

BUREAU OF LOCAL ROADS AND STREETS MANUAL

BUREAU OF LOCAL ROADS & STREETS

Chapter 9 FINANCIAL PLANNING – MFT and State Funds

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Chapter 9

FINANCIAL PLANNING – MFT and State Funds

<u>Chapter 4</u> discusses the sources of funding available to the local public agencies (LPAs) within Illinois for transportation projects. Chapter 9 discusses the necessary local financial planning for the various non-Federal sources of funding (i.e., Motor Fuel Tax (MFT), Township Bridge Program (TBP), and other State funded programs).

9-1 MFT FINANCING

9-1.01 <u>Unobligated Balance</u>

The Illinois Department of Transportation (IDOT) maintains an account balance, known as the unobligated balance, for the MFT account of each county, road district, and municipality. These are MFT funds that have been allotted to the LPA, but for which IDOT has not authorized expenditure. The unobligated balance is increased when:

- the monthly allotments are distributed;
- projects are completed, and unexpended funds are credited from an obligated account;
- interest earned on MFT funds is credited to the unobligated account; or
- the LPA deposits other funds into the MFT account (e.g., State funds for special local programs, jurisdictional transfers, etc.).

MFT funds are obligated and subtracted from the unobligated balance by authorization of the IDOT Regional Engineer when a project has reached a stage in which a LPA has a financial obligation (e.g., an approved engineering agreement or construction contract). The LPA may review their monthly statement that lists all transactions that affect this unobligated balance on IDOT's website for MFT Monthly Distribution.

9-1.02 <u>Monthly Allotment</u>

Checks for the LPA MFT allotments are sent each month to the municipal treasurer for the municipal allotments and to the county treasurer for the county and road district allotments. Rather than receiving a monthly check, the LPA may request that the State Treasurer invest the money directly as part of the Treasurer's Investment Pool. LPAs can also have their warrants directly deposited into a local bank. Arrangements for this can be made by contacting the Office of the Comptroller, Electronic Commerce Division.

The LPA may review their monthly letter informing the LPA of the amount of its monthly MFT allotment on <u>IDOT's website for MFT Monthly Distribution</u>. This letter also contains a list of all transactions affecting its MFT account during the preceding month. Transactions affecting the LPA's MFT account will be one of three types: Authorization to Expend Funds (Section 9-1.07(a)), Credit to Unobligated Balance (Section 9-1.08(g)), or Payments to State (Section 9-1.08(h)).

9-1.03 Appropriation of MFT Funds

9-1.03(a) General

Counties and municipalities initiate an MFT project by passing an ordinance or resolution (Forms <u>BLR 09110</u> or <u>BLR 14220</u> for counties and municipalities) establishing the scope of a project and appropriating MFT funds for the project. A road district accomplishes the same objective by submitting Form <u>BLR 09120</u> "Statement of Proposed Road Improvement", Form <u>BLR 14222</u> "Estimate of Maintenance Cost/Maintenance Expenditure Statement", or Form <u>BLR 09150</u> "Request for Expenditure".

When a LPA submits a resolution for approval for an improvement or maintenance program, IDOT will evaluate the LPA's current unobligated balance plus anticipated allotments during the life of the project or maintenance period to determine whether adequate funding is available before approving the resolution.

A separate MFT appropriation resolution will not be required, provided that the LPA budget ordinance contains the necessary project information required by the resolution and identifies that MFT funds will be used as discussed in Section 9-1.03(c).

When a LPA appropriates MFT funds for a project, the appropriation should cover, as practical, all anticipated costs. This may exceed their current unobligated balance, because authorizations are not made at the appropriation stage. Prior to advertisement for letting, the LPA must ensure sufficient funds are available, including its current unobligated balance plus anticipated MFT allotments through the estimated completion date, to cover the total cost of the contract. If estimated MFT revenues are not adequate to cover this cost, other sources of financing will be required. This is accomplished using other local funds to pay a portion of the direct costs in conjunction with MFT funds, or a loan may be made to the MFT fund, the principal to be repaid to the source of the loan.

