

Florida Department of Transportation



Transportation Alternatives Program Guidance

FINAL

2/25/2014

PURPOSE

This Transportation Alternatives Program (TAP) Guidance was developed by the Florida Department of Transportation as a result of the highway funding act Moving Ahead for Progress in the 21st Century (MAP-21). This document was developed to provide guidance for the consistent implementation of the TAP across the State.

PROGRAM HISTORY

MAP-21 was signed into law on July 6, 2012. As part of MAP-21, the Transportation Enhancement Program, which began with the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), was reconstituted as the Transportation Alternatives Program, or TAP. The TAP, like Transportation Enhancements, continues to focus on expanding alternative modes of transportation. The Transportation Enhancement Program saw little to no changes through the two previous transportation funding bills, Transportation Efficiency Act for the 21 Century (TEA-21), and Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). However, MAP-21 instituted a number of changes with the implementation of the TAP. The TAP is codified in Title 23 United States Code (U.S.C.) sections 213(b) and 101(a)(29).

PROGRAM OVERVIEW

The TAP focuses on improvements that create alternatives to transportation for the non-motorized user and enhancements to the transportation system for all users. This is seen through the nine (9) eligible activities defined under the TAP and through the National Transportation Alternatives Clearinghouse’s (NTAC) definition for TA projects, which states:

“Transportation Alternative (TA) projects are federally-funded community-based projects that expand travel choices and improve the transportation experience by improving the cultural, historic, and environmental aspects of our transportation infrastructure.”

In summary, the nine (9) eligible activities include:

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Construction, planning and design of on- and off-road facilities for bicyclists, pedestrians, and other forms of non-motorized transportation 2. Construction, planning and design of infrastructure-related projects/systems to provide safe routes for non-drivers 3. Conversion and use of abandoned railroad corridors for non-motorized use 4. Construction of turnouts, overlooks, and viewing areas | <p><i>Under Community improvement activities(5-8):</i></p> <ol style="list-style-type: none"> 5. Inventory, control or removal of outdoor advertising 6. Historic preservation and rehabilitation of historic transportation facilities 7. Vegetation management practices in transportation rights of way 8. Archeological activities related to impacts from transportation projects eligible under Title 23 9. Environmental mitigation activities |
|--|--|

In addition, the Safe Routes to School (SRTS) Program and Recreational Trails Program (RTP) were both consolidated with these nine (9) activities under the TAP. MAP-21 amended the RTP to make the funding a set-aside from the TAP. However, as allowed by MAP-21, the State of Florida opted out of that provision in 2013 and 2014, which means the FDOT retains all TA funds. RTP projects are still eligible under the FDOT's TAP; however, administrative costs of the RTP are not eligible.

Also, the planning, designing, and constructing of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways have been added to the eligible list of categories.

The TAP is a cost reimbursement program, not a grant program. Projects must go through multiple levels of review and approval to become eligible for reimbursement. Once the Federal Highway Administration (FHWA) has authorized a project, project costs may be incurred and ultimately reimbursed. It is important to understand that costs incurred prior to FHWA authorization are not eligible for reimbursement.

As this program has a number of steps necessary to select and fund projects, a flow chart has been established to help explain the process. This flow chart is shown in **Figure 1** at the end of this guidance.

The FDOT administers TAP projects through the Local Agency Program (LAP). Information on the LAP can be found on the FDOT's LAP webpage at the link provided below:

<http://www.dot.state.fl.us/projectmanagementoffice/LAP/default.shtm>.

PROGRAM FUNDING

Nationally, over \$800 million are available for eligible projects through the TAP in both FY2013 and FY2014. As defined in MAP-21, each state receives the same proportionate share of these funds as they received in FY2009 through the Transportation Enhancement Program. This translated into an overall apportionment of \$49,233,460 in TA funds for the State of Florida in FY2013. Apportionments per year for fiscal years 2014 and 2015 equal \$49,901,474. This allocation for the TAP also includes funding for the Recreational Trails Program (RTP), Safe Routes to School Program (SRTS), and the planning, designing and construction of boulevards in the right of way of former interstate system routes or other divided highways.

Local control and decision-making is a fundamental part of the TAP. As such, TAP funding is divided into two categories. Fifty (50) percent of the funds are sub-allocated to areas based on population while the other fifty (50) percent may be obligated in any area of the State.

In general, eligible entities (Project Sponsors) within transportation management areas (TMA) with populations greater than 200,000 submit eligible projects which are selected and prioritized through a competitive process administered by the Metropolitan Planning Organization (MPO), in consultation with the FDOT. In TMAs with multiple MPOs, the MPOs will coordinate and agree upon a single project priority list for the TMA.

The population-based sub-allocations are to be distributed as follows:

- In urbanized areas of the State with an urbanized area population greater than 200,000;
- In areas of the State other than urban areas with a population between 5,001 and 200,000;
- In areas of the State with a population of 5,000 or less.

In Florida, sub-allocations for fiscal years 2014 and 2015 have been made as shown in **Table 1**. Allocations by District are shown in **Table 2**.

