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## **Legal Statement**

Agencies that utilize Federal Transportation Funds are required to publish a listing of projects using these funds on an annual basis. This document satisfies the following requirements listed in 23 CFR 450.334:

- (a) In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operators, and the MPO shall cooperatively develop a listing of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year.
- (b) The listing shall be prepared in accordance with §450.314(a) and shall include all federally funded projects authorized or revised to increase obligations in the preceding program year, and shall at a minimum include the Transportation Improvement Program (TIP) information under §450.326(g)(1) and (4) and identify, for each project, the amount of Federal funds requested in the TIP, the Federal funding that was obligated during the preceding year, and the Federal funding remaining and available in subsequent years.
- (c) The listing shall be published or otherwise made available in accordance with the MPO's public participation criteria for the TIP.

Projects are funded by combining several different funding sources, and consequently can be listed in an itemized fashion by the different respective funding pools. At a minimum, there is a federal component and a local component. An obligation is the legal commitment of the Federal Government to pay the Federal component of the project cost. Important to note is that projects are not necessarily started or completed in the same fiscal year in which they are obligated. The point at which obligation officially occurs is different for Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) projects. The point of obligation for FTA projects is when a grant is awarded. The point of obligation for FHWA projects is when a project agreement is executed.

## **Overview & Purpose**

East Central Wisconsin Regional Planning Commission (ECWRPC) is the designated planning organization for the Oshkosh MPO, and as such works in coordination with Federal Highway Administration (FHWA), Federal Transit Authority (FTA), and Wisconsin Department of Transportation (WisDOT) to program and invest in improvements to the region's transportation system. The Obligated Projects report is required on an annual basis to inform the public of the programmed improvement projects. Roadway, Pedestrian, Transit, and Railroad crossing projects are all included. Projects listed are those that are located within the MPO and had funds obligated in federal fiscal year 2023.

Projects are consolidated into two tables, one for Federal Highway Administration projects and the other for Federal Transit Administration projects. The tables connect the projects to the Transportation Improvement Program (TIP) through the TIP number, provide project name and funding type information, and include dollar amounts that were obligated for Federal Fiscal Year 2023 as well as total project costs.

## **Project Tables**

**Programmed Funds:** Programmed funds are an estimate of the total project cost and can be found in the Transportation Improvement Program. These funds are compared with expected funding amounts to ensure fiscal constraint before the project begins. Once project costs are finalized, funds can be designated as obligated.

**Obligated Funds:** When FHWA or FTA designate funds as obligated, these agencies are legally committing to use those funds to pay for the Federal share of a project's eligible cost.

**Table 1. Oshkosh Federal Highway Administration Project** 

											Federal Funds Remaining – Difference
								Total Project Cost			between 2023
					Length		Authorization	(Federal, State,	CY 2023 Programmed	CY 2023	Programmed and
Agency	Project Name	TIP Number	Project Number	Type of Work	(mi)	Funding Type	Date	and Local)	in TIP (\$)	Obligated (\$)	Obligated Funds
WisDOT,	FOND DU LAC - OSHKOSH STH 26 - CTH Y DSGN/FULL PSE/PSRS20 C/E - CONSULTANT DELIVERY (PRELIM OR CONST ENGINEERING)	253-23-022	2023721	PSRS20	9.33	NATIONAL HIGHWAY PERF PROGRAM	8/4/2023	\$ 665,000	\$ 284,000.00	\$ 281,165	\$ 2,835

# **Funding Category**

**NHPP: The National Highway Performance Program** provides support for the condition and performance of the national highway system for the construction of new facilities and to ensure that investments of federal aid funds in highway construction are directed to support progress toward the achievement of performance targets.

**Table 2. Oshkosh Federal Transit Administration Projects** 

					Funding			Total Eligible	CY 2023 Programmed	CY 2023 Obligated	Federal Funds Remaining – Difference between 2023 Programmed and
Agency	Project Name	TIP Number	Project Number			Federal Award ID	Award Date	Project Cost (	) in TIP (\$)	Funds (\$)	Obligated Funds
Go Transit	5307 Operating Assistance	253-22-011	GRANT CLOSED	Transit Center Facility Study	5307	WI-2023-007-01	2023-01-26	\$ 4,261,49	4 \$ 2,130,747	\$ 2,130,747	\$ 0
Go Transit	5307 CY 2023 Operating Assistance	253-23-009	WI-2023-041-01-00	Operating Assistance	5307	WI-2023-041-00	2023-07-19	\$ 4,909,5	0 \$ 2,454,775	\$ 2,454,775	\$ 0
Go Transit	5307 ARP Grant for Downtown Transit Center Phase 2 Development Project	253-23-012	WI-2023-027-01-00	Transit Center Expansion	5307	WI-2023-027-00	2023-05-25	\$ 1,836,70	9 \$ 1,836,769	\$ 1,836,769	\$ 0
Go Transit	5339 Grant for Downtown Transit Center Phase 2 Project	253-23-012	WI-2023-053-01-00	Transit Center Expansion	5339	WI-2023-053-00	2023-08-23	\$ 207,1	9 \$ 207,159	\$ 165,727	\$ 41,432
Go Transit	5339 Grant for Downtown Transit Center Phase 2 Project	253-23-012	WI-2023-053-02-00	Transit Center Expansion	5339	WI-2023-053-00	2023-08-23	\$ 1,225,3	6 \$ 1,225,386	\$ 980,309	\$ 245,077
Go Transit	5339 Grant for Downtown Transit Center Phase 2 Project	253-23-012	WI-2023-053-03-00	Transit Center Expansion	5339	WI-2023-053-00	2023-08-23	\$ 567,4	5 \$ 567,455	\$ 453,964	\$ 113,491
							Totals	\$ 13,007,8	3 \$ 8,422,291	\$ 8,022,291	\$ 400,000

ECWRPC staff started by referencing the 2024 TIP (approved in October 2023), proceeding in reverse order through the 2023 TIP amendments, and finally referencing the 2023 TIP to produce the Agency, Project Type, and Length columns in the Obligated Projects Table. Programmed funds were sourced from the 2023 TIP. Programmed funds are listed for the Calendar Year 2023 to align with the Obligated Projects report, which solely includes projects that had funds obligated in the calendar year 2023.

East Central Wisconsin Regional Planning Commission staff noticed several discrepancies between the Transportation Improvement Program, WisDOT Obligated Projects spreadsheet, and FHWA Obligated Projects spreadsheet. For example, it was identified that WisDOT obligated projects total costs do not reconcile with FHWA obligated projects total costs nor with TIP cost estimates. FHWA cost estimates were used to retain consistency of data source between total project cost estimates and 2023 obligation amounts. ECWRPC notified Wisconsin Department of Transportation of these discrepancies. Additionally, there are projects that have funding programmed for 2023 in the 2023 TIP, but are not present in the Obligated Projects spreadsheet. Discussion surrounding these topics led to the identification of procedural and structural issues which will require additional time to address. To comply with federal requirements on the report release timeline, which states that it must be posted within 90 days of the end of the preceding year, this obligated project report was created using the best available information at the time it was produced.