

MaineDOT's Business Partnership Initiative

Municipal Guide

Purposes of the Initiative

MaineDOT's Business Partnership Initiative (BPI) is a one third state, two third business/municipal demand response program, designed to respond to Municipal/Business Entity requests, such as responding to changing local transportation needs on State and State-Aid highways, developing economic opportunities, and relieving safety concerns on or adjacent to these highways.

The program is designed to promote public/private partnerships between MaineDOT and municipalities, public utilities, private businesses and other entities by leveraging additional resources on a voluntary basis to match limited state resources. It will make improvements to State and State-Aid highways often utilizing more flexible project delivery methods when the nature of the highway and project allow.

BPI Grant Requirements

In order to be eligible, each project must meet the following criteria:

- √ *Betterment to the State Transportation System:* The work covered must be betterment to the state transportation system. The proposed project must provide future capacity beyond the traffic generated by the business entity that is spurring the project and those improvements should be more than just improvements at the front door to the business entity.
- √ *Professional Engineer Certified:* Unless waived by MaineDOT's Chief Engineer, all projects must be designed by an engineer licensed in Maine and once constructed, the engineer of record must certify that the project was constructed in accordance with the plans and specifications.
- √ *10-Year Useful Life:* Unless waived by MaineDOT's Chief Engineer, the work must have a minimum 10-Year useful life for both quality of work and capacity.
- √ *Deliverability:* Usually construction will be administered by the municipality, when this is the case the municipality must demonstrate to MaineDOT that they have the ability or can obtain the ability to administer the project. Construction must commence within twelve (12) months and construction must be certified complete in twenty four (24) months from when a Cooperative Agreement is signed. If timelines are not met MaineDOT may reallocate funding to other eligible projects in other communities.
- √ *Public Involvement:* The municipality is responsible to lead the public involvement process consistent with all laws, including Maine's Sensible Transportation Policy Act. The value and extent of documented community support will be considered a project benefit.
- √ *Multiple Party Agreements:* The municipality and all involved parties must be willing to enter into an agreement whereby the BPI Grant amount is capped based on project estimates prior to construction. This agreement will also list future maintenance responsibilities.
- √ *Right-of-Way Acquisition:* BPI grants will only reimburse for the right of way required for the transportation betterment. Most projects are expected to be within existing right of way, however, the municipality may be asked to secure

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any needed property rights in accordance with all applicable State and Federal Law.

Funding

Unless waived by the Commissioner, the MaineDOT BPI funding contribution for a project will be capped at 33.3% of the total project cost, with a state share not to exceed \$1,000,000. If a BPI project is an add-on to an existing MaineDOT project the BPI funding portion will only count as MaineDOT's additional contribution beyond what was previously programmed.

State funding for the BPI is limited by available state funding, which is impacted by revenue projections, Legislative budget deliberations, bid prices, and the severity of winter weather. Funding amounts may vary for any calendar year. Generally, MaineDOT's share will be capped at 33.3%. The remaining 66.7% shall be some combination of Private and/or Public funding (often split between the municipality and the Business Entity), but in no instance will state or federal transportation funding (this includes TCSP, T-HUD or FHWA earmark monies) be eligible for the private or local match. Business entities/Municipalities may use impact fees, TIFS, CDBG and Non-FHWA and Non-MaineDOT grants to match the BPI funds. Extra consideration will be given to projects that involve multiple entities, create extra capacity to allow future Economic Development in the area and leverage matches above the required levels. Municipalities/Business Entities may propose shifting long-term maintenance responsibilities as part of their share.

Project Selection/Eligibility

MaineDOT will continuously accept project applications and eligible projects will be selected on a first come first serve basis. Additional project selection/eligibility factors include the following:

- *Economic Development & Job Creation:* Preference will be given to projects that increase roadway capacity and allow for job growth and facilitate economic development.
- *Safety:* The improvement will impact a direct safety need such as infrastructure improvements that address an area with a high crash history or potential for hazardous conditions.
- *Customer Benefit:* Preference will be given to projects based on the amount and degree of benefit that travelers will realize from the benefit.
- *Degree of Betterment:* Projects that provide a greater infrastructure benefit than others such as increasing capacity/mobility and reducing maintenance costs will be given a higher priority.
- *Percentage of Local Match:* The greater the percentage of non-MaineDOT funding, the greater the likelihood the project will be selected.
- *Prior BPI Awards:* MaineDOT will seek to fund eligible projects in all interested municipalities prior to issuing multiple grants to the same one.

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Project Administration

Project administration will be project specific and detailed in the Cooperative Agreements. Administration can be done by either MaineDOT or by a municipality, through a grant, with MaineDOT reviewing products at key milestones such as completion of design and construction. The focus of MaineDOT's review will be insuring that the project will achieve the benefits listed in the above bullets and will not degrade safety. MaineDOT will reimburse entities once the work is complete to the satisfaction of MaineDOT. For large projects and subject to available funding, MaineDOT will consider partial payments based on project progress.

Application Process

To apply for a grant simply:

- √ Review the program criteria in this guide.
- √ Be prepared to discuss each item at some detail, and
- √ Contact the State Traffic Engineer out of Augusta or Region Engineer in your local field office (see http://www.maine.gov/mdot/aboutmainedot/pdf/Region_page_2010a.pdf or call (207)624-3600 for contact information)
- √ The Region Engineers will send all application materials to the State Traffic Engineer for Commissioner review and approval.