

## TIMELY USE OF FUNDS

	COMMONLY USED NAME						
	STIP Timely Use of Funds	ATP Timely Use of Funds	AB1012	Cooperative Work Agreement (CWA)	Federal Inactive Projects	10-Year PE & 20-Year R/W Rule	ER Program Time Extensions
<b>Applicability</b>	All STIP funds (federal and/or state)	All ATP funds (federal and/or state)	RSTP & CMAQ	All Local Assistance Funds	All federal-aid projects	All federal-aid projects	2-Year Permeant Restoration E-76
<b>Applicability level</b>	Each project phase	Each project phase	Region Apportionments	Each encumbrance of funds	Project level	Project level	DAFs with Permanent Restoration work
<b>Emphasis</b>	Project Delivery	Project Delivery	Obligation of funds	State Budget Authority	Funds expenditure	Project Delivery	Project Delivery
<b>Authority</b>	SB45 of 1997	SB99 / AB101	AB 1012 of 1999	Gov. Code 16304.3	23CFR 630.106	23CFR 630.112	23 CFR 668.105(h)
<b>Enforcing Agency</b>	CTC	CTC	CTC	DOF	FHWA	FHWA	FHWA
<b>Rules</b>	Funds must be allocated by CTC in the year programmed. Project development-phase expenditures must occur by end of 2 <sup>nd</sup> FY following allocation date. Projects must be awarded within 6 months from construction allocation. Project must be completed within 36 months of the award.	Funds must be allocated by CTC in the year programmed. Project development-phase expenditures must occur by end of 2 <sup>nd</sup> FY following allocation date. Projects must be awarded within 6 months from construction allocation. Project must be completed within 36 months of the award.	RSTP & CMAQ funds apportioned to Regions must be obligated within 3 years from the year of apportionment. Otherwise, CTC may re-distribute unobligated balances to other project(s).	Federal and state funds must be liquidated within six years from the encumbrance year located in the finance letter or the program supplement agreement.	Local Agencies must invoice FHWA based on their tier of unexpended funds within 12 months to remain active.	Once fed funds are obligated for PE phase, the project must move to R/W phase or construction phase within 10 years.  The project must move to construction phase within 20 yrs.	Local Agencies have two years (FFY) following year of the beginning of the disaster to advance their ER project to PR CON (e.g. E-76 CON)
<b>Possible Extensions</b>	CTC may approve up to <u>20</u> -month extension for each of the deadlines.	CTC may approve up to <u>12</u> -month extension for each of the deadlines, except Allocations. Allocations can request up to <u>20</u> -months.	Each request is reviewed and subject to approval by the Commission.	Department of Finance may extend liquidation by two years based upon proper justification.	FHWA may approve extensions upon receiving proper justification.	FHWA may approve extensions upon receiving proper justification.	FHWA may approve extensions in 1-year increments with adequate local agency justification.
<b>Number of Extensions Allowed</b>	One extension per phase per type, i.e., ALLOCATIONS • PA&ED, PS&E, R/W, CON EXPENDITURE • PA&ED, PS&E, R/W AWARD • CON COMPLETION • CON	One extension per phase per type, i.e., ALLOCATION • PA&ED, PS&E, R/W, CON EXPENDITURE • PA&ED, PS&E, R/W AWARD • CON COMPLETION • CON	Regions with funds subject to reprogramming may be allowed one time extension.	Only one extension allowed per encumbrance.			Only one extension approved per year. FHWA may consider additional years dependent on the type of event and nature of delay.