

Approved:



Department of Transportation

Effective: September 20, 2011

Office: Policy Planning

Topic No.: 525-010-015-c

ADMINISTRATION OF COUNTY INCENTIVE GRANT PROGRAM

PURPOSE:

This procedure describes the requirements for soliciting and reviewing grant applications for the County Incentive Grant Program (CIGP).

AUTHORITY:

Sections 20.23(4)(a) and 334.048(3), Florida Statutes (F.S.)

SCOPE:

The principal users of this procedure include Florida Department of Transportation (Department) Districts, Central Office, counties, and municipalities.

REFERENCES:

- Section 339.2817, F.S.
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
- 42 U.S.C. 4601, et seq., and 49 CFR Part 24 and 23 CFR Part 710

1. PROJECT ELIGIBILITY

To be considered eligible for CIGP funding, a project must satisfy the following minimum requirements:

- (A) Be a transportation facility. CIGP funds cannot be used for operational expenses. Improvements that involve paving dirt roads or reconstructing non-state roads should be demonstrated to relieve congestion on the State Highway System (SHS).
- (B) Be either located on the SHS or relieve traffic congestion on the SHS.
- (C) Be consistent to the maximum extent feasible, with the local Metropolitan Planning Organization (MPO) Long Range Transportation Plan (LRTP).*
- (D) Be consistent, to the maximum extent feasible, with any local comprehensive plans.*

*If the project is not in these plans, the plans must be amended within six months of application to include the project, and supporting documentation provided to the Department.

2. EVALUATION CRITERIA

The Department will consider the following criteria for evaluation of projects:

- (A) The extent to which the project will encourage, enhance, or create economic benefits.
- (B) The likelihood that assistance would enable the project to proceed at an earlier date than the project could otherwise proceed.
- (C) The extent to which assistance would foster innovative public-private partnerships and attract private debt or equity investment.
- (D) The extent to which the project uses new technologies, including intelligent transportation systems, which enhance the efficiency of the project.
- (E) The extent to which the project helps to maintain or protect the environment.
- (F) The extent to which the project includes transportation benefits for improving intermodalism and safety.
- (G) Other criteria as deemed necessary.

3. SOLICITATION OF PROJECTS

It is the responsibility of each District to notify the counties within its area of the solicitation of projects.

3.1 SOLICITATION SCHEDULE

- (A) Districts should send an invitation letter to the counties within its area notifying them of the grant program no later than July 1 of each year when development of the next Tentative Work Program is started. A sample invitation letter can be found in **Appendix 1**. Enclose a summary of the project ranking criteria with the letter. Districts should enclose the project eligibility and evaluation criteria (see **Attachment A**) with the solicitation letter.
- (B) The solicitation process should end no later than October 1st of each year. This will give the District one month to meet the November deadline for programming projects into the Tentative Work Program.

3.2 CANDIDATE PROJECTS

Districts are encouraged to be proactive in the identification of projects. Districts should review the respective local comprehensive plan, including the adopted schedule of capital

improvements for projects that would be eligible for the CIGP and would further the goals and policies of the Department.

4. APPLICATION PROCESS

A county shall submit a separate letter of application for each eligible project for which state matching funds are requested. The Department shall provide 50 percent of project costs for eligible projects. Applications are to be submitted to the District office in which the project is located.

4.1 APPLICATION LETTER CONTENTS

- (A) Name and address of applicant.
- (B) Complete description of the project, with project location map, and detailed description of how the project intends to improve a transportation facility located on the SHS or reduces congestion on the SHS.
- (C) Identification of whether the project is in the Department's Five Year Work Program and the work program item number.
- (D) Certification from the chief fiscal officer of the county that sufficient matching funds are available.
- (E) Details of which project phases are included in the request for matching funds, an accounting of the current stage of project development, and a schedule of future project development.
- (F) An accounting of expenditures to date for each project phase and a current cost estimate for each project phase.
- (G) Certification that the project is consistent with the Florida Transportation Plan (FTP), the long range transportation plan of the local MPO, and any local government comprehensive plan.
- (H) If the project is not located on the SHS, a justification report detailing how the project will alleviate the need for construction or improvements to the SHS by reducing traffic congestion, and quantitatively estimate the improved through traffic capacity and/or increased level of service afforded the affected state highway.
- (I) Any other relevant information necessary to assure compliance with the eligibility requirements and to meet the ranking criteria.
- (J) Signature of the chief fiscal officer of the county making the application.

