



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Chairperson

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Agenda item # 6

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

July 18, 2018

MOTION

Made By: Mr. Rosen, Seconded By: Mr. Johnsen

Action: Motion Carried, Unanimously

Title: Approval of Guidelines and Criteria for the Transportation Partnership Opportunity Fund

WHEREAS, the Transportation Partnership Opportunity Fund (the "TPOF") was created by Chapter 847 of the 2005 Acts of Assembly and its provisions, amended by Chapter 684 of the 2015 Acts of Assembly, are set out in §33.2-1529.1 of the *Code of Virginia*; and.

WHEREAS, in accordance with §33.2-1529.1, the Commonwealth Transportation Board (CTB), in consultation with the Secretary of Transportation and the Secretary of Commerce and Trade, shall develop guidelines and criteria that shall be used in awarding grants or making loans from the TPOF (TPOF Guidelines and Criteria); and

WHEREAS, the CTB last adopted revised TPOF Guidelines and Criteria in February 2016; and

WHEREAS, based on experience since the adoption of the guidelines and criteria for eligible projects and efforts, expanding the eligibility requirements to allow state agency transportation services that provide non-highway transportation alternatives for the movement of freight that enhance economic development opportunities and regional connectivity within the Commonwealth to be eligible for funding is recommended; and

WHEREAS, the grant agreement for awards under the recommended eligibility will define the anticipated benefits to the Commonwealth and should be met within eighteen (18) months of final disbursement; and

WHEREAS, pursuant to §33.2-1529.1, no grant or loan shall be awarded until the Governor has provided copies of the TPOF Guidelines and Criteria to the Chairmen of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Transportation; and

WHEREAS, the Governor shall provide grants and commitments from the TPOF in an amount not to exceed the total value of the moneys contained in the TPOF.

NOW, THEREFORE BE IT RESOLVED, the Commonwealth Transportation Board hereby approves the proposed TPOF Guidelines and Criteria, dated July 18, 2018 and attached hereto, replacing the TPOF Guidelines and Criteria adopted in February 2016, for use in determining the award of financial assistance from the Transportation Partnership Opportunity Fund, and directs VDOT to deliver the TPOF Guidelines and Criteria adopted herein to the Governor for his dissemination to the chairmen of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Transportation.

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CTB Decision Brief

Approval of Updated Guidelines and Criteria for the Transportation Partnership Opportunity Fund

Issue: The Commonwealth Transportation Board (CTB) is responsible for developing the guidelines and criteria of the Transportation Partnership Opportunity Fund in accordance with §33.2-1529.1 of the *Code of Virginia*. The CTB adopted revisions to the Transportation Partnership Opportunity Fund (TPOF) guidelines and criteria (TPOF Guidelines and Criteria) in February 2016, however, based on experience since the adoption of the guidelines and criteria for eligible projects and efforts, modifications have been recommended to expand project eligibility requirements or criteria. CTB approval/adoption of the revised TPOF Guidelines and Criteria is sought.

Facts: Pursuant to §33.2-1529.1:

1. The TPOF guidelines and criteria shall include provisions including the number of jobs and amounts of investment that must be committed in the event moneys are being used for an economic development project, a statement of how the studies and analysis to be completed using moneys from the Fund will advance the development of a transportation facility, a process for the application for and review of grant and loan requests, a timeframe for completion of any work, the comparative benefit resulting from the development of a transportation project, assessment of the ability of the recipient to repay any loan funds and other criteria as necessary to support the timely development of transportation projects.
2. The criteria shall also include incentives to encourage matching funds from any other local, federal, or private source.

The recommended updates are set forth in the TPOF Guidelines and Criteria, attached hereto and dated July 18, 2018 and would allow funding for state agency transportation services that provide non-highway alternatives for the movement of freight. The service must enhance economic development opportunities and regional connectivity within the Commonwealth. The criteria for transportation evaluation requires evidence that the state agency transportation services have provided and/or will provide non-highway alternatives for the movement of freight and have enhanced economic development opportunities and will enhance future economic development in the impacted areas. The criteria for economic development evaluation requires that for state agency transportation service applicants, the applicant must provide evidence that the service has supported economic development and job creation and will continue to enhance future economic development opportunities that will support job creation and capital investment.

