

Overview & Eligibility

The Congestion Mitigation and Air Quality (CMAQ) Program is a transportation improvement program focused on reducing emissions in areas designated as nonattainment or maintenance for the National Ambient Air Quality Standards (NAAQS). CMAQ funds are available to state and local government agencies as well as private entities through public/private partnerships. Nonprofit organizations may also apply in partnership with a state or local government agency.

Federal Highway Administration (FHWA) CMAQ funds must be spent in nonattainment or maintenance areas as determined by the Environmental Protection Agency (EPA). The following counties in Kentucky are eligible for funding:

- Boone, Boyd, Bullitt, Campbell, Christian, Daviess, Edmonson, Fayette, Jefferson, Kenton, Marshall, Oldham, Scott
- Portions of Greenup, Hancock, Lawrence, Livingston

The project must be transportation related and reduce emissions. Information on the eligible project categories can be found in the FHWA [Interim CMAQ Guidance](#). Applicants must complete requirements from Federal Highway Administration, the Kentucky Transportation Cabinet (KYTC) Office of Local Programs (OLP), and the State Clearinghouse to be considered for funding. Recipients will be required to adhere to the Federal-Aid Highway Project Development Guide for Local Public Agencies (LPA Guide).

If a public private partnership is formed between an eligible state or local government and a private agency, the application must be submitted by the eligible entity. In addition, the Person in Responsible Charge must be an employee of the public entity, not the private agency. If selected for funding the project Memorandum of Agreement (MOA) will be between the Kentucky Transportation Cabinet and the state or local government sponsor. The state or local sponsor will be required to have an approved public private partnership agreement with the private entity prior to the execution of the project MOA.

If an applicant is only requesting utility, Right of Way and/or construction funds, the design and plans for the project must be complete and reviewed by KYTC before the project will be awarded funding. Plans should meet the requirements set forth in the [KYTC LPA Guide](#), even if no federal funds will be used for the design phase of the project. If only requesting construction funds, keep in mind KYTC will be unable to set up federal funds (and therefore a contract with the project sponsor) until the [Project Development Checklist \(PDC\)](#) items are complete.

In-kind match must be approved by the Office of Local Programs at the beginning of a project.

Applications for funding should be submitted to the appropriate MPO and the Office of Local Programs at the same time. If a project does not fall within an urbanized area, the application should be submitted directly to the OLP. During this time the OLP will review the application with FHWA to determine project eligibility and will review all roadway infrastructure projects with the appropriate KYTC District Office. **The OLP will return any applications with missing information or ineligible items to the applicant for corrections. The applicant will have until the end of the application cycle to submit their corrected application to the OLP and MPO.** Once the application cycle has concluded, the MPO will make a prioritized recommendation list and submit it to the OLP.

Applications submitted to the OLP must be emailed to Jackie Jones at Jackie.Jones@ky.gov. Applicants will receive a confirmation email upon receipt of the application.

Person in Responsible Charge

FHWA defines a Person in Responsible Charge as a full-time employee of the LPA. The responsibilities of this person can be found in 23 CFR 635.105. The person designated as the Person in Responsible Charge will be the contact for the life of the project and should be able to answer any questions regarding the project. All correspondence and other documents from the KYTC will be sent to this person. Applicants will be responsible for notifying the OLP if the Person in Responsible Charge changes.

State Clearinghouse Requirements

All applicants must complete the Kentucky State Clearinghouse requirements prior to submitting an application. The State Applicant Identifier (SAI) number provided upon submittal of the Clearinghouse requirements must be included in the application.

Information on the State Clearinghouse may be found at the following link:

<http://kydlgweb.ky.gov/FederalGrants/eClearinghouse.cfm>

Applicants may also contact the Department for Local Government at (502) 573-2382.

System For Award Management (SAM) Requirements

All applicants must be registered in the federal System for Award Management (SAM) before applying for funding. SAM replaces the Central Contractor Registry (CCR) previously used by the federal government. To register, go to <https://www.sam.gov/portal/SAM/#1>. You are being asked on this application to provide the CAGE Code assigned to you when registering.

Required Attachments to the Application

NOTE: Do not attach any documents other than those listed below.

Attachment A – Location Map(s) of Proposed Site(s)

An 8 ½" x 11" location map identifying the site in proximity to federal, state, or local highways must be attached.

Aerial maps are preferred.

If the project involves acquiring a real-property interest, include:

- Current ownership of the property
- Plat or property sketch
- Type of title being acquired
- Identification of any improvements
- Size of tract or size of the area acquired
- Parent tract if it is a partial acquisition

Attachment B – Detailed Engineer’s Estimate or Project Cost Estimate (Non-infrastructure projects)

An engineer’s estimate should be included with this application. The estimate will be used to assess the project construction costs. If applying for a non-infrastructure project, please attach a detailed cost estimate.

Attachment C – Letter of Match Commitment

A 20% match is required for this project. Please attach a letter from the applicant signature authority (Judge/Executive, Mayor, etc.) committing the match for this project. Please keep in mind there is extensive documentation required when using in-kind match and the project sponsor will be required to provide this as part of the reimbursement process. If cash will be used for match, the letter should indicate that the LPA has funds available to use as match as soon as the project is approved to commence.

Attachment D – Public Private Partnership Acknowledgement (only for PPP projects)

If the submitted project is the result of a Public-Private Partnership please attach a letter from the private entity that indicates their acknowledgement that if funded, the project must follow all applicable state and federal guidelines and a Public-Private Partnership agreement will be required before the KYTC enters into any agreement with the LPA applicant for funding. The letter should also outline any match to be provided by the private entity.