



# The American Recovery and Reinvestment Act of 2009 Bill Summary Prepared by CDOT (2/18/2009)

President Obama signed HR 1, The American Recovery and Reinvestment Act of 2009 in Denver on February 17, 2009. Conference Report: <http://www.thomas.gov/home/approp/app09.html#h1>

## **Earmarks:**

No Earmarks

## **Match Provisions:**

No Match Required

## **Highways: Competitive Grant Programs**

- \$1.5 Billion available through Sept. 30, 2010
  - Mode Neutral. Almost anyone can apply
  - Project Size \$20 Million - \$300 Million
  - Secretary of Transportation has 90 days to publish application criteria
  - Applications are due 180 days from publication of application criteria
  - All projects selected to be funded must be funded within 1 year from date of enactment of the bill
- \$60,000,000 Competitive Grants to States (available for 2 years from enactment)
  - For Ferry Boat and Ferry Boat Terminals (NA for Colorado)

## **Highways and Bridges: Formula Funds**

- \$26.8 Billion Nationally
  - For Colorado \$403,924,130
    - Colorado's Discretion \$270,629,000
    - Sub-Allocation \$121,177,000 (not subject to 120 day redistribution)
      - Colorado Springs - \$13,131, 818
      - DRCOG - \$55,919, 268
      - NFRMPO - \$5,824,860
      - State Controlled - \$46,302,000 (in addition to number above)
    - 3% for Enhancements - \$12,118,000

In Addition:

- \$310,000,000 for Indian Reservation Roads Program (CO may benefit some, \$ TBD)
- \$170,000,000 for Forest Highway Program (CO may benefit some, \$ TBD)
- \$10,000,000 for Refuge Roads Program (CO may benefit some, \$ TBD)
- \$20,000,000 for highway surface transportation and technology training (OJT) (TBD)
- Timelines (Highways and Bridges)
  - State of Colorado
    - 50% of the State's funds must be obligated in 120 days from receipt of the funds (FHWA has up to 21 days to give the States funds)
      - Colorado must obligate \$135,314,000 within 120 days or we will be subject to redistribution and lose any amount of funds under this amount
      - If 50% or more of Colorado's funds are obligated, Colorado would qualify for redistributed funds from other States

- 100% of the State's funds must be obligated within one year of apportionment of the funds (\$403,924,130)
  - Colorado must obligate 100% of the \$270,629,000 and \$46,302,000 (sub-allocated state controlled funds) within one year of apportionment of the funds or lose any remaining balance
  - If 100% or more of Colorado's funds are obligated, Colorado would qualify for redistributed funds from other States
  - TMA's must obligate 100% of their funds within one year of apportionment of the funds or Colorado would not qualify for redistribution
  
- Buy America Provision (Sec. 1605)
- Davis Bacon Requirement (Sec. 1606)
- DBE Provision
  - \$20 Million (nationally) for DBE bonding assistance (administered via Chapter 3 of Title 49).
- Preferences (for highway project selection)
  - Projects completed in 3 years
  - Located in economic distressed areas
  
- Governor Certifications
  - Title XII (Transportation General Provisions)
    - Not later than 30 days after the date of enactment, the Governor shall certify that the State will maintain its effort with regard to State funding. As part of this certification, the Governor shall submit to the Secretary of Transportation a statement identifying the amount of funds the State planned to expend from State sources as of the date of enactment during the period beginning on the date of enactment through September 30, 2010. (Sec. 1201)
  - Title XV (Accountability and Transparency)
    - For funds made available to State or local governments for infrastructure investments, the Governor, mayor, or other chief executive, as appropriate, shall certify that the infrastructure investment has received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Such certification shall include a description of the investment, the estimated total cost, and the amount of covered funds to be used, and shall be posted on a website and linked to the website established by section 1526. A State or local agency may not receive infrastructure investment funding from funds made available in this Act unless this certification is made and posted. (Sec. 1511)
  - Title XVI (Additional funding distribution assurances of appropriate use of funds)
    - Sec. 1607
    - Not later than 45 days after the date of enactment of the Act, for funds provided to any State or agency thereof, the Governor of the State shall certify that the State will request and use funds provided by the Act and the funds will be used to create jobs and promote economic growth.

## **Transit: Competitive Grant Program**

- \$100,000,000 to public transit agencies for capital investments that will assist in reducing the energy consumption or greenhouse gas emissions of their public transportation systems.
- \$750,000,000 available for New Starts program. Priority for projects that are currently under construction, or can be obligated within 180 days.

## **Transit Capital Assistance**

- \$6.90 Billion Nationally
  - For Colorado \$102,687,210
    - 5307 Urban (90% of funds above – distributed via formula directly to recipients)
      - Total: \$90,223,469 (numbers below based off most recent allocation formula)
        - ✓ Denver-Aurora = \$64.16 Million
        - ✓ Colorado Springs = \$9.09 Million
        - ✓ Fort Collins = \$3.63 Million
        - ✓ Boulder = \$3.41 Million
        - ✓ Grand Junction = \$1.62 Million
        - ✓ Greeley = \$2.12 Million
        - ✓ Lafayette/Louisville = \$1.31 Million
        - ✓ Longmont = \$2.35 Million
        - ✓ Pueblo = \$2.52 Million
    - 5311 Rural Formula (10% of funds above - CDOT Controlled)
      - Total: \$12,492,195
- Timelines (Transit Capital Assistance)
  - 50% of the funds must be obligated in 180 days from receipt of the funds
    - If 50% or more of the funds are obligated, Colorado transit agencies would qualify for redistributed funds from other transit agencies
    - Agencies must obligate 100% of their funds within one year of apportionment of the funds (although a waiver for additional time is possible)

## **Fixed Guideway Modernization**

- \$750 Million Nationally
  - For Colorado \$753,399 (approximately) for RTD

## **High Speed Rail Corridors and Intercity Passenger Rail Service**

- \$8 Billion Nationally (CO not expected to be eligible for funding unless Amtrak identifies a CO specific project)

## **Federal Aviation Administration**

### Facilities and Equipment

- \$200 Million Nationally
  - 60 days after passage the administrator must establish a process for applying, reviewing and awarding grants

### Airport Improvement Program

- \$1.1 Billion Nationally
- Available through Sept. 30, 2010
- Distributed through FAA Regions
- 50% must be awarded in 120 days
- 100% in one year from enactment