9-1.03(b) Resolutions Procedures

The procedures to be followed when projects are constructed under IDOT approval and inspection can be found in <u>605 ILCS 5/5-403</u>, <u>5/6-701.1</u>, and <u>5/7-203</u>. The first action in the initiation of a project by a county or municipality is normally the adoption of an ordinance or resolution declaring the intent and appropriating funds. Form <u>BLR 09110</u> "Resolution for Improvement Resolution" is the resolution form provided by IDOT. If a bond issue or special assessment will finance a project, a Resolution of Intent as indicated in Form <u>BLR 09112</u> "Local Agency Resolution of Intent MFT / General Obligation Bond" or the Form <u>BLR 09113</u> "Municipal Resolution of Intent for Special Assessment", as appropriate, must be the first action. IDOT also provides Form <u>BLR 09120</u> "Statement of Proposed Road Improvement", which addresses the improvement of the road district road involving the expenditure of funds requiring IDOT approval.

9-1.03(c) Resolution Contents (Counties and Municipalities)

The following applies:

- 1. <u>Section Designation</u>. See <u>Section 2-4</u> for Section Designation criteria.
- 2. <u>Location</u>. Provide a description of the project's beginning and ending points in the resolution or Road Improvement Statement. With each copy, submit a map showing the proposed improvement location.
- 3. <u>Proposed Project Description</u>. Include a description of the project in general terms. Avoid specifying a span length, type of bridge, and a thickness or type of bituminous surface because they are subject to change during the design stage. This eliminates the need for an amending resolution when the plans provide for a different type of improvement than documented in the original resolution. Municipalities are required to include the length and width of the proposed improvement in the resolution.
- 4. <u>Type of Construction</u>. Indicate whether the project will be constructed by contract or by day labor.
- 5. <u>Financial Commitment</u>. State the amount of MFT funds appropriated by the governing body and MFT funds committed to the project. If the project is partially funded with other funds, include a statement committing the other funds with or in the resolution.
- 6. <u>Certification</u>. County and municipal resolutions must be attested to and sealed by the county or municipal clerk.

9-1.03(d) Statement of Proposed Road Improvement (Road Districts)

Form <u>BLR 09120</u> "Statement of Proposed Road Improvement" for a road district project must state the amount of MFT funds committed by the highway commissioner for the project. If the road district project is partially funded with other funds, the Statement of Proposed Road Improvement must also state the source and amount of other funds committed to the project. The highway commissioner and the county engineer must sign Form <u>BLR 09120</u>.

When the records are available in the road district establishing one LPA as having jurisdiction and responsibility for the maintenance of boundary line roads, the signatures of the adjoining road district highway commissioners and adjoining county engineers, in the case of county line road district roads, will not be required.

9-1.04 Anticipating Unallotted MFT Funds

9-1.04(a) General

Unless IDOT is advised to the contrary, it will finance all LPA MFT projects on a cash basis. If sufficient MFT funds are not available, IDOT will require assurance from the LPA that funds will be available from other sources to pay all bills within 90 days of the estimated completion of the project.

9-1.04(b) Counties and Municipalities

A county or a municipality may borrow funds from other sources to complete an MFT improvement. The loan may be repaid from future MFT allotments provided that no charges are made for interest by a county (payment of interest charges is permissible for municipalities). The anticipation of MFT allotments should not cover an excessive period. It is generally not advisable to commit future allotments for more than two years beyond the estimated completion date. In special circumstances, the district, in consultation with the Central Bureau of Local Roads and Streets (CBLRS), may authorize repayment periods exceeding two years. If a county or a municipality proposes to borrow local funds and later requests reimbursement with MFT funds, it must state its intent by formal resolution of the governing board or council; see Section 9-1.03. IDOT must approve the proposed payback time and repayment schedule.

MFT funds may be used to reimburse the loan, including interest (municipalities only), provided that MFT funds are not anticipated for an excessive period. An "excessive period" is defined as a period that exceeds the incumbent administration's term of office. The LPA should have some reserve funds to accommodate routine maintenance and unforeseen emergencies to its transportation system.

9-1.04(c) Road Districts

The county must pay the costs incurred in the construction of road district MFT projects from the MFT account. A road district is not allowed to pay these costs directly from its road and bridge fund or other local funds and later be reimbursed with MFT funds.

A road district may, however, deposit local funds into the county treasury to pay project costs with the intention of later requesting reimbursement with MFT funds. Reimbursement requires prior IDOT approval of the arrangement. MFT policy and procedures must be used in the design and construction of the project.

9-1.05 MFT Reimbursement for Bond Issues

The information concerning a LPA's use of bonds (e.g., General Obligation Bonds (GOB), MFT Fund Bonds) to finance highway improvements has been relocated to <u>Section 15-3</u>.