Recommendations: The Virginia Department of Transportation (VDOT) recommends the adoption of the new/revised TPOF Guidelines and Criteria.

Action Required by CTB: The CTB will be presented with a resolution for a formal vote to adopt the new/revised TPOF Guidelines and Criteria, replacing the version dated February 2016.=.

Options: Approve, Deny or Defer. If the CTB chooses not to approve the resolution, the previous TPOF Guidelines and Criteria, dated February 2016, will remain in effect.

Public Comments/Reactions: None

The Commonwealth of Virginia

The
Transportation Partnership
Opportunity Fund

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Guidelines and Criteria

~~January 20, 2016~~

July 18, 2018

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Introduction

Chapter 684 of the 2015 Acts of Assembly (the “Act”) is the legal framework creating the Transportation Partnership Opportunity Fund (“TPOF” or the “Fund”). The Fund is to be used by the Governor to provide funds to address the transportation aspects of economic development opportunities.

The Act

The Act authorizes monies to be awarded from the Fund by the Governor as grants, revolving loans, or other financing tools and equity contributions to an agency or political subdivision of the Commonwealth of Virginia.

It is the intent of the Act to provide funds to address the transportation aspects of economic development opportunities, including, but not limited to, the creation of jobs and to promote private investment ~~for~~^{and} economic development projects that may result in the availability of the facilities in a timelier and/or less costly fashion.

The following guidelines and criteria have been developed by the Commonwealth Transportation Board (the “CTB”), in consultation with the Secretary of Transportation and the Secretary of Commerce and Trade to guide the process of applying for and receiving financial assistance from the Fund.

The complete text of the Act has been included as Appendix A to these guidelines. Although guidance is provided herein with regard to application of the Act, it will be incumbent upon all entities to read the Act in its entirety, and to comply with the provisions of the Act.

Transportation Partnership Opportunity Fund Administration

Monies in the Fund will be awarded by the Governor in the form of grants, revolving loans or other financing tools and equity contributions. Loans from the Fund will be interest free and are available up to the maximum of \$30 million, based on funding availability. Loan terms will vary but shall not exceed seven (7) years. The Act also authorizes the Governor to award grants of up to five (5) million dollars.

Assistance or commitments from the Fund will be limited to the total value of money that is available in the Fund. The fund shall consist of (i) one-third of all interest, dividends, and appreciation that may accrue to the Transportation Trust Fund and the Highway Maintenance and Operating Fund and (ii) any funds appropriated to it by the general appropriation act and revenue from any other source, public or private. Funding available will also include repayments to the Fund of loans, any revocation of assistance provided to entities that fail to meet performance criteria, any interest and dividends earned on the Fund and any other appropriations may be used for additional loans or grants for other projects.

After award by the Governor, the Fund will be administered by the CTB acting through the Virginia Department of Transportation (“VDOT”), in consultation with the Secretary of

Commerce and Trade. VDOT will manage the overall administration of the TPOF, with the Secretary of Commerce and Trade and the Virginia Economic Development Partnership providing guidance with respect to the economic development features of the program.

Eligible Applicants

Financial assistance from the Fund may be awarded to any agency or political subdivision of the Commonwealth of Virginia.

Eligible Projects

The financial assistance may be used for transportation capacity development, on and off site; road, rail, mass transit or other transportation access costs beyond the funding capability of existing programs; studies of transportation projects including but not limited to environmental analysis, geotechnical assessment, survey, design and engineering, advance right-of-way acquisition, traffic analysis, toll sensitivity studies, financial analysis, or any else permitted by law. Funds may be used for any transportation project or any transportation facility within the Commonwealth of Virginia.

Transportation aspects of economic development projects that are also eligible for funding through the Revenue Sharing Program, the Economic Development Access Program, the Rail Industrial Access Program, the Rail Preservation Program or the Rail Enhancement Program, may be eligible to receive financial assistance from the Fund. However, it must be demonstrated that such additional funding is necessary. Amounts received from these other funding sources, or used to leverage additional monies from the Fund, may not also be used for the required non-state match.

Monies from the Fund are not to be used to supplant existing or programmed funds from other existing public sources, but are to be used to support projects and activities beyond the funding capability of existing programs.