4.2 APPLICATIONS FROM MUNICIPALITIES

Pursuant to **Section 339.2817, F.S.**, municipalities may apply for funding from this program. The application must be submitted to and reviewed by the county in which the project is located. The project must be reviewed and approved by the county and submitted to the Department on behalf of the municipality. The application will not be considered for funding by

the Department if the proposed project is rejected by the county. If a municipality's proposed project is rejected or if the municipality is adversely affected by a county's proposed project, the municipality may request mediation. Should mediation result in the county's approval of the proposed project, the application will be considered by the Department for funding.

5. FUNDING

Districts can find out how much funding they have been allocated for the CIGP by consulting **Schedule A** of the **Work Program Instructions**.

5.1 MATCHING FUNDS

The Department shall provide 50 percent of the project costs for eligible projects. See **Chapter Seven, County Incentive Grant Program**, of the **Work Program Instructions** for additional matching fund criteria. Districts may allow the use of Federal SU or FTA funds as a local match for the CIGP program. If this option is exercised, the project must meet all Federal requirements (e.g. NEPA, **Uniform Right of Way Act**) and if the county/city will be administering the contract, then the local jurisdiction must be Local Agency Program (LAP) certified.

5.2 IN-KIND SERVICES and RIGHT OF WAY

A local government may satisfy its funding obligation through the use of in-kind services or right of way contribution that comprise integral parts of the project and contribute to its ultimate completion as all or part of the local matching funds. The value for land donated is the current market value, as properly supported. If federal funds will be used for any phase of the project, the property donated by local governments for right of way as the local share must comply with the requirements of the federal **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, as amended, **42 U.S.C. 4601, et seq.**, and implementing federal regulations, **49 CFR Part 24 and 23 CFR Part 710**. For in-kind services, a detailed report of the costs incurred as recorded in the cost accounting system must be provided to the District to substantiate the amount of in-kind service costs to be used as the local government's share of participation. The Department may conduct random audits of supporting documentation for in-kind services.

5.3 COST OVERRUNS

The Department may agree to participate in cost overruns on a project subject to availability of funds. However, the local government is ultimately responsible for all cost overruns.

6. PROJECT AGREEMENT

Subsequent to the District's selection of a project for inclusion in the CIGP, a joint participation agreement must be executed. Three approved versions of the **Joint Participation**

Agreement (JPA) are available from the [Forms and Procedure website](#). See **Section 9, Forms**.

6.1 MODIFICATIONS TO AGREEMENT

Any modifications made to the **JPA** that pertain to insurance, liability, or indemnity must be reviewed by the Central Office's Office of General Counsel. Any changes made to the **JPA** that affect the financial provisions must be approved by the Department's Office of Comptroller. Any other changes to the approved forms should be reviewed by the District's Chief Counsel.

7. ANNUAL STATUS REPORT

Every January, the Districts shall provide to the Office of Policy Planning a status report on the CIGP projects in their area. The report should cover all projects in the adopted five year work program. Districts may use the annual status report found in **Appendix 2**.

8. TRAINING

None required.

9. FORMS

The following JPA forms are available from the Forms and Procedures website to implement this procedure:

- State of Florida Department of Transportation County Incentive Grant Program Agreement (FDOT Letting) Form No. 525-010-50
- State of Florida Department of Transportation County Incentive Grant Program Agreement (County Letting) Form No. 525-010-51
- State of Florida Department of Transportation County Incentive Grant Program Agreement (City Letting) Form No. 525-010-52

NOTE: Contact the Office of Policy Planning for copies of these **Agreements**. (850) 414-4800.

