental institutions, and homeowners associations cannot act as the lead agency for a proposed project, however; these agencies can jointly apply with an M2 eligible Orange County city and/or the County of Orange. Joint applicants must contribute to the project in some capacity (monetary contribution, time contribution, etc.).

Two or more agencies may participate in a project. If a joint application among agencies and/or third party entities is submitted, a preliminary agreement with joint or third party entities must be provided as part of the application. In order to meet M2 Ordinance requirements, an eligible applicant must be the lead agency for the funding application. Per Chapter 9, if a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as lead agency and must provide a resolution of support from the other agency. In addition, the applicant shall provide a schedule by which the lead agency will obtain a final agreement with a third party—must be provided. The final agreement must be executed prior to grant funds being released/contract award date.

Each eligible jurisdiction must meet the eligibility criteria as set forth in Chapter 1 of the Combined Transportation Funding Program (CTFP) Guidelines. For example, to apply for CTFP programs, local agencies must fulfill an annual eligibility process. Eligibility packages are due to OCTA by June 30 of each year. The M2 Eligibility Preparation Manual outlines the eligibility requirements in detail.

In order for an applicant to accept ECP funding for their proposed project, OCTA has certain requirements that must be met. These requirements include adhering to the OCTA CTFP Guidelines; meeting a ten-year BMP operations and maintenance (O&M) commitment; and commitment to maintain and monitor the project commensurate with the design life.

Project Programming

The Tier 2 Grant Program is designed to be consistent in terms of approach with Chapter 2 of the CTFP Guidelines regarding the provisions below:

- Program Consolidation
- Sequential Programming Process
- Funding Projections
- Programming Adjustments
- Project Cost Escalation
- Project Readiness
- Programming Policies
- Schedule Change Requests
- Project Advancements

- Semi-Annual Review

Refer to Chapter 2 for explanation of the above provisions.

Funding Estimates

The Tier 2 program ~~will be~~ was funded beginning in winter 2012-13 using bond financing revenues, with up to \$38 million allocated through fiscal year (FY) 2014-15. Beyond FY 2014-15, funding will be based on a pay-as-you-go basis. The maximum amount that an individual project may receive of the initial \$38 million in Tier 2 funding is capped at \$5 million per project ~~phase~~. ~~Projects must receive a minimum evaluation score of 70 out of 100 to receive grant funds.~~

~~The first Tier 2 call for projects is expected to be issued in spring 2012 with a total amount of \$13.3 million. Jurisdictions may request allocation of funds to be in either FY 2012-13 or FY 2013-14. The~~ For the second Tier 2 call, approximately of \$24.7- \$25.3 million is expected to be available in FY 2013-14 and jurisdictions Applicants may request allocation of funds in either FY 2013-14 or FY 2014-15. Depending on the outcome of the first two Tier 2 calls, there may be a third call if there are residual funds available after the first two calls.

FY 201~~32~~-1~~34~~ Tier 2 Implementation Timeline

The Tier 2 call will be open for 90 days. The FY 201~~23~~-1~~34~~ Tier 2 applications must be received by OCTA **no later than 5:00 PM, ~~September 4~~ October xx, 201~~32~~**. OCTA is seeking applications for projects, which can be awarded no later than June 30, 201~~34~~ for the FY 201~~23~~-1~~34~~ funding cycle, or by June 30, 201~~45~~ for the FY 201~~34~~-1~~45~~ funding cycle. Projects that do not obligate funds by the dates/cycles listed above will not be considered. Funds allocated by OCTA for each awarded project will be available on July 1st of that funding cycle year.

After the Tier 2 applications are reviewed by OCTA, an advisory panel will review and rank projects. Following review and recommendation by the Environmental Cleanup Allocation Committee (ECAC), a recommended priority list of projects will be forwarded to the OCTA Board of Directors (Board) for approval. Funds allocated for projects are final once approved by the OCTA Board. No additional funds will be allocated to the project. Grantees are responsible for any costs exceeding the allocated amount.

