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Congestion Mitigation and Air Quality Improvement (CMAQ) Non-Mandatory Program Guide
For projects beginning in Federal Fiscal Year 2023 plus

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# Introduction and Goals

The Congestion Mitigation and Air Quality Improvement program (CMAQ) is a Federal Aid Highway Program (FAHP) funding source administered by the Multimodal Planning and Programs Bureau (MPPB) at the New Mexico Department of Transportation (NMDOT). This program guide details the process Tribal and Local Public Agencies (T/LPAs) and State agencies must follow to apply for CMAQ funds for projects considered eligible (see Section 2 for a detailed list of eligible and ineligible projects). All T/LPAs receiving Federal Aid Highway Program funding must fulfill specific requirements to successfully complete their project. T/LPAs wishing to pursue CMAQ funding must consult the T/LPA Handbook for Federal Projects prior to applying for funds in order to fully understand the requirements. A current copy of the T/LPA Handbook can be found here: [POD-TPLA (state.nm.us)](https://dot.state.nm.us/content/nmdot/en/POD_Pubs.html)

CMAQ was created under the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 as a response to the Clean Air Act, and has been reauthorized under every successive transportation bill up to and including the FAST Act in 2015. FHWA implemented the CMAQ program to support surface transportation projects and other related efforts that contribute to air quality improvements and provide congestion relief. The CMAQ program supports two important goals of the U.S. Department of Transportation: improving air quality and relieving congestion. In New Mexico, NMDOT administers the non-mandatory CMAQ program, funding for which is contingent on air quality compliance in communities across the state.

The CMAQ program provides a flexible funding source to the State and T/LPAs for transportation projects and programs that help meet the requirements of the Clean Air Act. **Mandatory CMAQ** funding is made available to areas that do not meet the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter (for nonattainment areas) and for former nonattainment areas that must demonstrate compliance (maintenance areas). Currently, El Paso Metropolitan Planning Organization (EPMPO) is the only recipient of mandatory CMAQ funds for a portion of southern Doña Ana County that is a non-attainment maintenance area. **Non-mandatory CMAQ** funding is administered by NMDOT and is available statewide for projects and programs that improve air quality and reduce congestion. It is always possible that changes may occur at the federal level that may impact funding amounts, program requirement and eligibilities.  If and when those occur we will work with our planning partners to implement changes as needed.

This program guide outlines the process for applying for funds from the NMDOT **non-mandatory CMAQ** apportionment.

NMDOT administers CMAQ on behalf of the Federal Highway Administration (FHWA). Pursuant to the FAST Act, transportation projects that fall into one of the following three broad categories are eligible for CMAQ funding.

1. Projects that reduce the number of vehicle trips and/or vehicle miles traveled (VMT);

2. Projects that reduce emissions related to traffic congestion; and/or

3. Projects that reduce the per mile rate of vehicle emissions through improved vehicle and fuel technologies.

For a more detailed description of eligible activities, please refer to Section 2.

This call is for eligible projects beginning in Federal Fiscal Year (FFY) 2023 or 2024. Applicants should identify the desired years for their proposed projects and apply for preliminary engineering and right-of-way in a separate year from construction. As NMDOT reviews, scores and programs projects, it may seek to adjust funding years in order to accommodate anticipated project timeline delays, balance programming with available funding, and/or support the highest ranking applications. Proposed changes to funding years will be discussed with applicants prior to awarding funds.

# 2. Eligible Projects

To be eligible for non-mandatory CMAQ funds, a project must demonstrate that it will effectively reduce net air pollution, whether through reductions in vehicle miles traveled, fuel consumption, or through other factors. Demonstrating air quality benefits with intermodal elements and through modal shift will strengthen any application, especially for freight-related projects.

Below is a list of eligible projects under NMDOT’s administration of the non-mandatory CMAQ program[[1]](#footnote-2). Please note that the list of eligible projects below reflects the program and administrative decisions of NMDOT. It does not include all of the eligible projects listed in the FHWA CMAQ guidance. Applications for NMDOT CMAQ funds must fall within the identified subset of NMDOT eligible projects. For information on other possible sources of federal funding for bicycle and pedestrian projects, see this table published by FHWA:

<https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.cfm>

Please note that CMAQ funding cannot be used for repaving or reconstructing a roadway, nor can it be used to fund motor vehicle capacity expansion projects. These activities will not be funded because they do not directly contribute to reducing emissions. Increased capacity can be a strategy to mitigate congestion based on the logic that fuel consumption per vehicle mile would be reduced, but because of induced demand, capacity expansion leads to an increase in traffic volumes and net VMT, counteracting the effectiveness of the strategy both for long-term congestion relief and for offsetting pollution.

Per federal requirements, NMDOT may transfer up to 50% of the total state CMAQ apportionment (mandatory and non-mandatory) to other non-FHWA agencies within the US Department of Transportation (e.g. the Federal Transit Administration) for administration of projects. This limitation may affect the number and amounts of transit projects that can be funded through this call for CMAQ projects; thus, this factor will be taken into consideration during application review and selection.

***Note: All proposed projects that include steel or iron must demonstrate ability to comply with Buy America requirements; waivers will not be considered. The applicant must demonstrate ability to comply with the requirements within the application.***