Monies from the Fund that are to be used for transportation aspects of an economic development project must meet the economic development criteria of the *Commonwealth's Opportunity Fund* **Or**, in cases where the project is solely retaining jobs, the project must meet the economic development criteria of the *Virginia Investment Partnership Grant Program*. **Or, for state agency transportation services that provide non-highway alternatives for the movement of freight, the service must enhance economic development opportunities and regional connectivity within the Commonwealth.**

Funds used to match the Commonwealth's Opportunity Fund **CANNOT** be used to match the TPOF, although both sources of monies can be used for a project. Funds from the Virginia Tobacco Indemnification and Community Revitalization Commission may be allowed as matching funds for this purpose.

Project Ownership

Projects that are developed with monies from the Fund shall not become private property and shall be maintained by the appropriate entity pursuant to applicable agreements following completion. Any reports, studies, analysis, and other forms of intellectual property created or developed using monies from the Fund shall become property of the Commonwealth.

Application Process

VDOT, in cooperation with the Secretary of Commerce and Trade and the Virginia Economic Development Partnership, will accept applications from eligible applicants for consideration. A copy of the application is provided as Appendix B. All applications for assistance from the Fund shall be sent to VDOT's Chief Financial Officer (the "CFO") and addressed as follows:

Transportation Partnership Opportunity Fund
Attn: Chief Financial Officer
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219-2000

All applications will be reviewed to determine that the minimum eligibility requirements have been satisfied. The minimum eligibility requirements are as follows:

Assistance Requirements

For applicant to be eligible for assistance the applicant must meet the mandatory requirements PLUS one of the other listed criteria

Mandatory Requirements

- The applicant **MUST** be an agency or political subdivision of the Commonwealth,
- The project addresses the needs identified in the appropriate state, regional or local transportation plan.

PLUS ONE of the following:

- The project meets the economic development criteria of the **Commonwealth's Opportunity Fund**.
- In cases where the project is solely retaining jobs; the project must meet the economic development criteria of the **Virginia Investment Partnership Grant Program**.
- In cases where the funding is for state agency transportation services that provide non-highway alternatives for the movement of freight, the service must enhance economic development opportunities and regional connectivity within the Commonwealth.

Following an applicant's selection for evaluation, meetings may be conducted with the applicant. The purpose of the meetings will be to review and confirm the information contained in the application. Representatives of the applicant, VDOT staff and staff from the applicable modal oversight agency and the Virginia Economic Development Partnership staff, as appropriate, shall participate in the meetings.

Application Evaluation Criteria

Following receipt of the applications and a review by staff to assure the basic statutory requirements have been met, a TPOF Advisory Panel, consisting of VDOT's Chief Financial Officer, an Executive Officer of the applicable modal oversight agency, a Deputy Secretary of Transportation, a Deputy Secretary of Commerce and Trade, and a representative of the Department of Planning and Budget will evaluate those applications to ensure that the applicant(s) meets the transportation and economic development evaluation criteria. Applicants meeting the evaluation criteria become eligible to receive assistance, subject to the availability of funding. In circumstances where the total amount of assistance requested exceeds the total amount of funding available, eligible applications that include applicant matching funds or equity contributions and projects that are in an advanced state of readiness-to-proceed, will receive priority consideration for assistance.

General Evaluation Criteria

- Projects with a high ~~\$ to \$~~ level of matching funds will be considered highly desirable.
- Projects that clearly show how funds will advance the development of a transportation facility will be considered highly desirable.
- Financial feasibility of the project plan of finance, including the capacity to repay any loan and mitigate risks.
- Extent to which funding would advance the project's or facility's schedule to an earlier completion date.

Transportation Evaluation Criteria

- The entity's experience implementing similar projects, including the use of new technologies.
- Comparative benefits resulting from the development of the proposed transportation project or facility.
- Evidence that the state agency transportation service has provided and/or will provide non-highway alternatives for the movement of freight and has enhanced economic development opportunities and will enhance future economic development in the impacted areas.

Economic Development Evaluation Criteria

- Project must meet minimum criteria established in the Commonwealth's Opportunity Fund Guidelines. Or,
- For projects in which no net new jobs are being created, the project must meet minimum criteria established in the Virginia Investment Partnership Grant Program Guidelines. Or,
- For state agency transportation service applicants, provide evidence that the service has supported economic development and job creation and will continue to enhance future economic development opportunities that will support job creation and capital investment.

