



ConnectOregon VI

Instructions to Reviewers

October 5, 2015

For more information about *ConnectOregon* visit:
<http://www.oregon.gov/ODOT/TD/TP/pages/connector.aspx>

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PURPOSE OF THIS DOCUMENT

The purpose of this document is to provide instruction regarding the *ConnectOregon VI* review and recommendation processes to the various committees that are providing recommendations to the Oregon Transportation Commission (OTC).

The application review process includes the following steps:

- A. AGENCY STAFF REVIEW – November 23, 2015 – January 15, 2016
 - 1. Completeness Review
 - 2. Eligibility Review
 - 3. Feasibility Review
 - 4. Economic Benefit Review
 - 5. Statutory Consideration Review
- B. COMMITTEE REVIEW – February 1 – June 2016
 - 1. Mode Committee Reviews
 - 2. Region Committee Reviews
 - 3. Final Review Committee
 - 4. OREGON TRANSPORTATION COMMISSION - July – August 2016

REVIEW DOCUMENTS

The application is the primary source of applicant-supplied information regarding the proposed projects. The other documents identified below will be used to document the review process, create a record of actions, and inform the later steps of the review process.

- ▶ Application
- ▶ Completeness Checklist (using the template shown in Appendix A-1)
- ▶ Eligibility/Feasibility Report (using the template shown in Appendix A-2)
- ▶ Economic Benefit Review Form (using the template shown in Appendix A-3)
- ▶ Statutory Consideration Review Form (using the template shown in Appendix A-4)
- ▶ Score Summary and Tier Form (using the template shown in A-5)
- ▶ Review Committee Project Reports (One per project per Modal and Regional Committee using the template shown in Appendix A-6)
- ▶ Review Committee Matrix (One per Review Committee using the template shown in Appendix A-7)
- ▶ Regional Solutions Team Review Form (using the template shown in Appendix A-8)
- ▶ Modal and Regional Summary Matrix (Prepared by *ConnectOregon* staff prior to the Final Review Committee)
- ▶ Final Review Committee Matrix (Prepared by the Final review Committee with support from the *ConnectOregon* staff.)

The Appendices in this document provide **Sample** versions of the respective document. Agency staff, modal and regional reviewers will receive final versions of each form in Word or Excel prior to the start of the review period.

1 AGENCY STAFF REVIEW – November 23, 2015 – January 15, 2016

1.1 Completeness Review

ConnectOregon staff includes all agency staff (ODOT, Oregon Business Development Department, and Oregon Department of Aviation) assigned to develop and administer the ConnectOregon VI application process. Applications will be screened by internal ConnectOregon staff (rail, transit and bicycle/pedestrian) and by Oregon Business Development Department (marine) and Department of Aviation staff to ensure that each application is complete, including:

- ▶ Tax Declaration
- ▶ Department of Revenue Certificate of Compliance
- ▶ Racial and Impact Statement (As required by Senate Bill 463 of the 2013 Oregon Legislative Session.)
- ▶ Rail Certification (if applicable)
- ▶ Property owner signatures (where necessary)
- ▶ A completeness review summary will be submitted to the ODOT Freight Planning Unit on or before December 6, 2015.

Program administration resources are limited; therefore, incomplete applications that lack the Tax Declaration, Department of Revenue Tax Certification, Rail Certification, Racial and Impact Statement form and appropriate real estate signatures will not be forwarded to review committees and will not be considered for project award. ConnectOregon staff will inform applicants if an application is ineligible due to incompleteness. Applicants will have the opportunity to appeal an ineligibility decision as outlined in section 1.4 below.

1.2 Eligibility, Feasibility and Statutory Review – December 6, 2015 – January 15, 2016

1.2.1 Eligibility Review

ConnectOregon staff will review whether each applicant and project meet the eligibility requirements including (See Appendix A-2 for review template):

- ▶ The applicant must be current on all state and local taxes, fees, and assessments. ODOT staff will verify that a positive Department of Revenue Certificate of Compliance has been submitted with the application. The Certification should be submitted whether in compliance or non-compliance. Applicants who receive a non-compliance certification from Oregon Department of Revenue will have until December 31, 2015 to obtain Compliance Certification. Failure to obtain Compliance Certification by December 31, 2015 will render an applicant ineligible and the application will not move to committee reviews described below.
- ▶ The applicant must have sufficient management and financial capacity to complete the project.

- ▶ The project must benefit aviation, marine, rail, public transit and/or bicycle/pedestrian.
- ▶ The project is not eligible for funding from the State Highway Trust Fund revenues described in Section 3a, Article IX of the Oregon Constitution.
- ▶ The project does not require or rely upon continuing subsidies from ODOT.
- ▶ The project is not for operating costs or the acquisition of bicycles.
- ▶ The project is feasible, including the estimated cost of the project, the expected results from the proposed project, the project schedule, and all applicable and required permits may be obtained within the project schedule.

Ineligible applicants or projects will be processed as outlined in Section 1.4.

1.2.2 Feasibility Review

ConnectOregon staff will review the technical information contained in the applications. The feasibility review may result in some applications being deemed technically infeasible. (See Appendix A-2 for review template.) As needed, applicants may be requested to clarify portions of their application. ConnectOregon staff should document in review forms any clarification obtained.

ConnectOregon staff will review technical aspects of assigned ConnectOregon VI applications for project feasibility including:

- ▶ proposed project scale in relation to cost;
- ▶ anticipated users;
- ▶ achievability of the project in the proposed timeframe;
- ▶ achievability of all applicable and required permits in proposed timeframe; and
- ▶ general review of potential safety issues in project applications where there are changes to motor vehicular traffic in and around the site.

Feasibility Review Staff Assignments

During the Eligibility/Feasibility Review, applications may be assigned to ConnectOregon staff based on modal expertise as follows:

- ▶ Rail projects to the ODOT Rail Division
- ▶ Transit projects to the ODOT Transit Division
- ▶ Aviation projects to the Oregon Department of Aviation
- ▶ Marine projects to the Oregon Business Development Department
- ▶ Bicycle/Pedestrian projects to the ODOT Active Transportation Division
- ▶ Multimodal projects will be assigned as appropriate

Applications may also be assigned to ConnectOregon staff for specific review, such as finance, project management, or other aspects of a project.

