



Bipartisan Infrastructure Law (BIL) Discretionary Funds Overview

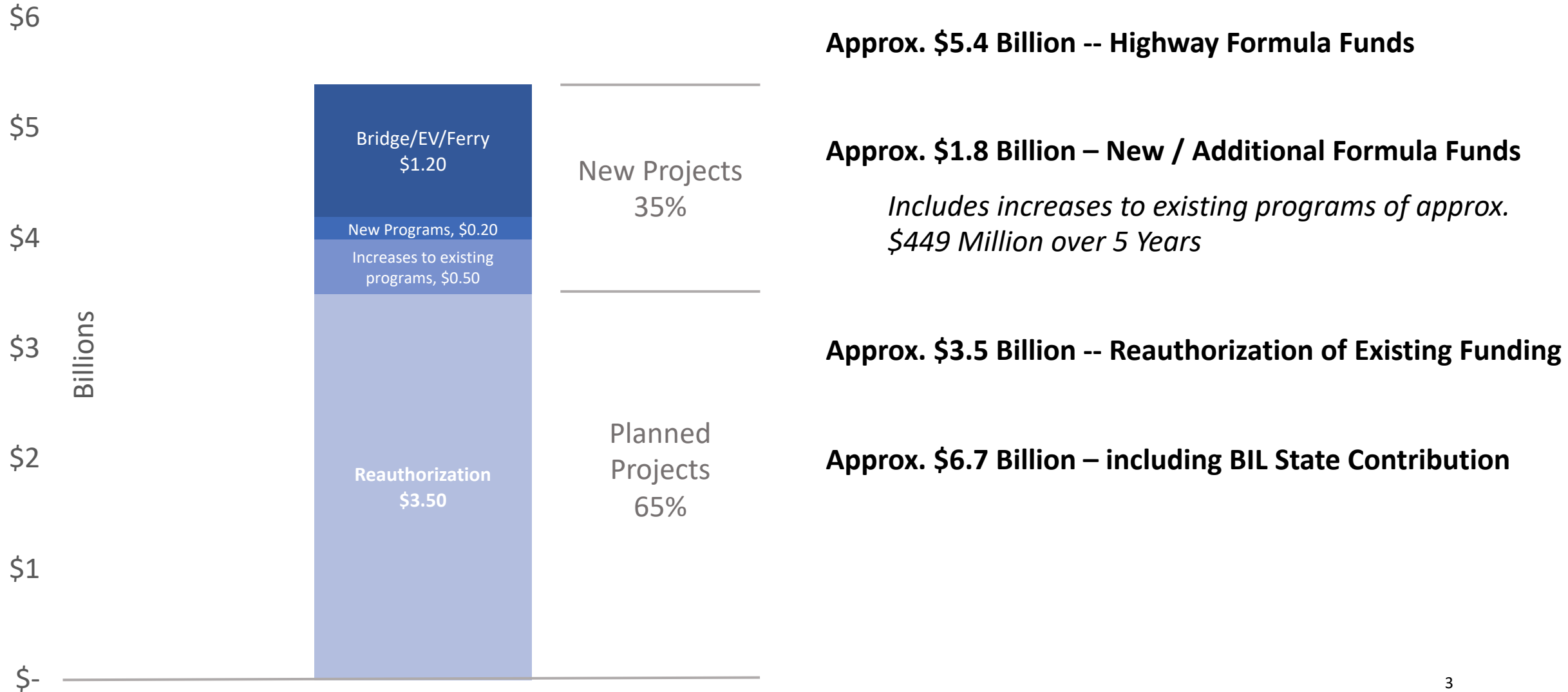
May 18, 2022

Overview of the Bipartisan Infrastructure Law (BIL)

Approximately \$5.4B in highway formula funds, \$580M in MBTA formula funds, and \$1.38B for EEA

- The Bipartisan Infrastructure Law is **the five-year reauthorization** of the surface transportation federal funding programs for highway and transit.
 - MassDOT - **~\$3.5B is the reauthorization** of the existing funding, **\$1.8B in new/additional formula funds**, which includes existing programs of approximately **\$449M** over five years.
 - MBTA - an estimated increase of **\$580M** over five years.
 - EEA – BIL includes **\$1.38B in formulaic and discretionary** programs that support energy and environmental work in Massachusetts.
- Because this is a reauthorization bill, a process and timeline already exist for the distribution of the highway, MBTA, and other Transit funds. BIL also includes over **\$110B in discretionary grant programs** that MassDOT will aggressively pursue based on grant criteria, project eligibility and formal guidance from our federal partners.
 - Previously existing discretionary programs will, for the most part, follow known guidance – teams are already working on possible applications.
 - New programs and new discretionary grants are still developing/guidance is not available.

