

**SOLICITATION FOR
FEDERAL TRANSPORTATION
ALTERNATIVES PROGRAM (TAP)
FUNDING FOR 2017**

MINNEAPOLIS-ST. PAUL METROPOLITAN AREA, MINNESOTA



INTRODUCTION

This regional solicitation for federal transportation project funding is part of the Metropolitan Council's federally -required continuing, comprehensive, and cooperative transportation planning process for the Twin Cities Metropolitan Area. The funding program and related rules and requirements are established by the U.S. Department of Transportation and administered locally through collaboration with the Federal Highway Administration, the Federal Transit Administration, and the Minnesota Department of Transportation.

I. FEDERAL PROGRAM OVERVIEW

The Transportation Alternatives Program (TAP) was authorized by the most recent Federal transportation funding act, **Moving Ahead for Progress in the 21st Century (MAP-21)**, that was signed into law on July 6, 2012. The Transportation Alternatives Program redefines the former Transportation Enhancements activities and consolidates these eligibilities with the Safe Routes to School and Recreational Trails Programs. The Transportation Enhancements (TE) program was originally authorized in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and continued through two successive laws, TEA-21 and the **Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)**. The Transportation Alternatives program builds upon the legacy of the TE program by funding community-based projects that expand travel choices and improve the transportation experience by improving the cultural, historic, and environmental aspects of our transportation infrastructure.

II. LOCAL OVERVIEW

The Twin Cities Metropolitan Area selects projects for funding from three federal programs: Surface Transportation Program (STP), Congestion Mitigation and Air Quality (CMAQ), and Transportation Alternatives (TAP). This solicitation is only for Transportation Alternatives Program funds to be programmed for 2017.

In accordance with Metropolitan Council policy, these funds are to be invested to help implement the Regional Development Framework and the regional growth strategy, as well as to support the region's economic vitality and quality of life.

The regional Transportation Policy Plan sets the broad framework for transportation actions consistent with the Regional Development Framework and the regional growth strategy. Implementation plans are developed within this framework to address various problems. On the local level, comprehensive plans articulate transportation problems and solutions unique to the community. Large-scale corridor studies bring together local and regional concerns. The materials contained in this solicitation package have been developed in such a manner as to promote and select projects and programs consistent with regional plans and solve problems in accordance with these various implementation plans.

The solicitation process uses a set of qualifying criteria to determine if a proposed project or program meets the broadest policy directions and program federal requirements and follows regionally adopted procedures. For example, the proposed projects must be consistent with the Regional Development Framework and the Transportation Policy Plan, as well as implement a solution to a transportation

problem discussed in a local plan.

Prioritizing criteria are based on policies in either the Regional Development Framework or the Transportation Policy Plan, or they may address various operational issues.

III. FUNDING

1. FUNDING ANNOUNCEMENT

The announcement of funding availability is published in the State Register, posted on the Metropolitan Council website's homepage, and emailed to local stakeholders.

2. AVAILABLE FUNDING

A total of \$6 million in federal Transportation Alternatives Program funds for 2017 is anticipated to be available in this solicitation.

3. LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

Projects must have an assured local (non-federal funds) match of at least 20% of the estimated total cost of the proposed project. At the time of application, the applicant must assure the local match will be available when the project is authorized in the requested program year. If the applicant expects any other agency to provide part of the local match, the applicant must include a letter or resolution from the other agency agreeing to financially participate. TAB will not award additional points for providing a match in excess of 20%.

IV. ELIGIBILITY

1. ELIGIBLE APPLICANTS

All projects must be located within the seven-county metropolitan region of Minneapolis-St. Paul, including the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Under 23 U.S.C. 213(c)(4)(B), the **Eligible Entities** to receive TAP funds are:

- Local governments (includes any unit of local government below a State government agency, except for a metropolitan planning organization. Examples include city, town, township, village, borough, parish, or county agencies.)
- Regional transportation authorities;
- Transit agencies;
- Natural resource or public land agencies;
- School districts, local education agencies, or schools (may include any public or nonprofit private school. Projects should benefit the general public and not only a private entity);
- Tribal governments; and
- Any other local or regional governmental entity with responsibility for oversight of transportation or recreational trails (other than a metropolitan planning organization or a State

agency) that the State determines to be eligible, consistent with the goals of subsection (c) of section 213 of title 23.

State DOTs and metropolitan planning organizations are not eligible entities as defined under 213(c)(4)(B) and therefore are not eligible project sponsors for TAP funds. However, State DOTs and metropolitan planning organizations may partner with an eligible entity project sponsor to carry out a project.

Although many organizations may apply for TAP funds through the regional solicitation, only certain ones can enter into an Agency Agreement and set up an account to spend TAP funds to implement the project. The seven metro area counties and cities with population over 5,000 may be approved by the District State Aid Engineer (DSAE) to enter into an Agency Agreement directly with MnDOT. All other applicants must contact the Metro State Aid Office prior to submitting their application to determine if a public agency sponsor is required.