1.2.3 Statutory Consideration Review

OAR 731-035-0060 requires the Oregon Transportation Commission to take into consideration the following Statutory Considerations:

At its September 2015 meeting the OTC declared that they will be making final project selection with considerations a, b, and c above being considered as “strategic”. Inasmuch, staff scores for these three considerations will be weighted heavier than considerations d, e, and f.

- a. Whether a proposed transportation project reduces transportation costs for Oregon businesses or improves access to jobs and sources of labor;
- b. Whether a proposed transportation project results in an economic benefit to this state. Refer to the Economic Benefits review form (Appendix A-3) to determine the total number of points assigned;
- c. Whether a proposed transportation project is a critical link connecting elements of Oregon’s transportation system that will measurably improve utilization and efficiency of the system;
- d. How much of the cost of a proposed transportation project can be borne by the applicant for the grant or loan from any source other than the Multimodal Transportation Fund.
- e. Whether a proposed transportation project is ready for construction.
- f. Whether a proposed transportation project has a useful life expectancy that offers maximum benefit to the state.

To support the review committees’ prioritization process, *ConnectOregon* staff will sort projects into “Tiers” that indicate how many of the project Statutory Considerations identified in OAR 731-035-0060 are **thoroughly** met by the project. Tiers will be assigned based on scores achieved from a combination of the Statutory Considerations Review (Appendix A-4) and Economic Benefit Review (Appendix A-3). The tiers include:

Tier 1	71 – 90 Points	The application demonstrates the project meets all six considerations thoroughly
Tier 2	51 – 70 Points	The application demonstrates the project meets most considerations thoroughly
Tier 3	31 – 50 Points	The application demonstrates the project meets some considerations thoroughly
Tier 4	0 - 30 Points	The application fails to demonstrate the project meets any of the considerations thoroughly

Based on the application materials, a staff review committee shall determine whether a project **thoroughly** meets each of the OAR 731-035-0060 considerations. *ConnectOregon* staff will complete reviews and tier each project for committee consideration.

To **thoroughly** meet a consideration, a project shall demonstrate through application responses, and through the requested independent verification, that the project will accomplish the intent. (A project statutory consideration review form is provided in Appendix A-4).

All *ConnectOregon* review committees and the OTC must consider the statutory consideration review when prioritizing or selecting projects.

The Statutory Consideration Review must be complete by *ConnectOregon* staff and returned to the ODOT Freight Planning Unit by January 15, 2016.

1.2.4 Economic Benefit Review

ODOT economists and Business Oregon development officers will conduct an economic benefit review of the reasonableness of the economic benefit claimed in each project application. The Economic Benefit Review is an element of the statutory considerations review and included in the score for tiering. The economic benefit review will include (but not limited to):

- ▶ A review of the application's analytical methodology for estimating project benefits;
- ▶ A review of the project's likelihood to retain or generate new distinct jobs in Oregon (not just move jobs from one part of the state to another);
- ▶ A review of the project's level certainty to produce benefits; and
- ▶ A review of the project's potential for public benefits.

A report will be completed for each application documenting the results of the review. This report will be submitted to the ODOT Freight Planning Unit by January 15, 2016. (See Appendix A-3 for sample template.)

1.3 Communication with Applicants during Eligibility, Feasibility and Statutory Review

If *ConnectOregon* staff identifies a need for additional written data concerning any applicant or project, *ConnectOregon* staff will solicit this from applicants.

Applicants will be given a specified amount of time (three business days) to provide the requested additional information.

All requests for additional information must be sent in writing to applicants during the week of December 14, 2015.

1.4 Decisions on Applicant and Project Eligibility

ODOT will exclude any project from continuing to the Modal, Regional or Final Review process if it is deemed the applicant or project is ineligible, or the project is technically infeasible.

If this determination is made, ODOT will notify the applicant in writing.

The applicant will have 15 days to file a written appeal with the ODOT Director. The ODOT Director will make a final determination of eligibility/feasibility. Only applicants may file an appeal.

2 COMMITTEE REVIEW – February 1 – May 27, 2016

2.1 Overview

2.1.1 Modal Review Committee

This section provides specific instructions to the staff, chairs, and members of:

- ▶ The **Oregon Aviation Board**, which will make recommendations on aviation projects.
- ▶ The **Oregon Freight Advisory Committee**, which will make recommendations on freight transportation projects.
- ▶ The **Public Transit Advisory Committee**, which will make recommendations on public transit transportation projects.
- ▶ The **Rail Advisory Committee**, which will make recommendations on rail transportation projects.
- ▶ The **Marine Project and Planning Advisory Committee, Oregon Business Development Department**, which will make recommendations on marine transportation projects.
- ▶ The **Oregon Bicycle and Pedestrian Advisory Committee**, which will make recommendations on bicycle and pedestrian transportation projects.

OAR 731-035-0060 requires the OTC to solicit advice from these entities for projects as outlined. In the remainder of this document, the board and committees identified above will be referenced as “Modal Review Committees” or “MRC”. The staff assigned to support these committees will be referred to “Modal Review Committee staff” as “MRC staff”.

All MRC meetings will be conducted as public meetings as defined by Oregon Public Meetings Law. MRC staff shall ensure adequate notice of the meeting and compile meeting minutes. Meeting dates and locations will be posted on the *ConnectOregon* website.

2.1.2 Timeline for Modal Committee Review

Modal Review Committees may start review of applications on February 3, 2016 and must complete their work and submit it back to the ODOT Freight Planning Unit by March 25, 2016.

MRCs must include a Mode Review Committee Report (Appendix A-6) for each project. MRCs should provide as much narrative as possible about each project to ensure subsequent review committees and the OTC sufficiently understand each project.

2.1.3 Regional Review Committee

In the remainder of this document, the committees identified below will be referenced as “Regional Review Committees” or “RRC”. The staff assigned to support these committees will be referred to as “Regional Review Committee staff” or “RRC staff”.

Regional Review Committees will be formed by ODOT as follows:

- ▶ An equal number of selected ACT members from each ACT in the Region.