Matching Funds

For the Tier 2 Grant Program, a minimum local match of 50 percent of the total eligible project ~~phase~~-cost is required. These matching funds can be provided by

cash contributions or in-kind services. Expenditures that are ineligible for grant funding cannot be used as matching funds. Construction management and project management cannot exceed 15 percent of eligible construction costs. Previously completed phases of a project may not be attributed to the match. Prior expenditures cannot be used as matching funds. In-kind services can include salaries and benefits for employees who work directly on the project. In-kind services for O&M cannot be pledged as a match.

Potential to reduce matching funds up to ~~25~~30 percent

- Project readiness (i.e., environmental [~~5~~five percent], design [~~5~~five percent] or right-of-way (ROW) acquisition (~~5~~five percent) – up to 15 percent reduction
Note: 5 percent match reduction for ROW acquisition cannot be claimed if no ROW acquisition is required for the project.
- O&M commitment beyond ten years: Five years above commitment for a total of 15 years (~~5~~10 percent reduction) and/or ten years above commitment for a total of 20 years (~~10~~15 percent reduction) ~~– up to 10% reduction~~

If a joint application among agencies and/or third party entities is submitted, matching funds documentation must clearly identify the entity providing the funds for each line item in the matching funds description. Additionally, preliminary agreements are required to be submitted with the grant application that contains the matching funds commitments from a supporting agency.

Applicants must submit a draft BMP O&M Plan covering a minimum of ten years after project completion. The BMP O&M Plan must document (through a resolution) project O&M financial commitment and sustainability for ten years and is subject to an OCTA semi-annual (twice yearly) review process over the ten-year period. BMP O&M costs cannot be used for the match or in-kind services. Applicants must include as part of the O&M Plan, project assessment and monitoring of performance. A documented 15- or 20-year draft BMP O&M Plan (submitted with application) will be eligible for a ~~5~~10 percent or ~~10~~15 percent matching funds reduction, respectively. Please refer to the County of Los Angeles Stormwater Best Management Practice Design and Maintenance Manual <http://dpw.lacounty.gov/DES/design_manuals/> for guidance.

Refer to Chapter 10 for reimbursement details. Sufficient documentation including council resolutions, purchase orders, invoices, and payroll records must be submitted with the funding request to enable OCTA to verify total project expenditures and eligible costs.

Matching rate commitments identified in the project grant application shall remain constant throughout the project. Match rate commitments may not be reduced for any reason.

Eligible Expenditures

- ECP funds are designed to fund capital improvements. Tier 2 funds are designed to be strictly used for project construction costs, although up to 10 percent of total grant amount (i.e., funds requested) may be allocated to preliminary project design, environmental, or engineering costs. ~~Non-capital expenses for enhancements such as education, recreation, etc. are not eligible for Tier 2 grant funding.~~

- Tier 2 projects must meet the transportation nexus as outlined previously in this chapter.

~~Expenditures prior to award date cannot be considered eligible for funding or match.~~

- Eligible jurisdictions may use in-kind services to meet all or part of the matching funds requirement. These services can include salaries and benefits for employees of the eligible jurisdiction who perform work on the project or programs. Only those employees' salaries and benefits working directly on the project will be considered for the matching requirement. For Tier 2, construction management and project management cannot exceed 15 percent of the total construction costs.

- ECP funds can only be used for facilities that are in public ownership for public use; however, water quality improvements on private property, which are connected to municipal separate storm sewer systems, are eligible (For example, a homeowners association can apply for funding through an eligible agency if the proposed project is connected to a public facility).

