

California Transportation Commission

The Road Repair and Accountability Act of 2017

SB 1 Accountability and Transparency Guidelines

DISCUSSION DRAFT

Presented at the *December 13, 2022* Workshop

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikethrough**

California Transportation Commission

The Road Repair and Accountability Act of 2017

SB 1 Accountability and Transparency Guidelines

Table of Contents

BACKGROUND	2
APPLICABILITY	2
PURPOSE	3
SB 1 PROGRAM ACCOUNTABILITY	3
A. Front-End Accountability	4
B. In-Progress Accountability	5
1. Ongoing Program Monitoring and Review	5
2. Program or Project Amendments	6
3. Allocation of Funds	7
C. Program Reporting	7
1. Progress Report	7
2. Annual Reports.....	8
D. Follow-up Accountability	9
1. Completion Reports.....	9
2. Final Delivery Reports	10
3. Audits of Project Expenditures and Outcomes	10
E. Consequences for Noncompliance	11
1. Local Governments	11
2. Department	12
F. Attachments	12

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikeout**

California Transportation Commission

The Road Repair and Accountability Act of 2017

SB 1 Accountability and Transparency Guidelines

BACKGROUND

The Road Repair and Accountability Act of 2017 (Senate Bill [SB] 1, Chapter 5, Statutes of 2017) provides the first significant, stable, and on-going increase in state transportation funding in more than two decades. The Legislature has provided additional funding to the California Transportation Commission (Commission), increased its role in several existing programs, and created new programs for the Commission to oversee. These programs include the Active Transportation Program, the Local Partnership Program, the Local Streets and Roads Program, the Solutions for Congested Corridors Program, the State Highway Operation and Protection Program, the State Transportation Improvement Program, and the Trade Corridor Enhancement Program.

SB 1 states that “it is the intent of the Legislature that the Department of Transportation and local governments are held accountable for the efficient investment of public funds to maintain the public highways, streets, and roads, and are accountable to the people through performance goals that are tracked and reported.”

The Commission’s responsibility for the accountability of SB 1 program funds is focused on the identification and reporting of expected and actual benefits of the projects along with the delivery of projects within their approved scope, cost, and schedule, and reporting these findings to the Legislature and the public in a transparent and timely manner.

APPLICABILITY

These Accountability and Transparency Guidelines (Guidelines) are applicable to the Active Transportation Program, Local Partnership Program, Solutions for Congested Corridors Program, State Highway Operation and Protection Program, and Trade Corridor Enhancement Program, collectively referred to herein as SB 1 Programs. The Guidelines are intended to supplement the Commission's programmatic guidelines for each SB 1 Program. In the event of a conflict between the provisions outlined in these Guidelines and those provided in specific programmatic guidelines adopted by the Commission, the provisions of these Guidelines will govern. These Guidelines are effective immediately upon approval by the Commission and may be amended at any time subject to a Commission action at a duly noticed Commission meeting. While the Commission is authorized to program and allocate funding for SB 1 Programs, the California Department of Transportation (Department) provides the administrative oversight for SB 1 Programs and ensures that the terms and conditions of the Commission’s guidelines and subsequent programming, allocation, reporting, and other actions are followed.

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikethrough**

The Commission may apply these Guidelines to other programs under the Commission's purview. Any application of these Guidelines will be determined during updates to those programs' respective guidelines or policies through the Commission's public stakeholder process.

PURPOSE

SB 1 Program funded projects include but are not limited to highway, transit, active transportation, local streets and roads, congestion relief, trade corridor and other related projects, some of which are significantly complex, representing significant costs, constrained schedules, and are subject to many project delivery processes each with considerable impacts to timely project delivery. These Guidelines are intended to communicate the Commission's expectations and emphasize program and project accountability. Specifically, as described in these Guidelines, the Commission intends to exercise programmatic oversight for the delivery of SB 1 projects with regard to benefits, scope, cost, and schedule consistent with the program objectives, project applications, and executed agreements.

SB 1 PROGRAM ACCOUNTABILITY

Modelled after certain aspects of the Proposition 1B Accountability Implementation Plan, these Guidelines describe the Commission's accountability structure that is intended to allow for transparent and effective decisions and the timely delivery of transportation system improvements and resulting benefits. The following describes the components of this accountability structure. Please note, while not all SB 1 funded projects are subject to the ~~Front-End Accountability and In-Progress Accountability~~ **Baseline Agreement and Project Progress Reporting** requirements, all SB 1 projects **adopted into the programs specified in the Applicability section** are subject to the **In-Progress Accountability and Follow-up** Accountability requirements.