### Eligible Project Types:

* Projects to facilitate non-automobile travel, provision and utilization of mass transit, and to generally reduce the need for SOV travel, as part of transportation planning and development efforts of a locality, including programs and ordinances applicable to new shopping centers, special events, and other centers of vehicle activity.
* Construction of bicycle and pedestrian facilities (paths, bike racks, support facilities, secured bicycle storage, bicycle lockers, etc.) that are not exclusively recreational, and reduce vehicle trips.
* Road Diets are an eligible activity under CMAQ if the project designates part of the road surface to non-motorized or active transportation and the project application demonstrates 1) that the project would result in a mode shift along the corridor and 2) that the lane reconfiguration will not negatively impact vehicular level of service on the corridor to an extent that it increases net mobile emissions. Applicants should refer to the [NMDOT Road Diet Guide](http://dot.state.nm.us/content/dam/nmdot/Plans_Specs_Estimates/Design_Directives/IDD-2018-16_Road_Diet_Guide.pdf) for guidance on how to assess the impacts of a road diet. Note: Coordination with NMDOT Districts is required for projects in NMDOT Right-of-Way.
* Secure bicycle storage facilities and other facilities, including bicycle lanes for the convenience and protection of bicyclists in public areas.
* Activities that promote new or existing services including marketing, outreach, and public education efforts that help forward less-polluting transportation options.
* Efforts that shift traffic demand to non-peak hours, increase vehicle occupancy rates, or otherwise reduce the demand for vehicular traffic.
* Bike Share projects (capital and equipment only) must demonstrate emissions reduction and benefit air quality. Operations of a bike share program are not eligible.
* Vanpools (includes marketing and vehicle purchase); limited to 5 years.
* Many transit projects are eligible for CMAQ funds. The general guideline for determining eligibility is whether the project increases transit capacity and would likely result in an increase in transit ridership and a potential reduction in congestion. As with other types of CMAQ projects, there should be a quantified estimate of the project's emissions benefits accompanying the proposal.
* Transit fare subsidies.
* Locomotive retrofit and the acquisition of clean locomotives.
* New or rehabilitation of existing transit facilities (e.g., lines, stations, terminals, transfer facilities) if associated with new or enhanced public transit, passenger rail, or other similar services that will increase transit service capacity.
* New transit vehicles (bus, rail, or van) to expand public fleet or replace existing vehicles.
* Operating assistance to introduce new transit service, expand transit service, or for transit services that qualify for CMAQ operating assistance under 23 USC 149(m).
* Fuel, whether conventional or alternative fuel, is an eligible expense only as part of a project providing operating assistance for new or expanded transit service under the CMAQ program.
* Projects that improve traffic flow, including construction of roundabouts, High Occupancy Vehicle (HOV) lanes, dedicated bus lanes, left-turn or other managed lanes.
* Intelligent Transportation Systems, such as traffic signal synchronization projects, traffic management projects, and traveler information systems.
* Advanced signal and communications systems for transit.
* Traffic calming measures to reduce Single Occupant Vehicle (SOV) travel or emissions.
* Establishing publicly owned fueling facilities and other infrastructure needed to fuel alternative-fuel vehicles is an eligible expense, unless privately-owned fueling stations are in place and reasonably accessible. Fueling facilities can dispense one or more of the alternative fuels identified in section 301 of the 1992 Energy Policy Act or biodiesel, or provide recharging for electric vehicles.” Note: Entity must identify the presence of privately owned alternative fuel stations. NMDOT will evaluate the reasonable accessibility for any facilities identified.
* Alternative fuel vehicle projects that are implemented as diesel retrofits and involve the replacement of an operable engine-not standard fleet turnover.
* Diesel engine retrofits and/or full vehicle replacement.
* Diesel engine retrofits, such as replacement engines and exhaust after-treatment devices for public vehicles, are eligible if certified or verified by the Environmental Protection Agency (EPA).
* Purchase of publicly-owned alternative fuel vehicles, including passenger vehicles, service trucks, street cleaners, and others.
* Costs associated with converting public fleets to run on alternative fuels.
	+ Congestion pricing and variable road pricing initiatives. Pricing could include: High Occupancy Toll (HOT) lanes, variably tolled express lanes, toll roads, network-wide or cordon pricing, usage-based vehicle pricing. Tolling infrastructure and other innovative pricing approaches are also eligible.Parking pricing - can include time-of-day parking charges that reflect congested conditions. These strategies should be designed to influence trip-making behavior and may include charges for using a parking facility at peak periods, or a range of employer-based parking cash-out policies that provide financial incentives to avoid parking or driving alone. Parking pricing integrated with other pricing strategies is encouraged.
* Demonstration transportation projects expected to reduce emissions by decreasing VMT, fuel consumption, congestion, or by other factors, but does not have supporting data in emission reductions. Additional agreement and reporting requirements apply to demonstration projects.

**Ineligible Activities**

* No funds may be provided for a project which will result in the construction of new capacity available to single occupant vehicles unless the project consists of a high occupancy vehicle facility available to single occupant vehicles only at other than peak travel times.
* Traffic project feasibility studies, traffic studies, models or monitoring networks.
* Routine maintenance and rehabilitation projects, including reconstruction or repaving of roads.

If you are applying for CMAQ funds for a larger project that includes ineligible activities, you must disaggregate the costs of eligible and ineligible activities and apply only for eligible activities.

For more detailed information on project eligibility and possible alternative funding sources, see: <https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.cfm>

# Program Information

## **What is CMAQ?**

### Funding

Each year, NMDOT receives approximately $10 million in CMAQ funds to support projects that improve air quality and reduce congestion. This amount is the entire state allocation, including mandatory CMAQ funds. NMDOT maintains latitude in programming CMAQ non-mandatory funds for projects it deems best fulfill the goals of the program.

### Funding Requirements

T/LPAs wanting to pursue CMAQ funding should first consult the NMDOT T/LPA Handbook to understand the specific requirements to successfully complete a project prior to submitting an application. A current copy of the NMDOT T/LPA Handbook can be found on the NMDOT Project Oversight Division’s website.

[TLPA\_Handbook.pdf (state.nm.us)](https://dot.state.nm.us/content/dam/nmdot/TLPA/TLPA_Handbook.pdf)

Agreements for T/LPA lead projects that involve infrastructure design and/or construction are overseen by NMDOT’s Project Oversight Division (POD) and follow the NMDOT T/LPA agreement process in coordination with the appropriate NMDOT Regional Design Center. Infrastructure projects require separate agreements for a design phase and a construction phase in separate federal fiscal years (FFYs).

