



Key Transportation Provisions Related to Project Selection

The American Recovery and Reinvestment Act of 2009 was enacted on February 17, 2009. The Florida Department of Transportation (FDOT) is preparing to implement transportation projects in Florida funded by this Act as rapidly as possible. This report contains key transportation information that will guide the selection of Florida projects.

WHAT FDOT IS DOING – The department has been in contact with cities, counties, metropolitan planning organizations (MPOs) and other transportation partners throughout the state to obtain early input on project priorities and provide information on how projects are to be selected.

FEDERAL REQUIREMENTS FOR TRANSPORTATION STIMULUS PROJECTS

All federal requirements for federal-aid transportation projects are retained, so all candidate projects must be assessed to ensure these requirements can be met within the approval timelines. The following are examples of requirements applicable to transportation projects funded under the Act:

- All projects in a metropolitan area must be included in an approved Transportation Improvement Program (TIP) and the Statewide Transportation Improvement Program (STIP) and all projects located in a non-metropolitan area must be included in the STIP.
- Pursuant to the National Environmental Policy Act (NEPA), all projects must have completed the required assessments of environmental impacts.
- Right of way on projects must have been acquired pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies.
- American iron, steel and manufactured goods are to be used in projects, except in certain instances.
- Pursuant to the Davis-Bacon Act, all construction workers must be compensated appropriately for the tasks they perform, according to the prevailing rates determined by the U.S. Dept. of Labor.

Local governments wishing to administer projects must be certified under FDOT's Local Agency Program (LAP) and must comply with all applicable federal requirements as listed in FDOT's LAP Manual available at: www.dot.state.fl.us/projectmanagementoffice/lap/LAP_TOC.shtm

Transit projects must be coordinated with the relevant transit operating agency, MPO or FDOT. Rail and airport projects must meet the respective federal agency requirements and should be coordinated with the relevant MPO and FDOT.

MAINTENANCE OF EFFORT – The Governor is to submit a statement within 30 days that the state will maintain its funding effort from the date of enactment through September 30, 2010.

FACTORS FOR PRIORITIZING PROJECTS -- Factors to be used in prioritizing Florida projects are projects which:

- Have been deferred by the state
- Are tied to concurrency where development is being held up
- Have the potential to generate revenues
- Are geographically balanced
- Provide congestion relief
- Are located in economically distressed areas
- Can be completed within 3 years

TIMELINES FOR PROJECT APPROVALS

- March 10 – Deadline for states and localities to be notified of their funding apportionments
- 120 days from notification of funding apportionments – States must have obligated* 50% of their highway funds or have them redistributed
- 180 days from notification of funding apportionments – States and urbanized areas must have obligated* 50% of their transit funds or have them redistributed
- 1 year from notification of funding apportionments – States and urbanized areas must have obligated* 100% of their funds or have them redistributed

Accordingly, all candidate projects must have an assessment of how rapidly the project can receive federal approval.

* “Obligated” means attaining federal approval for each individual federal-aid project.

REPORTING REQUIREMENTS – Recipients of funding are to submit reports of the information listed below within 90 days, 180 days, 1 year, and 3 years after enactment

- Amount of federal funds appropriated, allocated, obligated, and expended
- Number of projects put out to bid and associated amount of federal funds
- Number of projects for which contracts have been awarded and associated amount of federal funds
- Number of projects for which work has begun and associated amount of federal funds
- Number of projects for which work has been completed and associated amount of federal funds
- Number of direct jobs created or sustained, indirect jobs to extend possible, number of job-years created and total increase in employment since Act
- Comparison of actual expenditures of non-federal funding to planned expenditures of non-federal funding for the types of projects covered

FOR FURTHER INFORMATION

- For updates to this report and other FDOT information, please visit:
www.dot.state.fl.us/planning/economicstimulus.