



## MEMORANDUM

**To:** STP Project Selection Committee  
CMAQ and TAP-L Project Selection Committee

**From:** CMAP Staff

**Date:** August 25, 2022

**Subject:** Preliminary Engineering Requirements

**Purpose:** Staff requests committee discussion of the below options for modifications to preliminary engineering requirements.

**Action Requested:** Discussion

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The preliminary engineering phase of a transportation project establishes the purpose and need for a project, determines the potential for environmental and cultural impacts from the project, analyzes alternatives, and provides an opportunity for the public to be involved in decision-making about the project. All of this work solidifies the scope of a project, the schedule for design, land acquisition, and construction, and the estimated cost of the project. For these reasons, substantial completion of preliminary engineering plays a critical role in ensuring accurate programming of project funding.

However, it is also recognized that there is an expense to completing preliminary engineering, and that not all project sponsors are willing to risk these expenses when no funding has been identified for completing a project. There is also a time limit to the validity of environmental and cultural clearances, and having to update these clearances adds additional time and cost to projects. Finally, this requirement established by CMAP puts a review burden on IDOT and other regulatory agencies for projects which may not be viable.

To balance these concerns, staff explored options for preserving the benefits of completed engineering while recognizing the real-world process constraints, and requests committee discussion of these options.

### Option 1: Restrict future cost increases

Accept applications for projects that have started, but not substantially completed preliminary engineering, but restrict the eligibility for future cost increase consideration according to the degree of completion:

Degree of completion*	Eligibility for future cost increases**
Complete	Up to 100% of initially programmed funding
Nearly complete	Phase 2 not eligible for increases. ROW and CON/CE eligible for increases up to 50% of initially programmed funding.
Substantially complete	ROW not eligible for increases; CON/CE eligible for increases up to 25% of initially programmed funding.
Underway	Not eligible for any cost increases
Not started	N/A - Not eligible to apply for funding

\*See definitions below

\*\*Subject to funding availability/fiscal constraint

Pros: Allows more applications to be submitted; Allows sponsors confident in their cost estimates to delay finalizing preliminary engineering to avoid expiration of environmental clearances; May reduce some of the IDOT/regulatory review burden

Cons: Places financial risk on sponsors; Requires additional tracking of eligibility for future increases

#### Option 2: Conditional out year programming

Accept applications for projects that have started, but not substantially completed preliminary engineering, but limit the earliest year for programming subsequent phases according to the degree of preliminary engineering completion:

Degree of completion*	Earliest** design and/or ROW funding year	Earliest** construction funding year
Complete	Year 1	Year 2
Nearly complete	Year 2	Year 3
Substantially complete	Year 3	Year 4
Underway	Year 4	Year 5
Not started	N/A - Not eligible to apply for funding	

\*See definitions below

\*\*Subject to funding availability/fiscal constraint

For projects “substantially complete” or “underway”, the status of preliminary engineering will be reassessed during the next scheduled call for projects cycle, and if not elevated to “complete” or “nearly complete”, the programmed funding will be withdrawn, and the project will have to wait another cycle to reapply for funding.

At any point after initially being programmed, once a status of “complete” is obtained, subsequent programmed phases would be eligible to be actively reprogrammed into earlier years according to the region’s APM policies and procedures.

Pros: Allows more applications to be submitted; Provides a checkpoint for progress; May reduce some of the IDOT/regulatory review burden

Cons: Does not address concerns regarding accuracy of cost estimates

#### Option 3: Restrict phases eligible for funding

Accept applications for projects that have started, but not substantially completed preliminary engineering, but restrict the phases eligible for funding according to the degree of completion:

Degree of completion*	Phases eligible for funding consideration
Complete	Design (phase 2) engineering, ROW, construction, and construction (phase 3) engineering
Nearly complete	Design (phase 2) engineering, ROW, construction, and construction (phase 3) engineering
Substantially complete	ROW, construction, and construction (phase 3) engineering
Underway	Construction, and construction (phase 3) engineering
Not started	N/A - Not eligible to apply for funding

\*See definitions below

Pros: Allows more applications to be submitted; Provides incentive (more phase eligibility) for reaching substantial completion; May reduce some of the IDOT/regulatory review burden

Cons: Increases financial burden on sponsors; Does not address concerns regarding accuracy of cost estimates

#### Option 4: No changes

Continue to restrict application eligibility to projects that have reached substantial completion of preliminary engineering, with no restrictions on programming years, eligible phases, or future cost increase eligibility.

## Definitions: Degree of completion

Degree of completion	Status of preliminary engineering
Highway (projects processed through IDOT)	
Complete	Design approval received
Nearly complete	IDOT has confirmed that a final Project Development Report has been submitted for signatures
Substantially complete	A preliminary PDR (or equivalent) has been submitted to IDOT for review, the project has been presented at a State/Federal Coordination meeting, a CE determination has been made, and FHWA concurrence of environmental processing has been given (not required for State Approved Categorical Exclusions), and the IDOT Bureau of Design and Environment (BDE) has completed the Environmental Survey Request (ESR) review (if required) and documentation of the environmental investigations, associated coordination, and any commitments made are included in the draft PDR
Underway	<p>The project has been presented at a State/Federal Coordination meeting, a CE determination has been made, and FHWA concurrence of environmental processing has been given (not required for State Approved Categorical Exclusions), and the IDOT Bureau of Design and Environment (BDE) has completed the Environmental Survey Request (ESR) review (if required).</p> <p>--OR--</p> <p>A final Planning and Environmental Linkages (PEL) report prepared in accordance with IDOT Bureau of Design and Environment (BDE) Manual section 11-7.04 has been completed documenting the project Purpose and Need, Alternatives to Be Carried Forward, and public involvement and there are no further comments from any Federal or state resource agencies</p>
Transit (projects processed through FTA)	
Complete	Record of Decision (ROD) obtained for completed EIS, FONSI obtained for completed EA, or written documentation from FTA classifying the action as a categorical exclusion with no unusual circumstances.
Nearly complete	Written documentation from FTA classifying the action as a categorical exclusion with no unusual circumstances.
Substantially complete	Draft EIS or Draft EA has been released for public and regulatory agency reviews; or, for CEs with potential unusual circumstances, all appropriate environmental studies are complete.
Underway	For projects requiring an EIS or EA, project scoping is complete (purpose and need, range of alternatives and impacts, and significant issues to be addressed are defined). For CEs with potential unusual circumstances, drafts of all appropriate environmental studies are under public and/or regulatory agency review.