Region 1

OAR 731-035-0070 defines Region 1 as consisting of Clackamas, Hood River, Multnomah and Washington Counties.

The Region 1 RRC will include the Region 1 ACT as designated by ODOT.

Region 2

OAR 731-035-0070 defines Region 2 as consisting of Benton, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk, Tillamook and Yamhill Counties.

The Region 2 RRC will include the Northwest Oregon ACT¹ (Clatsop, Columbia, and Tillamook Counties), the Mid-Willamette Valley ACT (Marion, Polk and Yamhill Counties), the Cascades West ACT (Benton, Linn and Lincoln Counties), and Lane County ACT.

Region 3

OAR 731-035-0070 defines Region 3 as consisting of Coos, Curry, Douglas, Jackson and Josephine Counties.

The Region 3 RRC will include the South West ACT (Coos, Curry and Douglas Counties) and the Rogue Valley ACT (Jackson and Josephine Counties).

Region 4

OAR 731-035-0070 defines Region 4 as consisting of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake, Sherman, Wasco and Wheeler Counties.

The Region 4 RRC will include the Lower John Day ACT (Gilliam, Sherman, Wheeler and Wasco Counties) the Central Oregon Act (Crook, Deschutes and Jefferson Counties) and the South Central Oregon ACT (Klamath and Lake Counties).

Region 5

OAR 731-035-0070 defines Region 5 as consisting of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and Wallowa Counties.

The Region 5 RRC will include the North East ACT (Morrow, Baker, Union, Umatilla and Wallowa Counties) and the South East ACT (Grant, Harney and Malheur Counties).

2.1.4 Timeline for Regional Review Committee Review

RRCs may begin their review, discussion and recommendation of projects when they receive the Modal Committee reports. These reports will be delivered to the RRCs by April 4, 2016. The RRCs must complete their work and submit the required documents to the *ConnectOregon* staff by May 27, 2016.

¹ The Northwest ACT will not review projects in western rural Washington county, as this County is in *ConnectOregon* Region 1, and will be reviewed by the *ConnectOregon* Region 1 RRC.

RRCs must include a Region Review Committee Report (Appendix A-6) for each project. RRCs should provide as much narrative as possible about each project to ensure subsequent review committees and the OTC sufficiently understand each project.

2.1.5 Regional Solutions Teams

Prior to Regional Review Committee work the Governor's Regional Solutions Teams (RSTs) will review applications and note where projects support regional priorities identified by Regional Solutions Advisory Committees. This review will occur with coordination assistance from ConnectOregon staff and RRC staff. ConnectOregon staff will provide RST coordinators with necessary application materials. RST coordinators must provide RRC staff with completed reviews at least one week prior to RRC review. A sample RST Review form is provided in Appendix A-7. This review must be included with RRCs staff report to the ODOT Freight Planning Unit with submission of RRC review materials.

2.2 Committee General Administration

2.2.1 Scheduling and Noticing of MRC and RRC Meetings

All meetings where ConnectOregon VI projects are discussed are public meetings and public notices will be posted on the ODOT ConnectOregon website in addition to other posting sites used by the committees. MRC and RRC staff will coordinate the posting of notices with the ODOT Freight Planning Unit.

2.2.2 Conflict of Interest Disclosure

At the start of each meeting, the MRC and RRC Chairs shall require committee members to disclose all conflicts of interest regarding any projects being discussed. A conflict of interest means the member is an applicant, or a consultant to the applicant, or is a committee or board member who has assisted the applicant, or has a financial benefit in the project. All conflict of interest disclosures will be recorded in the committee meeting minutes.

The MRC and RRC Chairs will ensure that members refrain from voting on or recommending projects or a slate of projects in which they have disclosed a conflict of interest. Committee members with conflicts of interest, except those who are excluded from discussions or debate because they are subject to ORS 244.120(2)(b) and have an actual conflict of interest, are allowed to otherwise participate in the evaluation process. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote.

2.2.3 Applicant Presentations

MRCs and RRCs may invite presentations from applicants on an equitable basis, specifically inviting every applicant for projects under that committee's purview. All presentations from applicants are to be conducted during the public meetings.

If applicants are invited to make presentations, the applicants must be informed at the same time as the public meeting notices are posted.

New information learned by the MRCs or RRCs from applicant presentations should be documented in the Review Committee Project Reports for subsequent committees to see.

2.2.4 Input into the Decision Process

The MRCs and RRCs will review projects based on information provided through:

1. The project application and related documents;
2. Applicant responses to questions;
3. Completeness Review, Eligibility, Feasibility, and Statutory Considerations Reviews;
4. Economic Benefit Review; and
5. MRC and RRC members' knowledge and expertise.

The MRCs and RRCs may also review projects based on information provided through:

1. Applicant testimony (if all applicants are provided the opportunity to testify);
2. Professional staff recommendations or analysis (if requested by the committee); and
3. Public comment.

MRCs should also use any identified statewide plan such as the 2007 Oregon Aviation Plan to assist with prioritization and determining where projects strategically address modal needs.

RRCs should use Regional Solutions Teams reviews where applicable.

Review should be to determine which projects best address the 6 statutory considerations identified in Section 1.2.3 Statutory Considerations Review.

The MRCs and RRCs shall **not consider** information provided through lobbying by the applicant or any other person outside of the committees' public meetings. This includes any request for pre-approval by an applicant or other party.

MRCs and RRCs shall not require applicants to seek prior consultation or pre-approval of any projects, nor prioritize any project negatively due to any failure to consult with the committee prior to submitting an application.

2.2.5 Additional Information

MRCs and RRCs may request additional written data as needed concerning any application or project. This request must be made through the MRC and RRC staff. Staff will collect information from applicants. Staff should give applicants no more than 3 business days from time of request to reply. MRC and RRC staff will be responsible for submitting electronic copies of all requests to and responses received from applicants to the ODOT Freight Planning Unit as an attachment to the Review Committee Project Report (See section 2.6.1).

2.3 Committee Evaluation Process Overview

2.3.1 General

ConnectOregon staff will provide each MRC and RRC with an electronic application package for each project that the committee will review.