At a minimum, the Department is responsible for establishing and implementing operating procedures and controls that are consistent with Commission policies, guidelines as well as state and federal regulations. The Department will ensure policy and procedural documentation is maintained and updated in an accurate and timely manner. The Department will also ensure that the established policies and procedures are followed. Furthermore, the Commission expects agreements and contracts between the Department and recipient agencies to reflect the project scope, project cost, and project schedules on all projects which were programmed and allocated by the Commission.

Agreements should reflect project scope, project cost, project schedule, and anticipated benefits as set forth in the project application and programmed by the Commission. Project costs reimbursed are to be only made for costs arising to carry out the project scope, project costs, and project schedule as set forth in the project application and programmed by the Commission.

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikethrough**

A. Front-End Accountability

The Commission expects the Department to coordinate all Baseline Agreements (Attachment A) for the following programs and projects:

- Baseline Agreements are required for all projects meeting the thresholds described regardless of funding source.
- Active Transportation Program – only projects with a total project cost of \$25 million or greater or a total programmed amount of \$10 million or greater **of Active Transportation Program funds, including large infrastructure projects that are programmed with Active Transportation funds in pre-construction phases only and that meet these thresholds.** ~~adopted in the 2017 Active Transportation Program Augmentation and subsequent program amendments and adoptions.~~
- Competitive Local Partnership Program – only projects with a total project cost of \$25 million or greater or a total programmed amount of \$10 million or greater **of Competitive Local Partnership Program funds.**
- Solutions for Congested Corridors Program – all projects
- State Highway Operation and Protection Program – only projects with a total project cost of \$50 million or greater, ~~or a total programmed amount (in right-of-way and/or construction, support and capital cost) of \$15 million or greater adopted in the 2018 State Highway Operation and Protection Program and subsequent program amendments and adoptions.~~
- Trade Corridor Enhancement Program – all projects

If a project that initially falls below the aforementioned thresholds later increases to equal or exceed the threshold requirements, a Baseline Agreement will be required within **six months** ~~60~~ days of when the change is identified.

Each Baseline Agreement shall be signed by a duly authorized officer (e.g.: Board Chair, Executive Director) of the Applicant and the Implementing Agency, the Department's Director, and the Commission's Executive Director.

The Baseline Agreements set forth the agreed upon expected benefits, project scope, schedule, and cost, and provide a benchmark for comparison to the current status of the project and the forecast of conditions under a no-build scenario. These Baseline Agreements will also identify the agency responsible for meeting the reporting requirements, **will identify which agency is responsible to pay cost increases on projects jointly nominated by the Department and another local agency** and, for locally implemented projects, identify the Department's responsibilities relative to the type and location of the project. The Baseline Agreement is considered the front-end document that forms the foundation for the Commission's in-progress and follow-up accountability.

The Commission shall approve all Baseline Agreements at a regular Commission meeting within **six** ~~four~~ months after a project has been adopted into a SB 1 Program. The following exceptions apply:

- ~~For projects adopted into the 2017 Active Transportation Program Augmentation, the Baseline Agreements are due four months after adoption of these Guidelines.~~

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikeout**

- For projects that have not received environmental clearance, Baseline Agreements are due six months after the Lead Agency **completes a project level environmental document in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), if applicable.** ~~s-certification of the Final Environmental Impact Report, Negative Declaration, Mitigated Negative Declaration, or Notice of Exemption.~~
- For projects requesting an allocation of funding for a component other than environmental, **within the four months following program adoption, Baseline Agreements shall be approved by the Commission no later than the fourth month following the program adoption date.** ~~at the May 2018 or June 2018 Commission meetings, the Baseline Agreement shall be approved by the Commission no later than the October 2018 Commission meeting.~~
- No Baseline Agreement will be required for State Highway Operation and Protection Program Emergency Response projects that are necessary to respond promptly to damages to the state highway system caused by floods, slides, earthquakes, fires, and other significant events.

The Commission may delete a project for which no Baseline Agreement is executed. The Commission will not consider approval of a project allocation, except for the environmental project component **or the Non-Infrastructure portion of an Active Transportation Program infrastructure/non-infrastructure project**, without an approved Baseline Agreement.