The public agency sponsor is the local unit of government of record and is responsible for working with the applicant to ensure that all project requirements are met. An Agency Agreement is written between MnDOT and the local unit of government of record. The local unit of government will administer the project using the MnDOT State Aid for Local Transportation (SALT) Delegated Contract Process (DCP) for federal aid projects.

2. ELIGIBLE ACTIVITIES

Projects must be eligible for funding under the federal TAP guidance. Projects must also be consistent with the Metropolitan Council's Development Framework and Transportation Policy Plan.

1. The list of qualifying TAP activities provided in 23 U.S.C. 101(a)(29) of MAP-21 is intended to be exclusive, not illustrative. That is, **only** those activities listed therein are eligible as TAP activities.
 - a. Construction of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
 - b. Construction of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.
 - c. Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
 - d. Construction of turnouts, overlooks, and viewing areas.
 - e. Community improvement activities, including—
 - i. inventory, control, or removal of outdoor advertising;
 - ii. historic preservation and rehabilitation of historic transportation facilities;
 - iii. vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and
 - iv. archaeological activities relating to impacts from implementation of a transportation project eligible under this title.
 - f. Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to—
 - i. address storm water management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in

- sections 133 (b)(11), 328 (a), and 329; or
 - ii. reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.
2. The recreational trails program under section 206 of title 23. *[NOTE: This program is administered through a separate process for the State of Minnesota and is not eligible for this solicitation.]*
 3. The safe routes to school program eligible projects and activities listed at section 1404(f) of the SAFETEA-LU:
 - i. Infrastructure-related projects.
 - ii. Noninfrastructure-related activities. *[NOTE: This activity is currently administered through a separate funding program for the State of Minnesota and is not eligible for this solicitation.]*
 - iii. Safe Routes to School coordinator. *[NOTE: This activity is currently administered through a separate funding program for the State of Minnesota and is not eligible for this solicitation.]*
 4. Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

3. RELATIONSHIP TO SURFACE TRANSPORTATION

Projects must relate to surface transportation. For TAP, a relationship to surface transportation is defined as primarily serving a commuting purpose and/or that connect two destination points. A facility may serve both a transportation purpose and a recreational purpose; a facility that connects people to recreational destinations may be considered to have a transportation purpose.

Proximity to a highway or transportation facility alone is not sufficient to establish a relationship to surface transportation. Additional discussion, beyond proximity, is needed in the TAP project proposal to establish the relationship to transportation. For example, a historic barn that happened to be adjacent to a particular highway facility would not automatically be considered eligible for TAP funds simply because of its location; visibility to the traveler in a way that substantially enhances the traveling experience could qualify.

4. ELIGIBLE COSTS

Generally, for projects that involve the construction of facilities, the TAB will provide TAP funds for project construction and materials, right of way, and land acquisition. If TAP funds will be used for right-of-way acquisition, the breakdown of federal funding and total costs must be identified in the application. **TAB will not provide TAP funds for study completion, preliminary engineering, design, construction engineering, or other similar costs.**

The Transportation Alternatives program is a part of the Federal-aid Highway Program. Although the program is a “grant” program under Federal regulation, it is not an “up-front” grant program and funds are available **only on a reimbursement basis**. Costs become eligible for reimbursement only after a project has been approved by MnDOT, the TAB/Metropolitan Council, and the FHWA division office. This means project sponsors must incur the cost of the project prior to being repaid. Costs must be incurred after FHWA division office project approval or they are not eligible for reimbursement.

5. FEDERAL FUNDING LIMITS

Each application submitted must be for a federal dollar amount between a minimum of **\$100,000** and a maximum of **\$1,000,000**. TAB reserves the right to partially fund any project. Project applicants can “bundle” projects together to meet this minimum. (Example: Bundled projects could consist of signing and lighting a number of bike trails in several cities.) Communities may want to consider using joint powers agreements for implementing bundled projects.

V. REGIONAL SOLICITATION PROCESS

1. PROJECT EVALUATION

Metropolitan Council staff will determine project eligibility during the selection process, subject to review by the U.S. Department of Transportation (USDOT). All projects must be consistent with the [Transportation Policy Plan](#) and [Regional Development Framework](#).

The applicant must show that the project meets all the qualifying criteria to be scored and ranked against other qualifying projects. Applicants whose projects are recommended to be disqualified may appeal the recommendation and participate in the review and determination of eligibility at the TAC Funding & Programming Committee meeting. A set of prioritizing criteria with a range of points assigned is provided. The criteria describe important factors that will be used to assign individual points. The applicant must respond directly to each prioritizing criterion in order for it to be scored and receive points. Projects are scored based on how well the response meets the requirements of the prioritizing criteria and how well the responses compare to those of other qualifying applications in the same project category. Applicants may challenge the scores given to individual criteria responses. Projects that are recommended for funding through this solicitation process will be programmed in the Transportation Improvement Program (TIP) for funding authorization in the year 2017.