BIL Impact on Federal Funding



Breakdown of New and Existing Programs

- **Approx. \$1.8 Billion in New Formula Funding Expected (5 Year Total)**

Increases to Existing Programs	\$449M	
Carbon Reduction	\$93.7M	<i>New Program</i>
PROTECT*	\$106.5M	<i>New Program</i>
Bridge	\$1.125B	<i>New Bridge Funding</i>
EV	\$63.5M	<i>New Program</i>
Ferry	\$9.1M	<i>New Ferry Funding</i>
	<hr/>	
	\$1.8B	

*Promoting Resilient Operations for Transformative, Efficient and Cost-Saving Transportation (PROTECT)

All About BIL Discretionary Programs/Grants

\$110B+ in funding in “grants”

Background:

- The BIL provides for a large increase in discretionary funding
- BIL provides for over **\$110B in competitive discretionary grants to be over seen by USDOT – these funds are to be distributed over 5 years and are eligible to governmental agencies in all 50 states, US territories and tribal lands**
- There are no earmarks in this bill, so all states will be competing for funds for projects beyond those formula/state of good repair

What we are anticipating:

- The BIL provides a large amount of funding for existing grants (RAISE, INFRA, CRISI) and for new grants.
- MassDOT has been preparing for this and will be ready to take advantage of every funding opportunity

State Considerations:

- These grants **will require a match**. In the past, the larger the grant percentage/share of state participation, the more competitive the grant
- Because of this, MassDOT has included \$3.55B in funds to match discretionary awards in the new transportation bond bill, MasSTRAC
- All these grants will work the same administratively and go through the MPO Process
- We know little about the new grant programs, we will continue to follow guidelines as they develop



New and/or Greatly Expanded Discretionary Programs

These amounts are over 5 years and for all 50 states

BIL Discretionary Programs*	
National Infrastructure Project Assistance (MEGA)	\$5B
Rebuilding American Infrastructure Assistance (RAISE)	\$7.5B
Nationally Significant Freight and Highway Projects (INFRA)	\$7.25B
Bridge Grant Program	\$12.5B
Safe Streets and Roads for All	\$6B
FRA Consolidated Rail Infrastructure and Safety Improvement (CRISI)	\$5B
Railroad Crossing Elimination Program	\$3B
Promoting Resilient Operations for Transformative, Efficient and Cost-saving Transportation (PROTECT)	\$1.4B
Reconnecting Communities Pilot Program	\$1B
Strengthening Mobility and Revolutionizing Transportation Grant Program (SMART)	\$1B
Healthy Streets	\$500M
Construction of Ferry Boats and Ferry Terminal Facilities Program	\$342M
Congestion Relief Program	\$250M
Reducing Truck Emissions at Ports	\$250M
Stopping Threats on Pedestrians	\$250M

*list is not comprehensive and some programs are still under development



Bipartisan Infrastructure Law (BIL) Overview

Jillian Linnell

May 18, 2022



Bipartisan Infrastructure Law | Overview

- Authorizes up to \$108 billion nationally for public transportation, including \$91 billion in guaranteed funding over the five-year period (FFY22-26)
- Reauthorizes existing surface transportation programs and appropriates specific funding for certain categories of spending
 - Congress establishes the funding for Federal Transit Administration (FTA) programs through authorizing legislation that amends Chapter 53 of Title 49 of the U.S. Code
 - The Bipartisan Infrastructure Law (BIL) reauthorizes surface transportation programs for FY 2022-2026 and provides advance appropriations for certain programs
- The public transit section of the Bipartisan Infrastructure Law (BIL) provides funding through two channels (1) Federal formula programs and (2) discretionary or competitive grant programs
 - The MBTA will continue to seek out and apply for all eligible competitive funding opportunities, including those managed by the FTA, FHWA, FRA, EPA, etc.
- The FTA has announced four key priorities for public transportation under the legislation: (1) Safety, (2) Modernization, (3) Climate and (4) Equity