For all SB 1 Program projects, the Commission requires that the Department enter into agreements (cooperative or funding) with implementing agencies that in pertinent part will include the accountability and transparency principles and best management practices outlined in these Guidelines, any specific requirements in the individual programmatic guidelines, and be consistent with executed Baseline Agreement. The Commission is not a signatory to cooperative or funding agreements described in this section.

B. In-Progress Accountability

The following outlines the in-progress accountability steps the Commission intends to employ to assure that SB 1 Program funded projects are successfully delivered consistent with the respective program guidelines, Commission programming and allocation actions, **baseline agreements**, and cooperative or funding agreements by and between SB 1 Program funding recipients and the Department.

The Commission expects all SB 1 funded projects to be monitored for consistency with the adopted program and executed agreements, regardless whether the project has a Baseline Agreement in place or not.

1. Ongoing Program Monitoring and Review

Implementing agencies are responsible for managing the scope, cost, ~~and~~ schedule, **and achievement of the estimated benefits** of the project consistent with the adopted programs and executed agreements. Commission staff shall receive routine program and project progress reports from the Department. Commission staff may also schedule routine status meetings with implementing agencies, and will perform routine assessments of project progress as compared to

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikeout**

the executed agreements. The purpose of this assessment is to identify possible issues of concern, establish an understanding of related impacts, and prepare agenda items for the Commission. Commission staff anticipates placing projects that are unable to maintain delivery and cost commitments on a "watch list" and expects these projects to be identified in the progress reports. Projects will remain on the watch list until a corrective action is taken by the agency and deemed satisfactory by the Commission.

Implementing Agencies are responsible for oversight and accountability that foster transparency and efficient use of resources to assist in maintaining public confidence. During the course of the project, the following accountability requirements will be monitored:

- Satisfactory progress toward project completion, including:
 - Maintaining the approved schedule
 - Performing work as described in the approved Scope of Work
 - Maintaining the approved project budget
 - Achieving expected benefits
- Retention of financial records that document and support all expenditures.
- **Retention of documentation of methodologies and assumptions used to determine the project benefits and performance metrics.**
- Accurate and timely **progress reports, completion reports, final delivery reports, performance analysis,** and reimbursement requests.
- Timely and complete responses to any communication and requests for information by the Commission and/or Department.

2. Program or Project Amendments

The Commission will consider program or project amendments at its regular meetings. Program or project amendments requested by implementing agencies shall receive the approval of the same entities that signed the agreements (cooperative, funding, or baseline) before presentation to the Commission and will be processed in accordance with the respective programmatic guidelines. **A Baseline Agreement Amendment or Addendum may also be required upon approval of a program or project amendment.**

3. Baseline Agreement Amendments and Addendums

A Baseline Agreement can either be adjusted through the Baseline Agreement Amendment process or through the Baseline Agreement Addendum process.

A Baseline Agreement will be amended, if a project receives additional SB 1 Program funds in a subsequent programming cycle, if there is a change in the responsible parties, or at the discretion of the Commission. **Additionally, a Baseline Agreement will be amended for a project being segmented/split after being adopted into an applicable program, or if a project's scope is being reduced along with a reduction in SB1 Program funds. These last two scenarios must be consistent with an approved project amendment in accordance with the respective program's guidelines.**

A Baseline Agreement Addendum may be used to make minor adjustments or corrections to an approved Baseline Agreement at the discretion of the Commission. Addenda shall be signed by an authorized officer of the Applicant and Implementing Agency (if they are not one and the same), the Department's SB 1 Program Manager, and the Commission's Deputy

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikeout**

Director for SB 1 Programming. Adjustments reserved for the Addendum are not considered significant enough to initiate a Baseline Agreement Amendment and would be accompanied by a previously approved Commission action (e.g., allocation amendments, project amendments, etc.).

All approved Baseline Agreements, Amendments, and Addendums will be posted to the Commission's website.

3.4. Allocation of Funds

The Commission will allocate funds only when the implementing agency requests an allocation that has been prepared in accordance with the respective programmatic guidelines. The Commission will consider allocation requests on its regular agenda.

C. Program Reporting

The Commission will use various reporting mechanisms to provide regular updates to the public and the Legislature as described below and in the Follow-up Accountability Section.

The Department will send, at a minimum, reminders to Implementing Agencies 30 days before reports are due and again **five days before the reports are due**~~if reports are 30 days past due.~~ Additionally, the Department will, in coordination with Implementing Agencies, create and distribute a list of Implementing Agencies with late reports to current distribution lists and will post the list to the Department website. Implementing Agencies **which fail to report within the reporting period** ~~with reports 60 days past due~~ will be considered noncompliant with the accountability requirements.