Alternatively, some projects may be further along in the project development process and may be eligible for construction funding only. **Any project application for construction funds only** **must receive prior approval from the appropriate Regional Design Center**. Often, these projects previously received Federal funds for the design phase of the project and, therefore, were designed to the required standards. Prior approval from the appropriate Regional Design Center ensures projects are compliant with NMDOT and federal standards and are ready to move to construction.

Detailed project schedules are required for all awarded projects before a project agreement is developed. The NMDOT T/LPA Handbook has more information on planning, design, certification, and construction requirements (see Appendix II).

NMDOT lead projects must follow all applicable QA/QC timing requirements.

## Who can Apply for Funding?

The following entities are considered eligible sub-recipients for CMAQ funds:

* local governments;
* transit agencies;
* public school districts;
* state agencies, including NMDOT;
* tribal governments; and
* any other local or regional governmental entity.

The following entities are ***not*** considered eligible sub-recipients for CMAQ funds:

* Non-profits as direct grant recipients of the funds (non-profits are eligible to partner with any eligible entity on an eligible CMAQ project);
* MPOs and RTPOs ( these entities may partner with an eligible entity to carry out a project if the eligible entity is the sub-recipient); and
* High-risk entities, determined at NMDOT’s discretion, even if they are otherwise eligible. High-risk entities are defined by financial risk or historical lack of capacity to manage Federally-funded projects.
* Any local public agency entity that does not have a compliant ADA Transition Plan or Title VI Policy on record with NMDOT’s Construction and Civil Rights Bureau at the time of application submittal (see below). All entities that receive federal funds must be in compliance with Federal and NMDOT Construction and Civil Rights Bureau (CCRB) requirements for Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA). Compliance consists of having a current and approved Title VI Plan on file with NMDOT CCRB and having an approved ADA Transition Plan (or exemption) on file with NMDOT CCRB. Tribal governments are exempt from these requirements. LPAs must have appropriate documents and approval at time of the application submission, November 19, 2021.

## What is the Match Requirement?

CMAQ requires a non-federal match from the recipient of 14.56% of the *total project cost.* Tribal entities may use Tribal Transportation Program (TTP) funds for their local match.
For a select few project types listed under 23 U.S.C. 120(c), states are able to program a full, 100 percent Federal share.

## How will my Agency Receive Funds?

CMAQ is a cost-reimbursement program. If a T/LPA’s application is selected for funding, the T/LPA will enter into an agreement with NMDOT. The entity is responsible for paying all costs up front and requesting reimbursement from NMDOT by submitting (at least) quarterly invoices and proof of payment. The entity submits reimbursement requests to NMDOT documenting 100% of the costs incurred and are reimbursed at the rate of 85.44%; the remaining 14.56% represents the match requirement.

All costs submitted for reimbursement are subject to Federal and State eligibility requirements.

Any work completed before NMDOT issues a Notice to Proceed is not eligible for reimbursement. For example, the T/LPA cannot be reimbursed for costs associated with completing an application or for engineering/design work completed before the responsible charge receives a Notice to Proceed. ***Additionally, the entity is responsible for any costs exceeding the Federal award amount.***

## How Long are Funds Available?

The official project term (that is, the period of time during which eligible project costs and activities are reimbursable) is spelled out in the Cooperative Project Agreement. Cooperative Project Agreements generally anticipate one to two years for each phase of a project; if a project exceeds this timeframe, NMDOT will require an amendment to the existing agreement so long as the entity can demonstrate substantial progress has been made on the project. Further, the obligation of construction funds is contingent upon completion of the design phase of a project; therefore, entities must complete the design phase within the designated timeframe in order for NMDOT to obligate construction funds in the federal fiscal year in which the funds are programmed. Design funds awarded and not spent cannot be rolled over to construction.

## What are the Funding Limitations?

Infrastructure projects seeking funds through the statewide process must be a minimum of $500,000 in total costs. Non-infrastructure projects do not have a minimum required amount. Infrastructure projects include any project that will eventually lead to physical construction of a CMAQ eligible project, even if construction funds are not included in the application.

## Other Considerations

CMAQ funds are Federal-Aid Highway Program (FAHP) funds and must be expended in accordance with all applicable Federal, State, and local regulations. ***Applicants are advised that compliance with Federal and State regulations requires a significant commitment of time and resources on the part of the applicant/responsible charge.***

Applicants are encouraged to consider the following questions prior to submitting an application for CMAQ funding:

* Does your agency have the necessary staff to administer the project and funding?
* Does your agency have the funding to pay all costs upfront before seeking reimbursement?
* Does your agency have the funding to pay the match requirement and support any costs that cannot be reimbursed?
* Has your project management staff attended any trainings relating to FAHP project oversight and administration? Applicants are strongly encouraged to watch recordings of or attend NMDOT’s T/LPA Handbook training. National Highway Institute (NHI) courses such as Federal-Aid Highways 101, Highway Program Funding, etc. are also highly recommended for potential applicants.
Recordings of the T/LPA Handbook training can be found here: [POD-TPLA (state.nm.us)](https://dot.state.nm.us/content/nmdot/en/POD_Pubs.html)

Projects must comply with all applicable Federal and State requirements from project design through implementation/construction, administration, and close-out. NMDOT will inform MPO/RTPO staff when and where the aforementioned trainings will take place. Finally, NMDOT will require all recipients of CMAQ non-mandatory funds to submit a reporting analysis in the application. NMDOT will provide guidance on the format and base assumptions to be used in this analysis.

If a T/LPA uses federal funds to purchase right-of-way but construction of the project on this right-of-way is not undertaken by the close of the 20th year, the T/LPA must repay all incurred costs to NMDOT. A T/LPA that has received authorization to proceed with the design of a federally-funded prjoect and fails to purchase right-of-way of begin construction within 10 years must repay to the NMDOT all federal funds paid to the T/LPA for design, including preliminary engineering and right-of-way acquisition.

# Application Process and Project Selection

## Timelines and deadlines for applications and selected projects

All applicants must coordinate with and submit their applications to the appropriate MPO or RTPO based on a project’s physical location and applying agency. Appendix VIII provides a map and contact information for all the MPOs and RTPOs in New Mexico.

