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TO: BOARD OF DIRECTORS

FROM: PHILLIP WASHINGTON *PAW*
CHIEF EXECUTIVE OFFICER

**SUBJECT: FTA RESPONSE TO METRO'S EXPRESSION OF
INTEREST FOR THE EXPEDITED DELIVERY PILOT
PROGRAM**

ISSUE

Today, the Federal Transit Administration (FTA) notified Metro of the status of the FTA Pilot Program for Expedited Project Delivery (Pilot Program). The FTA received eight expressions of interest to the program, including two from Metro. The Airport Metro Connector/96th Street Station project was determined to be ineligible since it is a station project rather than a new fixed guideway or an extension to an existing fixed guideway. However, the Westside Purple Line Extension Section 3 (WSPLE3) was well received since it included an innovative financing option of a sculpted TIFIA loan, an Early Systems Work Agreement, and two separate design-build procurements.

The recent passage of the FAST Act on December 4, 2015 repealed the original MAP-21 Expedited Project Pilot Program. However, the FTA will continue to support Metro efforts to accelerate WSPLE3 with assistance from the Build America Transportation Investment Center (BATIC). While staff is pleased with the news on the acceptance of the Purple Line, Section 3, we remain aggressive on finding ways to expedite projects throughout the county.

DISCUSSION

On September 8, 2015, staff submitted two projects for consideration in response to the FTA published Notice for Expressions of Interest (EI) for proposals for the Pilot Program: the Airport Metro Connector/96th Street Station and the WSPLE3. Screening criteria had to be met prior to submitting the projects, as follows:

1. Projects already in receipt of an FFGA are not eligible;
2. Capital Investment Grant program eligibility is required;

3. Proposals must include specific efficiencies for the proposed project development and delivery methods or innovative financing arrangements;
4. Certification that the project sponsor's existing public transportation system is in a state of good repair; and,
5. Documentation is required that the project has completed the NEPA process or a schedule demonstrating the project will complete the NEPA process in the foreseeable future.

An innovative financing request for acceleration of planned funding for WSPLE3 and its environmental clearance, and innovative funding related to the Airport Metro Connector/96th Street Station led staff to conclude these projects were the only two projects in the Long Range Transportation Plan that met the criteria for the Pilot Program. As noted above, the Airport Metro Connector/96th Street Station project was determined ineligible.

Overview of BATIC

Earlier this year, the U.S. Department of Transportation unveiled its Build America Transportation Investment Center (BATIC). BATIC is serving as the single point of contact and coordination for states, municipalities and project sponsors looking to utilize federal transportation expertise, apply for federal transportation credit programs and explore ways to access private capital in public-private partnerships.

Staff will remain in close communication with BATIC in order to best determine how to utilize their developing resources.

FAST Act

The FTA is reviewing all of the provisions of FAST Act and anticipates publishing some high-level fact sheets in the near future, including one on the new Pilot Program. Staff will monitor FTA correspondence and the federal register for additional guidance and opportunity, and update the Board with any developments.