

MaineDOT - Local Cost-Sharing Policy

A. Purpose and Applicability

1. **Purpose** - The purpose of this policy is to create fair and consistent basis for sharing the cost of major investments to the state highway and bridge system.
2. **Applicability**
 - a. **Projects Selected through the MaineDOT Work Plan Process** - This policy applies to Major Treatments funded in a MaineDOT Work Plan. except those projects located within a Metropolitan Planning Organization (MPO) Capital Management Area, or those subject to an alternative cost-sharing arrangement that has been negotiated and executed by MaineDOT and the municipality prior to the effective date of this policy. An MPO may apply this match policy at its discretion, provided that it is outlined in the MaineDOT/MPO/Municipal three-party agreement.
 - b. **Project Requests Outside of MaineDOT's Work Plan Process** - If a municipality or other public entity seeks to develop a new project outside the MaineDOT Work Plan process, prior to considering the project, MaineDOT may require a project-funding commitment of 20% to 50% for project planning, design and construction,. *[This municipal commitment is required because accelerating new projects may delay projects that have been in the planning or design phase for years, waiting for scarce transportation funding. The increased local share may also create an incentive for MaineDOT to invest on highways of more local significance, (as opposed to statewide or regional significance)—investments that MaineDOT would not otherwise make, given other transportation needs across the state.]* MaineDOT's decisions regarding project approval and percentage of local match will be subject to available state and federal transportation funding, Highway Corridor Priority, Customer Service Levels, potential statewide and regional transportation benefits, and other possible considerations.

B. Cost-Sharing Policies

1. **Highway Portion of a Project** - MaineDOT will pay 100% of the costs necessary to improve the Highway Portion of the Project, as determined by MaineDOT.
2. **Highway Sidewalks**
 - a) **Existing Sidewalks** - Except as otherwise provided in this policy, the municipality will be responsible for 20% of the cost of replacing or rehabilitating Existing Sidewalks. No local share will be required for Existing Sidewalk replacement or rehabilitation when the sole reason for the work is due to the Highway Portion of the Project, as determined by MaineDOT. ADA compliance and feasibility must be determined pursuant to 28 CFR 35.150 and ADAAG sec.4.1.6(j.).
 - b) **New Sidewalks** –

If a New Sidewalk is located within a Compact Area or Qualifying Pedestrian Area, the municipality will be responsible for 20% of the cost of New Sidewalks. If the New Sidewalk is located outside of a Compact Area or Qualifying Pedestrian Area, the sidewalk will be considered a Local-Interest Element.

- c) **Scope of Sidewalk Costs** - Sidewalk costs include all costs associated with the construction of the sidewalk, including necessary drainage improvements (including underground storm drainage systems) and property acquisition that are directly related to the existence or installation of the sidewalk.
 - d) **Sidewalk Maintenance** - Municipalities will be responsible for year-round maintenance of new or replaced/rehabilitated pedestrian facilities, as necessary, MaineDOT reserves the right to perform maintenance and invoice the municipality if appropriate maintenance is not satisfactorily performed by the municipality.
3. **Bridge Portion of a Project** - MaineDOT will pay 100% of the costs necessary to improve the Bridge Portion of the Project, as determined by MaineDOT.
4. **Bridge Sidewalks**
- a. If a bridge is located within a Compact Area or Qualifying Pedestrian Area, there will be no local share for the cost of replacement or new sidewalks or multi-use shoulders on the bridge.
 - b. If a bridge is located outside a Compact Area or Qualifying Pedestrian Area, sidewalks including replacement sidewalks or multi-use shoulder will be considered Local-Interest Elements.
5. **Local-Interest Elements** - Subject to available funding and to the extent of monetary contributions from local sources, MaineDOT, at its discretion, may contribute up to 50% of the cost of Local-Interest Elements that are eligible for state Highway Fund and Federal Highway Administration funding, provided that MaineDOT's share of such costs will not exceed 10% of the overall project cost.

C. Definitions

ADA - The American with Disabilities Act, 42 U.S.C § 12101, et. seq.

ADAAG - ADA Accessibility Guidelines, 28 CFR § 36.406.

