



U.S. Department  
of Transportation

Federal Transit Administration  
Region III  
1760 Market Street, Suite 500  
Philadelphia, PA 19103  
215-656-7100  
215-656-7260 (fax)

Federal Highway Administration  
DC Division  
1990 K Street, N.W., Suite 510  
Washington, DC 20006  
202-219-3570  
202-219-3545 (fax)

SEP 15 2015

Mr. Leif Dormsjo, Director  
District of Columbia Department of Transportation  
55 M Street, SE  
Washington, D.C. 20003

**Re: Fiscal Year 2015-2021 Statewide Transportation Improvement Program**

Dear Mr. Dormsjo:

In accordance with 23 CFR 450.218, the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) have jointly reviewed the District of Columbia's FY2015-2021 Statewide Transportation Improvement Program (STIP) that includes highway and transit projects to be Federally funded or approved by FTA and FHWA in the District of Columbia. Based on this review, we find the STIP and its development process are adequate in meeting the requirements of 23 U.S.C. 134 and 135, 49 U.S.C. 5303- 5305, 23 CFR Part 450 (Subparts B and C) and 49 CFR Part 613 (Subparts B and C) subject to certain corrective actions being taken.

The corrective actions that are required to continue ensuring that the STIP and planning programs substantially meet applicable Federal requirements are listed in the attached Statewide Planning Finding. We request that the District of Columbia Department of Transportation (DDOT) provide an action plan by October 31, 2015 that prioritizes the action items and establishes a schedule for their completion. Accordingly, as requested in your letter of August 18, 2015, we find the District of Columbia FY2015-2021 STIP was developed consistent with the statewide and metropolitan planning provisions and is hereby approved subject to the corrective actions being taken.

FHWA and FTA look forward to continued coordination with DDOT. If you have any questions, please direct them to either Ms. Sandra Jackson, Community Planner, of the FHWA, DC Division, at (202) 219-3521 or Ms. Melissa P. McGill, Community Planner, of the FTA Region III DC Metro Office, at (202) 219-3565.

Sincerely,

Terry Garcia Crews  
Regional Administrator, Region III  
Federal Transit Administration

For Joseph C. Lawson  
DC Division Administrator  
Federal Highway Administration

Encl: Statewide Planning Finding

**FHWA District of Columbia Division/FTA Region III Review Documentation  
in support of the  
FHWA/FTA TRANSPORTATION STATEWIDE PLANNING FINDING  
and approval of the  
DISTRICT OF COLUMBIA'S District Department of Transportation (DDOT)  
FY2015-FY2021 STATEWIDE TRANSPORTATION IMPROVEMENT  
PROGRAM**

**Introduction**

In order to approve the Statewide Transportation Improvement Program (STIP), including Transportation Improvement Programs (TIPs) contained directly or by reference in the STIP, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must make a finding that the STIP is based on a statewide transportation planning process that meets or substantially meets the requirements of 23 USC 134 and 135, 49 USC 5303 and 5304, and 23 CFR 450.218 (see 23 CFR 450.2128(b) and 23 USC 135(g)).

The joint FHWA/FTA planning regulations establish the timeframe for a planning finding and STIP approval to be made at least every four years. The last joint STIP approval was made in April 2011. The District's element of the National Capital Region's Metropolitan Transportation Improvement Program (TIP) has served as the District's STIP including amendments in previous STIP cycles. This is DDOT's first stand-alone STIP document to comprehensively update project and funding information in the District of Columbia.

In addition to Federally and locally funded projects for DDOT, the District's STIP also includes project listings for the Washington Metropolitan Area Transit Authority (WMATA), National Capital Region Transportation Planning Board (TPB) and Eastern Federal Lands Highway Division (EFLHD) in the region's TIP. Therefore, any amendment requests for the WMATA, TPB or EFLHD portions of the region's TIP should also be included in all subsequent STIP's.

This is documentation of the review conducted to support the statewide planning finding and STIP for the District Department of Transportation's Fiscal Year (FY) 2015-2021. We found that the STIP and its development process are adequate in meeting the requirements of Sections 134 and 135 of Title 23 of the United States Code, subject to certain corrective actions being taken.