Ineligible Expenditures (including, but not limited to)

- Non-capital expenses for enhancements such as education, recreation, etc., are not eligible for Tier 2 grant funding
- Expenditures prior to letter agreement execution cannot be considered eligible for funding or match
- Benches
- Landscaping not directly related to improving water quality
- Trails/sidewalks, unless contributing to water quality improvement
- Lighting

- O&A (as in-kind match)
- Planning activities beyond ten percent of grant request
- Replacement of existing water quality features

Overmatch

For the Tier 2 Grant Program, administering agencies may “overmatch” ECP projects (up to 25 percent); that is, additional cash match dollars may be provided for the project. Applicants will receive additional points in the evaluation process for over matching with cash contributions. Proposals that exceed the 50 percent minimum funding match will be given an additional one point for every five percent over the minimum cash match (up to five bonus points). Overmatch must be a cash contribution and cannot be from another competitive M2 grant program.

Additionally, administering agencies must commit to cover any future cost overruns if the project is underfunded. Any work not eligible for ECP reimbursement must be funded by other means by the project applicant and cannot count as match. These non-eligible items should not be included in the cost estimate breakdown in the application.

Expenditures incurred prior to letter agreement execution cannot be credited towards the matching fund threshold.

Reimbursements

For the Tier 2 Grant Program, OCTA will release funds through two payments. The initial payment will constitute 75 percent of the contract award or programmed amount at time of award. OCTA will disburse the final payment, approximately 25 percent of eligible funds, after approval of the final report. Further information on reimbursements can be located within Chapter 10 of the CTFP ~~2012~~ Guidelines.

Scope Reductions and Cost Savings

Any proposed scope reductions of an approved project must be submitted to OCTA to ensure consistency with the Tier 2 Grant Program requirements. If the proposed scope reduction is approved by OCTA, cost savings will be proportionally shared between OCTA and the grantee. A reduction in ECP funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 2 Grant Program for reallocation for the subsequent call-

Tier 2 Selection Criteria

OCTA will evaluate all proposals that meet the mandatory prerequisites based on competitive selection criteria with the following categories:

- Problem and source identification
- Project design
- Project implementation and readiness
- Project benefits
- Performance metrics

Each proposal can receive a maximum of 100 points, exclusive of five bonus points associated with a cash "overmatch," which was discussed in a previous section. Tier 2 selection criteria include both technical scoring criteria –70 percent weighting – and non-technical scoring criteria –30 percent weighting.

A focus on several overarching concepts is emphasized in the funding guidelines and scoring criteria:

- Focus on a clear and measureable transportation nexus, defined as total lane miles in the project catchment area, as defined by the Master Plan of Arterial Highways
- Priority in the scoring criteria is given to projects in areas of highest water quality need, as established by predicted pollutant loading, receiving water monitoring, and the extent of impairment of receiving waters (i.e., higher priority given to 303(d) listed water bodies or project in a water quality plan)
- Quantification of project benefits where possible in terms of a load reduction metric (pollutants or water volumes), expressed in terms of cost-benefit
- Emphasis on project readiness, and ability to leverage funding
- Emphasis on other regional and environmental benefits
- Emphasis on multi-jurisdictional and public benefits

Application Process

The following information, which is to be completed within the Tier 2 Grant Application Form (Exhibit 12-2), is required by OCTA to evaluate and select projects. A checklist is included in the Tier 2 Grant Application Form to assist eligible agencies in assembling project proposals:

- Project Title
- Lead Agency Information
- Joint-Application (if applicable)
- Funding Request/Match Commitment
- Proposed Schedule
- Project Management
- Integrated Regional Water Management Plan identification (if applicable)
- Description of Proposed Project
- Project Priority
- Funding Cycle preference
- Performance Metrics (Project Specific Information)
- Funding Information

In addition, the following exhibits are required to be included within the submitted proposal:

- Project design or concept drawings, including preliminary design calculations, of proposed BMP
- Estimates of pollutant load reduction, calculated using Structural BMP Prioritization Analysis Tool (SBPAT) or equivalent
- Precise maps to show tributary drainage area and proposed location(s) for BMP installation
- Disposition of environmental clearance and permitting
- Discussion and disposition of long-term maintenance agreement
- Discussion of multiple benefits
- Discussion of funding leveraging/overmatch
- Digital project site photos
- A project master schedule
- Preliminary agreements with joint and/or third party entities if part of the funding application
- A draft resolution (final due prior to OCTA Executive Committee and Board approval)
- A ten-year draft BMP O&M Plan. Applicants may propose up to a 20-year draft BMP O&M Plan (if applicant desires match reduction)

Information can be completed utilizing the grant application exhibit. For the Tier 2 Grant Program, an unbound original and ~~four~~two copies (total of ~~five~~three) of the

completed application form and related exhibits are to be submitted, plus a CD/DVD copy of the complete application. Use separate sheets of paper if necessary.

There is no maximum length for proposals. All pages must be numbered and printed on 8 1/2 x 11 sheets of white paper. Maps and drawings can be included on 11 x 17 sheets, folded into the proposal. *The original proposal should be left unbound for reproduction purposes.*

Reporting and Reimbursement

The Tier 2 Grant Program is consistent with Chapter 10 of the CTFP Guidelines regarding the process and requirements of reimbursements and reporting including semi-annual reviews. Upon completion of project construction, a final BMP O&M Plan is required to be submitted along with the final report.

Additionally, an exception to Precept #36 is as follows: Agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP Guidelines and may conduct a field review. OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e., expenditures, interest) to ensure compliance. Only CTFP eligible items listed on a project's cost estimate form will be reimbursed. See Chapter 11 for independent audit requirements beyond the technical and/or field review.

Additional Information

Completed applications and questions regarding these procedures and criteria should be direct to:

By mail:

Dan Phu
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584
Tel: (714) 560-5907
Fax: (714) 560-5794

In person:

Orange County Transportation Authority
600 South Main Street
Orange, CA 92863-1584

**Exhibit 12-2
ECP Tier 2 Grant Application**

Project Title: _____

<p>Lead Agency Information</p> <p>(Project Administrator responsible for day-to-day project implementation)</p> <p>Name:</p> <p>Title:</p> <p>Address:</p> <p>Phone:</p> <p>Email:</p>	<p>FUNDING/MATCH SUMMARY</p> <p>TOTAL PROJECT COST (TPC) \$ _____</p> <p>Complete section "i." on next page to calculate amounts below</p> <p>TOTAL FUNDS REQUESTED \$ _____</p> <p>APPLICANT MATCH % (50% min. minus reductions) _____ %</p> <p>OVERMATCH COMMITMENT <u>(must be cash and cannot be from a competitive M2 grant program)</u> _____ %</p> <p>APPLICANT MATCH AMOUNT \$ _____</p> <p>Project is part of a larger effort (circle)</p>	<p>Yes / No</p>
<p>Joint Applicant / Third Party:</p> <p>Name:</p> <p>Title:</p> <p>Agency:</p> <p>Address:</p> <p>Phone:</p> <p>Email:</p>	<p>Joint Applicant / Third Party:</p> <p>Name:</p> <p>Title:</p> <p>Agency:</p> <p>Address:</p> <p>Phone:</p> <p>Email:</p>	<p>Joint Applicant / Third Party:</p> <p>Name:</p> <p>Title:</p> <p>Agency:</p> <p>Address:</p> <p>Phone:</p> <p>Email:</p>

Exhibit 12-2 (continued)
ECP Tier 2 Grant Application

i. Funding Request/Match Commitment:

Total Funds Requested (\$5 million max)	\$ _____	
Match Reduction Percentages (25<u>30</u>% max)* Project Readiness up to 15% Draft Operations and Maintenance (O&M) Plan up to 15 <u>10</u> %	Applicant Match	Match Calculation
<ul style="list-style-type: none"> • Minimum Required Match Percent <u>(50% of the total eligible project cost)</u> 	50%	50%
Project Readiness <u>(check box if applicable)</u> <input type="checkbox"/> CEQA Certification (must be certified) <input type="checkbox"/> Construction Documents Complete <input type="checkbox"/> ROW Acquired <u>(only if required for this project)</u>	5% reduction 5% reduction 5% reduction	Subtract <input type="text"/> % Subtract <input type="text"/> % Subtract <input type="text"/> %
Draft O&M Plan (10-year Plan Required) <ul style="list-style-type: none"> • O&M Beyond 10 years: 15 years (5<u>10</u>% reduction) or 20 years (10<u>15</u>% reduction) 	<u>10</u> % or 10 <u>15</u> % reduction	Subtract <input type="text"/> %
Calculated Applicant Match Percentage	_____ %	
Applicant Overmatch Percentage <u>(must be cash and cannot be from a competitive M2 grant program; (see Part Two, #7)</u>	_____ %	
Applicant Match Amount (Total <u>Eligible Project Cost</u> Funds Requested x Match Percentage)	\$ _____	
Estimated Eligible Grant Funded Expenditures**	Amount	Percentage
<ul style="list-style-type: none"> • Construction 	\$ _____	_____ %
<ul style="list-style-type: none"> • Project Management/Construction Management (max 15% of Construction Cost) 	\$ _____	_____ %
<ul style="list-style-type: none"> • Preliminary Project Design, Environmental, & Engineering (max 10% of Total Funds Requested) 	\$ _____	_____ %
Total Eligible Expenditures (Cannot exceed total funds requested plus match amount)	\$ _____	

|

* Match reduction(s) require verification by evaluation committee.

| ** Provide if available. This information will be required for payment verification at time of invoicing.

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Exhibit 12-2 (continued)
ECP Tier 2 Grant Application

ii. Proposed Schedule: Provide an estimate of the project's proposed schedule:

	Start Date	Completion Date
<u>Third Party/Joint Applicant Agreement</u> <u>(must be executed by the time grant funding is released prior to contract award date)</u>		
Environmental Document		
Design and Permitting (if applicable)		
ROW (if applicable)		
Award of Contract		
Construction		
O&M (10 years minimum 15 or 20 years for match reduction)		

iii. Project Management

Provide an assessment of the management capabilities of the Applicant/Lead Agency. At a minimum, include an organization chart (as attachment), showing key project individuals who will be responsible for ensuring that the project is completed and has long-term sustainability.

iv. Partnerships

State in what capacity the joint applicant/third party will be contributing to the project (monetary contribution, time contribution, etc.) and explain the process and timing of the agreement between your agency and the joint applicant/third party.

Exhibit 12-2 (continued)
ECP Tier 2 Grant Application

v. Transportation Nexus

Describe how the project meets the transportation nexus definition. See page 12-1 and 12--2.

vi. Existing Water Quality Expenditures

Describe how the project supplements and does not supplant funding from other sources of transportation related water quality projects and programs (see Overview on page 12-1 for further details) This question may not apply to all projects.

iv-vii. Integrated Regional Water Management Plan (IRWMP)

Is the proposed project identified in an existing IRWMP? Yes _____ No _____

v-viii. Description of Proposed Project

Describe the project and why it is important for controlling transportation-related pollutants to a watershed(s).

vi-ix. Project Details:

INFORMATION REQUIRED	INPUT
1. Project Location (Street Address or Lat-Long)	
2. Project BMP Type (use CASQA or equivalent definition)	
3. Project Design Criteria. Select one: - Volume-based BMP (24-hour rainfall volume) - Flow-based BMP (design 1-hour intensity)	
4. Project Site Map	Provide as attachment (provide as geographic information service (GIS) file or in Google Earth format)
5. Project Tributary Drainage Area	Provide as attachment (provide as GIS file or in Google Earth format)

**Exhibit 12-2 (continued)
ECP Tier 2 Grant Application**

vii-x. Project Priority

If submitting an application for more than one project, is this project your agency's priority?

