



Regional Surface Transportation Program (RSTP)

Project Development and Selection Procedures

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(Updated Fiscal Year 2016 – Working Draft)

ABSTRACT

This document provides information on the process used by the Roanoke Valley Area Metropolitan Planning Organization (RVAMPO), doing business as the Roanoke Valley Transportation Planning Organization (RVTPO), to select projects for funding under the Regional Surface Transportation Program (RSTP).

ACKNOWLEDGMENTS

This document was prepared in cooperation with the U.S. Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Virginia Department of Transportation (VDOT), Virginia Department of Rail and Public Transportation (DRPT), and Greater Roanoke Transit Company (GRTC), and member local governments. The contents of this report reflect the views of the Roanoke Valley Transportation Planning Organization (RVTPO). The RVTPO staff is responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the FHWA, FTA, VDOT, DRPT or GRTC or the member local governments. This report does not constitute a standard, specification, or regulation. FHWA, FTA, VDOT, DRPT, GRTC or the member local governments acceptance of this report as evidence of fulfillment of the objectives of this program does not constitute endorsement/approval of the need for any recommended improvements nor does it constitute approval of their location and design or a commitment to fund any such improvements. Additional project level environmental impact assessments and/or studies of alternatives may be necessary.

NON-DISCRIMINATION

The Roanoke Valley Transportation Planning Organization (RVTPO) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Discrimination Complaint Form, see www.rvarc.org or call (540) 343-4417.

The RVTPO will strive to provide reasonable accommodations and services for persons who require special assistance to participate in public involvement opportunities. Contact the Public Involvement and Community Outreach Coordinator at (540) 343-4417 for more information.

INTRODUCTION

This document describes the process the **Roanoke Valley Transportation Planning Organization (RVTPO)** will undertake to identify and select transportation projects funded for inclusion in **RVTPO's** Transportation Improvement Program (TIP) using Federal Regional Surface Transportation Program (RSTP) program funding.

RVTPO's RSTP project selection is a cooperative process between **RVTPO**, VDOT, and DRPT. The procedure for selecting and prioritizing projects includes the development of candidate project lists by the **RVTPO** Transportation Technical Committee (TTC). A numeric rating procedure is used to rate each candidate project based on the established criteria. The results of the ratings and project recommendations are reported to the **RVTPO** Policy Board for funding consideration. The **RVTPO** Policy Board considers the recommendations from the TTC and selects the final recommended list of RSTP projects for submittal to the Commonwealth Transportation Board for approval as part of the Six-Year Improvement Program. Amendments to 23 U.S.C funded projects, and in particular RSTP funded projects, must be approved by the Commonwealth Transportation Board. This project selection process, as outlined above, is consistent with 23 U.S.C. section 134(j)(3)(5)(a) and 23 CFR 450.330(b).

OBLIGATION AND EXPENDITURE OF RSTP FUNDS

On July 1, 2010, the State Budget Bill with Transportation Policy Goals became law. This bill contains provisions related to the obligation and expenditure of federal Regional Surface Transportation (RSTP) funds and their local matching funds (which are provided by the Commonwealth of Virginia).

The provisions to RSTP funds state that funds shall be federally obligated within 12 months of their allocation by the CTB and expended within 36 months of obligation (total four years), or the “board shall rescind state match”. If these funds are not obligated and expended within the defined timeframes the CTB has the power to rescind the 20% in matching funds that the Federal funds require.

The following table illustrates the obligation and expenditure deadlines RSTP funds through **2021**.

Funding Source/Year	Obligation Deadline	Expenditure Deadline
RSTP 2015	July 1, 2016	July 1, 2019
RSTP 2016	July 1, 2017	July 1, 2020
RSTP 2017	July 1, 2018	July 1, 2021
RSTP 2018	July 1, 2019	July 1, 2022
RSTP 2019	July 1, 2020	July 1, 2023
RSTP 2020	July 1, 2021	July 1, 2024

TRANSFER OF UNUSED FUNDS

Policy for handling unused or surplus RSTP allocations on completed or cancelled projects:

While the handling of surplus RSTP allocations on completed or cancelled projects may be determined by the **RVTPO** Policy Board on a case by case basis at its discretion. In general, if there are unused RSTP funds allocated to a project that has been completed or canceled, the transfer of available funds will be handled as follows, preferably in the order presented:

Within 180 days after a project has been completed (VDOT C5 form processed and final reimbursement received or equivalent from other agencies such as DRPT) or canceled:

- a) The project sponsor (locality or agency) will request that the available funds be transferred to the highest priority project(s), regardless of project sponsor, as determined by the most recent project scoring results according to these procedures, in need of additional funding; or
- b) The project sponsor (locality or agency) will request that the available funds be transferred to a RSTP reserve account that will hold the funds and allocate the funds during the next development of new candidate list and rating, if it is anticipated that a new candidate list and rating will be developed within one calendar year; or,
- c) The project sponsor (locality or agency) formally requests by presenting a formal case to the TTC and **RVTPO** Policy Board that the funds be transferred to one or more of the sponsor's previously approved RSTP project(s). The project sponsor (locality or agency) should obtain a favorable vote by the TTC forwarding the request to the **RVTPO** Policy Board for final decision.

WHO RECEIVES RSTP FUNDING?

RSTP funds are apportioned by the State to the Metropolitan Planning Areas (MPAs) that have Transportation Management Area (TMA) status within Virginia. Metropolitan Planning Organizations, like the **RVTPO**, are responsible for selecting projects for RSTP funding.

PRE-APPLICATION ELIGIBILITY INQUIRY

Potential RSTP projects are often parts of larger efforts that incorporate transportation, housing, economic development, education and/or urban policy elements. It can be difficult to determine, with certainty, the likely eligibility of specific candidate projects simply by reading the Procedures (below) and the Eligibility Guidance in Appendix A. Project sponsors who would like to determine eligibility before taking the time and expense of applying for RSTP funds are invited to send **RVTPO** staff a one page summary of the candidate project idea. **RVTPO** staff will forward the summary to FHWA or FTA staff and request an eligibility determination.

WHAT PROJECTS QUALIFY FOR RSTP FUNDING?

Examples of projects eligible for funding under RSTP include:

- *Transportation Demand Management Projects*
 - Regional Rideshare Expansion
 - Marketing and Outreach Programs
 - HOV Express Bus Service
 - Park and Ride Lots
 - Bicycle lockers, racks or other supporting facilities
- *Highway Capacity, Accessibility, and Operational Improvements*
 - Roadway Widening
 - New Facilities
 - HOV Lanes
 - New Interchanges
 - Intersection/Interchange Improvements
 - Corridor Operational Improvements
 - Bridge Rehabilitation
 - Traffic Signal System Improvements

- *Fixed Guideway Studies (for inclusion in planning studies not vehicle purchase or facility construction)*
 - High Speed Rail
 - Intercity Passenger Rail
 - Light Rail
 - New Facilities (e.g., lines, stations, terminals, transfer facilities)
 - Vehicle Purchase/Purchase

- *Transit Projects*
 - New Service
 - Expansion of Existing Service
 - Bus Shelters, Facilities or other transit amenities
 - Vehicle Replacement/Purchase

- *Pedestrian and/or Bicycle Improvements*
 - ADA Ramps, Crosswalks, Signalization and Streetscapes.
 - Greenway Trails
 - Sharrows, Striping or other Bicycle Signage
 - Roadway Widening for Bicycle Lanes

- *Planning Studies*

- *Intermodal Transportation Projects*
 - Freight Facilities
 - Intermodal Transportation Centers

- *Intelligent Transportation Systems*

WHO ARE ELIGIBLE RSTP RECIPIENTS?

Eligible recipients of RSTP funds in the Roanoke Valley Area include the member local governments who have all or a portion of their territory in the **RVTPO** Study Area Boundary, Greater Roanoke Transit Company (GRTC – “Valley Metro”), Unified Human Services Transportation Systems, Inc. (RADAR), the Virginia Department of Transportation (VDOT), and the Virginia Department of Rail and Public Transportation (DRPT), **Roanoke Valley Transportation Planning Organization (RVTPO)** and Roanoke Valley-Alleghany Regional Commission (RVARC) – **RVTPO** and RVARC for planning studies.

COST ESTIMATES and COST OVERRUNS

Cost estimates play such an important role in project ranking, selection, management and completion that they merit specific discussion, in addition to what is stated in the “Policies” section of this document. The potential for inaccurate cost estimates to impact the ability of other projects to receive adequate and timely funding makes it necessary to clearly define the procedure for any cost overruns due to low or inadequate cost estimates. In short, it is the project sponsor (locality or agency) who ultimately bears the risks involved with a low or inadequate cost estimate. Conversely, funding surpluses are discussed in the “Transfer of Unused Funds” section of this document.