Because the projects potentially represent a variety of different actions on five different modal systems, no single set of data can be used for comparison. It is each applicant's responsibility to be as

precise and well-documented as possible in showing how the application responds to each of the six *ConnectOregon* considerations, specifically addressing the three strategic considerations. It is each MRC's and RRC's responsibility to prioritize projects while considering the benefits of the project and the statutory considerations.

2.3.2 Task Outline

The project recommendation process for the review committees involves the development of a single prioritized list. Prior to the initial MRC or RRC meeting, the MRC and RRC staff will provide each committee with the documents needed for the evaluation process. The evaluation tasks are detailed in the following table:

Table 1 Review Committee Outline

Step	Task	Explanation	Responsible party
Pre Meeting Through 2/1/16	Delivery of Information to Modal Review Committee staff	Delivery of project documents including: applications and completeness reviews, feasibility reports, economic benefit evaluations, and standardized committee reporting materials.	CO VI staff
	Staff Preparation for meeting	Modal Review Committee staff ensures all documents are distributed to the Committee members.	Modal Review Committee staff
Meetings 2/1/16 Through 3/21/16	Prioritizing	Projects are prioritized (1- through n , with 1 indicating the highest priority project).	Modal Review Committee
Post Meeting 3/21/16 through 3/25/16	Reporting	Complete standardized committee report material and obtain approval of the report by the Modal Review Committee Chair.	Modal Review Committee staff
Pre Meeting Through 04/04/16	Delivery of Information to Regional Review Committee staff	Delivery of project documents including: applications and completeness reviews, feasibility reports, economic benefit evaluations, and standardized committee reporting materials.	CO VI staff
	Regional Review Committee Staff preparation for meeting	Regional Review Committee staff ensures all documents including RST Review forms are distributed to the Committee members.	Regional Review Committee staff
Meetings 04/04/16 Through 5/23/16	Prioritizing	Projects are prioritized (1- through n , with 1 indicating the highest priority project).	Regional Review Committee
Post Meeting 05/24/16 through 05/27/16	Reporting	Complete standardized committee report material and obtain approval of the report by the Regional Review Committee Chair.	Regional Review Committee staff

2.4 Prior to Public Meetings

2.4.1 Modal and Regional Review Committee Staff Responsibilities

Scheduling and Noticing of Review Meetings

MRC and RRC staff will notify *ConnectOregon* staff of all MRC and RRC meeting dates. *ConnectOregon* staff will ensure all *ConnectOregon* meetings, and any revisions or changes, are accurately noticed on the *ConnectOregon* website. MRC and RRC staff are responsible for all required public meeting notices (A duplicate notice will be posted on the *ConnectOregon* website).

Distribution of Application Materials

The *ConnectOregon* staff will provide electronic copies of project application materials (e.g. application, letters of support, RST Report (for RRC only) and supplemental information) to the MRC and RRC staff. MRC and RRC staff are responsible for the distribution of the review materials to committee members prior to the scheduled MRC and RRC meeting.

ConnectOregon staff and RRC staff will be jointly responsible for coordinating receipt and distribution of RST Reports for RRC consideration. Appropriate contacts will be provided to RRC staff by *ConnectOregon* staff prior to RRC review.

2.4.2 Modal and Regional Review Committee Responsibilities

Prior to the MRC and RRC meetings, the MRC and RRC members should review in detail the application packages.

2.4.3 Modal and Regional Review Committee Chair Responsibilities

Coordinate with MRC and RRC Staff

Prior to meetings, the MRC and RRC Chairs will coordinate with respective MRC/RRC staff regarding the meeting scheduling, agenda and necessary public notice.

2.5 During Public Meetings

2.5.1 Modal and Regional Review Committee Staff Responsibilities

General

The MRC and RRC staff will assist the committees with understanding the review process, and the expectations of and instructions to the committees.

Meeting Minutes

For each MRC and RRC meeting, MRC and RRC staff will record and prepare committee meeting minutes, and secure the committee's approval of the minutes. Within 5 days of each meeting, draft meeting minutes will be sent to the *ConnectOregon* staff for posting on the *ConnectOregon* website. Upon approval of the committee, final meeting minutes will be sent to the *ConnectOregon* staff. Final minutes will replace draft minutes posted on the *ConnectOregon* website.

2.5.2 Modal and Regional Review Committee Responsibilities

Conflict of Interest Disclosure

The MRC and RRC members shall adhere to the conflict of interest disclosure instructions in Section 2.2.2.

Review, Discuss and Recommend Projects

Each MRC and RRC is expected to provide the OTC with a single prioritized list of recommended projects for *ConnectOregon VI* funding.

All MRC and RRC meetings related to the recommendations of projects for *ConnectOregon VI* funding shall be held as public meetings. MRC and RRC members may present information regarding projects, the condition of the state's transportation network, or other relevant information to the whole committee. Each MRC and RRC shall establish a written record of the decision-making process and project specific reports (See Appendix A-6 for report format).

Project specific reports should include as much narrative as possible to ensure that subsequent reviewers are fully informed of each project's viability and value to the transportation system.

Prioritize the Projects

Each MRC and RRC will assign a number to each prioritized project, with priority 1 indicating the committee's first choice, priority 2 indicating the second choice, and so on, until all prioritized projects are assigned a number. If a committee reviews 20 projects, the prioritization should be from 1 to 20.

MRCs and RRCs will use the Statutory Consideration Review completed by *ConnectOregon* staff as a basis for the prioritization process (See Section 1.2.3); however, review committees are not constrained by the identified project "Tier" and may give a lower tiered project a higher prioritization if circumstances warrant. If a lower "Tier" project is moved up in priority the project "Review Committee Report" must contain a discussion of the reasoning for this placement. (See Section 2.6.1 for information on the Review Committee Report.)

Each MRC and RRC will provide only one prioritized list statewide. There is no need to differentiate projects by region.

MRCs and RRCs may not change the scope of a project as submitted in an original application. Should a Committee recommend a lower level of funding for a project, a hard-copy letter signed by the applicant contact person must be submitted to Committee staff and returned to *ConnectOregon* staff in accordance with the timelines of Table 1 Review Committee Outline of this document with the following information:

- Applicant acceptance of potential reduced amount;
- Applicant's understanding that original scope will still be constructed;
- New project financial breakdown consistent with format of question #19 of the *ConnectOregon* Application;
- Source of additional applicant match funds to complete original project scope-of-work.
- Verification that additional matching funds will be available within the original project timelines as presented in the *ConnectOregon* application.