1. Progress Report

Once a project has been adopted into one of the SB 1 Programs, the Implementing Agency, unless otherwise specified, will submit regular and timely project updates to the Department. The Department will prepare a program progress report for each SB 1 Program and submit to the Commission. Commission Staff will use the reports to identify issues and concerns that may be presented to the Commission for further action. **Not all projects in the SB 1 Programs are required to submit progress reports - refer to the attached Reporting Matrix for applicability. Projects which are not required to submit a progress report must still communicate possible issues of concerns or changes in a timely manner.**

Additionally, projects adopted into the Local Transportation Climate Adaptation Program will adhere to the Progress Report section in its entirety. The Department shall prepare a program progress report for the Local Transportation Climate Adaptation Program in the same manner and timeframes as the SB 1 Program progress report.

~~The first progress reports will be presented to the Commission at its October 2018 meeting and will cover the period of March 2018 through August 2018. Subsequent quarterly program progress reports will be presented to the Commission every December (July through September period), March (October through December period), June (January through March period) and~~

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikeout**

~~October (April through June period). Beginning in July 2019,~~ **Semi-annual program** progress reports will **be presented to the** ~~become semi-annual and will be presented to the~~ Commission in March (July thru December period) and October (January through June period) **of each year.**

The progress report shall be written in plain language and include information appropriate to assess the current state of the overall program and each project as compared to the previous report.

The first section of the progress report will be the overall program summary taking into account all projects in the SB 1 Programs and will identify, at a minimum, the total programmed and un-programmed funds, total dollars allocated, number of projects allocated, number of completed projects, and a summary of the benefits (outputs and outcomes) achieved with the completed projects.

The second section of the progress report will be for all **Active Transportation Program** projects, **all Local Transportation Climate Adaptation Program projects**, and all programs subject to the Baseline Agreement requirement, **refer to the attached Reporting Matrix for applicability, as listed on Page 3,** and will include the following:

- The current cost, schedule, scope and expected benefits as compared to the cost, schedule, ~~and~~ **scope, and expected benefits** approved under the Baseline Agreement, or for projects that have not yet cleared environmental, as compared to the cost, schedule, ~~and~~ **scope, and expected benefits** approved at the time the project was adopted into the respective program, and a status of the construction contract award, if applicable.
- A summary describing any changes to the scope, cost, schedule, and expected benefits of the project and a corrective action plan if necessary, since the last report.
- Incurred expenditures to date for all project component costs, with the SB 1 Program funds identified separately.
- Identification and discussion of any significant issues that may affect implementation of the project including, but not limited to, financial constraints and commitments, and risks and impacts.
- Status of the Completion and Final Delivery Reports submittals for completed projects or completed project segments. This requirement will apply to all projects in the SB 1 Programs. See the Follow-up Accountability section for more details.
- **Status of the Department's review/approval of submitted Completion and Final Delivery Reports.**
- **A list of agencies and projects that have not submitted a progress report, a Completion Report, or a Final Delivery Report.**

2. Annual Reports

The Commission will provide in its annual report to the Legislature a summary of its activities relative to the administration of the SB 1 Programs. This report may also discuss significant issues with these programs, and may recommend legislative proposals that could facilitate their implementation.

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikeout**

The Department will provide the Commission with a draft copy of its October Progress Report no later than August 15 of each year.

D. Follow-up Accountability

~~Beginning with the 2017 Active Transportation Program Augmentation, 2018 Formulaic and Competitive Local Partnership Programs, 2018 Solutions for Congested Corridors Program, 2018 State Highway Operation and Protection Program (only projects subject to the Baseline Agreement requirement), and 2018 Trade Corridor Enhancement Program,~~

The Follow-up Accountability section is applicable to all Active Transportation Projects, all Local Transportation Climate Adaptation Program projects, all Local Partnership Program (formulaic and competitive) and all other projects subject to the Baseline Agreement requirement, refer to the attached Reporting Matrix for applicability.

The Implementing Agency, unless otherwise specified, will submit timely Completion and Final Delivery Reports to the Department for all projects receiving funds in the aforementioned programs. The Department will review and approve the reports prior to submitting to the Commission. Commission staff will use the reports to identify issues and concerns that may be presented to the Commission for further action.