Basic considerations for cost overruns are as follows:

a. If the cost/annual allocation and the scope of a project change less than 10% on any one RSTP funded project, the locality/agency should notify the TTC with a request and justification for a change in funding. The TTC will review the request and recommend use of any applicable reserve account or, if possible, recommend committing future year funding to preserve the project to the RVTPO Policy Board.

b. If the cost/annual allocation and/or scope of the project change by more than 10% on any one RSTP funded project, the locality/agency should notify the TTC and RVTPO Policy Board with a request and justification for a change in funding and/or scope. The TTC and RVTPO Policy Board will review the request and may recommend one or any combination of the following:

- 1) Scale back the project;
- 2) Use local funds;
- 3) Use urban, primary, or secondary funds;
- 4) Use RSTP reserve account funds (if available);
- 5) Use existing RSTP funds from another project (either at the suggestion of the project sponsor from another RSTP project awarded to the same project sponsor; or at the discretion of the RVTPO Policy Board from all projects);
- 6) Use future RSTP allocations (in the form of a Phase II application to be evaluated during a future candidate list and rating);
- 7) Use future non-RSTP funds;
- 8) Drop the project

All project candidates were originally scored using the same procedures in a fair and transparent process. The fact that a particular project sponsor (locality or agency) underestimates project costs should not unduly adversely affect funding availability allocated to other projects through due process of these selection procedures and final decision of the RVTPO Policy Board.

The purpose of this section is to make it clear that there will be no incentive for “foot in the door” strategies that rely on overly optimistic cost estimates in order to secure “previously funded status” with the intent of making a subsequent request for additional funding to address the shortfall from the original inadequate cost estimate. The RVTPO Policy Board can make case by case decisions based on extenuating and unusual circumstances at its discretion. In general, it is the intention of the RVTPO Policy Board as expressed in these procedures that the project sponsors (localities or agencies) bear all relevant risk concerning the accuracy of their respective cost estimates; and that any cost overruns be handled in the manner described by subsections a) and b) above.

LARGE PROJECTS

The RVTPO Policy Board strongly advises that no RSTP application represent more than two years of RSTP funding. If a project application is received that requests more than the equivalent of two years' worth of RSTP funding the RVTPO Policy Board will instruct staff to question the project sponsor as to why the candidate project cannot be separated or subdivided into smaller RSTP applications representing a phase or smaller components of the candidate project.

POLICIES

- 1) The **RVTPO** Policy Board will initiate an initial RSTP candidate project list and rating. Thereafter, the project list will be reviewed annually and the Transportation Technical Committee (TTC) in an Annual Adjustment Review process. The TTC will recommend minor adjustments and financial plan changes to existing projects that are designed free up funds temporarily delayed by project delays in a given year. Every practical effort will be made to adhere to the most recent RSTP priority ranking (i.e. scoring) in making financial adjustments in the Annual Adjustment Review. Also, the RVTPO's commitment to fully funding RSTP projects and/or project phases will be considered during the annual adjustments. The Annual Adjustment Review process cannot be inappropriately used in an attempt to permanently delay a project that was scored and awarded RSTP funding in due process. The RVTPO Policy Board will have final decision making authority on all annual adjustments.
- 2) Candidate projects must be consistent with Federal RSTP guidance contained in the 23 U.S.C. 133(b). Projects must be identified or qualify for a project funding category in the current **RVTPO** Constrained Long-Range Transportation Plan (CLRTP), the Transportation Improvement Program (TIP), or as a capital improvement project in the current the Transit Development Plan (TDP).
- 3) Questions about a project's eligibility should refer to appendix A or request a pre-application eligibility inquiry.
- 4) A construction project must be a permanent improvement and not temporary construction that must be replaced in the near future; staged construction is considered permanent rather than temporary so long as future stages build on rather than replace previous work.
- 5) Noise barriers, lighting projects, drainage projects, fences, landscaping, etc., are ineligible for funding unless part of a larger roadway construction, safety, capacity, or bikeway/ walkway construction project which qualify under the above criteria.
- 6) Projects must be structurally capable of handling all anticipated vehicles of legal-load limit.
- 7) Greenway trails or Recreational trails projects eligible for funding under 23 U.S.C. 206 are not subject to location of project requirements and may be located as a separate facility.
- 8) RSTP candidate project sponsor(s) and VDOT and/or DRPT will provide assurance to the **RVTPO** that any RSTP funds allocated for the candidate project can be federally obligated within 12 months of allocation and expended within 36 months of such obligation.
- 9) **RVTPO** – Technical Committee will review results and recommend multi-year project allocations.
- 10) Prioritized projects with some prior year RSTP allocation will be given funding priority.
- 11) **RVTPO** – Policy Committee will review candidate project ratings prior to endorsing RSTP allocations.
- 12) Prioritized projects may be fiscally constrained to the RSTP funding estimate provided by VDOT.