Recommendations for lower project funding will not move forward in the review process without all the aforementioned materials.

2.5.3 Modal and Regional Review Committee Chair Responsibilities

The MRC and RRC Chairs shall preside over all meetings, including calling the meeting to order, ensuring members participate appropriately, minutes are taken and approved, and the committee completes its work as outlined in this document. The Final Review Committee shall have ultimate authority whether or not to consider a recommendation for reduced funding.

2.6 After Public Meetings

2.6.1 Modal and Regional Review Committee Staff Responsibilities

Preparation and Transmittal of Reviews

MRC and RRC staff will complete and prepare for publication the following:

- ▶ Review Matrix,
- ▶ Review Committee Report, and
- ▶ Meeting Minutes.

MRC and RRC staff shall secure the authorization of the MRC and RRC Chairs prior to transmittal of these documents to the *ConnectOregon* staff. MRC and RRC staff will be responsible for submitting electronic copies of documents to the ODOT Freight Planning Unit no later than March 25, 2016 (Modal Review Committees) or May 27, 2016 (Regional Review Committees).

Review Committee Report

For each application, the MRC and RRC staff will complete the Review Committee Report. *ConnectOregon* staff will provide MRC and RRC staff with a Review Committee Report Form template (Appendix A-6). Additionally, the template will be available on the *ConnectOregon VI* website. The form will summarize the project and will present the details of the committee's decision-making process to subsequent reviewers, the Final Review Committee and the OTC. The Review Committee Report should include any specific details which the MRC or RRC thinks subsequent reviewers should be aware.

Review Committee Matrix

A Review Committee Matrix will be provided to each MRC and RRC in electronic form (See Appendix A-7) prior to each MRC and RRC meeting. MRC and RRC staff will complete the Review Committee Matrix, recording the actions of the committee. The Review Committee Matrix is designed to provide subsequent reviewers, the Final Review Committee and the OTC with a summary of the MRC's or RRC's prioritization. The MRC or RRC staff will email the Review Committee Matrix to the ODOT Freight Planning Unit in MS Excel format within the aforementioned prescribed timeline.

Neither the Modal Review Committees nor Regional Review Committees make the final decision on final project prioritization. The MRCs and RRCs provide guidance to the Final Review Committee and OTC to allow for an informed final project recommendation. To ensure the preferences of each MRC

and RRC are presented to the OTC, the Review Committee Matrix from each MRC and RRC will be forwarded to the OTC along with the Final Review Committee's Final Recommendation Report.

2.6.2 Representatives to the Final Review Committee

Representatives from each MRC and RRC will be invited to participate on the Final Review Committee (See section 3). These representatives will be asked to present their MRC's or RRC's prioritization, discuss project merits and collaborate with other members of the Final Review Committee to reach a consensus regarding the best projects for Oregon.

The final review committee process treats the inputs from each MRC and RRC equally. This is necessary as each MRC and RRC approaches projects from a different prospective. Due to the time constraints placed on the Final Review Committee, representatives from each MRC and RRC will not have the opportunity to consult with other MRC and RRC members during the consensus process. The representatives to the Final Review Committee will be asked to adapt the input from their respective MRC's and RRC's prioritizations to create a single prioritized list for the OTC. This will allow the Final Review Committee to resolve differences in prioritization between MRCs and RRCs.

3 FINAL REVIEW COMMITTEE – June 2016

3.1 Formation of the Final Review Committee

Following the receipt of recommendations from the Modal and Regional Review Committees, the ODOT Director will convene a Final Review Committee. The Final Review Committee will include representatives from each MRC and RRC when possible. In certain circumstances it may not be possible for the Director to appoint a representative from each committee when in conflict with House Bill 2274 of the 2015 Oregon Legislative session. In which case, the Director retains sole discretion regarding appointments and will seek to ensure an adequate representation of all stakeholder groups involved.

As per House Bill 2274 of the 2015 Oregon Legislative session, the ODOT Director may not appoint representatives to the Final Review Committee who:

- (a) Who represents an entity that submitted an application for a *ConnectOregon* grant that is being considered for funding by the final review committee; or
- (b) Has a direct financial interest in an application that is being considered for funding by a final review committee.

3.2 Committee Administration

The *ConnectOregon* staff will provide the Final Review Committee a combined list of recommendations from each MRC and RRC. The list presented to the Final Review Committee may contain all or a portion of the project applications as determined by ODOT prior to the meeting. The format of this summary will be developed in consultation with the OTC and the Final Review Committee facilitator.²

3.2.1 Scheduling and Noticing of Review Meetings

The Final Review Committee meeting is tentatively scheduled for June 8 and 9, 2016 in Portland, Oregon. Meeting details will be published on the *ConnectOregon* website in April 2016.

3.2.2 Staff Support

The *ConnectOregon* staff will provide staff support for the Final Review Committee.

ConnectOregon staff, unless otherwise directed by the committee, will:

- ▶ Present the MRC and RRC prioritization of projects to the Final Review Committee;
- ▶ Assist the Final Review Committee with understanding the review process; and
- ▶ Record results of the Final Review Committee proceedings.

² An independent facilitator will be contracted by ODOT to coordinate the decision-making process of the Final Review Committee.

ConnectOregon staff advise and analysis is limited to a supporting role and cannot be substituted for the required decision-making role of the Final Review Committee.

3.2.3 Conflict of Interest Disclosure

At the start of each meeting, the Final Review Committee Chair shall require committee members to disclose all conflicts of interest regarding any projects being discussed. A conflict of interest means the member is a consultant to the applicant, or is a committee or board member who has assisted the applicant, or has a financial benefit in the project. All conflict of interest disclosures will be recorded in the Final Review Committee meeting minutes.

The Final Review Committee Chair will ensure that members refrain from voting on or recommending projects or a slate of projects in which they have disclosed a conflict of interest. Final Review Committee members with conflicts of interest, except those who are excluded from discussions or debate because they are subject to ORS 244.120(2)(b) and have an actual conflict of interest, are allowed to otherwise participate in the evaluation process. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote.