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Advisory Panel Notification

Following evaluation by the TPOF Advisory Panel, the VDOT Chief Financial Officer shall provide findings and recommendations of the Panel to the Secretary of Transportation, the Secretary of Commerce and Trade and the applicable modal oversight board and agencies.

Financing Commitment

Following notification by the TPOF Advisory Panel, the Secretary of Transportation and the Secretary of Commerce and Trade will submit to the Governor a recommendation of funding for the successful applicants. Once assistance from the Fund is approved and awarded by the Governor, a written commitment (the “Financing Commitment”) will be provided to the potential recipient. The commitment will outline the type of assistance to be provided and in the case of a loan, the required security provisions, the loan term and payment provisions, the amount of assistance to be provided and any conditions that must be met by the applicant prior to loan closing or grant award. The commitment must be accepted and signed by the potential recipient and returned to VDOT within thirty (30) days of the commitment date to preserve the funding. The Financing Commitment, once executed, establishes a legal obligation for the funding subject to appropriation and the terms and conditions of the Financing Commitment, as well as the recipient’s legal obligation to perform.

Economic Development Transportation Projects

An agreement shall be executed between the Commissioner of the Virginia Department of Transportation and the appropriate local government, state agency, or political subdivision that receives the principal benefit of financing from the Fund before disbursement of any monies. The

In the case where project is qualifying based on COF or VIP, the agreement will include a statement that the recipient will reach the specified job creation or retention and/or capital investment levels within thirty-six (36) months after final disbursement of funds and maintain those levels at least throughout the thirty-six (36) month period.

If those performance criteria are not met, the entity shall repay to the Fund, an amount as required by the terms and conditions of the Grant/Loan & Performance Agreement (Award Agreement). The Commissioner may, however, in consultation with the Secretary of Transportation and the Secretary of Commerce and Trade, grant a partial or total waiver to the repayment or extend the performance period if it can be demonstrated that the transportation improvements developed with monies from the Fund had other economic benefits to a locality of the Commonwealth beyond that directly attributable to the private entity which was the basis for an application for monies from the Fund.

In the case of state agency transportation services, the anticipated benefits to the Commonwealth will be defined in the agreement and should be met within eighteen (18) months of final disbursement. If that performance criteria is not met, the applicant will become ineligible for future funds until the agreed upon benefit is met.

Loan Closing/Grant Award/Agreement

Any conditions or prerequisites to receiving the assistance that are outlined in the Financing Commitment must be met prior to execution of the Award Agreement. VDOT and the applicant will enter into an agreement for the funds. The Award Agreement will include the security provisions for the assistance, repayment terms along with the amortization schedule, representations and warranties, finance plan requirements, borrower covenants, disbursement requirements, monitoring and reporting requirements and will specify any other terms and conditions for the financial assistance.

Disbursement Process

Disbursement of the financial assistance can begin following execution of an Award Agreement. Assistance from the Fund may be paid to the recipient based on costs incurred for the project. In some instances, disbursement may be allowed on a lump sum basis, subject to sufficient justification, where a portion, up to the maximum amount of assistance approved, could be disbursed at a single time.

Recipients will submit a disbursement request to VDOT. VDOT will review the request for completeness and if acceptable approve the request for disbursement. VDOT will notify the recipient within thirty (30) days of any deficiencies in any disbursement request. Upon approving the disbursement request, VDOT will then forward the request to the Virginia Department of the Treasury (the "Treasury") for payment.

Loan Term/Repayment

Loans from the Fund will have their term set by the Governor. Terms and repayment provisions will vary depending on the type of project and the availability of revenues or other funds. All loans must be repaid within seven (7) years of the date of loan closing. The frequency of payments of principal will vary according to the recipient and will be established as a part of the loan closing process. Loan recipients will make their payments to the Treasury.

VDOT will be responsible for monitoring and ensuring repayment of the loans.

Recipient Reporting Requirements

Recipients of TPOF assistance will be required to provide VDOT and the Secretary of Commerce and Trade with various reports, certificates and documents during the project development phase as well as throughout the life of any loan.

Submittals of annual audited and interim, unaudited financial statements, approved budgets and use of funds reporting may be required as a condition of accepting assistance from the Fund. In addition, the recipient shall provide disclosure of any material events that could affect its ability to complete and, if applicable, operate the project.