1. Completion Reports

Within six months of construction contract acceptance or the project becoming operable (open to the public), whichever comes sooner, the Implementing Agency shall provide a Completion Report to the Department on the scope of the completed project, its estimated final cost, estimated schedule, ~~and~~ project benefits, **and performance metrics** as compared to those included in the executed project agreements. Additionally, the Completion Report shall describe the methodologies and assumptions used to evaluate how the project benefits **and performance metrics** were calculated as compared to the methodologies and assumptions **and performance metrics submitted with used** in the executed project agreements. In the event the project benefits **or performance metrics** identified in the Completion Report differ from those identified in the executed ~~project program~~ agreements (cooperative, funding, or baseline), the difference must be noted, quantified, and explained. Documentation used for the benefit evaluation shall be preserved and made available for review by the Department, the Commission, the Transportation Inspector General, Department of Finance, and/or the California State Auditor, if requested. The Completion Report should not be delayed due to claims, plant establishment periods, ongoing environmental mitigation monitoring, or other reasons.

For projects receiving SB 1 Program funds for pre-construction components only, the Department shall provide the Completion Report to the Commission within six months of the conclusion of the pre-construction component. The Completion Report will include the scope of the project component, its estimated final cost, and duration as compared to those included in the executed project agreements. Additionally, the Completion Report shall provide an updated schedule, a description of how the project will progress to construction, and a discussion on how

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikethrough**

the project will continue to provide the benefits described in the executed project agreements (cooperative, funding, or baseline).

For projects delivered in segments, a Completion Report is required for each segment and a summary Completion Report is required when the final project segment is complete. An audit may be done on one or all segments of a segmented project.

The Department will notify Implementing Agencies within 30 days after a project is completed of the requirement to submit a Completion Report and again during the 30 days after the report is due. Implementing Agencies which fail to submit a timely Completion Report may be considered noncompliant.

2. Final Delivery Reports

A Final Delivery Report must be submitted within 180 days of the conclusion of all remaining project activities beyond the acceptance of the construction contract to reflect final project expenditures, any changes that occurred after submittal of the Completion Report and an updated evaluation of the benefits. The Commission may include this information in its annual reports to the Legislature.

The Department will notify Implementing Agencies within 30 days after the conclusion of all remaining activities of the requirement to submit a Final Delivery Report and again during the 30 days after the report is due. Implementing Agencies which fail to submit a timely Final Delivery Report shall be considered noncompliant, which may result in reduced reimbursements on all invoices until the noncompliance issues are corrected, as indicated in the Consequences for Noncompliance section of these Guidelines.

3. Project Performance Analysis

Section is under development

3.4. Audits of Project ~~Costs, Expenditures~~ Deliverables, and Outcomes

SB 1 created the position of ~~Transportation~~ Inspector General as Director of the Independent Office of Audits and Investigations to ensure the Department, and external entities that receive state and federal transportation funds from the Department, are spending those funds efficiently, effectively, economically, and in compliance with applicable state and federal requirements.

The Inspector General is required to review policies, practices, and procedures and conduct audits and investigations of activities involving all state **and federal** transportation funds.

The Inspector General is required to report at least annually to the Governor, Legislature, and Commission with a summary of investigation and audit findings and to report to the Secretary of Transportation and the Department's Director and Chief Deputy Director on an ongoing basis.

The Commission encourages the Inspector General to consider each of the respective SB 1 Programs when selecting projects to audit and, for those projects selected, determine the following~~The Commission expects that audits will be conducted on a representative sample of projects from each of the respective SB 1 Programs and provide a finding on the following:~~

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikeout**

- Whether project costs incurred and reimbursed comply with the executed project agreements or approved amendments thereof; state and federal laws and regulations; contract provisions, and Commission guidelines.
- Whether project deliverables (outputs) ~~and outcomes~~ are **consistent** ~~reasonable in comparison~~ with the project ~~cost~~, scope **and** ~~schedule~~ ~~and benefits~~ described in executed project agreements or approved amendments thereof.
- **Whether project benefits (outcomes/performance metrics) are reasonable in comparison to the estimated performance metrics described in the executed project agreements or approved amendments thereof.**
- **Documentation of the methodologies and assumptions used for the project benefit evaluation and performance metrics shall be preserved by the applicant and/or implementation agency and made available for review during an audit. Required back-up information for each performance metric cited in the project application can be found in the Technical Performance Measurement Methodology Guidebook on the Commission’s website. There may be some variance over time in terms of the benefits that are achieved. Factors beyond the control of the applicant may cause changes to the project that impact the estimated benefits.**

Additional audits, if deemed necessary, may be requested by the Commission during the implementation phases of the project. In addition to any final audit performed, it may be beneficial to provide semi-final audits when a project is substantially completed. It is expected that the findings from these audits will be included in the Inspector General’s reports to the Commission.