Below is a summary of the project application process for RTPOs. Please note that MPOs may conduct a different feasibility process than described and are not required to submit a signed Project Feasibility Form (PFF) with their application. **Smaller MPOs are highly encouraged to utilize the following feasibility process.**

1. After NMDOT opens the call for applications, MPOs and RTPOs will distribute this Guide and provide an application schedule for their region.
2. An entity interested in applying for funds must first request a Project Feasibility Form (PFF) from their MPO/RTPO the PFF must be filled out by the applicant and returned to the MPO/RTPO planner before the PFF deadline set by the MPO/RTPO.
3. The MPO/RTPO planner schedules a PFF meeting to be attended by the project’s person in responsible charge, the MPO/RTPO planner, appropriate NMDOT staff (District staff, Planning Liaison, Environmental staff, etc.), and potentially others involved in the project. If a project is deemed feasible at the PFF meeting, the District representative will sign off on the PFF. Once an entity has an approved PFF, they can begin preparing their application packet, as itemized below.
4. Projects located in RTPO areas should be included on the RTPO’s Regional Transportation Improvement Program Recommendations (RTIPR) according to the RTPO’s adopted procedures.
5. Complete application packets must be submitted to the appropriate MPO/RTPO before the specific application deadline set by the MPO/RTPO.

Below is a summary of funding cycle deadlines (for projects beginning in FFY2023 or later) and activities from the opening of the call for projects through finalization of the 2023-2025 STIP. Agreements for “non-infrastructure” projects will be administered by the NMDOT CMAQ Program Coordinator; entities will not need to submit Agreement Request Forms (ARFs) as described below for funds awarded for non-infrastructure projects.

CMAQ Funding Cycle Timeline for projects beginning in FFY2023 and Beyond (Critical deadlines are in bold.)

| **Month** | **Year** | **Activity** |
| --- | --- | --- |
| May | 2021 | Call for projects issued |
| May-July | 2021 | PFFs due to RTPO planner (or to MPO planner if MPO is using PFF process); RTPO planner (and MPO planner if MPO is using PFF process) sets own deadline for receiving PFFsRTPO (or MPO) planner schedules PFF meetings with RTPO (or MPO)/NMDOT liaison/District/Enviro/NMDOT TLPA Coordinator/responsible chargeMPO planner screens all potential applicants for feasibility, phasing, etc. (if not using PFF process)RTPO/MPO planners set own deadline for completing PFF meetings (or MPO-specific feasibility screening process)Projects in RTPO areas whose PFF is signed off on by the appropriate District representative at the PFF meeting must be included in the RTPO’s RTIPR |
| July-Sept | 2021 | Responsible charge completes applicationComplete applications due to MPO/RTPO planner according to deadline set by MPO/RTPO |
| Oct-Nov | 2021 | MPO/RTPO planner vets applications for completeness |
| **Nov 19** | 2021 | **Deadline for MPO/RTPO planners to upload complete applications to NMDOT’s FTP site**Late or incomplete applications will not be accepted. |
| Nov-Dec | 2021 | CMAQ Program Coordinator reviews applications for completeness and prepares packages for CMAQ Selection Committee  |
| Jan-Feb | 2022 | CMAQ Selection Committee rates, ranks, and selects projects |
| March | 2022 | **NMDOT sends award letters and award forms Entities must sign and return the form to confirm acceptance of federal funding and commitment to the required local match.** |
| March | 2022 | Projects added to MPO TIPs and STIP Preview (out for public review concurrently) |
| April-May | 2022 | All non-NMDOT entities receiving CMAQ funds will be required to attend an orientation webinar outlining critical deadlines and processes |
| May-Sept | 2022 | TIPs/STIP public review and approval  |
| Oct 1 | 2022 | Beginning of Federal Fiscal Year, 1st quarter of the STIP year. |

## What Needs to be Included with the Application?

Applicants must submit the following documents (as a single PDF) in the order listed below as part of the CMAQ application process:

1. Table of Contents
2. Project Feasibility Form (PFF) signed by District representative – see Appendix I (MPOs that conduct a different process for determining feasibility do not need to include a signed PFF)
3. Project Prospectus Form (PPF) – see Appendix I
4. CMAQ Application Form – see Appendix I
5. Resolution of Sponsorship indicating 1) proof of match, 2) budget to pay all project costs up front (funding is by reimbursement), and 3) acknowledgement of maintenance responsibility – see Appendix VII; alternatively, an official letter signed by the entity’s chief executive or official with budget authority, indicating all of the same, may be submitted in lieu of a resolution.
6. Letter(s) of support regarding right(s)-of-way from all entities whose right-of-way/jurisdiction comes into contact with the project; this requirement only applies when a project is not located entirely within the jurisdiction of the responsible charge. The letter(s) must also address which entity will take on the maintenance responsibility of the proposed project.
7. Basic map of proposed project
8. Buy America Certification: All proposed projects that include steel or iron must comply with Buy America requirements; waivers will not be considered. The applicant must demonstrate ability to comply with the requirements within the application. If ability is not demonstrated in the application, the application will not be considered for funding.
9. Project Budget
10. Any additional documentation in support of scoring factors. For planning documents, include only the cover sheet and relevant pages. Highlight or indicate any relevant information.

MPO/RTPO planners are responsible for submitting complete application packages to NMDOT no later than close of business (COB) on November 19, 2021. Applications packets must be submitted as single PDF documents uploaded to NMDOT’s FTP site. Emailed, faxed, or mailed submissions will not be accepted. Late or incomplete applications will also not be accepted.

## How are Applications Selected?

The competitive process is intended to give entities an opportunity to demonstrate the merit of projects based on how projects relate to improving air quality according to the goals and intent of the CMAQ program.

Application packages submitted to the NMDOT will be rated and ranked by a selection committee in a statewide competitive process. Scoring factors and point criteria are detailed below. Higher ranked projects are more likely to receive funding. Funding is limited by the total CMAQ allocations. At its discretion, the CMAQ selection committee may adjust the prioritization of projects selected in order to program funds in a geographically equitable manner.