Yes _____ No _____

viii-xi. Funding Cycle

If awarded funding, in which funding cycle would you like to receive funds? (Check one)

_____ FY ~~2012-13~~2013-14 (contract must be awarded by June 30, ~~2013~~2014 and funds would be available July 1, ~~2014~~2013)

_____ FY ~~2014-15~~2013-14 (contract must be awarded by June 30, ~~2014~~2015 and funds would be available July 1, ~~2015~~2014)

Exhibit 12-2 (continued)
ECP Tier 2 Grant Application

Part Two: Project Specific Information (scored)

Each proposal can receive up to 105 points, inclusive of five bonus points associated with overmatch commitment. Tier 2 selection criteria includes both technical scoring criteria (70 percent weighting) and non-technical scoring criteria (30 percent weighting)

- 1) Transportation Priority Index (5/100 pts – Coordination with OCTA required to determine points)

The Transportation Priority Index (TPI) is developed based on density of roadway lane miles within pre-defined catchment areas. OCTA will provide geospatial information (through ArcGIS and/or Google Earth) that will allow applicants to establish this point score based solely on project location/address.

Points (5 max)

(To be completed by OCTA)

- 2) Water Quality Need Analysis (40/100 pts – Coordination with OCTA required to determine points)

a) The Environmental Cleanup Allocation Committee (ECAC) agreed upon criteria upon which water quality Catchment Prioritization Index (CPI) scores were established. CPI scores quantify water quality need using the GIS-based Structural BMP Prioritization and Analysis Tool (SBPAT) and Orange County land use and receiving water data. OCTA will provide geospatial information (through ArcGIS and/or Google Earth) that will allow applicants to establish this point score based solely on project location/address.

Points (30 max)

(To be completed by OCTA)

b) The OCTA team reviewed County monitoring data and regulatory (303d) impairment lists to establish indices of water quality need based on receiving water quality. OCTA will provide geospatial information (through ArcGIS and/or Google Earth) that will allow applicants to establish this point score based solely on project location/address.

Points (10 max)

(To be completed by OCTA)

Exhibit 12-2 (continued)
ECP Tier 2 Grant Application

3) BMP Performance (25/100 pts – **Coordination with OCTA required to determine points**)

a) For Wet Weather (25 pts), develop water quality load reduction index (WQLRI)

A	B	C*	D*
Pollutant Family	Relative Contribution to CPI Score from SBPAT Prioritization Output	Avg. Annual Load Reduction from SBPAT Analysis Output (units vary, max 100)	Weighted Load Reduction (B x C)
Volume	___%		
Metals	___%		
Bacteria	___%		
Nutrients	___%		
TSS	___%		
	___%	dimensionless WQLRI (sum)	

* **OCTA to complete**

WQLRI/Total Project Cost **(to be completed by OCTA)**:
 Wet Weather Project Quantile **(to be completed by OCTA)**:
 Wet-Weather Points Allocated **(to be completed by OCTA)**:

b) For Dry Weather (25 pts), estimate total dry-weather volume mitigated (include supplemental calculation package, including basis for estimates)

Proposed BMP Technology	
Estimated Total Dry Weather Flow Rate (cfs)	
Estimated Total Dry Weather Flow Rate Mitigated (cfs)	
Estimated Percentage of Dry-Weather Flow Removed or Avoided (MG/yr)	
Estimated Percentage of Dry-Weather Flow Treated to Water Quality Standards (MG/yr)	
Estimated Total Dry Weather Flow Volume Fully Mitigated (MG/year)	

Mitigated Dry Weather Volume/Total Project Cost **(to be completed by OCTA)**:
 Dry-Weather Project Quantile **(to be completed by OCTA)**:
 Dry-Weather Points Allocated **(to be completed by OCTA)**:

c) Total BMP Performance Score **(all to be completed by OCTA)**

Wet-Weather Points Allocated (from a)}
 Dry-Weather Points Allocated (from b)}
 Total Points Allocated (max 25 points)

Exhibit 12-2 (continued)
ECP Tier 2 Grant Application

- 4) Multiple-Benefits (semi-qualitative analysis) (10/100 pts max from subcategories *a, b, c, d, e*)
Any benefit above and beyond water quality improvement (load reduction benefit) should be addressed in these questions. All subcategories may not apply to your project.