This disclosure requirement applies to all committee members.

3.2.4 Inputs into the Decision Process

The Final Review Committee will review projects based on information provided through:

1. The project application and related documents;
2. Applicant responses to questions;
3. Eligibility and Feasibility Review;
4. Economic Benefit Review;
5. Modal Report and Review Matrix;
6. Region Report, Review Matrix, and RST Report; and
7. Final Review Committee members' knowledge and expertise.

The Final Review Committees may also review projects based on information provided through:

8. Applicant testimony (if all applicants were provided the opportunity to testify as provided during the Modal or Regional Review Committees' process);
9. Professional staff knowledge or analysis (if requested by the committee); and
10. Public comment received throughout the Modal and Regional Review Committee review process.

The Final Review Committee shall **not consider** information provided through:

- ▶ Any lobbying by the applicant or any other person outside of the Final Review Committee's public meetings. This includes any request for pre-approval by an applicant or other party.
- ▶ The Final Review Committee shall not require applicants to seek prior consultation or pre-approval of any projects, nor prioritize any project negatively due to any failure to consult with the committee prior to submitting an application.

- ▶ The Final Review Committee may or may not consider recommendations put forth by the Modal and Regional Review Committees for a reduced funding level of a project; however, the Final Review Committee shall not alter the scope of a project from that of the original project application.

3.2.5 Applicant Presentations

The Final Review Committee will **not** hear presentations from any applicants.

3.3 Final Recommendation Report

This Final Review Committee will provide the ODOT Director a Final Recommendation Report prioritizing projects.

4 OREGON TRANSPORTATION COMMISSION

The OTC will hold a public hearing on the recommended project list in July, 2016.

The OTC will make its project selection decision in August, 2016.

The exact dates, time, and locations for the OTC meetings will be posted on the *ConnectOregon* website once they are available.

5 CONTACT INFORMATION

5.1 ConnectOregon Staff:

Please use this address to send any review documents to the *ConnectOregon* staff.

Chris Cummings

Freight Planning Unit

555 13th Street NE, Suite 2

Salem, Oregon 97301-4178

Email: ConnectOregon@odot.state.or.us

5.2 Questions

Please direct all questions to:

ConnectOregon@odot.state.or.us

Or contact:

Chris Cummings at 503-986-3703

6 APPENDICES

The Appendices in this document provide *SAMPLE* versions of the respective document, agency staff; modal and regional reviewers will receive final versions of each form in Word or Excel prior to the start of the review period.

A-1 SAMPLE APPLICATION CHECKLIST

ConnectOregon V Application Checklist

Project Name: _____

Project Location: _____

Applicant: _____

Applicant Representative: _____

Reviewer Name: _____

Reviewer Phone: _____

Applicants must submit at least the Application, Tax Declaration form, Department of Revenue Tax Certification, Rail Certification, and Racial and Ethnic Impact Statement. Applicants who fail to submit these five documents will not move forward in the review process.

All applicable answers must be completed by the applicant. Applications that do not contain answers for all applicable questions will be scored accordingly. Further information from the applicant will not be sought.

This Application Checklist has been provided to assist applicants with providing key attachments. Carefully review your application utilizing the following checklist prior to submission to ODOT. The completed checklist must be submitted as part of each application.

Mandatory

<u>Staff</u>	<u>Applicant</u>	<u>N/A</u>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Application – all questions answered even if N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tax Declaration Form
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department of Revenue Tax Certification
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Racial and Ethnic Impact Statement
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rail Certification Form (if applicable)

Checklist Continued

Support Documentation - *Omission of requested attachments may negatively impact project score.

- | | | | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Question 6 – Project maps |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Question 15 – Property Owner Information form (if applicable) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Question 26 – Public plan consistency attachments |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Question 28 – Public agency support |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Question 33 – Measure of success support documentation |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Question 37 – Support documentation for system efficiency. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Question 39 – Business or organization commitment letters |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Question 42 – Safety support documentation |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Modal budget |

APPLICANT NOTES:

STAFF NOTES: _____

A-2 SAMPLE ELIGIBILITY/FEASIBILITY REPORT TEMPLATE

CONNECTOREGON VI ELIGIBILITY/FEASIBILITY REPORT FORM

Application Number: _____

Applicant Name: _____

Project Name: _____

Mode: _____

Applicant Administrative Eligibility:

- The Applicant is a Public Body or Person within the state of Oregon.
 - The Applicant, if applicable, has signed and submitted the Tax Declaration form
 - The Applicant has submitted the Department of Revenue Tax Certification
 - The Applicant has sufficient management and financial capacity to complete the Project including without limitation the ability to contribute 30 percent of the eligible Project cost.
 - The Applicant is not a railroad owner that operates a railroad wholly within the boundaries of Benton and Linn counties that: (A) Charges landowners a fee for an easement to cross a railroad that is necessary for the landowner to access the landowner's property; and (B) Has imposed or collected fees for such an easement on or after January 1, 2013.
-

Project Administrative Eligibility:

- The project is a Transportation Project that involves one or more of the following modes of transportation: air, marine, rail, public transit or bicycle/pedestrian.
 - The Project will assist in developing a multimodal transportation system that supports state and local government efforts to attract new businesses to Oregon or that keeps and encourages expansion of existing businesses.
 - The Project is eligible for funding with lottery bond proceeds under the Oregon Constitution and laws of the State of Oregon.
 - The Project will not require or rely upon continuing subsidies from the Department for ongoing operations.
 - The Project is not a public road or other project that is eligible for funding from revenues described in section 3a, Article IX of the Oregon Constitution, i.e. the State Highway Trust Fund.
 - The Project is feasible, including the estimated cost of the Project, the expected results from the proposed Project for each of the considerations as prescribed in 731-035-0060, the Project schedule, and all applicable and required permits may be obtained within the Project schedule.
-

Technical Feasibility

Does the cost estimate appear reasonable?

Yes No

Is timeline in relation to tasks not yet completed feasible?

Yes No

Are there any elements of the project that could cause unanticipated delays?