**Background**

In a letter dated August 18, 2015, the Director of the DDOT submitted the STIP, which included the self-certification required by 23 CFR 450.218(a). FHWA and FTA have reviewed the documentation, as well as the planning processes supporting it in order to issue the planning finding and approve the STIP.

This finding and approval is also based on FHWA's and FTA's ongoing involvement in and knowledge of the statewide and metropolitan planning processes, the gathering and review of information through meetings, and discussions with the DDOT and others that have been ongoing since the last STIP approval.

### **State Self-Certification**

Self-certification statements by the State and the MPOs are important components of the STIP development process and are necessary to support the planning finding and STIP approval. These statements certify that the statewide processes are being carried out in accordance with all applicable requirements.

At the time the STIP or STIP amendments are submitted, the State shall certify that the transportation planning process is being carried out in accordance with all applicable requirements of the provisions of the ADA and Section 504 of the Rehabilitation Act. 23 CFR 450.218(a)(6), (10). So, every four years the State is certifying that they meet the requirements of the ADA and Section 504, which in the planning process would include transition plans.

### **Observations/Findings:**

While the STIP includes the Statement of Self-Certification, an explanation of its purpose and process for development would be useful to the reader. DDOT should revisit their procedures for certifying the statewide planning process to ensure their review and approval of the certifications are clearly defined and the DOT's basis for the certification is documented. Also, an FHWA Title VI compliance review was conducted by FHWA Headquarters Office of Civil Rights in February 2013 where DDOT was found in deficiency status. FHWA provided DDOT with a report detailing deficiencies and recommended actions and DDOT developed a corrective action plan to correct the deficiencies identified and to revise DDOT's Title VI/Nondiscrimination Program. For example, DDOT does not meet the requirements of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (6), (10), because DDOT has not completed the required ADA Transition Plan. DDOT is currently working on the ADA Transition plan and has reported a projected completion date of mid October 2015. DDOT is also continuing to work on the ADA inventory for the District with a projected completion date of 2017. Hence, DDOT does not have an FHWA approved Title VI plan at this time.

### **Financial Constraint/Fiscal Constraint**

FHWA and FTA review the STIP to determine if it is financially constrained and that funds are available to carry out the program based upon information provided by DDOT. The STIP is required to be financially constrained by year and funding category, and include sufficient financial information to demonstrate which projects are to be implemented using proposed revenue sources, while federally-supported facilities are being adequately operated and maintained. Likewise, each project in the STIP, or identified phase thereof, must include an estimated cost along with the amount of Federal funds proposed to be obligated in each program year.

## **Observations/Findings:**

**Demonstration of Fiscal Constraint** – For purposes of transportation operations and maintenance, the STIP must include financial information containing system-level estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and maintain Federal-aid highways and public transportation (23 CFR 450.216). While DDOT's STIP states that it is fiscally constrained, it is not demonstrated in a way that it can be interpreted by the public, nor is the reader able to determine that the operation and maintenance of federally-supported facilities is a priority. DDOT needs to develop and document in the STIP, its standard procedure for ensuring fiscal constraint of the STIP such that Federal-aid facilities are being adequately operated and maintained.

**Year of Expenditure Dollars** - Revenue and cost estimates for the STIP must use an inflation rate(s) to reflect "year of expenditure dollars" based on reasonable financial principles and information (23 CFR 450.216). DDOT needs to develop a documented standard procedure to ensure that year of expenditure dollars are used in the project cost estimates for the STIP. In addition, DDOT should develop financial information to demonstrate which projects are to be implemented using current and /or reasonably available revenues by documenting the source and assumptions embedded in the cost estimates as they are entered into the STIP and planned for obligation. FHWA and FTA are recommending changes to the STIP to assist in determining fiscal constraint in future STIP updates.

