

Prioritization Process Pilot Program

	FAST Act (extension)	Bipartisan Infrastructure Law (BIL)				
Fiscal year (FY)	2021	2022	2023	2024	2025	2026
Contract authority	---	\$10 M	\$10 M	\$10 M	\$10 M	\$10 M

Note: Except as indicated, all references in this document are to the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act, Pub. L. 117-58 (Nov. 15, 2021).

Program Purpose

The BIL established the Prioritization Process Pilot Program (PPPP) program to support data-driven approaches to planning that, on completion, can be evaluated for public benefit.

Statutory Citations

- §§ 11204; 11101(d)(2)

Funding Features

Type of Budget Authority or Authorization of Appropriations

- Contract authority from the Highway Account of the Highway Trust Fund, subject to the overall Federal-aid obligation limitation.

Maximum Award Amount

- The maximum amount of a grant under the prioritization process pilot program is \$2,000,000. [§ 11204(c)(3)]

Federal Share

- The Federal share may be 100 percent of the total project cost. If the eligible entity has implemented and has in effect the requirements of § 11204(c)(2)(A) for Metropolitan Transportation Planning or the requirements of § 11204(c)(2)(B) for Statewide Transportation Planning, as applicable, the eligible entity may use any remaining funds from a grant provided under the program for any transportation planning purpose. [§ 11204(c)(2)(C)]

Eligible Activities

An eligible entity participating in the program shall:

- use priority objectives that are developed:
 - in the case of an urbanized area with a population of over 200,000, by the Metropolitan Planning Organization (MPO) that serves the area, in consultation with the State;
 - in the case of an urbanized area with a population of 200,000 or fewer, by the State in consultation with all MPOs in the State; and
 - through a public process that provides an opportunity for public input;
- assess and score projects and strategies on the basis of:
 - the contribution and benefits of the project or strategy to each priority objective developed;
 - the cost relative to the contribution and benefits assessed and scored; and

- public support;
- Use the scores assigned to guide project selection in the development of the transportation plan and transportation improvement program; and
- Ensure that the public—
 - has opportunities to provide public comment on projects before decisions are made on the transportation plan and the transportation improvement program; and
 - has access to clear reasons why each project or strategy was selected or not selected. [§ 11204(c)(1)]

Program Features

This is a new program established under BIL.

Eligible Entities

- A metropolitan planning organization that serves a census designated urbanized area with a population of over 200,000.
- A State [§ 11204(a)(1)].

Use of funds

An eligible entity shall develop and implement a publicly accessible, transparent prioritization process for the selection of projects for inclusion on the applicable long-range transportation plan, which shall:

- include criteria identified by the entity and which may be weighted to reflect priority objectives that the entity has determined support:
 - the planning factors, as found in in section 134(h) of title 23, United States Code (U.S.C.) and section 5303(h) of title 49, U.S.C. (for MPO's), or as found in section 135(d) of title 23, U.S.C., and section 5304(d) of title 49, U.S.C. (for States), as applicable;
 - the national performance measures (for MPOs), or the national transportation goals (for States), as applicable, both found under section 150(b) of title 23, U.S.C.;
 - applicable transportation goals as set by the eligible entity; and,
 - the priority objectives developed in compliance with BIL § 11204(c)(1);
- evaluate the outcomes for each proposed project based on the benefits of the proposed project with respect to each of the criteria described above relative to the cost of the proposed project; and use this evaluation to create a ranked list of proposed projects; and,
- include projects:
 - for MPOs, with respect to the priority list under section 134(j)(2)(A) of title 23, U.S.C., and section 5303(j)(2)(A) of title 49, U.S.C., include projects according to the rank of the project, except as described below under “exceptions to priority ranking.”
 - For States, with respect to the statewide transportation improvement program under section 135(g) of title 23, U.S.C., and section 5304(g) of title 49, U.S.C., include projects according to the rank of the project, except as described below under “exceptions to priority ranking.” [§ 11204(c)(2)(A) & (B)]
- Exceptions to Priority Ranking: In the case of any project that the eligible entity chooses to include or not include in the transportation improvement program under section 134(j) of title 23, U.S.C., or the statewide transportation improvement program under section 135(g) of title 23, as applicable, in a manner that is contrary to the priority ranking for that project established under

this program, the eligible entity shall make publicly available an explanation for the decision, including—

- a review of public comments regarding the project;
 - an evaluation of public support for the project;
 - an assessment of geographic balance of projects of the eligible entity; and
 - the number of projects of the eligible entity in economically distressed areas.
- [§ 11204(c)(2)(D)]

Additional Information and Assistance

- For more information about the PPPP, visit the program's webpage: <https://www.fhwa.dot.gov/planning/pppp/>.
- FHWA can connect you with your local FHWA office and support you with technical assistance for planning, design, construction, preserving, and improving public roads and in the stewardship of Federal funds. For assistance, visit: https://www.fhwa.dot.gov/bipartisan-infrastructure-law/technical_support.cfm.