9-1.06 Special Assessment Procedures

The information of when a municipality proposes to finance a project by special assessment and later requests MFT funds to retire the indebtedness has been relocated to <u>Section 15-4</u>.

9-1.07 <u>Expenditures</u>

IDOT approval of an appropriating resolution or Statement of Proposed Road Improvement does not authorize the LPA to begin disbursing MFT funds for the project. The LPA will be authorized to disburse MFT funds at various stages throughout a project.

9-1.07(a) Authorization to Expend Funds

At the request of the LPA (e.g., when a project has reached a stage where the LPA must disburse MFT funds and the required documents have been submitted and approved/concurred by IDOT), IDOT will authorize an expenditure of MFT funds. The actual authorization is an IDOT accounting procedure where the funds authorized are deducted from the LPA's unobligated balance and committed to the specific project as obligated funds. Each authorization transaction is printed on the LPA's monthly allotment notification letter; see Section 9-1.02.

A list of accounts to which MFT funds are authorized by the District BLRS are provided in Figure 9-1A.

Several of a project's required authorization steps are accomplished automatically in the District BLRS while others must be initiated by the LPA.

9-1.07(b) Automatic Authorization

IDOT will automatically authorize the following items upon approval of the appropriate paperwork up to the amount appropriated by resolution:

- 1. <u>Funds for Contracts</u>. When IDOT approves the executed contract for construction, the awarded value of the contract is authorized. When IDOT approves a Request for Approval of Change in Plans (Form <u>BLR 13210</u>) the amount of the adjusted/final contract is authorized, provided sufficient appropriation by the LPA has been passed.
- 2. <u>State Contracts with LPA Participation (MFT)</u>. When IDOT executes a State contract, the LPA participation utilizing MFT funds, the funds will be authorized for the amount shown in the State-Local Agreement for MFT eligible scope of work and /or items.

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- <u>Day Labor Costs</u>. Maintenance operations are authorized when IDOT approves the LPA's resolution, see <u>Section 14-2</u>. For maintenance operations required to seek competitive sealed bids (see <u>Section 12-1</u>), contract maintenance, or construction additional documents may be required including plans, specifications, estimates, and/or material proposals prior to actual expenditure of funds.
- 4. <u>Maintenance Engineering</u>. When IDOT approves the LPA's resolution, maintenance engineering is authorized, see <u>Section 14-1</u> for additional information.
- 5. <u>Obligation Retirement</u>. Retirement of obligations will be authorized for expenditure upon approval of the appropriate obligation retirement resolution. See Sections 9-1.05 for GOB/MFT Bonds and Section 9-1.06 for Special Assessments.
- 6. <u>Railroad and Utility Work</u>. When a railroad and/or utility company, in accordance with an agreement, performs work, the expenditure of MFT funds will be authorized upon receipt and approval by the LPA of the company's bill and detailed statement of expenses. Amounts authorized will be sufficient to permit payments to be made according to the terms of the agreement. The LPA shall submit a copy of their approval to IDOT upon the LPA's approval.

Counties	Municipalities	Road Districts
Contract Construction	Contract Construction	Contract Construction
Day Labor Construction	Day Labor Construction	Day Labor Construction
Engineering	Engineering	Engineering
Right-of-Way ¹	Right-of-Way ¹	Right-of-Way ¹
Obligation Retirement	Municipal Indebtedness	Obligation Retirement
Maintenance	Maintenance	Maintenance
Maintenance Engineering	Maintenance Engineering	Maintenance Engineering
County's Contribution	Municipality's Contribution to	Road District's
to Illinois Municipal	Illinois Municipal Retirement	Contribution to Illinois
Retirement Fund or to	Fund or to Social Security	Municipal Retirement Fund
Social Security	Engineering Investigations	or to Social Security
Salary and Expenses of	Interest	
County Engineer	Obligation Retirement	
Engineering Investigations		
Maintenance Garage		

Notes

1. Itemize and detail requests for Expenditure of MFT Funds (Form <u>BLR 09150</u>) for right-of-way expenditure(s) on the reverse side of Form <u>BLR 09150</u>.