Bipartisan Infrastructure Law | Formula Funding

- Predictable formula funding enables transit agencies to better manage long-term assets and address the backlog of state of good repair needs.
 - Each grant program specifies eligible recipients, eligible activities and a local match requirement
 - Annually, Congress appropriates funds, FTA then publishes a Notice in the Federal Register that provides an overview of the apportionments and allocations for the various programs
 - Depending on the program, designated recipients enter into a “split letter” to determine specific funding allocations within the urbanized area (UZA)
 - Direct recipients of Federal funds must take on responsibility for complying with all FTA regulations
- The MBTA is eligible and receives Federal formula funds through three programs:
 - **Urbanized Area Program (Section 5307)** - Funds made available for transit capital and operating assistance in urbanized areas with a population of 50,000 or more. Funds are split between the MBTA and other RTA's within the Boston UZA.
 - **Buses and Bus Facilities (Section 5339)** - Funds to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities. Funds are split between the MBTA and other RTA's within the Boston UZA.
 - **State of Good Repair (Section 5337)** - Provides capital assistance for maintenance, replacement, and rehabilitation projects of high-intensity fixed guideway and bus systems to help transit agencies maintain assets in a state of good repair. Additionally, SGR grants are eligible for developing and implementing TAM plans.



Formula Funding | MBTA Estimates

- The Bipartisan Infrastructure Bill establishes a new baseline for Federal Formula funds
 - Previous funding levels were established in the Fixing America’s Surface Transportation (FAST) Act of 2015, and these funding levels were *previously* used to estimate available sources in *last year’s* FY22-26 Transportation Improvement Program (TIP).
- The following values are estimates based on information released by the House Committee on Transportation and Infrastructure and show an estimated increase of \$580M over five years, which is an additional \$109M - \$124M each year.

FFY22-26 TIP - Annual MBTA Funding Assumptions (\$M)

As programmed in the MBTA's FY22-26 TIP

FTA Formula Funds	FFY22	FFY23	FFY24	FFY25	FFY26	FFY22-26 Total
5307/5340 Funding	\$149.8	\$152.4	\$155.0	\$157.7	\$160.4	\$775.3
5337 Funding	\$151.1	\$153.7	\$156.3	\$159.0	\$161.7	\$781.7
5339 Funding	\$6.2	\$6.3	\$6.4	\$6.5	\$6.6	\$32.1
	\$307.1	\$312.4	\$317.7	\$323.2	\$328.7	\$1,589.1

FFY22-26 FTA Highway Trust Fund and General Fund Authorization by Urbanized Area for the Infrastructure Investment and Jobs Act (\$M)

Based on figures published by the House Committee on Transportation and Infrastructure, including General Fund amounts. Assumes historical allocations between the MBTA and other RTA's within the Boston UZA.

FTA Formula Funds	FFY22	FFY23	FFY24	FFY25	FFY26	FFY22-26 Total
5307/5340 Funding	\$184.8	\$188.7	\$193.7	\$197.7	\$202.7	\$968
5337 Funding	\$225.4	\$229.3	\$234.3	\$238.4	\$243.5	\$1,171
5339 Funding	\$5.8	\$6.0	\$6.3	\$6.4	\$6.7	\$31
	\$416.0	\$424.0	\$434.3	\$442.5	\$453.0	\$2,169.8
Difference	\$108.9	\$111.6	\$116.5	\$119.4	\$124.3	\$580.7

- Numbers may be updated once FTA publishes a Notice in the Federal Register
- Current estimates use historical split percentages between the MBTA and other RTA’s within the Boston UZA for Section 5307 and 5339 and assume a General Fund allocation of Section 5337 funds.
- Transit formula funding amounts are subject to change resulting from the 2020 census or from annual transit service data reported to FTA’s National Transit Database (NTD)



Federal Discretionary Grants



The Bipartisan Infrastructure Law (BIL) included new and reauthorized existing transit and infrastructure **competitive grant programs** that the MBTA will be eligible to apply for over the 5-year timeframe of the authorization

