Grant Awards and Match - New

(1) Once a project is selected by the Commission under 731-035-0060 the amount of monies identified by the Commission is considered allocated from Program Funds to a Recipient for an Awarded Project. If an Agreement with a Recipient has not been executed within 180 days from the commission’s selection of the project, allocation is withdrawn, and the funds may be reassigned by the Commission as prescribed in 731-035-0060(9).

(2) To the extent that proposed Projects meet the qualifications established in OAR 731-035-0050 and 731-035-0060, at least 10 percent of the total net proceeds of the lottery bonds will be allocated to each of the five regions as specified in Chapter 624, OL 2011. The regions consist of the following counties:

(a) Region one consists of Clackamas, Hood River, Multnomah and Washington Counties;

(b) Region two consists of Benton, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk, Tillamook and Yamhill Counties;

(c) Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties;

(d) Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake, Sherman, Wasco and Wheeler Counties; and

(e) Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and Wallowa Counties.

(3) Grants will be awarded only when there are sufficient funds available in the Connect Oregon Fund to cover the costs of the grants.

(a) Grant awards may not exceed 70 percent of the total eligible Project costs or for Class I railroads, 50 percent of the total eligible Project costs.

(b) Applicant matching funds must be provided by the Applicant in the form of cash on hand, or through monetary outlay for eligible capital project costs that are reasonable, necessary and directly related to the project. Eligible costs may include costs to acquire, construct, or improve property (land, buildings, and fixed equipment) or to adapt the property to a new or different use consistent with the improvements described in the Awarded Project. Matching funds must meet all of the following in order to be considered eligible match:

(A) Monetary outlays for (c) above must have been made within ten years of the application deadline for Connect Oregon grant fund submittals in order to qualify as eligible matching funds.
(B) The acquisition cost of land may only be counted as match toward 15% of the eligible project costs.

(C) Except for Federal Aviation Administration grants, other grants or contingent external funding sources must be identified at the time of application submittal and must be awarded or secured in accordance with the timelines identified in OAR 731-035-0060(8)(e).

(i) Federal Aviation Administration grants must be received within one year of the Oregon Transportation Commission final decision on awarded projects.
Grant Awards and Match - Existing

(1) Once a project is selected by the Commission under 731-035-0060 the amount of monies identified by the Commission is considered allocated from the Fund to a Recipient. If an Agreement with a Recipient has not been executed within 180 days from such date, the grant is deemed terminated, and the funds may be reassigned by the Commission as prescribed in 731-035-0060(9).

(2) To the extent that proposed Projects meet the qualifications established in OAR 731-035-0050 and 731-035-0060, at least 10 percent of the total net proceeds of the lottery bonds will be allocated to each of the five regions as specified in Chapter 624, OL 2011. The regions consist of the following counties:

(a) Region one consists of Clackamas, Hood River, Multnomah and Washington Counties;

(b) Region two consists of Benton, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk, Tillamook and Yamhill Counties;

(c) Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties;

(d) Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake, Sherman, Wasco and Wheeler Counties; and

(e) Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and Wallowa Counties.

(3) Grants will be awarded only when there are sufficient funds available in the Connect Oregon Fund to cover the costs of the grants.

(a) Grant awards must not exceed 70 percent of the total eligible Project costs.

(b) Applicant matching funds must be provided by the Applicant in the form of monetary outlay for elements necessary for implementation of the Project, including land, excavation, permits, engineering, payroll, special equipment purchase or rental, and cover at least 30 percent of the eligible Project costs.
Readiness – Existing language

(e) Whether a proposed transportation project is ready for construction, or if the Project does not involve construction, whether the Project is ready for implementation.

Readiness – Proposed

(e) Whether a proposed transportation project is ready for construction. A project will be considered ready for construction if the applicant can demonstrate evidence that may include:

(A) Completion of community engagement/outreach at application submission.

(B) Project development timeline that includes the duration of each development stage and dates of major milestones to reflect project completion within 3 years of award.

(C) Securing matching funds no later than 60 calendar days prior to the Oregon Transportation Commission’s final action to select projects.

(D) Limited land use decision rendered by the appropriate local government received within six months of execution of a grant agreement. If the use is not permitted outright and/or requires a land use decision to be a legally allowable use on the site, the land use decision shall be rendered no later than 60 calendar days prior to the Oregon Transportation Commission’s final action to select projects.

(E) Securing all permits needed for construction within nine months of execution of a grant agreement.

Program Administration – Proposed new

(1) After the final review committee makes its recommendation to the Oregon Transportation Commission, the department shall validate project information that meets program funding criteria in each project application that will be used in a grant funding agreement for up to 150% of available funding.