AUTHORIZED MFT ACCOUNTS

Figure 9-1A

9-1.07(c) Requests for Authorization

When it is necessary to disburse MFT funds for any other purpose, the LPA must submit Form <u>BLR 09150</u> "Request for Expenditure" to IDOT. Indicate the amount and purpose of the request. It should be accompanied by appropriate documentation (e.g., engineering bills, invoices for joint participation). Upon receipt of a properly documented request for expenditure, IDOT will authorize the necessary funds, up to the maximum amount that has been appropriated.

The expenditure of MFT funds for letting advertising costs will be authorized as an engineering charge.

A regularly appointed or elected municipal official must sign requests for expenditure of MFT funds for municipal MFT work. This official may be the clerk, board president, mayor, or a regularly appointed engineer whose office is established by ordinance and who is appointed to the office in an official manner. Requests for expenditure of MFT funds signed by anyone else cannot be accepted.

9-1.07(d) Salary and Expenses

<u>Section 4-3</u> describes the use of MFT funds for salaries and other fringe benefits. The following procedures apply when MFT funds are used for these expenditures:

- 1. <u>Wages or Salaries</u>. For employees of a LPA who may be paid from the MFT fund, the method of payment may be one of the following:
 - Where the compensation is on an hourly, daily, or monthly basis, the LPA may pay the employee directly from the MFT fund for the particular section or maintenance operation on which the work is done.
 - Where the compensation is on an hourly, daily, or monthly basis, the LPA may pay the employee from the fund which is regularly used to pay the employee. This fund may then be reimbursed from the MFT fund for the section or maintenance operation on which the work was performed for the amount paid to the employee for the time spent on the MFT section or maintenance operation.

Under the first method of payment, the LPA will make payments in the same manner as other payments on the section or maintenance operation are made.

Under the second method, the LPA must maintain complete records of the dates and time for the employees who are engaged on MFT work and the section or maintenance operation. Reimbursements from MFT will be made promptly and periodically, preferably each month.

Payments from MFT funds to other funds for reimbursement are made in the same manner as any other payment (e.g., a claim showing the date, section or maintenance operation, the class of labor, the rate of pay must be filed, and a warrant drawn against the MFT fund in favor of the fund which is being reimbursed). It is not necessary that individual claims for each employee be filed, but a separate claim must be filed for each section or maintenance operation and, if it is desired, all employees working on that section or maintenance operation during the period covered by the claim may be shown on one claim and reimbursement made by one warrant.

- 2. <u>Holidays, Vacation, and Sick Leave</u>. Whenever an MFT payroll is made by the LPA, a payment may also be made to the county highway tax fund or other fund involved for a definite percentage of the payroll cost as a payment for the benefits involved. Calculate the percentage by dividing the cost of the benefits in previous years by the total payroll cost. Determine this percentage from records over a period of three or more consecutive years and compute the percentage to the nearest whole number. No payment will be made until the District BLRS has approved the established percentage.
- 3. <u>Health, Hospitalization, and Life Insurance</u>. Payment of a prorated portion of Health, Hospitalization, and Life Insurance premiums may be made with MFT funds for costs incurred on MFT maintenance and construction projects.

The prorated portion shall be determined in the same manner provided for "Holidays, Vacation, and Sick Leave".

- 4. <u>Worker's Compensation Insurance Premiums</u>. The LPA may make pro-rata payments from their MFT account directly to the insurance company for these premiums, or they may use MFT funds to reimburse another fund from which the premiums were paid.
- 5. <u>Retirement and Social Security</u>. Requests for expenditure of MFT funds for the LPA's contributions to these two accounts will be honored based on actual amounts owed or will be honored in advance, provided that the amount requested is substantiated by an accompanying estimate statement. In the estimate statement, show which sections will be built, what maintenance operation will be performed, and what salaries (e.g., the county engineer) will be paid with MFT funds. Also show in the statement, in connection with the municipal retirement fund, the percentage of contribution as determined by the retirement board for the period covered by the request for funds. If the LPA has levied a tax for payment of either or both accounts, the MFT account must be reimbursed as the taxes are collected. The amount of the reimbursement shall be shown on the statement accompanying the request for expenditure of MFT funds for the next period.

The expenditure of MFT funds will be authorized to the LPA for one account entitled "(LPA's name) Contribution to Illinois Municipal Retirement Fund or to Social Security." The expenditure of MFT funds will not be authorized to each section and to maintenance separately. Keep this account separate from other accounts. Payments from this account to the employees' retirement and/or social security fund should be made periodically. The claim against the account, payable to the retirement or social security fund, should identify the payrolls that are covered by the claim.