**Total Project Costs** - In the past, a broader interpretation of Federal regulations provided flexibility such that total project cost could be interpreted as total cost per project phase within the TIP/STIP. However, recent clarification provided by FHWA distinctly states that total project cost is defined as the total cost for all phases of a project. As a result, total project costs in STIP will have to be addressed in all future updates to the STIP. In general, the STIP must include the estimated total project cost(s) for each project, which may extend beyond the timeframe of the STIP in accordance with 23 CFR 450.324(e)(2). In reviewing the STIP, it was observed that the projects shown in the document display the estimated costs accounted for during the six year timeframe. As a result, the STIP does not reflect the total project costs. DDOT should review and adjust (if necessary) the STIP display to include total cost so readers can easily see the total cost of the project and its elements by year.

## **Consistency with Statewide Multimodal Transportation Plan**

MoveDC is the long-range, statewide multimodal plan that lays out an overarching vision and goals for transportation for the District of Columbia. It identifies transportation investment priorities and provides direction on strategies and programs to be incorporated into plans and projects. The District plans to make a significant investment in bicycling to support growth over the next 25 years. The complete network would be over 343 miles of dedicated bicycle infrastructure. Beyond trails and bike lanes, Move DC calls for a range of other initiatives including: expanding bike sharing, more public education, increased coordination on enforcement, and several policy recommendations beyond physical infrastructure.

## **Observations/Findings:**

DDOT's STIP is consistent with the long-range statewide multimodal plan.

### **STIP Content**

In accordance with 23 CFR 450.216(g), the STIP includes capital and non-capital surface transportation projects (or phases of projects) proposed for funding under 23 USC. Further, in accordance with 23 CFR 450.216(h), the STIP includes all regionally significant projects proposed to be funded by FHWA or FTA or requiring an action by FHWA or FTA. Likewise, the STIP includes all regionally significant projects to be funded by others. In accordance with 23 CFR 450.216(i), the project-level information in the STIP includes sufficient descriptive information to identify the project, its scope, and phase. The STIP also includes projects administered by WMATA, TPB and EFLHD, and they have been incorporated directly into the STIP without change.

### **Observations/Findings:**

**Annual Listing of Obligations** - DDOT's STIP does include all such type of investments and all areas of the State are covered. However, 23 USC 135 (g) (4) and 49 USC 5304 (g)(4) states Federally funded surface transportation expenditures within the boundaries of the State, include an annual listing of projects for which funds have been obligated in the preceding year in each planning area and that the listing of projects be consistent with the statewide transportation plan. The DDOT STIP does not have a listing of previously obligated projects.

**Reader Friendly Content** - The STIP's narrative description of the policy, standards, criteria and procedures for development, adoption and management of the STIP was unclear and assumes the reader has a great deal of knowledge about the STIP and DDOT's budget development processes. The STIP narrative should define and explain the regulations and processes in a meaningful way, that is clear and reader friendly, even to the transportation uninformed. Just stating the section of Federal code or that something is required by the Federal government is not helpful to understand the process. Basic knowledge of the planning, programming, project selection, project scoping, and cost estimating process for instance, should be presented so that each requirement can be addressed and understood in the STIP document. Simply adding verbiage to explain how to read the STIP would be helpful. Also, given that the Federal apportionment-based estimates are always higher than the obligation limits that will actually control the amount expended each year, the STIP narrative should explain DDOT's specific budget/revenue process and not just state what is required by the regulations.

### **Corrective Actions:**

FHWA/FTA will continue to work with DDOT to address and implement improvements to the STIP process and document to help refine current processes to more effectively meet Federal requirements. These areas include but are not limited to the following:

- Self-certification explanation and documentation
- Development of Year of Expenditure and Total Project Cost Estimating Standards,
- Demonstration of financial constraint,

- Inclusion of an Annual List of Obligations, and
- Reader-friendly content

While progress has been made from previous DDOT STIP submissions, it is imperative that we strive for continual improvement with mutually agreeable resolutions as identified in this report. We are requesting a corrective action plan be provided by October 31, 2015 that prioritizes the action items and establishes a schedule for their completion.

### **Conclusion and Finding**

Based upon our review documented above, FHWA and FTA hereby determine that the District of Columbia's FY2015-FY2021 STIP is based on a statewide transportation planning process that adequately meets the requirements of 23 USC 134 and 135, 49 USC 5303 and 5304, and 23 CFR 450, subject to the corrective actions being taken.