After projects are selected, the NMDOT CMAQ Coordinator will send out award letters to the responsible charge for the selected projects. Applicants whose projects were not selected will be notified as well. The NMDOT CMAQ Coordinator will coordinate with the respective MPOs and NMDOT STIP Unit to ensure that selected projects are programmed into the metropolitan TIPs (for MPO projects) and the STIP.

Non-NMDOT recipients of CMAQ funds are required to attend an orientation workshop, which will outline the critical deadlines and processes for their projects.

## Application Scoring Factors

Applications will be evaluated according to screening and evaluation criteria. **Screening Criteria** will be used to determine eligibility of a proposed project. Projects which do not satisfy all of the screening criteria will not be evaluated further. **Evaluation Criteria** will be used to score and assign priority ranking to projects based on their relative merits.

Ensure that the proposed project and applicant have met all Screening Criteria before submitting your application package. Responses to application questions and Evaluation Criteria should provide reviewers with a thorough overview of the project’s scope and impact. The CMAQ non-mandatory review committee considers the scoring criteria in the broader context of emissions reduction and cost-effectiveness to help fulfill the goals of the Clean Air Act.

## Project Eligibility Screening Criteria

The program coordinator will determine project eligibility based on the screening criteria outlined in this guide via the information provided by the application and other sources of information (e.g., ADA Policy and Title VI Policy compliance, audits). Projects which do not satisfy all of the screening criteria will not be evaluated further and will not be sent to the selection committee.

All projects will first be evaluated based on their eligibility for CMAQ funds per guidelines in the Federal Register Vol. 73, No. 203 and any subsequent FHWA guidance. Projects eligible to receive CMAQ funding will receive further screening based on the three criteria below. Any project not fulfilling all of the screening criteria will not be considered by the selection committee.

1. **Eligible Applicant**

Project applicant is an eligible entity (see section B-3 above). To be eligible to receive federal funding, certain entities must have appropriate and compliant Title VI Policies and ADA Transition plans on file with NMDOT’s Construction and Civil Rights Bureau (See section B-3 above).

**2. Planning Consistency**

A. Project is included in or is consistent with the goals and policies of an adopted Statewide, Metropolitan or Regional Transportation Plan. Copies of *relevant* plan pages **(not the** **entire plan)** where the project appears or with which it is consistent are referenced and provided, or;

B. Project is included in or consistent with other state, local or regional plans. Copies of *relevan*t plan pages where the project appears or with which it is consistent are provided. **Do not include entire plan.**

*Relevant plan pages include: cover page of plan and those pages which demonstrate support for your project. Highlight passages or include comments where you are indicating alignment.*

Eligible Planning Documents:

* Infrastructure and Capital Improvement Plan (ICIP)
* Metropolitan Transportation Plans (MTP)
* Regional Transportation Plans (RTP)
* Bicycle and Pedestrian Plans
* Economic Development Plans
* Comprehensive Plans
* Land-Use Plans/Studies
* Corridor Studies
* Master Plans
* Safe Routes to School (SRTS) Plans
* Sector Plans
* Road Safety Assessments (RSA)
* Safety Plans
* NM MainStreet Plans
* Other documents approved by the CMAQ program coordinator

Planning consistency demonstrates community support for that project, and shows how a project helps meet the goals of a community or region. Adopted plans go through robust public involvement processes, and are formally adopted by councils, commissions, or agencies. Consistency is cited for projects that are not specifically identified in the plan, but which support goals outlined in the plan.

To provide the greatest benefit to communities, as well as to help ensure successful projects, NMDOT requires planning consistency to ensure that selected projects meet local needs and desires and have broad community support.

Demonstrating consistency with a plan often requires the addition of comments into the pages of the planning document as justification of consistency. If it is not clear to those reviewing your application how the project is consistent with the plans you are providing, your application will be less competitive. Do not assume the committee reviewing your application will see the consistency you intend to demonstrate in the pages you include from various plans.

**3. Financial Feasibility**

A. Recipient of funds must have the financial capacity to complete, operate and maintain the project. T/LPAs are responsible for paying all costs up front and submitting invoices for reimbursement. T/LPAs may be vetted by NMDOT finance specialists for financial fitness. Only T/LPAs with sound financial systems and records will be awarded federal funding.

B. Funds required from other sources (for local match) must be reasonably expected to be available. Please include documentation of commitment to the local match requirement. Please reference the CMAQ Program Guide, Appendix VII for a sample “resolution of sponsorship.”

C. Project can be implemented within Federal delivery requirements. Describe the proposed programming timeline for completion of the project.

**4. Buy America Certification**

Document and demonstrate ability of project to comply with Buy America requirements.

## Selection Criteria

NMDOT has established nine **selection criteria** to be used in evaluating projects that meet the above **eligibility screening criteria**. The committee will evaluate proposed projects to determine the degree to which they accomplish the stated goal or purpose of each criterion. Please provide, clear, concise narrative responses to communicate how the proposed project addresses the following, providing supporting documents or studies as necessary:

1. **Planning**  (10 points)

For Part A, list attachments and enter the name of the document and short reference to how each document is relevant to your project. Do not assume the committee reviewing your application will see the connection you are trying to make.

Parts B and C communicate project readiness and help the committee understand project preparation and potential obstacles.

*Application Question, part A:*

*Demonstrate how the proposed project is included in or consistent with eligible local and regional planning documents (see “Planning Consistency” section above for list of eligible documents).Attach copies of plan pages where this project appears or with which this project is consistent. Include the cover page to the plan and* ***only pages with relevant information****; highlight or indicate passages relevant to this project. Include comments to justify relevance/support.*

 *Application question, part B:*

*What has been done already in preparation for this project (community engagement, public meetings, preliminary engineering, permitting, right-of-way acquisition, data collection, etc.)?*

*Application question, part C:*

*What obstacles or problems must be overcome to implement this project? Include anything that could potentially delay implementation or cause changes to budget.*

1. **Transportation Demand Management (25 points)**

Transportation demand management represents a variety of strategies aimed at reducing vehicle miles traveled or vehicle trips generated by increasing travelers’ mode choices for reaching destinations. Common eligible strategies include ride sharing, congestion pricing, managed lanes, transit improvements such as bus rapid transit, creating high-quality bicycle and pedestrian infrastructure such as protected bike lanes, parking pricing, traffic calming measures, programs to incentivize non-automobile travel, or intermodal freight projects that will reduce truck VMT.