The MBTA will aggressively pursue all eligible discretionary funding opportunities in BIL. To accomplish this goal we will, (1) proactively identify grant opportunities, (2) identify competitive projects and (3) develop and submit strong applications

Project Selection for Grant Opportunities

The MBTA will strive to pursue funding for projects that align with the MBTA's stated goals, strategic mission, and the 5-year CIP which is the MBTA's statement of priorities for capital investments

- The annual CIP development process will continue to establish the pool of projects for which the agency may develop a discretionary grant application
- In some cases, awarded funds will allow the MBTA to reallocate previously programmed funds and in other cases, awards may go to unfunded phases of a project or increased project costs
- On a limited basis, the best fit for a grant program may be a project that is “next up” in prioritization (as determined in the CIP process) but has not yet made it into the CIP

Many discretionary grant applications require candidate projects to be in an organization's capital planning documents or long-range plans.



Competitive Funding Opportunities

- Existing FTA competitive grant programs:
 - **Low-No Emission Bus Program (5339c)** - \$5.6 billion (\$1.1B available in FFY22)
 - Funding to state and local government authorities for the purchase or lease of zero-emission and low-emission transit buses as well as acquisition, construction and leasing of required supporting facilities
 - **Bus and Bus Facilities (5339)** - \$3.2 billion (\$545M available in FFY22)
 - Provides competitive funding to states and direct recipients to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities including technological changes or innovations to modify low or no emission vehicles or facilities.
 - **Capital Investment Grants Program** - \$8 billion
 - New Starts: funds for new fixed guideway systems (including BRT) or extensions to existing systems with a total project cost over \$300 million.
 - Small Starts: funds for new fixed guideway systems or extensions to existing systems with a total project cost under \$300 million.
 - Core Capacity: dedicated to improving corridors at or near capacity and increasing capacity by at least 10%.
- New FTA competitive programs:
 - **All Stations Accessibility Program** - \$350M FFY22 Est. Program Size
 - New competitive grant program that will provide funding to legacy transit and commuter rail authorities to upgrade existing stations to meet or exceed accessibility standards under the ADA.
 - **SGR – Competitive Grants for Rail Vehicle Replacement** - \$300M FFY22 Est. Program Size
 - New competitive grants for rail rolling stock, as well as for the development and implementation of transit asset management plans
 - **Electric or Low Emitting Ferry Program** - \$80 million FFY22 Est. Program Size (combined with Ferry Grant Program)
 - Will support the transition of passenger ferries to low or zero emission technologies.
- The MBTA may also be eligible to seek discretionary funds through several grant programs managed by other Federal agencies including but not limited to: RAISE, INFRA, MEGA, CRISI and Federal-State Partnership for Intercity Passenger Rail



MBTA Federal Grants Update | April 2022

Summary
Federal Grants
submitted,
SFY2022

Won
\$23.9M

Awards
Received
3

Applications in
Development
6

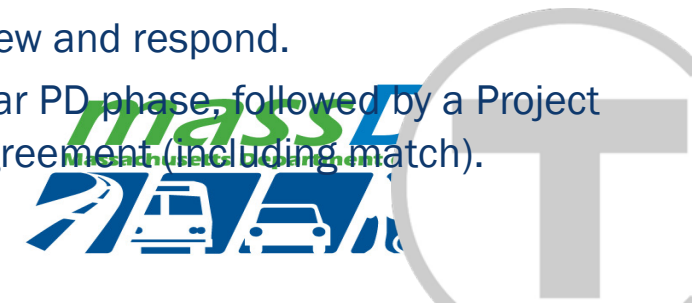
Awaiting
Award
Notification
9

Recent Wins

- We won 2 discretionary awards since March Audit & Finance Subcommittee Report
 - FY2021 FTA Passenger Ferry Grant Program | *Won \$3.9 million for catamaran overhauls*
 - FY2021 FTA Bus and Bus Facilities Program | *Won \$5 million for Quincy Bus Maintenance Facility*

Work in Progress

- Six applications are in development with due dates ranging from May to November 2022
 - Upcoming Submissions:
 - Due May 23: Combined INFRA, MEGA, Rural Surface Transportation grant programs to the Multimodal Project Discretionary Grant Program
 - Due May 31: Combined Low/No Emissions & Bus/Bus Facilities Programs
- Capital Investment Grant (CIG) submission for Green Line Transformation
 - On March 16, the MBTA submitted a letter to FTA to request entry into the Project Development (PD) phase of the CIG Core Capacity Program for the Green Line Transformation Program.
 - The letter was accepted on April 12 and FTA has 45 days to review and respond.
 - If our application is accepted into PD, that would begin a two-year PD phase, followed by a Project Engineering (PE) phase, which results in a Full-Funding Grant Agreement (including match).