It is not necessary for the LPA to report the amount of its contribution in connection with final papers for construction sections or expenditure statements for maintenance. Instead, the LPA should prepare a statement of receipts and expenditures for submission with the request for expenditure of MFT funds for the next period.

It is not necessary for the LPA to appropriate funds, by resolution, covering MFT expenditures for retirement and social security contributions.

9-1.08 <u>Reimbursement of Funds to MFT Accounts</u>

9-1.08(a) General

When MFT funds are expended for construction or maintenance related work and then reimbursed by property owners, corporate fund, State or federal funds, or any other source, the reimbursement is credited to the MFT section account from which the payment was made. Likewise, any payment not eligible for MFT participation will be reimbursed to the MFT account.

Final acceptance of construction projects will be withheld until the final reimbursement has been made or until other arrangements have been approved. In special cases (e.g., where the reimbursement will be made over a long period of time), the CBLRS may close out the sections upon approval. In these cases, the subsequent reimbursements are credited to the MFT unobligated balance, with a description of the purpose of the reimbursements.

9-1.08(b) Off-Street Parking Revenues

Municipalities may use MFT funds for off-street parking facilities in accordance with 605 ILCS 5/7-202.17.

The LPA must assign a section number to track this revenue. The following procedures will apply:

1. <u>Separate Accounts</u>. When a LPA chooses to maintain accounts for each parking facility constructed, close the construction section and determine the final MFT participation. To account for revenues, establish new MFT sections as in the following example:

Account for revenue reimbursements for a parking lot built as Section 02-00076-00-PK as using Section 79-R0076-00-PK. The original MFT participation for the project will be entered into the database as "the amount appropriated." The receipts will be credited to the unobligated account annually, and the total accumulation of these credits will be maintained in the far-right column on Form BLR 15106s (internal). Once the amount appropriated has been achieved, the section will be closed.

2. <u>Single Account</u>. When the LPA has several revenue-generating parking facilities and maintains only one parking revenue account, close the original construction section(s) and determine the total MFT participation of all projects. To account for revenues, establish a new section number as (year of 1st reimbursement)–R0000-00-PK. Enter the total participation of all sections in the database as the amount appropriated. If additional parking projects are built, add the MFT participation to the appropriation amount. Treat annual credits for parking receipts as those in separate accounts.

- 3. <u>Maintenance</u>. Generated revenues are to be used first to maintain the parking area before MFT funds are used for maintenance.
- 4. <u>Surplus Revenues</u>. Surplus revenues not needed for maintenance may be used to acquire land and construct additional off-street parking areas.

Return surplus revenues not needed for maintenance or construction of additional parking areas to the LPA's MFT account until the amount of MFT funds originally paid out have been refunded. When the total amount reimbursed is equal to the MFT funds used for construction, all other surplus revenues become the property of the LPA.

5. <u>Documentation Review</u>. Ensure the LPA's parking revenue account is made available to IDOT for documentation review purposes.

9-1.08(c) Crediting Reimbursement for a Specific Section

The following will apply:

- 1. <u>Active or Open Sections</u>. The authorization or reimbursement is credited to the section account as identified in the documentation review.
- 2. <u>Closed Sections (in MFT Database)</u>. If the section is closed, it will be reopened to include the disbursement or receipt, as indicated by the documentation review, including comments (e.g. source and purpose). Final paperwork shall be corrected. Once this action is completed, the section must be closed again.
- 3. <u>Closed Sections Purged from MFT Database</u>. If the section is closed and purged from the database, the disbursement or receipt of funds is entered as category "other" and in the memo area the original section designation is entered. The source and purpose shall be identified of the reimbursement.

9-1.08(d) Crediting Reimbursement Not Identified by a Section

Any other reimbursement that cannot be assigned to an existing section must be entered as category type "other" and identified with an explanation in the memo field. The source and purpose of the reimbursement plus the documentation review report number shall be identified.

9-1.08(e) Crediting Earned Interest

Any earned interest (and only earned interest) on the LPA's fund must be accounted for in the documentation review under a section titled "Interest" with a line designated for each year's interest. Each annual total of earned interest will be credited as category "interest" in the MFT database and in the memo field the documentation review report number shall be identified along with year in which the interest was earned. See <u>Section 15-1</u> for additional information.