- 13) Roanoke Valley-Alleghany Regional Commission (RVARC) staff and VDOT staff will maintain records of RSTP project funding.
- 14) Implementing agencies will execute RSTP project agreements with either VDOT or DRPT.
- 15) The RSTP candidate project list and rating will follow a two-year cycle that is countercyclical to VDOT’s HB2 process. This means that there will be a call to applications starting in June with applications being received by COB of the last Friday in September of the following calendar years: (2017, 2019, 2021, 2023, 2025, 2027 etc.)
- 16) Pursuant to the two-year RSTP application cycle outlined in item #15 above, the first two years of any RSTP Six-Year Funding Plan resulting from an RSTP application and scoring cycle will be considered “previously funded” and committed in the next application cycle. RSTP projects in the following four years will have to re-compete with the new candidate projects in the application and scoring process.

Suggested RSTP SCHEDULE (Beginning in June and going through February of 2017, 2019, 2021, 2023, 2025 ... etc).

Action #	Description	Month
1	TPO action to develop a new candidate list and rating – notice to applicants and interested parties	June – (typically the fourth Thursday of the month).
2	Applications for new candidate projects due to staff. Applications must include, among other requirements listed in these procedures, a detailed cost estimate, applicable traffic or project ridership information.	September (by COB of the last Friday of the month.)
3	TTC Members begin individual project rankings which will be due one week before the November TTC meeting.	October (as early as administratively feasible pursuant to #2 above).
4	Questions to applicants and applicants present for Q&A to the TTC and RVTPO.	November (TTC typically the second Thursday; TPO meeting is typically rescheduled due to holiday conflicts).
5	Transportation Technical Committee rates candidate projects and RVTPO staff assembles the results of the ratings.	December (typically the second Thursday of the month).
6	TTC meets one or more times in order to develop a draft recommended 6-year RSTP financial plan. TTC reserves the option to request presentation by project sponsor for additional information or clarification.	December and January (TTC and TPO meetings are sometimes re-scheduled from typical meeting days due to holiday season)
7	RVTPO Policy Board reviews the draft RSTP financial plan for the first time and takes any public comments and decides on any further public involvement process before action at the subsequent meeting.	January
8	RVTPO – Policy Board reviews the results of candidate project ratings and takes action. (RVTPO reserves the right to request a presentation from the project sponsor for informational purposes.)	February
9	Project sponsor(s) and implementing agency execute project agreement.	TBA

RSTP Project Profile – Candidate Project

Please limit overall application to a maximum of 5 pages (11 pt. font 1.5 spacing) – supporting materials such as a previous study or aerial photography may be submitted as an addendum and not subject to 5 pages maximum.

1. Project Sponsor(s):
2. Proposed Implementing Agency:
3. Project Description and Attached Aerial Showing Proposed Improvement Location:
4. Detailed Scope of Work, proposed Schedule and Relation to Other Projects or Project Phases, Project Status, and Other Funding Sources: (attach document if extra space is needed – please refer to overall application limit noted above)

Items 5-9 Pertain to Highway Projects:

5. Functional Classification:
6. Existing Traffic Volume and Level of Service with Improvement:
7. Existing Volume/Capacity:
8. Future Traffic Volume or Projected Ridership with Service Implementation:
9. Future Volume/Capacity and Level of Service:
10. Estimated Project Cost by Phase (Preliminary Engineering, Right-of-Way (including utilities) and Construction (including administration): (attach a detailed cost estimate and/or budget to support your application)

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11. RSTP Candidate Project Rating Factors

Please explain how the candidate project relates to each of the following selection criteria: (each criteria will be assessed by the number of points indicated for a maximum total of 120 points).