Boston Region MPO: Implementing the Bipartisan Infrastructure Law

May 18, 2022

Michelle Scott

Long-Range Transportation Plan Co-Manager

Boston Region Metropolitan Planning Organization

1. MPO Members, Roles, and Activities

and Activities

CREATE FRAMEWORK



Long-Range Transportation Plan

Develop a vision and major investment priorities for multimodal transportation in the region

INVEST



Transportation Improvement Program

Distribute federal funds to construction projects that support the region's transportation vision

STUDY AND PLAN



Unified Planning Work Program

Carry out multimodal transportation planning at a regional scale

CONVENE



Stakeholder and Public Engagement

Support a collaborative and transparent public process for transportation planning

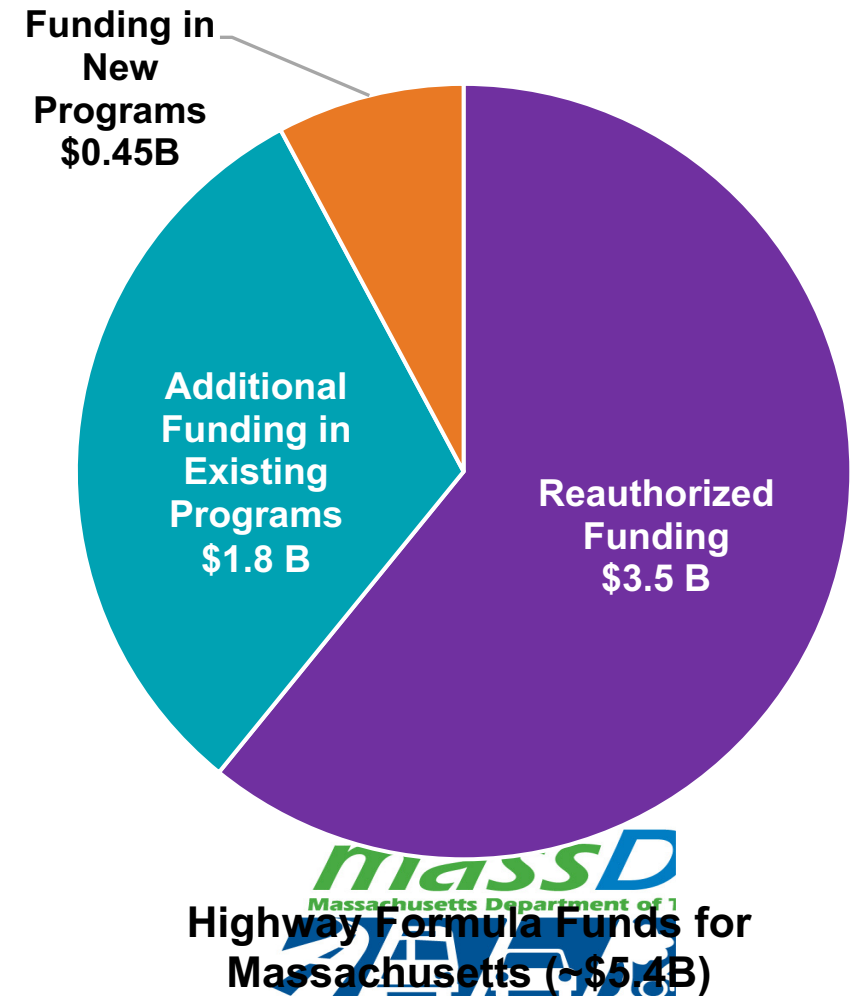


BIL Highway Formula Funding for Massachusetts

2. BIL Impacts on Capital Dollars

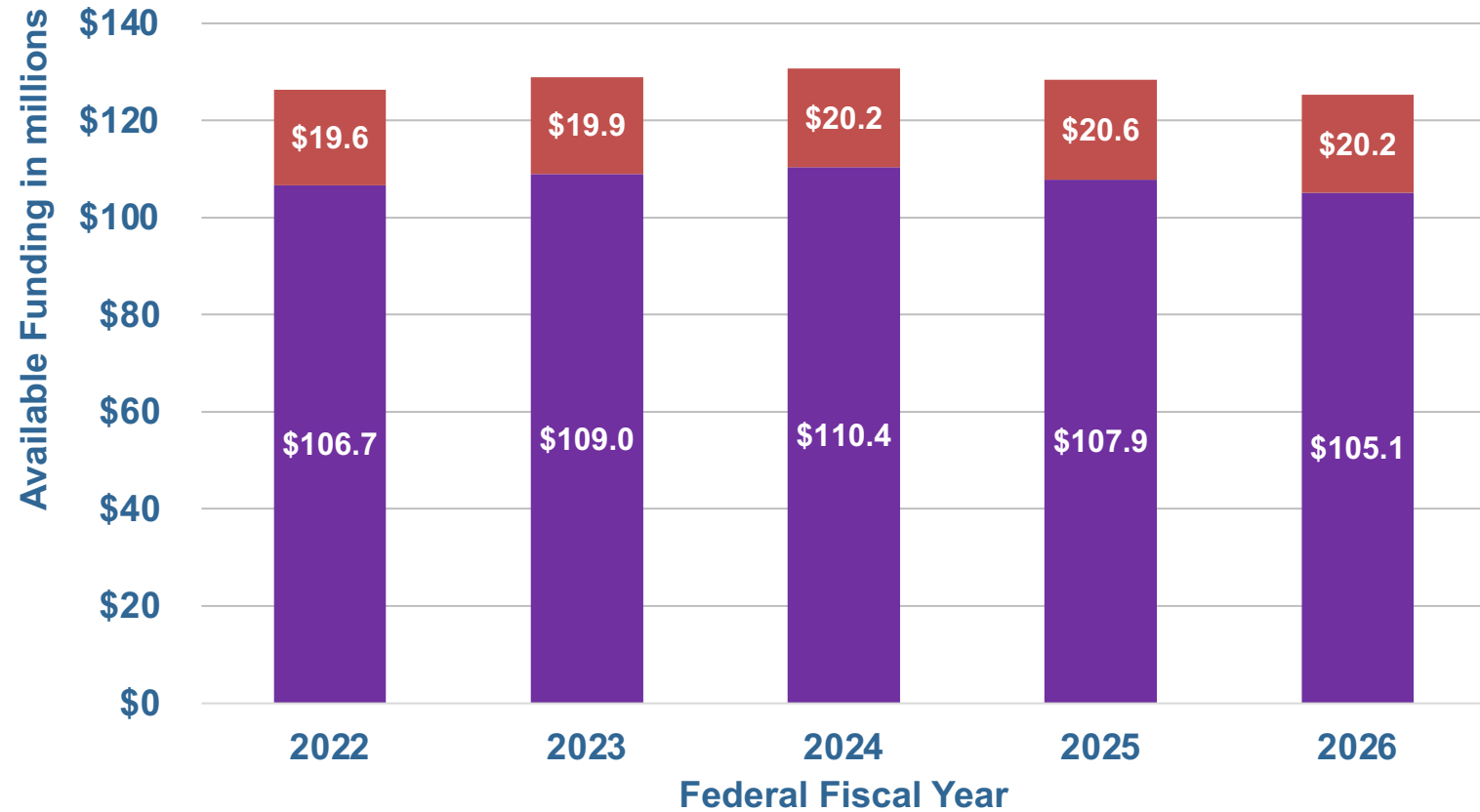
- Massachusetts will see ~\$5.4 billion in highway formula funds during FFYs 2022-26.
- MassDOT retains the majority of formula funding for statewide priorities, but MPOs receive one third.
- The Boston Region MPO is not an implementing agency.
 - Municipalities and other entities must initiate and advance projects.

FFY = federal fiscal year.