Submittal of an annual and interim social economic report will be required in order to properly document and track job creation or retention, investment and general economic improvements of the project.

Other special reporting requirements may be required on a case-by-case basis.

All reporting requirements will be included in the financing agreement. Recipient reports will be due April 1 and October 1 during the term of any outstanding loan or, for grant recipients, until completion of the assisted project or thirty-six (36) months, whichever comes first. VDOT shall seek to minimize reporting requirements for smaller grants and loans.

Appendix A

Chapter 684 of the 2015 Acts of Assembly

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 33.2-1529.1 as follows:

§ 33.2-1529.1. Transportation Partnership Opportunity Fund

A. There is hereby created the Transportation Partnership Opportunity Fund (the Fund) to be used by the Governor to provide funds to address the transportation aspects of economic development opportunities. The Fund shall consist of (i) one-third of all interest, dividends, and appreciation that may accrue to the Transportation Trust Fund and the Highway Maintenance and Operating Fund and (ii) any funds appropriated to it by the general appropriation act and revenue from any other source, public or private. The Fund shall be established on the books of the Comptroller, and any funds remaining in the Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. All interest and dividends that are earned on the Fund shall be credited to the Fund. The Governor shall report to the Chairmen of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Transportation as funds are awarded in accordance with this section.

B. The Fund shall be a subfund of the Transportation Trust Fund. Provisions of this title and Title 58.1 relating to the allocations or disbursements of proceeds of the Commonwealth Transportation Fund, the Transportation Trust Fund, or the Highway Maintenance and Operating Fund shall not apply to the Fund.

C. Funds shall be awarded from the Fund by the Governor as grants, revolving loans, or other financing tools and equity contributions to an agency or political subdivision of the Commonwealth. Loans shall be approved by the Governor and made in accordance with procedures established by the Board and approved by the Comptroller. Loans shall be interest-free and shall be repaid to the Fund. The Governor may establish the duration of any loan, but such term shall not exceed seven years. The Department shall be responsible for monitoring repayment of such loans and reporting the receivables to the Comptroller as required.

E. The Board, in consultation with the Secretary of Transportation and the Secretary of Commerce and Trade, shall develop guidelines and criteria that shall be used in awarding grants or making loans from the Fund; however, no grant shall exceed \$5 million and no loan shall exceed \$30 million. No grant or loan shall be awarded until the Governor has provided copies of the guidelines and criteria to the Chairmen of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Transportation. The guidelines and criteria shall include provisions including the number of jobs and amounts of investment that must be committed in the event moneys are

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being used for an economic development project, a statement of how the studies and analysis to be completed using moneys from the Fund will advance the development of a transportation facility, a process for the application for and review of grant and loan requests, a timeframe for completion of any work, the comparative benefit resulting from the development of a transportation project, assessment of the ability of the recipient to repay any loan funds, and other criteria as necessary to support the timely development of transportation projects. The criteria shall also include incentives to encourage matching funds from any other local, federal, or private source.

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F. Within 30 days of each six-month period ending June 30 and December 31, the Governor shall provide a report to the Chairmen of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Transportation that shall include the following information: the locality in which the project is being developed, the amount of the grant or loan made or committed from the Fund and the purpose for which it will be used, the number of jobs created or projected to be created, and the amount of a company's investment in the Commonwealth if the project is part of an economic development opportunity.

G. The Governor shall provide grants and commitments from the Fund in an amount not to exceed the total value of the moneys contained in the Fund. If the Governor commits funds for years beyond the fiscal years covered under the existing appropriation act, the State Treasurer shall set aside and reserve the funds the Governor has committed, and the funds set aside and reserved shall remain in the Fund for those future fiscal years. No grant or loan shall be payable in the years beyond the existing appropriation act unless the funds are currently available in the Fund.