Most CMAQ eligible projects contain an aspect of travel demand management, though how you respond to this question will vary depending on the project type. See additional caveats for freight and transit projects.

**Context Inventory:** Fill in the table to the best of your ability using available data on project context. Since committee members may not be familiar with the local context for the project, this information helps to convey an objective understanding of traffic conditions in the project area.

* 1. The project area is the area you are describing in the data below. Define your project area based on the area that will be most immediately served or impacted by the project. Because the area impacted varies widely by project type and context, the applicant is to decide how to best define the project area.
	2. Transit service available and transit provider: drop-down menu for the type of service available and text box for name of transit provider.
	3. Sidewalk conditions: Consider the whole pedestrian access route in the project area, not just ADA-compliant ramps. Are sidewalks level; are there obstructions in the sidewalk such as telephone poles or vegetation; is the width of sidewalks adequate and consistent, do sidewalks connect to other sidewalks in the network, etc? There are two drop-down menus; one to rate sidewalks in the area as good/fair/poor, and the other to acknowledge any ADA compliance issues.
	4. Population and projected population in the project area as defined above. This helps the committee understand the demographic context and how the project will serve both current and future conditions. For this question include projection for population based on planned or anticipated growth.
	5. Posted speeds – document if the project will result in a change in the posted speed. If no change, enter the same speed before and after.
	6. AADT and projected AADT. Demonstrate current and projected traffic volumes in the area using the AADT of the primary corridor impacted by the project. If there are multiple corridors, include AADT for the largest and second largest cross streets bisecting the project area (cross-street 1 and 2 in the application). If this does not apply to your project, or if there is only one cross street, type N/A.

*Application Question 2, Part A:
Describe how this project meets CMAQ goals of improving air quality through reducing the number of trips in single-occupant vehicles, fuel consumption, and/or vehicle miles traveled.*

*-- For freight-oriented projects, respond by explaining how this project enhances efficiency, resiliency, and integration and connectivity across and between modes?*

*-- Transit projects must demonstrate a need for the project or describe measures that have been undertaken in the service area that demonstrate either the readiness for transit or plans to create transit-oriented-development (see Appendix VIII).*

*Application Question 2, Part B:****Context Inventory:*** *For the project area, please provide the following data:*

1. *Define project area:*
2. *Transit service in project area: (Fixed-route transit service, on-demand or paratransit, vanpool or park-and-ride, no transit service)*
3. *Current sidewalk conditions in project area: (good/fair/poor/no sidewalks) (ADA compliant/Not fully ADA compliant)*
4. *Population in project area and projected change:*
5. *Posted speeds and planned changes:*
6. *AADT on corridor (and cross streets):*
7. **Air Quality Improvement (20 points)**

Improving air quality is the primary purpose of the CMAQ program, thus demonstrating that a project will result in a net reduction in emissions is critical for the success of the program. Applicants will be scored relative to expected performance in each category. Qualitative responses will be scored based on the likely magnitude of their impact on net emissions.

For quantitative analyses, FHWA provides a number of air quality calculators for use with CMAQ air quality analyses. Check the website for the latest available calculators: https://www.fhwa.dot.gov/environment/air\_quality/cmaq/toolkit/

Project types for which calculators are available at the time of publication of this guide include:

* Bicycle and pedestrian improvements
* diesel idle reduction technologies
* transit bus service and fleet expansion
* transit bus and locomotive retrofits and replacement
* carpooling/vanpooling
* alternative fuels and vehicles
* advanced diesel truck/engine technologies
* congestion reduction and traffic flow improvements (intersection improvements, roundabouts, traffic signal synchronization)
* managed lane facilities and conversion
* dust mitigation (street sweepers, treatment of unpaved roads).

Check the website above for the latest updates. If you use a different tool or methodology to calculate air quality improvement, please provide documentation on how your calculation was derived along with the calculated benefit.

Pollutants regulated by the Clean Air Act include carbon monoxide, lead, nitrogen dioxide, ozone, particle pollution (PM2.5 and PM10 and PM precursor NOx) and sulfur dioxide. NMDOT also considers the air quality benefits of reducing greenhouse gasses. Quantitative analyses derived from MOVES, EMFAC, AP-42 or other methods accepted by FHWA may also be used.

**If a calculation cannot be made,** provide a narrative explanation of how this project will impact mobile source emissions and air quality. Include an estimation of the magnitude of the predicted impact based on available data, information or research. Responsesshould clearly articulate assumptions so that reviewers can understand how estimated impacts were derived.

*Application Question 3:****Dropdown menu for project type:*** *(Select project type)* ***Quantitative:*** *If your application is for a project type for which a FHWA spreadsheet calculator is available, attach a calculation for your project to your application. Links to calculators can be found here: https://www.fhwa.dot.gov/environment/air\_quality/cmaq/toolkit/ Project types for which calculators are available can be selected in the dropdown menu above. Check the website above for the latest updates. If another method of calculation is performed, select "other -- quantitative analysis provided" and describe below.****Qualitative:*** *If a calculation of air quality improvement cannot be provided, select "other -- qualitative analysis provided." Explain why a quantitative analysis cannot be provided and provide a qualitative analysis of how this project will lead to a net reduction in mobile source pollution.*

1. ***Economic Vitality (10 points)***: CMAQ eligible projects often have the potential to stimulate economic activity or to generate cost savings to residents and local entities. Economic impacts can be direct or indirect.