MPO Capital Investment Funding Under BIL

2. BIL Impacts on Capital Dollars



■ Funds Budgeted in FFYs 2022-26 TIP (CY 2021) ■ Additional Funds from BIL



Funding amounts include federal dollars and local match from MassDOT.

CY = calendar year. FFY = federal fiscal year. TIP = Transportation Improvement Program.

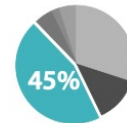
Current MPO Investment Framework

3. BIL Influence on MPO Investment Framework



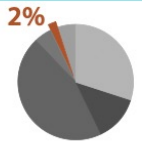
COMPLETE STREETS

- Continuous sidewalks
- Cycle tracks
- Dedicated bus lanes



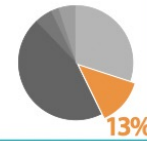
COMMUNITY CONNECTIONS

- First- and last-mile connections
- Wayfinding



INTERSECTION IMPROVEMENTS

- Modernized signals
- Shorter crosswalks



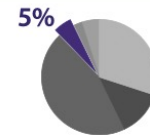
TRANSIT MODERNIZATION

- Transit station improvements
- Climate resiliency



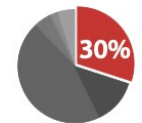
BICYCLE NETWORK AND PEDESTRIAN CONNECTIONS

- Shared-use paths
- Bicycle facilities



MAJOR INFRASTRUCTURE

- New transit lines
- Large-scale Complete Streets projects



Existing Programs: New Opportunities

4. BIL Influence on MPO Planning Framework

Federal Formula Program	Purpose	Examples of New Eligible Projects
Congestion Mitigation and Air Quality Improvement (CMAQ) Program	Reduce congestion and improve air quality in areas not meeting standards for specific pollutants	<ul style="list-style-type: none">• Shared micromobility• Medium-duty or heavy-duty zero emission vehicles and related charging equipment
Surface Transportation Block Grant (STBG)	Address a broad range of multimodal surface transportation capital needs	<ul style="list-style-type: none">• Installation of electric vehicle (EV) charging infrastructure and vehicle-to-grid infrastructure• Capital projects for the construction of a bus rapid transit corridor or dedicated bus lane• Installation and deployment of current and emerging intelligent transportation technologies

