



U.S. Department
of Transportation

Federal Highway
Administration

Office of the Administrator

December 7, 2007

1200 New Jersey Avenue, SE.
Washington, DC 20590

In Reply Refer To: HOTM-1

Mr. Scott H. Amey
General Counsel
Project on Government Oversight
666 Eleventh Street, NW, Suite 900
Washington, DC 20001-4542

Dear Mr. Amey:

Thank you for your October 15 letter to Secretary of Transportation Mary E. Peters inquiring about the Transportation Technology Innovation and Demonstration (TTID) Program. You ask about management of the Program and its continuation under Parts I and II as authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59. Your letter was forwarded to the Federal Highway Administration for response.

As stated in section 5508 of SAFETEA-LU, "...the Secretary shall permit the entity to which the original contract was awarded to use uncommitted funds to deploy intelligent transportation infrastructure systems that have been accepted by the Secretary ... in accordance with the terms of the original contract." The original contract provides for participation of 25 cities in the TTID Part I initiative (formerly known as the Intelligent Transportation Infrastructure Program, or ITIP). Because of this requirement to complete the original contract, the majority of the funding that has been provided is committed to completion of Part I of the TTID Program. Congress has not appropriated additional funds after imposing the Part II requirements in SAFETEA-LU. When a notice was published on October 2005 in the Federal Register requesting cities to indicate under which part of the TTID Program they wished to participate, 14 cities were under agreement with the contractor for Part I of the Program, leaving 11 additional cities to be added to complete the original contract. A total of 25 cities have now reached agreement with the contractor under Part I of the TTID Program under the original contract, completing the total number of cities stated for participation in the original contract. Enclosed is a list of all cities under the TTID Program and their current status.

With respect to your concern that the local agency partner cannot share real-time information with the public, the original contract for Part I of the TTID Program requires the contractor to provide volume, classification and traffic flow data to the Federal and local government

MOVING THE
AMERICAN
ECONOMY



transportation agencies for internal purposes such as planning and traffic management. The contract also requires the contractor to provide free public access to basic traveler information, and to support provision of 511 travel information telephone services. Basic traveler information is defined as:

- Construction/maintenance information
- Road closures/major delays
- Major special events
- Weather (where available) and road conditions
- Incidents/crashes
- High level (red, yellow, green encoding) congestion information

The contractor provides this basic traveler information for all of the TTID locations to the public freely through its Internet Web site. The basic traveler information may be used by a public agency, or its agent, to support the provision of free basic traveler information to the general public via 511. The contractor may recover any additional operating expenses it incurs to support the 511 service. Your letter notes TTID data cannot be used by local agencies for providing travel time information through 511 without paying a fee. (It should be noted that travel times are not a part of the basic traveler information defined in the contract.) The example we are aware of where the contractor has received additional funding for 511 services is in the Tampa Bay area, where the Florida Department of Transportation (FDOT) issued a competitive request for offers to provide 511 services for the Tampa Bay area. The successful contractor for the FDOT procurement for a 511 system in Tampa was Traffic.com, the contractor for Part I of the TTID Program.,

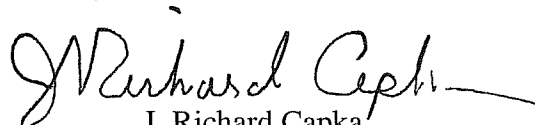
You expressed concern in your letter regarding a waiver of the normal 20 percent local agency match. The original contract notes in section 2.2 of its statement of work that “[t]here is an 80/20 Federal/non-Federal match requirement for all Federal funds provided (\$500,000 non-Federal match required for the initial \$2M in Federal funds).” Section 2.2 also notes that the “...non-Federally derived funding may come from State, local government, or private sector partners.” Additionally, section 2 of Attachment J.2 of the original contract states that, “Mobility Technologies funds will purchase equipment associated with the system network. This includes the site equipment including poles, sensors, solar panels and modems and computer equipment including data collection servers, database server, Web server, communication server, and other associated equipment. The cost of this equipment is over \$500,000, the proposed private match.” To date, the non-Federal match has come from State or local governments for the projects in Providence, San Diego and Tampa. The private match has been used as the non-Federal match for all the other cities that have reached local agreements with the contractor. The requirement for an 80/20 Federal/non-Federal match requirement has not been waived.

As noted above, Congress has not appropriated additional funding for Part II. Because of the limited funding (\$5,181,438) that remains available for competition under Part II of the TTID Program, only two cities will be able to participate. An initial request for proposals (RFP) from the Federal Highway Administration for full and open competition for work under TTID Program Part II was issued in June 2007. Based on the responses and comments received

for the RFP, the procurement was canceled and will be readvertised for two cities. Besides adding a second location, the RFP will be clarified to highlight opportunities for open competition, and a pre-proposal meeting will be held to clarify the RFP and answer any questions related to the TTID Program.

I hope this information is helpful and answers your questions. Please contact me if you need additional information or have further questions.

Sincerely,


J. Richard Capka
Administrator

Enclosure

Enclosure (pg 1)

Contract Status of Cities Participating or Eligible to Participate Under the TTID Program

Cities under agreement with Part 1 contractor at time of publication of Notice (October 5, 2005)

- Baltimore
- Boston
- Chicago
- Detroit
- Los Angeles
- Oklahoma City
- Phoenix
- Providence
- St. Louis
- San Diego
- San Francisco
- Seattle
- Tampa
- Washington, DC Region

Cities Added or Renewed under SAFETEA-LU with their status as of October 30, 2007

- Atlanta: Agreement under Part I
- Houston: Declined participation under Part II
- Dallas / Fort Worth: Declined participation under Part II
- Orlando: Declined participation under Part II
- San Jose: Agreement under Part I
- Miami: Declined participation under Part II
- Denver: Failed to reach agreement under Part I; declined participation under Part II
- Austin: Declined participation under Part II
- New York / Northern New Jersey: Failed to reach agreement under Part I; currently under negotiations for participation under Part II
- Minneapolis / St. Paul: Failed to reach agreement under Part I; currently under negotiations for participation under Part II
- Charlotte: Failed to reach agreement under Part I; unfunded under Part II
- Sacramento: Agreement under Part I
- Portland, OR: Failed to reach agreement under Part I; unfunded under Part II
- Indianapolis: Agreement under Part I
- Tucson: Unfunded under Part II
- Jacksonville: Unfunded under Part II
- Salt Lake City: Agreement under Part I
- Las Vegas: Agreement under Part I
- Cincinnati: Agreement under Part I
- Columbus: Agreement under Part I

Enclosure (pg 2)

- Raleigh/Durham: Agreement under Part I
- Greensboro: Failed to reach agreement under Part I; unfunded under Part II
- Norfolk: Agreement under Part I
- New Orleans: Agreement under Part I
- Kansas City: Unfunded under either Part
- Richmond: Unfunded under either Part
- Albany: Unfunded under either Part
- Tulsa: Unfunded under either Part
- Cleveland: Unfunded under Part I
- Louisville: Did not respond; declined participation
- Nashville: Did not respond; declined participation
- Birmingham: Did not respond; declined participation
- Milwaukee: Did not respond; declined participation
- Hartford: Did not respond; declined participation
- Burlington: Did not respond; declined participation