9-1.08(f) Income from Property Purchased with MFT Funds

Any revenues from the rental of property purchased with MFT funds are credited to the MFT fund account. If right-of-way is purchased with MFT funds, which then becomes unnecessary and is later sold, credit the revenue received to the MFT fund account up to the original purchase price.

9-1.08(g) Credit to Unobligated Balance

When a project has been completed and all bills have been paid, it is possible that all funds authorized for a specific purpose were not required. When IDOT approves Form <u>BLR 13510</u> for the project, these unexpended funds are transferred from the project's obligated account and returned (credited) to the LPA's unobligated balance. The same is true for when IDOT approves Form <u>BLR 14222</u> (as a Maintenance Expenditure Statement) for maintenance. This credit is accomplished automatically by IDOT and will appear on the LPA's monthly allotment notification letter.

9-1.08(h) Payments to State

IDOT has established procedures whereby regular payments on a debt owed to the State by a LPA may be deducted directly from the LPA's monthly MFT allotments upon request by the LPA. The CBLRS, in cooperation with the District BLRSs, will determine these arrangements.

9-2-1

9-2 STATE FUNDS FINANCING

9-2.01 <u>Township Bridge Program (TBP) Funding</u>

9-2.01(a) Annual Allotment

Each year IDOT apportions \$15 million to the counties to be used by the road districts for the construction of bridges. See <u>Section 4-2</u> for additional information. For rehabilitation of bridges contact the District BLRS for guidance on eligibility. The District BLRS will set up a Contract Obligation Document (COD) for each county's allotment.

9-2.01(b) Annual Program

Each county is required to submit an annual program detailing the projects that are proposed for funding through TBP. Submit the annual program to the District BLRS on or before September 1 each year. Projects in the annual program must be listed in order of priority. Complete Form <u>BLR 09210</u> and submit it to the District BLRS.

9-2.01(c) Obligation of Funds

TBP funds apportioned to the counties are not automatically paid to the county treasurer when the allotments are distributed. The funds are held in the State treasury until they are obligated for payment to the county treasurer. TBP funds are considered obligated upon award of the contract by the county, signed engineering agreement, or acquisition of right-of-way, and have been approved by the District BLRS. These funds, once in the county treasurer's account, cannot be expended until the necessary payment estimates have been processed. Payout will be accomplished by the submittal of an invoice (Form C-13) by the District BLRS to the District Administration – Financial Services with a copy to CBLRS. Any funds apportioned to a county that are not obligated within 48 months of the date when the apportionment is made will revert to the Road Fund (605 ILCS 5/6-906) and will be distributed through the TBP Lapse Pool Program.

9-2.01(d) TBP Account Balance

Each county must maintain an account that will identify TBP funds separately from all other funds. Because the funds are paid to the county prior to the actual need, the county must maintain these funds in an account. If the TBP funds are invested prior to being disbursed, any interest earned will be used as TBP funds and applied to already approved TBP projects. Interest earned on any TBP money belongs to the TBP fund and cannot be considered as part of the local match. Funds released from a project by change order may be applied to overruns in current projects or future TBP projects.

When TBP funds are expended for construction-related work and then reimbursed by property owners, corporate fund, State or Federal funds, or any other source, the reimbursement is credited to the TBP account for the section from which the payment was made. Likewise, any expenditure not eligible for TBP participation will be reimbursed to the TBP account.

9-2.01(e) Anticipation of Allotments

With the approval of the District BLRS, a road district may finance a project from other sources and pledge their future TBP allotments toward repayment of the indebtedness. Any project financed in such a manner must be constructed using the same procedures as if TBP funds were paid directly for construction. The following applies:

- <u>Bonded Indebtedness</u>. A road district may issue bonds to construct a bridge selected in accordance with <u>605 ILCS 5/6-510</u>. For bond issuing financing, see Section 9-1.05. Future allotments of the road district's TBP funds may be pledged toward repayment of the bond issue (<u>605 ILCS 5/6-903</u>).
- <u>Resolution of Indebtedness</u>. In cooperation with the county, a road district may use any other source of county or road district funds available to finance a project. The county board may pass a resolution (Form <u>BLR 09215</u>) declaring indebtedness to the county, which will be repaid with future allotments of the road district's TBP funds.

9-2.01(f) Suspension of Allocation

If any county, after having been provided reasonable notice by IDOT, fails to expend funds in a satisfactory manner, IDOT will not authorize further payments to the county until it corrects its unsatisfactory use of funds.

