

2016-2021 TIP Policy

TIP Policy Amendment - Delays

December 17, 2014





November Board Themes:

- Provide opportunity for Board appeal

ATTACHMENT I

Staff/TAC recommended TIP Policy language for project delays

December 1, 2014

If, in the following year, the sponsor fails to achieve initiation of the delayed phase by October 15th, OR has breached the Board conditions placed upon that delay, the project's federal funding will be automatically suspended. **The sponsor may appeal at the next available Board meeting to explain the reasons why the delayed phase has not been initiated.** Upon hearing the appeal, the Board has the following options:

1. Deny the request. The sponsor shall stop all future reimbursement payment requests beyond September 30th.
2. Allow a variance, if the Board believes good faith efforts and progress has been made by the sponsor to advance the delayed project phase. The sponsor would be granted (on a case-by-case basis) an extension to initiate the delayed phase. If the sponsor is unable to abide by the conditions of the Board variance, the sponsor shall stop all future reimbursement payment requests beyond September 30th. The length of the extension shall be no greater than 120 days from October 1st.

If the sponsor decides not to appeal to the Board at its next available meeting, the sponsor must return all unspent federal funds allocated to the delayed project. In subsequent contracts with any sponsor that has experienced a deletion of a project due to such delay, RTD or CDOT may include a "termination for performance" clause.



November Board Themes:

- Provide opportunity for Board appeal
- Allow the opportunity for a variance
 - Unforeseen issues
 - Project is close, but didn't meet deadline

ATTACHMENT I

Staff/TAC recommended TIP Policy language for project delays

December 1, 2014

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November Board Themes:

- Provide opportunity for Board appeal
- Allow the opportunity for a variance
 - Unforeseen issues
 - Project is close, but didn't meet deadline
- Remove requirement for reimbursement of federal funds expended on project

ATTACHMENT I

Staff/TAC recommended TIP Policy language for project delays

December 1, 2014

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QUESTIONS/DISCUSSION

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