- A. **Regional Project Consideration (30 points)** – *Assessed on the extent to which the project benefits, impacts and/or is sponsored by more than one eligible recipient. A combination of these factors will be used to assess point value. An individual project may earn some points by benefiting the region even if only one eligible recipient is the project sponsor.*
- B. **Support the Economic Vitality of the Metropolitan Area (10 points)** - *(project serves a corridor with commercial and/or industrial development growth by adding capacity with improvements such as adding travel lanes to existing streets, new interchanges or bridge replacement/ widening)*
- C. **Increase the Safety and Security of the Transportation System (10 points)** - *(project includes provision to help prevent accidents, such as railroad crossings, or pedestrian safety/ security)*
- D. **Increase the Accessibility and Mobility Options Available to People and/or Freight (10 points)** - *(project includes provision for improvements such as transit capital acquisition, intermodal connection, park & ride lots, carpool/ vanpool projects, bike lanes or sidewalk modifications to comply with the Americans with Disability Act of 1990)*
- E. **Protect and Enhance the Environment, Promote Energy Conservation, and Improve Quality of Life (10 points)** - *(project includes provision for improvements that involve the reduction of fuel consumption, wetlands mitigation or improve natural wildlife habitats)*
- F. **Enhance the Integration and Connectivity of the Transportation System, Across and Between Modes, for People and/or Freight (10 points)** - *(project includes provision improvements such as an intermodal facility, park & ride lot, sidewalk improvement or bicycle facility)*
- G. **Promote Efficient System Management and Operation (10 points)** - *(project includes provision for improvements such as congestion/ management systems, signal coordination, turn lanes and intelligent transportation system applications)*
- H. **Emphasize the Preservation of Existing Transportation System (10 Points)** - *(project includes provision for system preservation, such as resurfacing, rehabilitation of pavement, roadway or bridge replacement)*
- I. **Projects included in previous plans that had a public input process associated with the plan (10 points)** - *(i.e. local plans or other regional plans).*
- J. **Benefit/Cost Consideration (10 points)** - *Suggested approach similar to HB2: (Sum of scores in A – I) in the numerator divided by the amount of RSTP funding requested in the denominator. Order the results and give applications in the top 20% between 8-10 points, the next group (i.e. top 40% but not top 20%) 6-8 points ... etc.*

APPENDIX A

MAP-21 and FAST Act STP Implementation Guidance

ELIGIBILITY

1. Eligible Projects and Activities

- a. **Location of Projects (23 U.S.C. 133(c)):** In general, the location of STP projects is not limited. However, STP projects may not be undertaken on roads functionally classified as local or rural minor collectors unless the roads were on a Federal-aid highway system on January 1, 1991, except—
 1. for Bridges Not on Federal-aid Highways,
 2. for projects described in paragraphs (2), (4), (6), (7), (11), (20), (25), and (26), of 23 U.S.C. 133(b) (described below under "Eligible Activities"),
 3. as approved by the Secretary, and
 4. for areas of 5,000 or less population (described below under "Special Rule for Areas of 5,000 or less population (23 U.S.C. 133(h))").

- b. **Eligible Activities (23 U.S.C. 133(b)):**
 1. Construction, reconstruction, rehabilitation, resurfacing, restoration, preservation, or operational improvements for highways, including construction of designated routes of the Appalachian Development Highway System and local access roads under section 14501 of title 40. "Construction" is defined in 23 U.S.C. 101(a)(3) and "operational improvement" is defined in 23 U.S.C. 101(a)(17). Projects to accommodate other transportation modes continue to be eligible pursuant to 23 U.S.C. 142(c) if such accommodation does not adversely affect automotive safety.
 2. Replacement (including replacement with fill material), rehabilitation, preservation, protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) and application of calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing compositions for bridges (and approaches to bridges and other elevated structures) and tunnels on public roads of all functional classifications, including any such construction or reconstruction necessary to accommodate other transportation modes.
 3. Construction of a new bridge or tunnel at a new location on a Federal-aid highway.
 4. Inspection and evaluation of bridges and tunnels and training of bridge and tunnel inspectors as defined in 23 U.S.C. 144, and inspection and evaluation of other highway assets. This includes, but is not limited to, signs, retaining walls, and drainage structures. Not subject to Location of Project requirement in section 133(c).
 5. Capital costs for transit projects eligible for assistance under chapter 53 of title 49; which includes vehicles and facilities (publicly or privately owned) that are used to provide intercity passenger bus service.
 6. Carpool projects, fringe and corridor parking facilities and programs, including electric vehicle and natural gas vehicle infrastructure in accordance with 23 U.S.C. 137, bicycle transportation and pedestrian walkways in accordance with 23 U.S.C. 217, and the modification of public sidewalks to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.). Carpool Project is defined in 23 U.S.C. 101(a)(3), and described in 23 U.S.C. 146. Fringe and corridor parking facilities is described in 23 U.S.C. 137, and further