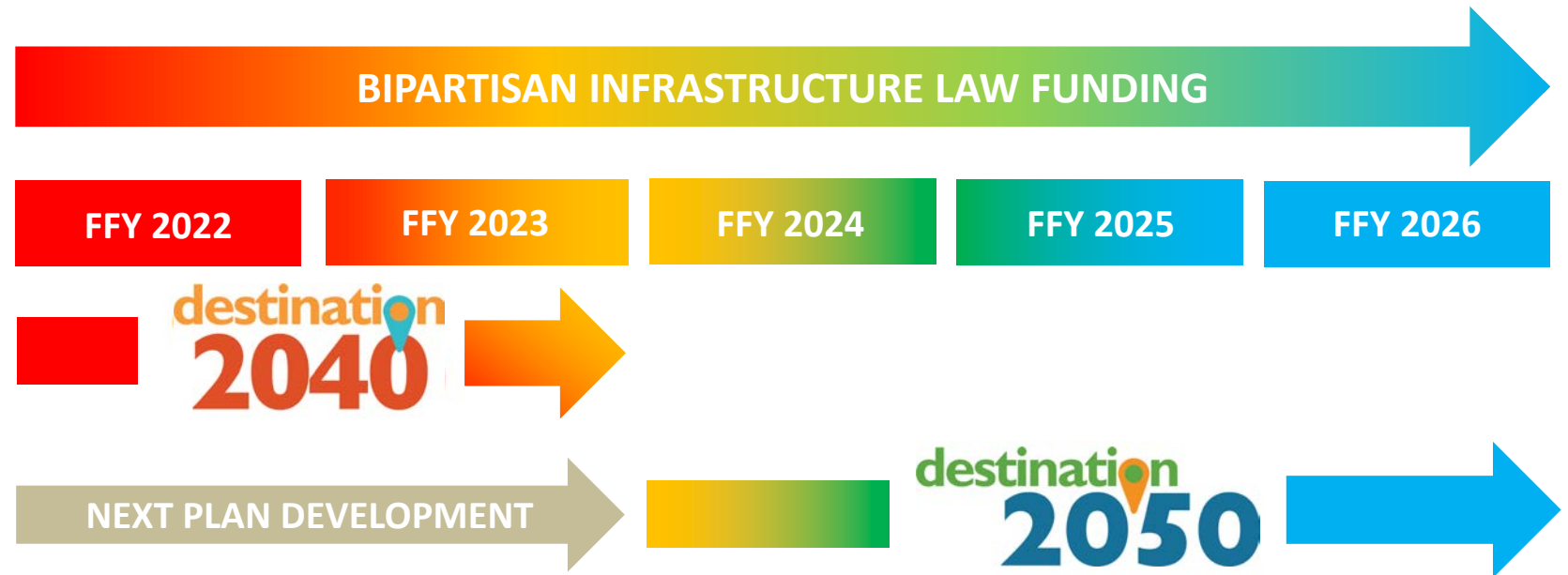
New Programs: New Potential

New Federal Formula Program	Program Purpose	Examples of Projects
Carbon Reduction Program	Fund projects designed to reduce carbon dioxide (CO ₂) emissions from on-road highway sources.	<ul style="list-style-type: none"> • Bus corridor infrastructure (stations, fare collection, transit signal priority) • Projects supporting travel demand management
National Electric Vehicle Infrastructure (NEVI) Program	<ul style="list-style-type: none"> • Fund the strategic deployment of electric vehicle (EV) charging infrastructure. • Establish an interconnected network to facilitate data collection, access, and reliability. 	<ul style="list-style-type: none"> • New charging stations • Upgrades to existing charging stations • On-site distributed energy resources
Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT)* Program	Help States improve the resiliency of transportation infrastructure	<ul style="list-style-type: none"> • Culverts • Installation of flood gates • Enhancing natural floodwater storage

* Detailed program guidance is not yet available.

Updates to MPO Investment Framework

3. BIL Influence on MPO Planning Framework



Visit: bostonmpo.org/destination2050



BIL Planning Elements

4. BIL Planning Elements

- The Boston region anticipates a ~23% increase in metropolitan planning funds in FFY 2023.
 - These funds support planning activities, research, and technical assistance.
- BIL emphasizes planning that connects transportation to other issue areas, such as housing.
- BIL programs support activities such as:
 - Data acquisition and management
 - Innovative transportation modeling and analysis
- BIL programs include new planning requirements, opportunities, and incentives.



Planning Element Examples

4. BIL Planning Elements

BIL Program	Example Planning Elements
Carbon Reduction Program (formula)	Requirement: States are required to develop a Carbon Reduction Strategy in consultation with MPOs.
Safe Streets and Roads for All Program (discretionary)	Opportunity: Discretionary funding is available for MPOs, local governments, and other entities to develop safety action plans.
PROTECT Program (formula, discretionary)	Incentive: If States or MPOs develop resiliency improvement plans and lists of prioritized projects, entities in these locations may have a smaller non-federal share of costs for projects funded through this program.

BIL Discretionary Grant Programs

Discretionary Programs	Amount (FFYs 2022-26)	State	MPO	Local Gov't	Tribe	Other
Bridge Investment Program*	\$12.5B	✓	✓	✓	✓	✓
Nationally Significant Freight and Highway Projects (INFRA)	\$8B	✓	✓	✓	✓	✓
Local and Regional Project Assistance (RAISE)	\$7.5B	✓		✓	✓	✓
Safe Streets and Roads for All program (new)	\$6B		✓	✓	✓	
National Infrastructure Project Assistance (MEGA)	\$5B	✓	✓	✓	✓	✓
PROTECT Grants (new)*	\$1.4B	✓	✓	✓	✓	✓
Railroad Crossing Elimination Program	\$3B	✓	✓	✓	✓	✓
National Culvert Removal, Replacement, and Restoration Grant (new)	\$1B	✓		✓		
Reconnecting Communities Pilot Program	\$1B	✓	✓	✓	✓	
Congestion Relief Program	\$250M	✓	✓	✓		

Note: This table lists a subset of discretionary grant programs included in the BIL.

* Program has a related formula-funded component.