9-2.01(g) Contract Additions and Deletions

Payout for the net amount of the contract additions on each of the county's projects will be scheduled upon approval by IDOT and debited to the county's allotment. If the combination of additions and deletions for the entire project extends the obligation beyond the currently available funds, the overrun amount may be paid from the following year's allocation (605 ILCS 5/6-903). Funds released from a project by change order may be applied to current projects or used for future projects. These released funds must be covered by approved contracts before the next date when funds are subject to lapse.

9-2.01(h) Use of TBP Funds

<u>Section 4-2</u> provides details on the eligible uses of TBP funds.

9-2.02 <u>TBP Lapse Pool</u>

Funds allocated to the counties under TBP will lapse or revert to the Road Fund if they are not obligated within four years of the allotment. IDOT has established an administrative program for these types of funds where road districts having special needs may use them. This program is referred to as the TBP Lapse Pool.

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Lapse Pool funding will contribute a maximum of 80% of the construction and construction engineering costs. At the time a project is selected, the maximum allocation of funds is established. Any cost increases more than the maximum amount established are the responsibility of the LPA. Cost decreases resulting in balances in Lapse Pool funds must be returned to IDOT for deposit in the Lapse Pool Fund.

Available funds in the Lapse Pool are limited and therefore are not redistributed through the allotment process. To redistribute and use the funds completely, IDOT has established the following criteria for the selection of Lapse Pool projects:

- When sufficient funds become available to warrant a solicitation of TBP Lapse Pool projects, the department will contact the county engineers for candidate projects.
- The county engineer is required to provide written justification for the project to the District BLRS.
- All bridges constructed with Lapse Pool funds are selected by the CBLRS from a list of projects submitted by the District BLRSs.
- The regular MFT engineering criteria, procedures and policies must be followed.
- A State/LPA Joint Agreement is required for each project; see <u>Section 5-3</u>. The agreement will designate the method of payment to the county.

9-2.03 Grade Crossing Protection Fund (GCPF)

The types of projects eligible for funding under the GCPF are discussed in <u>Section 4-2</u>. The Illinois Commerce Commission (ICC) is responsible for managing the GCPF. The following procedures are applicable to the GCPF:

- 1. <u>Application</u>. Application for use of the GCPF should be in the form of a formal petition on behalf of the local highway authority (or any other interested party) to ICC. Application forms are available from ICC. The petition should state the location of the crossing(s) involved, the improvements desired (including the reasons why the improvements are necessary), and that amount of financial assistance requested from the GCPF.
- 2. <u>Hearing</u>. ICC requires a formal hearing for most, if not all, of the cases involving the GCPF. See <u>Section 10-5</u> for further discussion.
- 3. <u>Selection</u>. ICC selects the projects and adds them to their multiyear program. Funding is committed when ICC issues an order for the completion of the work.
- 4. <u>Implementation</u>. Once ICC approves funding, the development of the project follows the procedures established for regular MFT crossing improvements, except that an ICC order (with a division of cost) is used instead of a formal agreement. Submit all bills to the District BLRS, which will forward them to CBLRS for processing and payment.

9-2.04 Economic Development Program (EDP)

The LPA will apply to the Office of Planning and Programming (OPP) for these funds. Submit the following information with the EDP application:

- name of company, type of product, and total company site investment;
- location (e.g., include a map showing the location of the site) and general description of improvement;
- estimate of the number of primary jobs created or retained;
- anticipated time for the development to occur;
- projected visitors at tourist attraction, if a tourism project;
- letter of commitment from the company to expand or locate;
- engineer's cost estimate of the improvement; and
- extent of the local participation and source of local matching funds.

If IDOT commits to funding, a joint agreement is necessary. The project is developed using MFT policies and procedures. If federal funds are used, the project is developed using federal policies and procedures. EDP funds may be used as part of the LPA's match to the federal funds. Additional information can be found on <u>IDOT's website</u>.

9-2.05 Truck Access Route Program (TARP)

The CBLRS will make an annual solicitation of candidate projects for the upcoming fiscal year. Applicants should include any information pertaining to prior commitments by IDOT, a description of industries or truck generators served, projected growth, and number of trucks using the route. Provide information pertaining to phase construction that completes a truck route or is part of a multistage construction. Geographical diversity is also considered. Once the District BLRS submits potential projects to the CBLRS, the CBLRS will determine a district priority along with justification.