- a) Drainage (5 points maximum)

How does the project increase levels of protection or mitigate a flooding problem?

- b) Recreational (5 points maximum)

How does the project provide a recreational benefit to the community?

- c) Habitat (5 points maximum)

How does the project provide a habitat benefit?

Exhibit 12-2 (continued)
ECP Tier 2 Grant Application

d) Water Resources (5 points maximum)

Is there a potential water resources sustainability benefit? Describe.

e) Other (5 points maximum)

Describe any other benefit your project provides not previously addressed in a through d.

5) Project Readiness (10 points maximum)

Describe the project's readiness (i.e., how far along is the project with regard to concept development, cost estimates, design, environmental compliance, construction documents).

Exhibit 12-2 (continued)
ECP Tier 2 Grant Application

6) Policy (10/100 points maximum from subcategories *a* and *b*)

a) Multi-Jurisdictional Project with Regional Benefit (maximum 10 points)

If the project is multi-jurisdictional, describe how it would provide a regional benefit.

b) Community ~~and Public~~-Support and Benefit (maximum 5 points)

Community support could include but not be limited to third parties who are either directly or indirectly involved with the project. For example, if a project is located adjacent to a private development, the homeowners' association could write a letter of support for the project. Likewise, community organizations may also write letters of support for the project. Does the project have community ~~and public~~-support and how will it provide a benefit?

7) BONUS POINTS: Ability to Leverage Funding (5 points maximum, 1 point per 5%_ maximum 25%)

Will your agency provide matching funds above the minimum?

Part Three: Funding

Project Title: _____	Phone: _____
Contact: _____	Email: - _____
Agency: _____	

Local Match Detail

Cash Contribution	_____
In-Kind Services *	_____
Other Grants	_____
Total Match Commitment	\$ -

Source(s) of Local Match

- * In-Kind Services (excluding O&M):** Salaries and benefits for employees who will perform work on the proposed project are eligible as a matching requirement. Please provide details on how in-kind services are calculated. Identify the Fiscal Year(s) of In-Kind expenditure and amount for each year. Do not use acronyms.

- Other grants and/or funding** may include fair share funds, non-ECP state or federal grant funds, local city funds, general funds, developer fees, etc. Please list the name and amount of any respective non-ECP grants that are proposed as a match. If there are other grant type(s), include the status of each.

Part Three: Funding (continued)



**Comprehensive Transportation Funding Program
Environmental Cleanup Program
Tier 2 Cost Estimate**

1 Project Number		Lead Agency				Match Rate		Date:				
Project Title						#DM/01						
2	No.	Project Design, Environmental, Engineering Description	Unit Price	Unit of Measurement	Tier 2 Funding		Matching Funds		Non-Eligible Project Costs Other/Non-Eligible		Totals	
					Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost
						\$ -		\$ -		\$ -		\$ -
						\$ -		\$ -		\$ -		\$ -
						\$ -		\$ -		\$ -		\$ -
Project Design, Environmental, Engineering Sub-Total					0	\$ -	0	\$ -	0	\$ -	0	\$ -
3	No.	Construction (Capital) Description	Unit Price	Unit of Measurement	Tier 2 Funding		Matching Funds		Other/Non-Eligible		Total	
					Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost
						\$ -		\$ -		\$ -	0	\$ -
						\$ -		\$ -		\$ -	0	\$ -
						\$ -		\$ -		\$ -	0	\$ -
Construction (Capital) Sub-Total					0	\$ -	0	\$ -	0	\$ -	0	\$ -
4	No.	Construction Management Description	Unit Price	Unit of Measurement	Tier 2 Funding		Matching Funds		Other/Non-Eligible		Total	
					Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost
						\$ -		\$ -		\$ -	0	\$ -
						\$ -		\$ -		\$ -	0	\$ -
						\$ -		\$ -		\$ -	0	\$ -
Construction Management Sub-Total					0	\$ -	0	\$ -	0	\$ -	0	\$ -
5	No.	Other Description	Unit Price	Unit of Measurement	Tier 2 Funding		Matching Funds		Other/Non-Eligible		Total	
					Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost
						\$ -		\$ -		\$ -	0	\$ -
						\$ -		\$ -		\$ -	0	\$ -
						\$ -		\$ -		\$ -	0	\$ -
Other Sub-Total					0	\$ -	0	\$ -	0	\$ -	0	\$ -
Totals						\$ -		\$ -		\$ -		\$ -
Total Eligible Project Cost						\$0						