Yes No

Can all applicable and required permits be obtained as indicated in the schedule?

Yes No

Does the application package include documentation of the desire for and support of the Project from the businesses and entities to be served by the Project?

Yes No

Comments:

No Conflict of Interest Certification: I do not have any conflict of interest with the proposer submitting this project application. A conflict of interest may include any family members presently associated with a proposer, or any financial relationships with a proposer (does not include past employment). I have read and rated the project application independently, and without interference or pressure from anyone. I have not had conversation or other contact with the proposer concerning this project application since it was issued. I have noted any potential conflicts or concerns on this form."

FEASIBILITY/ELIGIBILITY EVALUATOR(s):

Name(s)

Date

A-3 ECONOMIC CONSIDERATION REVIEW FORM**ConnectOregon VI Economic Benefit Review**

Project Number : _____

Project Applicant: _____

Project Name: _____

Thank you for your participation in evaluating the economic benefit aspects of *ConnectOregon VI* applications. One of the six required “considerations” of the Oregon Transportation Commission when selecting applications for funding through the *ConnectOregon* program asks, “Whether a proposed transportation project results in an economic benefit to this state.” The “economic benefit” consideration will be used as one of three “strategic consideration” by the Oregon Transportation Commission in making their final funding decision. Inasmuch, final scoring for this consideration should be doubled.

Use the scoring sheet below as a quick guide to the application. In some instances, where the score is a simple calculation based on information provided in the application, the answer has been provided. The remaining questions require a critical review of the applicant’s answer before selecting an evaluation score based on the range of possible evaluations. Application instructions for questions requiring review are attached as guidance.

Calculation and comment areas are provided to show your work and note information critical to your evaluation: How you arrived at your score.

Save a completed electronic version of this document for each application you evaluate. Email signed evaluation forms to connectoregon@odot.state.or.us **no later than January 15, 2016.**

Section 1

Application Question #s	Evaluation Criteria	Individual Score	Final Score (Higher of 2) 0-3
39a*11 39d/[(19a2+19b)/1,000,000]	Long-term jobs multiplied by projects useful life = long-term job-years OR Private investment (\$) divided by [ConnectOregon VI request/1 million] = Private investment per \$ million requested from ConnectOregon		
<p>Point System:</p> <p>0 – no net positive impacts; 1 – potential net positive impacts; 2 – likely net positive impacts; 3 – significant net positive impacts</p>			
38	Does this project serve one or more of Oregon’s Statewide Business Clusters? [note in comments section which box(es) were checked and any other relevant details from the application]		
<p>Point System:</p> <p>0 – the project does not serve the identified business clusters; 1 – the project has the potential to serve identified business clusters; 2 – the project is likely to serve identified business clusters; 3 – the project will serve identified business clusters</p>			
<p>Calculations/Comments:</p>			

Section 2

Application Question #s	Evaluation Criteria	Individual Score	Final Score (Higher of 2) 0-3
40c/ [(19a2+19b)/1,000,000]	Short-run construction-related jobs divided by [ConnectOregon VI request/1 million] = construction related jobs per \$ million requested from ConnectOregon		
<p>Point System: 1 – less than 15 jobs per \$million requested; 2 – 15-23 jobs per \$million requested; 3 – greater than 23 jobs per million requested</p>			
41	Project area unemployment rate (from instruction table) compared to state unemployment rate		
<p>Point System: 0 – located in area with unemployment rate more than 2 percentage points <i>below</i> state average; 1 – located in area with unemployment rate 0-2 percentage points <i>below</i> state average; 2 – located in area with unemployment rate 0-2 percentage points <i>above</i> state average; 3 – located in area with unemployment rate more than 2 percentage points <i>above</i> state average</p>			
<p>Comments:</p>			

Section 3

Application Question #s	Evaluation Criteria	Individual Score	Final Score (Higher of 2) 0-4
37	Does this project improve Oregon’s transportation system efficiency and/or utilization in specifically identified ways? [note in comments section which box(es) were checked and any other relevant details]		
Point System: 0 – no positive impacts; 1– unlikely to make positive impacts; 2 – potential positive impacts; 3 – likely positive impacts; 4 – significant positive impacts			
42	Does the project improve safety? [briefly note in comments section the documentation or explanation required for a “yes” answer that was provided]		
Point System: 0 – no positive impacts; 1 – unlikely to make positive impacts; 2 – potential positive impacts; 3 – likely positive impacts; 4 – significant positive impacts			
Comments:			

Review of Economic Benefit to the State

Final Point Calculation

Section 1 (no more than 3)	points
Section 2 (no more than 3)	points
Section 3 (no more than 4)	points
Total (no more than 10)	Points
Strategic Consideration	Points
Multiple Total above by 2	

Reviewer Name: _____

Reviewer Agency: _____

Date of Review: _____

A-4 STATUTORY CONSIDERATION REVIEW FORM

ConnectOregon VI – Statutory Considerations Review

Project Number: _____

Project Name: _____

Project Reviewer: _____

On the following pages, tables are provided indicating which application questions relate to the identified consideration. A given question may relate to more than one consideration, and will appear under each relevant consideration.

Consideration (a) - Whether a proposed transportation project reduces transportation costs for Oregon businesses or improves access to jobs and sources of labor

Item No.	Brief Description of Question (from Application)	Points	Appraiser's Score
<p>* Items are evaluated in pairs with a shared point value.</p> <p><i>* To determine the score of questions with a shared point value, score each question separately, then select the highest of the two scores as the "appraiser's score."</i></p>			
34	Industrial or employments connections	*3	
35	Linking workers to jobs		
33	Measurement of Success (Improved use and efficiency)	*4	
42	Safety		
32	Transportation Connections	*3	
38	Serving Business Clusters		
TOTAL AVAILABLE POINTS – Consideration "a"		10	
<p>"Strategic Consideration"</p> <p>Multiple Total above by 2</p>			
<p>Point System for 34, 35, 32, and 38: 0 – No positive benefit; 1 – Potential positive benefit; 2 – Likely positive benefit; 3 – Significant positive benefit.</p> <p>Point System for 33 and 42: 0 – No positive impacts; 1 – Unlikely to make positive impacts; 2 – Potential positive impacts; 3 – Likely positive impacts; 4 – Significant positive impacts.</p> <p><i>* To determine the score of questions with a shared point value, score each question separately, then select the highest of the scores as the "appraiser's score."</i></p>			
<p>COMMENTS</p>			

Consideration (c) - Whether a proposed transportation project is a critical link connecting elements of Oregon’s transportation system that will measurably improve utilization and efficiency of the system.