Members of the TAC Funding and Programming Committee or other designees will evaluate the applications and prepare a ranked list of projects by category based on a total score of all the prioritizing criteria. The TAC will forward the ranked list of projects with funding proposals to the TAB, which may also develop its own funding options. TAB may or may not choose to fund projects submitted from each category. TAB will then recommend a list of projects to be included in the region's Transportation Improvement Program and receive federal funds. TAB then submits the list of recommended projects to the Metropolitan Council for concurrence.

The TAP project selection criteria will consist of the follow areas of focus:

1. Urgency/Significance – 20% of total
2. Impact – 30% of total
3. Relationship between Categories (*For Safe Routes to School*: Relationship between Program Elements) – 10% of total
4. Relationship to Intermodal/Multimodal Transportation System – 10% of total
5. Development Framework – 10% of total
6. Maturity of Project Concept – 20% of total

2. GENERAL TAB POLICIES

The Transportation Advisory Board (TAB) is responsible for the selection of projects that are to be financed in part with TAP funds made available to the seven-county region. To implement this responsibility, the TAB has developed policies to define eligibility and prioritize eligible projects.

1. Generally, TAP funds are available for the eligible activities listed under Section IV.2 of this document and incidental activities associated with them if the incidental work does not constitute more than 30% of the project costs. One or more of these eligible activities must constitute at least 70% of the project cost. Ancillary activities such as paving a parking lot, constructing buildings or providing restrooms must constitute no more than 30% of the total project cost. Applicants whose project is part of a larger transportation project must provide a construction cost summary demonstrating that at least 70% of the project is eligible for TAP funds.
2. A TAP construction or reconstruction project must be a permanent improvement having independent utility. Temporary construction is defined as work that must be essentially replaced in the immediate future (within five years). Staged construction is considered permanent rather than temporary so long as future stages build on, rather than replace, previous work. All projects must comply with the requirements of the Americans with Disabilities Act. Reconstruction of a bikeway/walkway facility is eligible as long as the facility is beyond its useful life.
3. **A TAP project will be removed from the program if it does not meet its program year.** The program year is July 1st to June 30th of the year in which the project is originally programmed in the Transportation Improvement Program (TIP). Projects selected from this solicitation will be programmed in 2017. The Regional Program Year Policy, which was adopted by TAB in early 2013, includes additional information on this requirement, as well as a process to request a one-time program year extension.
4. TAB will base the fundable amount of a project on the original submittal. The TAB must approve any change in the scope of an approved project. The federal fund participation for each project will be based on an inflation adjustment set by the TAB upon inclusion in the Transportation Improvement Program.
5. Projects will be added to the TIP only as a result of the TAB approval in response to this and subsequent solicitations.
6. Projects listed in the region's draft or adopted TIP are assumed to be fully-funded and to have independent utility from other projects. TAB will not consider projects already listed in the draft or adopted TIP, nor the payback of Advanced Construction funds for those projects, for funding through the solicitation process. Projects submitted that are related to projects listed in the draft or adopted TIP but that have independent utility from those projects are eligible for consideration.
7. If a project is added to the TIP, the entire project is included even though a portion of that work extends beyond the period for which submittals were requested provided that a significant portion of the work is scheduled for letting within the request period.
8. TAB will not fund a Transportation Alternatives project for which the pedestrian, bicycle or environmental components and benefits have been claimed in a related STP or CMAQ project that was funded in a previous solicitation.

9. The Technical Advisory Committee shall prepare an annual report on the implementation of regionally solicited TAP projects for the review and approval of the TAB. This report, the Annual Implementation Report shall include updated program, system and project information. The TAC shall include such findings, recommendations and additional information, as it deems appropriate.

3. PROPOSED SCHEDULE

Date	Action
October 17, 2013	Funding & Programming Committee (F&P) review and recommendation of solicitation package
November 6, 2013	Technical Advisory Committee (TAC) review and recommendation of solicitation package
November 20, 2013	Transportation Advisory Board (TAB) review and approval of solicitation package and release
December 9, 2013	Transportation Committee review and recommendation of concurrence of solicitation release
December 11, 2013	Council concurrence for solicitation release
December 16, 2013	TAP solicitation release
January 31, 2014	Application deadline
February 7, 2014	Qualifying review completed
February 10, 2014	Scoring review begins with scoring groups
February 20, 2014	F&P Committee meeting: Qualifying appeals heard
March 7, 2014	Scoring completed
March 10, 2014	Scores distributed to applicants and F&P; one-week appeal period begins
March 14, 2014	Scoring appeal deadline
March 20, 2014	F&P Committee meeting: Scoring appeals reviewed, funding options developed
April 2, 2014	TAC review of funding options and recommendation to TAB
April 16, 2014	TAB reviewing of funding options
May 21, 2014	TAB approval of funding recommendations
May 26, 2014	Transportation Committee review and recommendation of concurrence
May 28, 2014	Council concurrence with TAB funding selection
June 2014	Inclusion in draft 2015-2018 TIP

The portion of the schedule after the application deadline may be subject to change.

4. CONTACT

For questions about this solicitation, please contact:

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