The Commonwealth of Virginia

The
Transportation Partnership
Opportunity Fund

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Assistance Application

January 2016

THE COMMONWEALTH OF VIRGINIA

**APPLICANTS MUST COMPLETE ALL SECTIONS
PLEASE READ THE INSTRUCTIONS PRIOR TO COMPLETING THIS
APPLICATION**

SECTION 1 – Contact Information	
Applicant's Legal Name:	
Other Names Under Which Applicant Does Business:	
Federal Tax Identification Number:	
Business Address:	
Mailing Address (If different from above):	
Contact Person Name:	
Contact Person Title:	
Contact Person Mailing Address (If different from above):	
Telephone Number:	(xxx) xxx-xxxx
Fax Number:	(xxx) xxx-xxxx
E-mail Address:	

SECTION 2 – Assistance Requested	
Type of Assistance Requested. (GRANT / LOAN)	
Amount of Assistance Requested. (In WORDS)	xxxxxx Dollars
Amount of Assistance Requested. (In Numbers)	\$0,000,000.00

State how the project addresses the needs identified in the appropriate state, regional or local transportation plan.

State in detail how the project meets one of the following requirements:

- The project meets the economic development criteria of the Commonwealth’s Opportunity Fund.

OR

- In cases where the project is solely retaining jobs, the project must meet the economic development criteria of the Virginia Investment Partnership Grant Program.

SECTION 3 – Project Information

Please ensure that you have reviewed the instructions prior to commencing this section

1. Project Name.

2. Project Executive Summary. (Maximum 2 Pages)

3. Project Location and General Description of the Environment. (Mark if required as Exhibit A)

4. Project Development Process.

5. Purpose of TPOF Assistance.

6. Project Description.

7. Project Social and Economic Impact.
8. Project Schedule. (Mark if required as Exhibit B)
9. Permits and Approvals. (Mark if required as Exhibit C)
10. Project Management and Compliance Monitoring Plan. (Mark if required as Exhibit D)
11. Maintenance and Operations Plans. (Mark if required as Exhibit E)

SECTION 4 – Plan of Finance

Please ensure that you have reviewed the instructions prior to commencing this section

1. Estimated Project Cost. (Uses of Funds) (Mark if required as Exhibit F)

2. Sources of Funds.

3. Pro Forma Cash Flow. (Mark if required as Exhibit G)

4. Risks and Mitigation. (Mark if required as Exhibit H)

5. Financial Statements (if applicable) (Mark if required as Exhibit I)

SECTION 5 – Applicant Organization Information

Please ensure that you have reviewed the instructions prior to commencing this section

1. Describe the applicant’s legal framework including past history and ownership structure. (Mark if required as Exhibit J)

2. Describe the legal authority of the applicant to carry out the proposed project activities.

3. Identify whether governmental entities, other than the applicant, must approve the submission of the application package, the funding of activities or the carrying out of activities described in the application. Provide documentation in the form of an exhibit as applicable

4. Describe the applicant’s organizational structure and the applicant’s relationship to any subsidiaries or affiliates. (Mark if required as Exhibit K)

5. Provide an organization chart (Mark if required as Exhibit L)

6. Describe the applicant’s prior 5 experience as it relates to carrying out projects similar to that being proposed (Mark if required as Exhibit M)

Project:
Year:
Description:
Project Cost:

Project Status:

Project:

Year:

Description:

Project Cost:

Project Status:

Project:

Year:

Description:

Project Cost:

Project Status:

Project:

Year:

Description:

Project Cost:

Project Status:

Project:

Year:

Description:

Project Cost:

Project Status:

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7. Describe any current, threatened, or pending litigation involving the applicant related to permitting, public involvement, environmental irregularities, construction defects, securities fraud, conflict of interest, failure to perform under a state or federal contract, or other charges which may reflect on the applicant's financial position or ability to complete the project **(Mark if required as Mark Exhibit N)**

Applicant may be required to provide documentation regarding this section.

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APPLICATION INSTRUCTIONS

GENERAL

- Please provide detailed answer to all application questions (where applicable) in the space provided. Applicants can use more space than provided to answer the questions in this application.
- If additional exhibits or attachments are needed, please mark and make note of the attachments within the space provided in the application.
- It is important that application complete all applicable sections of this application.
- Application should be completed in Times New Roman 12 Size Font.

SECTION 3 – Project Information

This section requires narrative information and exhibits. To help avoid any delays in the processing this application it is important that ALL attached and numbered exhibits correspond to their respective items.