Compact Area - (State Urban Compact Area) - An area where structures are nearer than 200 feet apart for a distance of one-quarter mile or more, as defined in 23 MRSA §2.

CFR - Code of Federal Regulations.

Highway Portion of a Project - That portion of a project located from curb to curb, including existing curbing and related drainage, or between highway ditches, and structures necessary to sustain or improve that portion of the highway carrying vehicular travel.

Bridge Portion of a Project – That portion of a project that is necessary to sustain or improve vehicular travel, including highway approach work, foundations, abutments, piers, superstructure and bridge railing.

Local-Interest Elements - Project elements outside the scope of the Highway Portion or Bridge Portion of the Project that have more local (as opposed to statewide) benefit, as determined by MaineDOT. Local-Interest Elements include pedestrian lighting, landscaping, plantings, streetscape furniture (benches, bike racks, trash cans, etc.), alternative pavement treatments, shoulder surface treatments or modified striping, additional or modified parking, granite

curbing, concrete pavement, architectural treatments on bridges or other structures, and auxiliary lanes, jug handles, frontage roads, etc. that are primarily for local community-development purposes. Local-Interest Elements also include planning, design, or public input processes that are not approved by MaineDOT in advance.

MPO - Metropolitan Planning Organization as provided by 23 U.S.C. § 134.

MaineDOT - The Maine Department of Transportation.

Major State Highways - Arterial highways, major collector highways, and urban collector highways that are part of a highway corridor that would be classified as a major collector outside of the federal urbanized area.

Major Treatment - Any new-alignment project, or substantial improvement or rehabilitation of the structural base and drainage structures of the highway. Regarding bridge projects, Major Treatment means full replacement, superstructure replacement, or widening. Major Treatments do not include safety or system preservation activities such as hazard elimination projects, rail crossing upgrades, maintenance paving projects, pavement preservation projects, bridge painting, and bridge deck replacements.

Multi-Use Shoulder - A shoulder designed to accommodate bicycle and pedestrian activity and/or motorized recreational vehicle use, including ATVs and snowmobiles.

Qualifying Pedestrian Area - An area that MaineDOT determines will have substantive pedestrian activity or use during the expected life-cycle of the project. In making this determination, MaineDOT will be guided by existing, planned, or forecasted sidewalks and/or pedestrian generators (including neighborhoods, businesses, government buildings, village areas, schools, recreational facilities, etc.), directly adjacent or within reasonable walking distance. Other factors include whether the existing or future pedestrian activity is consistent with the municipal transportation plan, comprehensive plans, capital plans, zoning, and/or other longer-term planning and investment (including documented funding implementation) documents that have been adopted by the legislative body of the municipality.

Sidewalks - Paved areas for pedestrians, usually on the side of a street or roadway, separated from vehicular traffic by either a curb or esplanade. Existing Sidewalks are sidewalks that are existing and maintained in a usable condition at the time the project is being programmed. “New Sidewalks” mean all sidewalks that are not already existing and maintained.

D. Implementation

1. **Prior Written Agreement** - For projects to which this policy applies, written Local Cost-Sharing Agreements consistent with this policy will be developed during the project scoping process and executed prior to programming the project in a MaineDOT Work Plan for design or construction. In the absence of such an agreement, the municipality shall be responsible for 10% of the total project cost (including the Highway or Bridge Portion).
2. **Municipally Funded Items** - Upon mutual agreement between MaineDOT and the municipality, items that are funded entirely by the municipality may be added to the project. Such items may include highway treatments or project elements that are beyond the scope of the Highway or Bridge Portion of the Project, certain Sidewalks, and Local Interest Elements.

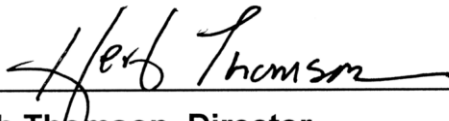
E. Appeal Process

Municipalities may appeal decisions made by MaineDOT under this policy to the Director of the Maine Bureau of Planning. The letter of appeal should be submitted to:

Director, Bureau of Planning
Maine Department of Transportation
16 State House Station
Augusta, Maine 04333-0016

F. Effective Date

The policy is effective as of June 18, 2014.



Date: 18 June 2014

Herb Thomson, Director
MaineDOT, Bureau of Planning