Approved projects will require a joint agreement and a resolution establishing an 80,000 lb (36,000 kg) truck route, see <u>Section 5-3</u>. If the TARP funding is included within a federally funded project, the same joint agreement is used for both funds. TARP projects which include federal funds are developed using federal policies and procedures. TARP funds may be used as part of the LPA's match to the federal funds. Other projects will use MFT policies and procedures. Additional information can be found on <u>IDOT's website</u>.

9-2.06 State Matching Assistance (SMA) Program

Counties wanting to use SMA should include the request in the joint agreement for federally funded projects. IDOT deducts the amount from the county balance as it makes payment on the contract.

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A county may use its accumulated SMA funds to defray any part or the entire non-federal portion on any local Federal-aid project regardless of the federal matching percentage. The SMA may be committed as a lump-sum amount or as a percentage of the project cost not to exceed the current available SMA balance for the county.

9-2.07 <u>County Consolidated, Needy Townships, and High Growth Cities</u>

Each year a check is sent to each eligible LPA for deposit in their MFT account. The LPA's unobligated MFT balance is increased to include this amount. These funds are considered MFT funds.

9-2.08 County Engineer's Salary Program

A county may decide to participate in this program at any time. The details of the program are sent out annually in a letter to the Illinois Association of County Engineers (IACE). The county and the State will enter into a six-year agreement for the county engineer's salary program. This agreement will have a termination date of six years or less. The county must pass an annual resolution appropriating county funds for the salary and approving the transfer of the county's Surface Transportation Program (STP) funds to the State. When the resolution is approved and sent to the District BLRS, IDOT will send a check for the State funds to be exchanged for the STP funds and deduct that amount from the county's STP balance. The check must be deposited into the county's MFT account, unless the agreement with IDOT states otherwise.

9-2.09 <u>Present Worth Jurisdictional Transfers</u>

When IDOT transfers a highway to a LPA and includes a present worth for the highway, a funding agreement will be required in addition to Form <u>BLR 05210</u>; see <u>Section 5-3</u>. This funding agreement should designate an effective date for the transfer which matches the date on the Form <u>BLR 05210</u>. If the effective date is a specified number of days after execution of the agreement, the funds will be automatically distributed to the LPA. If the effective date of the transfer is not linked to the date of the agreement execution, the LPA will be responsible to bill IDOT to receive payment. The procedure for the present worth payment should be clearly stated in the agreement. All funds transferred to a LPA as part of a present worth jurisdictional transfer shall be deposited into the LPA's MFT account.

9-2.10 Park Access Program

The LPA will submit applications for the Park Access Program to the Illinois Department of Natural Resources (IDNR). When a project is included in the program, a joint agreement is required. The project is developed using MFT policies and procedures. If federal funds are used, the project is developed using federal policies and procedures. Park Access Program funds may be used as part of the LPA's match to the federal funds.

9-2.11 Noise Abatement Program

The LPA will need to apply to OPP. A joint agreement is required. The project is developed using MFT policies and procedures. If federal funds are used, the project is developed using federal policies and procedures. Noise Abatement Program funds may be used as part of the LPA's match to the federal funds.

9-3 ACRONYMS

This is a summary of the acronyms used within this chapter.

BLRS CBLRS COD EDP GCPF GOB IACE ICC IDNR IDOT ILCS LPA MFT OPP SMA STP	Bureau of Local Roads and Streets Central Bureau of Local Roads and Streets Contract Obligation Document Economic Development Program Grade Crossing Protection Fund General Obligation Bond Illinois Association of County Engineers Illinois Commerce Commission Illinois Department of Natural Resources Illinois Department of Transportation <i>Illinois Compiled Statutes</i> Local Public Agency Motor Fuel Tax Office of Programming and Planning State Match Assistance Surface Transportation Program
STP TARP	Surface Transportation Program <u>Truck Access Route Program</u>
TBP	Township Bridge Program

9-4 **REFERENCES**

- 1. Illinois Compiled Statutes
- 2. <u>Motor Fuel Tax Funds Source, Distribution, and Use Counties, Municipalities, and</u> <u>Road Districts</u>, IDOT, July 2012.
- 3. Highway Jurisdiction Guidelines for Highway and Street Systems, IDOT, March 2006.
- 4. Illinois Grade Crossing Protection Fund: Resource Guide, IDOT, September 2015.