**APPENDIX 1:
SAMPLE INVITATION LETTER**

_____ Chairman
_____ County Commission
_____ County
(ADDRESS)

Subject: County Incentive Grant Program

Dear Chairman _____,

Section 339.2817, Florida Statutes, creates the County Incentive Grant Program (CIGP). This program allows the Department of Transportation (Department) to provide grants to counties for the improvement of transportation facilities on the State Highway System (including the Florida Turnpike System). CIGP may also be used for local transportation facilities that relieve congestion on the State Highway System. Local municipalities may apply for grants through their respective counties.

The law establishes a 50 percent match for eligible projects. Funding for the program in FY 201_ totals \$___ million and is distributed by statutory formula to each District. District ___'s allocation for FY 201_ is \$___. Each District will solicit, review, and rank their eligible projects. A summary of the project eligibility and evaluation criteria is enclosed as Attachment 1.

To implement the program for FY 201_, the Department is requesting all candidate projects be submitted by _____, 201_. A separate application letter must be prepared for each proposed project. From the submittal, District staff will select projects for inclusion in the 201_ - 201_ Work Program. Please ensure that your application letter includes the information outlined in Attachment 2. Once a project is selected for the work program, the County will need to enter a Joint Participation Agreement with the Department.

We look forward to working with you in this program. Please provide your candidate project(s) to M_. _____, District Planning Manager. M_. _____ [(____)____-____] will be your main point of contact should you have any questions or comments

Sincerely,

District Secretary

Attachments

Attachment A
CIGP PROJECT ELIGIBILITY and EVALUATION CRITERIA

ELIGIBILITY CRITERIA: To be considered eligible for CIGP funding, a project must satisfy the following minimum requirements:

Be a transportation facility. CIGP funds cannot be used for operational expenses. Improvements that involve paving dirt roads or reconstructing non-state roads should be demonstrated to relieve congestion on the State Highway System (SHS).

Be either located on the SHS or relieve traffic congestion on the SHS.

Be consistent to the maximum extent feasible, with the local Metropolitan Planning Organization (MPO) Long Range Transportation Plan (LRTP).*

Be consistent, to the maximum extent feasible, with any local comprehensive plans.*

*If the project is not in these plans, the plans must be amended within six months of application to include the project, and supporting documentation submitted to the Department.

EVALUATION CRITERIA: The Department will consider the following criteria for evaluation of projects:

The extent to which the project will encourage, enhance, or create economic benefits.

The likelihood that assistance would enable the project to proceed at an earlier date than the project could otherwise proceed.

The extent to which assistance would foster innovative public-private partnerships and attract private debt or equity investment.

The extent to which the project uses new technologies, including intelligent transportation systems, which enhance the efficiency of the project.

The extent to which the project helps to maintain or protect the environment.

The extent to which the project includes transportation benefits for improving intermodalism and safety.

Other criteria as deemed necessary.

Attachment B
CIGP APPLICATION LETTER CONTENTS

Please be sure that your application letter for funding through the County Incentive Grant Program includes the following:

Name and address of applicant.

Complete description of project, with project location map, and detailed description of how the project intends to reduce congestion on the State Highway System.

Identification of whether the project is in the Department's Five Year Work Program and the work program item number.

Certification from the chief fiscal officer of the county that sufficient matching funds are available.

Details of which project phases are included in the request for matching funds, an accounting of the current stage of project development, and a schedule of future project development.

An accounting of expenditures to date for each project phase and a current cost estimate for each project phase.

Certification that the project is consistent with the FTP, the long range transportation plan of the local MPO and any local government comprehensive plan.

If the project is not located on the State Highway System, a justification report detailing how the project will alleviate the need for construction or improvements to the State Highway System by reducing traffic congestion, and quantitatively estimate the improved through traffic capacity and/or increased level of service afforded the affected state highway.

Any other relevant information necessary to assure compliance with the eligibility requirements and to meet the ranking criteria.

Signature of the chief fiscal officer of the county making the application.