*Application Question 4:
Describe and quantify the desired impact of this project on economic activity in the project area. How will the success of this project contribute to existing local, regional/statewide economic development efforts, including tourism? Please cite and provide any supporting documents or studies.*

1. **Safety and Security (20 points)**

Safety features are a relevant scoring category because the public is not likely to embrace modal shift or other air quality improvement measures unless safety concerns are effectively addressed. Measures could include strategies or design features that make active transportation a safe, less dangerous or unpleasant experience, or features that address safety needs of motorists:

*Application Question 5:
Explain any safety issues addressed by this project and provide any available data. Describe how your eligible project will increase the safety and security of motorized and non-motorized users. Consider user's ability to commute and access services and amenities by walking, bicycling, public transit and automobile. Please cite and provide any supporting documents or studies.*

1. **Accessibility and Connectivity (10 points)**

A more integrated and connected transportation network can move goods and people more efficiently. Creating more connections can alleviate congestion by allowing motorists more choices in taking alternate routes, while shorter block lengths generally encourage walking. Improving the connectivity and ease of transition between modes of transportation can reduce congestion by removing cars from traffic and creating alternative routes, while improving mobility and efficiency for the traveling public.

*Application Question 6:
Explain how project will enhance accessibility, mobility and connectivity, across and between modes, for people and freight and promote energy conservation.*

1. **Equity (5 points)**

NMDOT strives to support community prosperity and vitality through a multimodal transportation system that provides options to residents and visitors, regardless of income or ability. Low income and minority communities have historically been burdened by underinvestment in infrastructure and unequal access to mobility, connectivity and accessible design. Points are awarded in this category as part of an effort to become more responsive to historical and socioeconomic context and create a more equitable distribution of transportation resources as part of an active effort to make investments that reduce existing social and economic disparities. Applicants are encouraged to consider how their project might benefit disadvantaged or vulnerable users and communities and incorporate those considerations into the design and development of projects.

NMDOT will be using a social vulnerability index that assigns a score to each Census block group in the state based on seven variables linked to historical underinvestment, and socioeconomic status. Those variables are: Both analyses consider the following: minority status, English proficiency, over 65, under 17 years old, educational attainment, access to a vehicle, and below 200% poverty. A sample of the equity map can be seen in Appendix IX.

*Application Question 7:
Enter the equity index value for the most vulnerable Census block group impacted by the project and describe how this project benefits vulnerable users and populations (score 1- low concentration to 4-high concentration). For projects that are in multiple block groups, enter the score for the most vulnerable block group. NMDOT developed a Composite Equity Map in conjunction with the New Mexico Prioritized Statewide Bicycle Network Plan, which should be used to determine equity index values for this question. The map can be found in Appendix IX, or here: <<will update with final link>>*

**Penalties and Deductions**

1. **Coherence and Quality (Penalty up to -10 points)**

Applications are expected to be clear, concise, complete and well written. Up to 10 points will be deducted from applications that are poorly written, lack clarity and for which the scope is not well defined.

1. **Inactive Projects (penalty of -5 points per project)**

*Applicants that have inactive, federally funded projects will be deducted five points for each inactive project.* An inactive project is a Federal Aid project for which no expenditures have been charged against federal funds during the past 12 months. Evaluation of project inactivity will occur during the project application review process in October, 2021.

**Additional Documentation**

Project Funding Details. Item K in the application form provides a table for entering a detailed breakdown of the project budget. Submit a separate application and budget for each project or stand-alone segment for which you are willing to accept funding.

Documentation of ability to comply with Buy America requirements.

Application Scoring Matrix

|  |  |
| --- | --- |
| Selection Criteria | Possible Points |
| 1. Planning
 | 10 |
| 1. Transportation Demand Management
 | 25 |
| 1. Air Quality Improvement
 | 20 |
| 1. Economic Vitality
 | 10 |
| 1. Safety and Security
 | 20 |
| 1. Accessibility and Connectivity
 | 10 |
| 1. Equity
 | 5 |
| TOTAL | 100 |

## Best Practices and Feedback for Applicants

The following is a list of general attributes of higher-scoring and lower-scoring applications from previous CMAQ applications. It is intended to aid entities in ensuring that their application is as strong as it can be.

Attributes of Higher-Scoring Applications:

* Project appears in numerous planning documents; the supporting documentation is provided and cited in responses. Consistency with adopted plans is clearly explained and articulated.
* Narrative responses are clear, concise and compelling. Major claims are supported with data and documentation and demonstrate strong alignment with relevant scoring criteria.
* Application demonstrates strong alignment between project and the purpose of the CMAQ program.
* Application demonstrates strong likelihood project will have a high impact and level of use.

Attributes of Lower-Scoring Applications:

* Project does not appear in planning documents; supporting documentation is insufficient. This can happen if attached planning documents do not clearly demonstrate consistency; to ensure this doesn’t happen, include comments in attached plans or justification for how included documents support your project.
* Application does not effectively explain how the project contributes to the goals of each scoring factor.
* Application does not clearly describe scope, or purpose and need, or does not connect these to scoring factors or the objectives of the CMAQ program.
* Application is not well-edited and includes logical inconsistencies, significant grammatical errors or fails to clearly convey key details of the project, or application instructions ae not followed.
* Project is not strongly aligned with intent of CMAQ program.

# 5. Appendices

## I. Forms

To apply for CMAQ funds, eligible entities must complete the NMDOT Project Prospectus Form (PPF) and then the CMAQ Application Form. Projects located in an RTPO area must also include a Project Feasibility Form (PFF) signed by the appropriate NMDOT District representative.

Editable, electronic versions of these forms are available from the NMDOT website, as indicated below. Once applications are complete, please submit materials to your MPO/RTPO planner as a single PDF document.