1. **Project Name.** Assign a short name to the project for identification purposes.
2. **Project Executive Summary.** (Maximum 2 Pages)
3. **Project Location and General Description of the Environment.** Describe the location of the project, including major intersecting highway and rail routes. Attach a map as Exhibit A. Include the county or counties that the project will serve.
4. **Project Development Process.** Is this project to address the transportation aspects of an economic development opportunity?
5. **Purpose of TPOF Assistance.** Describe what aspect of the project for which the assistance will be used. Provide a breakdown of the proposed use of the assistance.
6. **Project Description.** Describe the need for the project, its basic design features and what the project is intended to accomplish. Include an assessment of the current condition of all transportation facilities relating to the project. For a construction project, describe the difference in the current project scope as compared to any approved environmental documents or study alternatives. If no environmental assessments or reviews have been completed on the project, provide an explanation and a schedule outlining the steps to comply with the National Environmental Policy Act. Describe how the funds provided will enhance the transportation aspects of economic development opportunities for the local area and the State in general.

7. **Project Social and Economic Impact.** Describe how the project will improve or enhance the current social and economic situation within the project area. This section should include, the number of jobs created (if qualifying under COF criteria) or retained (if qualifying under the VIP criteria) as a result of the project and the amounts of investment that will be committed in the event that the funds are being used for an economic development project. Include a statement as to how the studies and analyses to be completed using moneys from the TPOF will advance social and economic development.
8. **Project Schedule.** Provide a timeline that shows the estimated start and completion dates for each major phase or milestone of the project development, construction and/or acquisition. Indicate the applicant's current status with respect to the timeline. Indicate the extent to which TPOF assistance will expedite the schedule or aid in meeting the schedule. List any other critical path issues. (Exhibit B)
9. **Permits and Approvals.** List all major permits and approvals necessary for construction of the project and the date, or projected date of the applicant's receipt of such permits and approvals. The list should include permits and approvals required under local, regional, state and federal laws and regulations. Indicate when outstanding approvals by the governing entities are expected. Describe the status of the environmental review documents. *Copies of ALL permits and approvals will be required upon execution of a financing agreement.* (Exhibit C)
10. **Project Management and Compliance Monitoring Plan.** Include a comprehensive project management and monitoring plan that will assure the project sponsor's ability to deliver the project as planned, fulfill all project commitments and ensure compliance with all terms of the financing agreement, including all applicable regulations and provisions of law. (Exhibit D)
11. **Maintenance and Operations Plans.** Include a description of the maintenance and operations plan for the project. Include projections of maintenance and operations expenses and the source of payment for these expenses. (Exhibit E)

SECTION 4 – Plan of Finance

This section pertains to the plan of finance for the project. This section also requests narrative information and exhibits. To help avoid any delays in the processing this application it is important that ALL attached and numbered exhibits correspond to their respective items.

1. **Estimated Project Cost (Uses of Funds).** Provide a detailed budget for the project. The budget should include all applicable and anticipated expenses and cost for administrative services, feasibility studies, preliminary engineering and environmental assessments, right-of-way acquisition, vehicle acquisition, construction, construction administration, project management and inspection and other engineering or technical services, contingencies and any other cost categories as may be necessary. All cost estimates should be shown on a year-of-expenditure, cash basis that include any necessary explanations as to assumptions used to determine estimates. (Exhibit F)
2. **Sources of Funds.** Provide a table that reflects the amount of funding from each source of funds for the project, including the TPOF funding. Include, as applicable, federal grants and/or loans, state grants and/or loans, local grants and/or loans, private investment and/or equity contributions, bond proceeds, other borrowings and any other sources of funding that will be used for the project. In addition, provide in narrative form the following information for each source of funding. Supplement the narrative with a chart showing the flow of funds.

Description of TPOF Funding:

- The entity requesting the grant or loan.
- If a grant is being requested, outline when the funding is expected or needed.
- If a loan is being requested, outline the following:
 - Evidence of authorization to commit to loan repayment(s);
 - The source of repayment(s) for the TPOF loan;
 - If project revenues are the source of repayment, the priority of repayment of the loan with respect to project revenues;
 - If non-project revenues are the source of repayment (e.g. general revenues, appropriations, etc.), the priority of repayment of the loan with respect to borrowing entity's other liabilities;
 - The security features for the loan, including any pledged revenues and collateral;
 - Debt service coverage on the loan.
 - Whether the source of repayment is contingent on the project's completion;
 - Whether the source of repayment is subject to future allocations, appropriation and/or governing body approval; and
 - Proposed payment schedule.