

Action Transmittal

Transportation Advisory Board



Committee meeting date: October 22, 2026

Date: October 15, 2026

Action Transmittal: 2026-51

Adopt Revisions to Community Considerations Criteria, Measures and Scoring Guidance for the 2026 Regional Solicitation

To: TAC Funding & Programming

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Requested action

Recommend that TAB adopt the revised Community Considerations criteria, measures and scoring guidance for all 2026 Regional Solicitation federal and active transportation application categories to provide clarity as requested by the USDOT.

Recommended motion

Recommend that the Technical Advisory Committee recommend adoption of the revised Community Considerations criteria, measures and scoring guidance (Attachment 1) for all 2026 Regional Solicitation federal and active transportation application categories.

Background and purpose

At its January 2026 meeting, the TAB adopted the criteria, measures and scoring guidance for both the 2026 Federal Regional Solicitation and Active Transportation Solicitation and approved releasing the applications for public comment. Following the public comment period, at its March 18th meeting the TAB recommended the Council approve release of the applications with changes resulting from the public comments. The Council subsequently approved and released the applications on April 22nd.

On March 30, 2026, Scott County sent a letter (Attachment 2) to the United States Department of Transportation (USDOT) regarding the Community Considerations criterion within the Regional Solicitation and its potential misalignment with current federal transportation policies. In a letter to the Council dated August 26, 2026 (Attachment 3) the USDOT asserted that the Regional Solicitation's Community Considerations criterion is not in compliance with federal policy, and specifically requested the following modifications:

- Eliminate race-based prioritization: Remove any scoring prompts and foundational policies that grant priority or assign points based on race or ethnicity (49 CFR Part 21).
- Remove the "environmental justice" framework: Delete scoring metrics that reward subjective analyses of historical harms or grievances (49 CFR Part 21).
- Broaden the definition of "community": Expand the definition of community to include all users of the transportation system, such as commuters and commercial vehicles, rather than excluding non-local users (no regulatory citation).

On October 2, 2026, the Council sent a response letter to USDOT (Attachment 4), which stated

the Council maintains it is compliant with all federal laws but is committed to clarifying our compliance through revisions to the Community Considerations measures description and scoring guidance, and new scorer training to clarify the intent of the measures. The proposed revised language was included in the Council response and is shown in Attachment 1.

The revisions directly address the USDOT requested modifications and include the following:

- Scoring prompts have been removed along with references to the foundational policies.
- References to the environmental justice framework and historical harms have been removed.
- The definition of “community” has been removed.
- The Council’s prohibition against illegal discrimination in the scoring of the solicitation has been reiterated and highlighted.

Relationship to regional policy

TAB develops and issues a Regional Solicitation for federal funding and active transportation regional sales tax funding. The Regional Solicitation applications were created through the Regional Solicitation Evaluation process, which updated the structure, criteria, measures and scoring to reflect the adopted Imagine 2050 Regional Development Guide and 2050 Transportation Policy Plan.

Staff analysis

The revisions shown in Attachment 1 should be made in response to the USDOT direction and will follow the normal approval process shown below. Once adopted by TAB and approved by the Council, the submitted applications will be reopened for the purpose of allowing applicants an opportunity to revise and resubmit their responses for the three Community Considerations scoring measures only. Applicants will not be allowed to make edits to any other application materials previously submitted.

These actions are anticipated to follow the following timeline:

1. Action on revised Community Considerations description and scoring guidance:
 - a) October 22nd meeting of the TAC Funding & Programming (F&P) Committee
 - b) November 4th meeting of the Technical Advisory Committee (TAC)
 - c) November 18th meeting of the Transportation Advisory Board (TAB)
 - d) November 23rd meeting of the Transportation Committee and
 - e) December 2nd meeting of the Metropolitan Council
2. Late December – late January: Qualified applications re-opened to give applicants the opportunity to modify and submit new responses to the revised Community Considerations measures or keep the same responses
3. January: Training session with Community Considerations scorers on the revised measures and scoring guidance.
4. Early 2027: F&P Committee considers scoring appeals for quantitative scores. (By adopted rule, the appeals do not include qualitative scoring measures.)
5. February/March: Community Considerations scoring committee rescores all applications with revised guidance.
6. March/April: F&P Committee approves final scores and begins funding options discussions.
7. May/June: TAB approves program of projects.
8. June/July Council concurs with the TAB’s approval of the program of projects.

Pending any further unforeseen delays, these schedule changes are anticipated to have limited impact on the ability for project sponsors to deliver the federally funded projects in 2030 and

2031. However, selected active transportation regional sales tax projects that had intended to construct their projects in summer 2027 may be delayed until the 2028 construction season.

Routing

To	Action Requested	Date Completed (Scheduled)
TAC Funding & Programming Committee	Review and recommend	<i>October 22, 2026</i>
Technical Advisory Committee	Review and recommend	<i>November 4, 2026</i>
Transportation Advisory Board	Review, adopt	<i>November 18, 2026</i>
Metropolitan Council Transportation Committee	Review and recommend	<i>November 23, 2026</i>
Metropolitan Council	Review and approve	<i>December 2, 2026</i>