- discussed in 23 U.S.C. 142. Not subject to Location of Project requirement in section 133(c).
7. Highway and transit safety infrastructure improvements and programs, installation of safety barriers and nets on bridges, hazard eliminations, projects to mitigate hazards caused by wildlife, and railway-highway grade crossings. Not subject to Location of Project requirement in section 133(c).
 8. Highway and transit research and development and technology transfer programs.
 9. Capital and operating costs for traffic monitoring, management, and control facilities and programs, including advanced truck stop electrification systems. Truck stop electrification system is defined in 23 U.S.C. 101(a)(32).
 10. Surface transportation planning programs.
 11. Transportation alternatives. Transportation Alternatives is defined in 23 U.S.C. 101(a)(29), and further described in 23 U.S.C. 213. Not subject to Location of Project requirement in section 133(c).
 12. Transportation control measures listed in section [108 \(f\)\(1\)\(A\)](#) (other than clause (xvi)) of the Clean Air Act ([42 U.S.C. 7408 \(f\)\(1\)\(A\)](#)).
 13. Development and establishment of management systems.
 14. Environmental mitigation efforts relating to projects funded under title 23, U.S.C., in the same manner and to the same extent as such activities are eligible under 23 U.S.C. 119(g).
 15. Projects relating to intersections that have—
 - A. disproportionately high accident rates;
 - B. high levels of congestion, as evidenced by interrupted traffic flow at the intersection and a level of service rating of “F” during peak travel hours, calculated in accordance with the Highway Capacity Manual; and
 - C. are located on a Federal-aid highway.
 16. Infrastructure-based intelligent transportation systems capital improvements.
 17. Environmental restoration and pollution abatement in accordance with 23 U.S.C. [328](#).
 18. Control of noxious weeds and aquatic noxious weeds and establishment of native species in accordance with 23 U.S.C. [329](#).
 19. Projects and strategies designed to support congestion pricing, including electric toll collection and travel demand management strategies and programs.
 20. Recreational trails projects eligible for funding under 23 U.S.C. 206. Not subject to Location of Project requirement in section 133(c).
 21. Construction of ferry boats and ferry terminal facilities eligible for funding under 23 U.S.C. 129(c). Approach roadways for these terminals are eligible as projects to accommodate other transportation modes (pursuant to 23 U.S.C. 142(c)) and as a project that provides access into and out of the port under paragraph (25)(23 U.S.C. 133(b)(25)). Not subject to the Location of Project requirement in section 133(c).
 22. Border infrastructure projects eligible for funding under section 1303 of the SAFETEA-LU.
 23. Truck parking facilities eligible for funding under section 1401 of MAP-21.
 24. Development and implementation of a State asset management plan for the National Highway System in accordance with 23 U.S.C. 119, including data collection, maintenance, and integration and the costs associated with obtaining, updating, and licensing software and equipment required for risk based asset management and performance based management, and for similar

- activities related to the development and implementation of a performance based management program for other public roads.
25. A project that, if located within the boundaries of a port terminal, includes only such surface transportation infrastructure modifications as are necessary to facilitate direct intermodal interchange, transfer, and access into and out of the port. Not subject to Location of Project requirement in section 133(c).
 26. Construction and operational improvements for any minor collector if—
 - A. the minor collector and the project to be carried out are in the same corridor and in proximity to a National Highway System route;
 - B. the construction or improvements will enhance the level of service on the National Highway System route and improve regional traffic flow; and
 - C. the construction or improvements are more cost-effective, as determined by a benefit-cost analysis, than an improvement to the National Highway System route.
 27. Workforce development, training, and education activities that are in accordance with 23 U.S.C. 504(e).
2. **Applicability of Planning Requirements (23 U.S.C. 133(c)(5)):** Projects must be identified in the STIP/TIP and they must be consistent with the Long-Range Statewide Transportation Plan and the Metropolitan Transportation Plan(s). When obligating suballocated funding (discussed below), the State must coordinate with relevant MPO or rural planning organizations. Programming and expenditure of funds for projects under this section shall be consistent with 23 U.S.C. 134 and 135.