Project Feasibility Form (PFF)

<http://dot.state.nm.us/content/dam/nmdot/planning/RTPO_PFF.docx>

Project Prospectus Form (PPF)

<http://dot.state.nm.us/content/dam/nmdot/planning/ActiveProg/NMDOT_PPF.docx>

CMAQ Application Form

<http://dot.state.nm.us/content/dam/nmdot/planning/CMAQ>\_Application.pdf

## II. NMDOT Resources

Tribal/Local Public Agency (T/LPA) Handbook

<http://dot.state.nm.us/content/dam/nmdot/Infrastructure/PINF/TLPA-HANDBOOK.PDF>

Right-of-Way (ROW) Handbook

<http://dot.state.nm.us/content/dam/nmdot/Infrastructure/ROW_Handbook.pdf>

## III. Sample Programmatic Boilerplate Agreement

Agreements for non-infrastructure, programmatic projects such as public education and outreach activities or training for transportation workforce, will be handled directly by the program-specific coordinator at NMDOT. A sample boilerplate programmatic Grant Agreement is linked below. Please be aware the Grant Agreements change from time to time, and the agreement your entity receives may vary from this boilerplate.

Sample Grant Agreement

<http://dot.state.nm.us/content/dam/nmdot/planning/TAP-RTP_Sample_Programmatic_Agreement.pdf>

## IV. Sample Design/Construction Boilerplate Agreement

Agreements for infrastructure projects that have separate phases for design and construction, will be handled by NMDOT’s Project Oversight Division (POD). These projects may use the boilerplate agreements linked below. These boilerplate agreements are meant for sample purposes only and are subject to change.

Sample Cooperative Project Agreement – Design

<http://dot.state.nm.us/content/dam/nmdot/Infrastructure/PINF/2016_Design_Agreement.pdf>

Sample Cooperative Project Agreement – Construction

<http://dot.state.nm.us/content/dam/nmdot/Infrastructure/PINF/2016_Construction_Agreement.pdf>

## V. State and Federal Requirements and Guidelines

FHWA Congestion Mitigation and Air Quality Improvement Program:

<https://www.fhwa.dot.gov/environment/air_quality/cmaq/>

FAST Act CMAQ Fact Sheet: <https://www.fhwa.dot.gov/fastact/factsheets/cmaqfs.cfm>

## VI. New Mexico MainStreet Program

If your proposed CMAQ non-mandatory project is located in a community with any of the three following designations, you are required to coordinate with the NM MainStreet Program on project development.

• NM MainStreet Communities

• State-Authorized Arts and Cultural Districts

• Frontier Communities

Please review the map linked below to see whether your project is within one of these communities. If so, please contact Daniel J. Guiterrez, Director of NM MainStreet at: Daniel.Gutierrez2@state.nm.us or 505-827-0151.

The following link has up-to-date information: http://gonm.biz/community-development/mainstreet-program/

### NM MainStreet Program Map

<http://nmmainstreet.org/communityDirectoryMap.php>

## VII. Sample Resolution of Sponsorship

Applicants may reference the sample Resolution of Sponsorship linked below. If an entity opts to submit an official letter (from and signed by the appropriate official) in lieu of the Resolution of Sponsorship, the letter must include the same information as this sample Resolution of Sponsorship.

Sample Resolution of Sponsorship

<http://dot.state.nm.us/content/dam/nmdot/planning/TAP-RTP_Sample_Resolution.pdf>

## VIII. Smart Growth and TOD references

FHWA examples of TOD:

<https://www.fhwa.dot.gov/ipd/value_capture/transit_oriented_development/>

What is TOD?

<http://www.reconnectingamerica.org/what-we-do/what-is-tod/>

TOD Standard

<https://www.itdp.org/library/standards-and-guides/tod3-0/>

This is Smart Growth

<https://www.epa.gov/smartgrowth/smart-growth-publication>

FHWA guidance on accommodating bicycle and pedestrian travel:

<https://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design.cfm>

****VIII. MPO and RTPO Contact Information

****IX. Equity Map (Please use electronic version when entering scores to ensure accuracy)

X. NMDOT District Offices and Regional Design Centers

**District 1:**

2912 E. Pine St.

Deming, NM 88030

Main: (575) 544-6530

**District 2:**

4505 W. Second St.

Roswell, NM 88201

Mailing Address:

P.O. Box 1457

Roswell, NM 88202

Main: (575) 637-7200

**District 3:**

7500 Pan American Blvd.

Albuquerque, NM 87199

Mailing Address:

P.O. Box 91750

Albuquerque, NM 87199

Main: (505) 798-6600

**District 4:**

South Highway 85

Las Vegas, NM 87701

Mailing Address:

P.O. Box 10

Las Vegas, NM 87701

Main: (505) 454-3600

**District 5:**

7315 Cerrillos Rd.

Santa Fe, NM 87502

Mailing Address:

P.O. Box 4127

Santa Fe, NM 87502

Main: (505) 476-4100

**District 6:**

1919 Piñon Dr.

Milan, NM 87021

Mailing Address:

P.O. Box 2160

Milan, NM 87021

Main: (505) 285-3200

Please refer to NMDOT’s website for information on District boundaries: <http://dot.state.nm.us/en/Districts.html>

**North Regional Design Center (D4 & D5):**

1120 Cerrillos Rd.

Room 225

Santa Fe, NM 87504

T/LPA Coordinator:

Sharon Cruz,

(505) 221-8220

SharonR.Cruz@state.nm.us

**Central Regional Design Center (D3 & D6):**

7500 Pan American Freeway NE

Albuquerque, NM 87109

T/LPA CoordinatorL:
Juan Miguel Archuleta

(505) 252-1707

Juan.Archuleta@state.nm.us

 **South Regional Design Center (D1 & D2):**

750 N. Solano Dr.

Las Cruces, NM 88001

T/LPA Coordinator:

Judith Gallardo

(575)323-4242

Judith.Gallardo@state.nm.us

1. The U.S. Federal Highway Administration (FHWA) guidance for CMAQ under MAP-21 is available here:

[https://www.fhwa.dot.gov/environment/air\_quality/cmaq/policy\_and\_guidance/2013\_guidance/](https://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/2013_guidance/index.cfm). [↑](#footnote-ref-2)