E. Consequences for Noncompliance

To the extent that the Department or other Implementing Agencies do not meet the aforementioned accountability requirements they will be considered noncompliant agencies. **The Consequences for Noncompliance section is applicable to all projects in all programs cited in these Guidelines.**

The Commission expects that the Department will recommend and the Commission will determine appropriate actions for noncompliant agencies. In addition to the actions described throughout this document, actions may include, but are not limited to, the following:

1. Local Governments

- The Department will provide a written warning to the Implementing Agency identifying deficiencies, necessary remedies, and timeline for corrections.
- The Implementing Agency may be requested to appear before the Commission to explain how and when the noncompliant issues will be resolved.
- The Commission expects the Department to recommend whether a noncompliant agency should be placed on a watch list.

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikethrough**

- For the most egregious situations, the agency may be subject to further actions, including the following:
 - Deemed ineligible for future allocations or programming actions, at the discretion of the Commission.
 - A penalty, as recommended by the Department and approved by the Commission, in the form of reduced reimbursements on all invoices until the noncompliance issues are corrected. This penalty shall remain in effect until the reporting cycle after the noncompliance has been resolved.

2. Department

The Department acts as both the Program Administrator and Implementing Agency. To the extent that the Department does not meet the aforementioned accountability requirements, either as the Program Administrator or an Implementing Agency, the Commission will determine appropriate actions for noncompliance. In addition to the actions described throughout this document, actions may include, but are not limited to, the following:

- Appear before the Commission to explain how and when the noncompliance issues will be resolved.
- The Commission will determine whether the Department should be placed on a watch list.
- The Department will remain on the watch list until a corrective action, satisfactory to the Commission, is taken by the Department and communicated to the Commission.
- The Department, if remaining on the watch list beyond the next reporting cycle, may be subject to further actions, including the following:
 - Deemed ineligible for future allocations or programming actions, at the discretion of the Commission.

F. Attachments

Attachment A: Baseline Agreement Template

The Baseline Agreement Template can be found at: <https://catc.ca.gov/programs/sb1/baseline-agreements>. Updated version will be included in the Draft Guidelines

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikethrough**

Attachment B: Baseline Agreement Addendum Request

**ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017
PROJECT BASELINE AGREEMENT ADDENDUM**

1. FUNDING PROGRAM

- Active Transportation Program
- Local Partnership Program (Competitive)
- Solutions for Congested Corridors Program
- State Highway Operation and Protection Program
- Trade Corridor Enhancement Program

2. PARTIES AND DATE

2.1 This Project Baseline Agreement Addendum (Addendum) for the ,
_____ <Insert Project Name> effective on _____

is made by and between the California Transportation Commission (Commission), the California Department of Transportation (Caltrans), the <Project Applicant>, and <Implementing Agency>, sometimes collectively referred to as the “Parties”.

3. GENERAL PROVISIONS

3.1 The parties are entering into this Project Baseline Agreement Addendum to document minor adjustments as approved by the Commission. Form attached hereto will formally document any authorized modifications. This may include a revised Project Report, revised Project Funding Plan, minor change of Project Scope, and/or Project Programming Requests. Adjustments reserved for the Addendum are not considered significant enough to initiate a Baseline Agreement Amendment.

3.2 The undersigned Project Applicant certifies that the funding sources cited are committed and expected to be available; the estimated costs represent full project funding; and the scope and description of benefits is the best estimate possible and no further adjustments are known or foreseen.

3.3 The undersigned Project Applicant acknowledges the Baseline Agreement is still in full effect and this Addendum does not replace the original approved Baseline Agreement.

Modification:

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, strikethrough**

Justification for Modification:

Applicant Agency

Date

Implementing Agency

Date

California Department of Transportation

Date

California Transportation Commission

Date

Draft Edit Key:

New language = **blue, bolded**

Deleted language = **red, ~~strikeout~~**

Attachment C: Baseline Agreement and Reporting Matrix

Updated version will be included in the Draft Guidelines