Part Three: Funding (continued)

<u>Estimated Preliminary Project Design, Environmental, & Engineering Costs</u>						
Item #	Description	Unit	Quantity	Unit Price		Amount
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				Subtotal:		\$0
<u>Estimated Construction (Capital) Costs</u>						
Item #	Description	Unit	Quantity	Cost/Price		Amount
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				Subtotal:		\$0
<u>Estimated Project Management/Construction Management Cost</u>						
Item #	Description	Unit	Quantity	Cost/Price		Amount
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				Subtotal:		\$0
<u>Estimated Other Cost</u>						
Item #	Description	Unit	Quantity	Cost/Price		Amount
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				\$ -	\$	-
				Subtotal:		\$0
TOTAL PROJECT COST						\$0

Part Four: Tier 2 Grant Program Resolution

SAMPLE AGENCY RESOLUTION REQUESTING FUNDS FOR PROPOSED PROJECT

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL/BOARD OF THE CITY/COUNTY OF _____ AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 2 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR (NAME OF PROPOSAL) PROJECT.

WHEREAS, Orange County Local Transportation Ordinance No.3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality.

WHEREAS, the Environmental Cleanup, Tier 2 Grant Program consists of funding regional, potentially multi-jurisdictional, capital-intensive projects, such as constructed wetlands, detention/infiltration basins and bioswales, which mitigate pollutants including litter and debris, heavy metals, organic chemicals, sediment, and nutrients.

WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and

WHEREAS, (ADMINISTERING AGENCY) possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and

WHEREAS, by formal action the (GOVERNING BODY) authorizes the nomination of (NAME OF PROPOSAL), including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the (ADMINISTERING AGENCY) to act in connection with the nomination and to provide such additional information as may be required; and

WHEREAS, the (ADMINISTERING AGENCY) will maintain and operate the equipment acquired and installed; and

WHEREAS, the (ADMINISTERING AGENCY) will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 2 Grant Project; and

WHEREAS, the (ADMINISTERING AGENCY) will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and

WHEREAS, the (ADMINISTERING AGENCY) will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations;

NOW, THEREFORE, BE IT RESOLVED that the City/County of _____, hereby authorizes (NAME OF AGENCY REPRESENTATIVE) as the official representative of the (ADMINISTERING AGENCY) to accept funds for the Environmental Cleanup, Tier 2 Grant Program for (NAME OF PROPOSAL).

BE IT FURTHER RESOLVED that the City/County of _____, agrees to fund its share of the project costs and any additional costs over the identified programmed amount.

Tier 2 Checklist

Mandatory Application Items (check all items included in this package)

Application (Parts 1 - 3)

Environmental Document (if applicable)

Preliminary Cooperative Agreement (if applicable)

Project Cost Estimate

Proposed Budget

Maps

Design / Concept Drawing

Digital Project Site Photos

Project Schedule

Draft Resolution

Applicable Exhibits (refer to Tier 2 Guidelines)

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