(2) Project applicants shall be required to provide the information requested by the department within five business days of the request.

(3) Validation shall include:

(a) Evidence of matching funds available for the project

(b) Evidence of site ownership or control, or evidence of a land sales agreement or governing body resolution of condemnation action

(c) Confirmed project delivery schedule that meets program requirements

(d) Other information identified by the department to complete a grant funding agreement
(4) The department shall identify those projects that do not meet program criteria and therefore are not eligible for funding, prior to the commission’s final action to select projects.
Project Selection Process - Proposed

(1) The Commission will select Projects to be funded through a grant with moneys in the Connect Oregon Fund.

(2) Prior to selecting Projects to be funded with moneys in the Connect Oregon Fund, the Commission shall solicit recommendations from:

   (a) The State Aviation Board for aviation Transportation Projects.

   (b) The Freight Advisory Committee for freight Transportation Projects.

   (c) The Rail Advisory Committee for rail Transportation Projects.

   (d) The Oregon Business Development Department for marine transportation projects.

   (e) The Oregon Bicycle and Pedestrian Advisory Committee.

   (f) Area Commission on Transportation

   (g) Regional Solutions Teams

(3) Prior to selecting Projects to be funded with moneys in the Connect Oregon Fund, the Commission may solicit recommendations from transportation stakeholder and advocate entities not otherwise specified in section (2) of this rule.

(4) On behalf of the Commission, the Department shall solicit recommendations from the committees and entities in section (2) of this rule concurrently.

(5) The Director, in consultation with committees and entities in section (2) of this rule, shall appoint a Final Review Committee that includes representatives from each of the committees and entities in section (2) and section (3) of this rule.
Project Selection - Current

(1) The Commission will select Projects to be funded through a grant with moneys in the Connect Oregon Fund.

(2) Prior to selecting Projects to be funded with moneys in the Connect Oregon Fund, the Commission shall solicit recommendations from:

   (a) The State Aviation Board for aviation Transportation Projects.

   (b) The Freight Advisory Committee for freight Transportation Projects.

   (c) The Public Transit Advisory Committee for public transit Transportation Projects.

   (d) The Rail Advisory Committee for rail Transportation Projects.

   (e) The Oregon Business Development Department for marine transportation projects.

   (f) The Oregon Bicycle and Pedestrian Advisory Committee.

(3) Prior to selecting Projects to be funded with moneys in the Connect Oregon Fund, the Commission may solicit recommendations from transportation stakeholder and advocate entities not otherwise specified in section (2) of this rule including the Area Commissions on Transportation and Regional Solutions Teams.

(4) On behalf of the Commission, the Department shall solicit recommendations from the committees and entities in section (2) of this rule before soliciting recommendations from entities in section (3) of this rule. The Department shall provide the recommendations from the committees and entities in section (2) of this rule to the entities in section (3) of this rule.

(5) The Director, in consultation with committees and entities in section (2) of this rule and the Area Commissions on Transportation, shall appoint a Final Review Committee that includes representatives from each of the committees and entities in section (2) and section (3) of this rule.
Statewide Significance - Proposed

(a) Are transportation projects of statewide significance as defined by:

(A) Consistency with policies and strategies of the Oregon Transportation Plan or other applicable modal or topic plan elements of the Oregon Transportation Plan and one or more of considerations (B), (C) and (D)

(B) Being on a list of transportation projects of statewide significance that have been adopted by a statewide modal committee or applicable Area Commission on Transportation.

(C) Whether a proposed transportation project results in a measurable economic benefit outside the site’s county or region as specified in OAR 731-035-0070(2) as demonstrated via the following analyses:

(i) Feasibility Analysis which includes at a minimum:

(I) An assessment of commodities and products likely to be served and their typical market destinations;

(II) An assessment of the anticipated market area the project would serve;

(III) An assessment of the market share in the area that would be impacted by the project; and

(IV) An assessment of the anticipated transportation cost savings that use of the project improvements may generate.

(ii) A Return on Investment Analysis which includes at a minimum:

(I) Number of permanent jobs as a result of the improvement;

(II) Anticipated indirect job and economic growth in the area supported by the project improvement construction and operation.

(D) Whether the proposed project has quantifiable improvements in at least one of the following:

(i) increasing system velocity or

(ii) Increasing system capacity, or

(iii) reducing system congestion or conflict points

Comment [JB1]: New language to allow them to pick one or more below to demonstrate significance.

Comment [JB2]: Based upon small group feedback, not shown in previous meeting.