	Item No.	Brief Description of Question (from Application)	Points	Appraiser’s Score
* Items 34 and 36 are evaluated together with a shared point value				
	34	Industrial or employments connections	*3	
	36	Linking populations to medical care, social services, or shopping		
* Items 33 and 44 are evaluated together with a shared point value and Items 32 and 37 are evaluated together with a shared point value.				
	33	Measurement of Success (Improved use and efficiency)	*4	
	42	Safety		
	32	Transportation Connections	*3	
	37	Improve system efficiency and utilization		
TOTAL AVAILABLE POINTS – Consideration “c”			10	
“Strategic Consideration” Multiple Total above by 2				
<p>Point System for 34, 36 and 32, 37: 0 – No positive benefit; 1 – Potential positive benefit; 2 – Likely positive benefits; and 3 – Significant positive benefits.</p>		<p>Point System for 33 and 42: 0 – No positive impact; 1 – Unlikely to make positive impact; 2 – Potential positive benefits; 3 – Likely positive benefits; and 4 – Significant positive benefits</p>		
* To determine the score of questions with a shared point value, score each question separately, then select the highest of the scores as the “appraiser’s score.”				
<p>COMMENT:</p>				

Consideration (d) - How much of the cost of a proposed transportation project can be borne by the applicant for the grant from any source other than *ConnectOregon*

Item No.	Brief Description of Question (from Application)	Points	Appraiser Score
Various	Applicant will provide 30% match only	2	
Various	Applicant will provide between 31% to 45% match	4	
Various	Applicant will provide between 46% to 60% match	6	
Various	Applicant will provide > 60% match	10	
TOTAL AVAILABLE POINTS – Consideration “d”		10	
COMMENT:			

Consideration (e) - Whether a proposed transportation project is ready for construction.

Item No.	Brief Description of Question (from Application)	Points	Appraiser's Score
For this consideration, assume a grant execution date of <u>September, 2016</u>.			
Various	Project is ready to start 6 months after grant agreement execution.	10	
Various	Project is ready to start 12 months after grant agreement execution.	7	
Various	Project is ready to start 18 months after grant agreement execution.	4	
Various	Project where major necessary elements are not evident. (e.g. No indicated knowledge of necessary permits, no documented contact with permitting agencies, not in TSP, not in Airport Layout Plan, undocumented ability to obtain match, etc.)	-5	
Various	Project where property is not owned by applicant and negotiations are not underway.	-10	
TOTAL AVAILABLE POINTS – Consideration “e”		10	
Comments:			

As all projects are not construction projects ODOT uses the following definition for project readiness when scoring and ranking projects.

Whether a Project is ready **to begin elements of work necessary to commence with construction in a reasonable timeframe**, or if the Project does not involve construction, whether the Project is ready for implementation.

Staff and review committees all the following information plus other knowledge when determining project readiness.

- Permitting • Match financing • Plan inclusion where necessary
- Land use approval • Applicant capacity

A-5 SCORE SUMMARY AND TIER FORM

PROJECT #:

APPLICANT:

PROJECT NAME:

<u>Application Tier:</u>

FINAL POINT CALCULATION

	AVAILABLE POINTS	TOTAL SCORE
Consideration a –	Maximum 20 Points	
Consideration b –	Maximum 20 Points	
Consideration c –	Maximum 20 Points	
Consideration d –	Maximum 10 Points	
Consideration e –	Maximum 10 Points	
Consideration f –	Maximum 10 Points	
Maximum Available Points = 90		

<u>Points</u>	<u>Tier</u>
71-90	1
51-70	2
31-50	3
0 - 30	4

Note

Scoring for Considerations a, c, d, e, and f was conducted by *ConnectOregon* staff including Oregon Department of Transportation (ODOT) for rail, transit, and bicycle/pedestrian, Oregon Business Development Department (OBDD) for marine, and Oregon Department of Aviation (ODA) for aviation staff. Scores and reviews are based on modal expertise and knowledge as well as information provided by the applicant in the application.

Scoring for Consideration b was conducted concurrently by Oregon Department of Transportation economists and Oregon Business Development Department Business Development Officers for each application. Where scores by each scorer differed by 1 point, the higher of the two was awarded. Where scores by each scorer differed by 2 points, the middle score was awarded. Applications that were awarded with scores that differed by more than two points were re-evaluated jointly with the final settlement score used for tiering purposes.

A-6 SAMPLE REVIEW COMMITTEE PROJECT REPORTS TEMPLATE

[Mode or Region] Review Committee Report	
Tier (1-4):	Assigned Priority
Project:	#
Requested Funds:	
Region:	
Report Date:	
Jobs Created:	
Projected Start Date:	
Projected Completion Date:	
Project Description:	
Review Comments:	

A-7 SAMPLE REVIEW COMMITTEE MATRIX TEMPLATE

The table below is a sample of the fields that will be used on the review matrix provided to the Modal and Regional Review Committees. The final version will be a Microsoft Excel spreadsheet.

The application number, name, and funds requested columns will be completed by ConnectOregon staff. The “Tier” column will be completed by Modal or Regional Review Committee staff. The priority column will record the actions of the committee.

App #	Project Name / Description	Total ConnectOregon Funds Requested (\$)	Tier	Priority
	Sample	\$1,000,000		

A-8 REGIONAL SOLUTIONS TEAM TEMPLATE

Regional Solutions Team Review	
Project Number:	Tier #
Project Name:	
Requested Funds:	
ODOT Region:	
RST Region:	
Date Reviewed by RST:	
Project Description:	
<p>Does the project support regional priorities identified by the Regional Solutions Advisory Committee?</p> <p>Yes ____ No ____</p>	
<p>Please describe how the project supports the regional priority (or priorities) and/or provide other comments.</p>	