TABLE 1

| Transportation Alternatives Program Funding Distribution | | | | |
|--|----------------------|----------------|------------|------------|
| Category | Population/Area | FDOT Fund Code | FY2014 | FY2015 |
| 50% Based on Population | Population > 200,000 | TALU | 19,287,187 | 19,287,187 |
| | Population > 5,000 | TALL | 3,329,209 | 3,329,209 |
| | Population < 5,000 | TALN | 2,334,341 | 2,334,341 |
| Any Area | - | TALT | 24,950,737 | 24,950,737 |
| TOTAL | - | | 49,901,474 | 49,901,474 |

Source: FDOT Work Program Instructions, Schedule A- Section 2, September 30, 2013

Normally, the Federal share for TA projects is the same as for the general Federal-aid Highway Program: 80 percent Federal/20 percent State and/or Local match. However, the State of Florida has elected to utilize toll credits (soft match) to serve as the State and Local match for the TAP. Therefore, project sponsors are not required to provide the 20 percent match.

For the current Fiscal Year 2013, FDOT has opted out of the Recreational Trails Program (RTP). In future fiscal years, FDOT may elect to receive funds for the RTP. The flow chart for the alternative for opting out of the RTP is provided as **Figure 2**. The flow chart for the alternative for opting into the RTP is provided as **Figure 3**.

The Project Application form is included in **Appendix A**.

Table 2

| Transportation Alternatives Program Funding by District | | | | |
|--|------------------------|-----------------------|------------------|------------------|
| District | Population/Area | FDOT Fund Code | FY2014 | FY2015 |
| 1 | Population > 200,000 | TALU | 2,585,000 | 2,585,000 |
| | Population > 5,000 | TALL | 554,000 | 554,000 |
| | Population < 5,000 | TALN | 403,000 | 403,000 |
| | - | TALT | 3,454,000 | 3,454,000 |
| | <i>TOTAL</i> | | <i>6,996,000</i> | <i>6,996,000</i> |
| 2 | Population > 200,000 | TALU | 1,414,000 | 1,414,000 |
| | Population > 5,000 | TALL | 698,000 | 698,000 |
| | Population < 5,000 | TALN | 694,000 | 694,000 |
| | - | TALT | 2,788,000 | 2,775,000 |
| | <i>TOTAL</i> | | <i>5,594,000</i> | <i>5,581,000</i> |
| 3 | Population > 200,000 | TALU | 762,000 | 762,000 |
| | Population > 5,000 | TALL | 618,000 | 618,000 |
| | Population < 5,000 | TALN | 706,000 | 706,000 |
| | - | TALT | 1,905,000 | 1,901,000 |
| | <i>TOTAL</i> | | <i>3,991,000</i> | <i>3,987,000</i> |
| 4 | Population > 200,000 | TALU | 4,502,000 | 4,502,000 |
| | Population > 5,000 | TALL | 186,000 | 186,000 |
| | Population < 5,000 | TALN | 99,000 | 99,000 |
| | - | TALT | 4,661,000 | 4,652,000 |
| | <i>TOTAL</i> | | <i>9,448,000</i> | <i>9,439,000</i> |
| 5 | Population > 200,000 | TALU | 3,486,000 | 3,486,000 |
| | Population > 5,000 | TALL | 832,000 | 832,000 |
| | Population < 5,000 | TALN | 289,000 | 289,000 |
| | - | TALT | 5,163,000 | 5,200,000 |
| | <i>TOTAL</i> | | <i>9,770,000</i> | <i>9,807,000</i> |
| 6 | Population > 200,000 | TALU | 3,300,000 | 3,300,000 |
| | Population > 5,000 | TALL | 65,000 | 65,000 |
| | Population < 5,000 | TALN | 59,000 | 59,000 |
| | - | TALT | 3,213,000 | 3,224,000 |
| | <i>TOTAL</i> | | <i>6,637,000</i> | <i>6,648,000</i> |
| 7 | Population > 200,000 | TALU | 3,240,000 | 3,240,000 |
| | Population > 5,000 | TALL | 376,000 | 376,000 |
| | Population < 5,000 | TALN | 85,000 | 85,000 |
| | - | TALT | 3,766,000 | 3,749,000 |
| | <i>TOTAL</i> | | <i>7,467,000</i> | <i>7,450,000</i> |

Source: FDOT Work Program Instructions, Schedule A – Section 4, September 30, 2013

PROJECT TYPES AND ELIGIBLE ACTIVITIES

Certain activities and project types are considered eligible for funding under the TAP. Eligible activities are defined in 23 U.S.C. 213 (b) and provided, in detail, in **Table 3**. To be eligible for funding under the TAP, projects must meet at least one of the eligibility criteria listed below and have a relationship to surface transportation. The term “relates to surface transportation” is more flexible than the “direct link” term previously used under original Transportation Enhancement Program. A project sponsor must clearly explain the projects relationship to surface transportation by noting its proximity to a highway or a pedestrian/bicycle facility, whether the project enhances the aesthetic, cultural, or historic aspects of the travel experience, or whether it serves a current or past transportation purpose. Other relationships could also be considered.

Because MAP-21 included changes to the eligibility criteria from the original Transportation Enhancement Program, a list of ineligible activities is also provided in **Table 3**.

► Recreational Trails Program:

While the State of Florida has opted-out of the Recreational Trails Program for FY2013 and FY2014, this does not negate the eligibility criteria defined in 23 U.S.C. 206 which defines the program. Any project eligible under RTP is also eligible under TAP, including equestrian trails and motorized vehicular activities. In Florida, the Recreational Trails Program is administered by the Department of Environmental Protection (DEP). Visit <http://www.dep.state.fl.us/gwt/grants> for more information on the Recreational Trails Program.

► Safe Routes to School Program:

Projects defined under the Safe Routes to School (SRTS) Program are also eligible for funding under the TAP. SRTS projects are eligible under TA regardless of their proximity to schools or ability to serve school populations. However, in order to track SRTS projects in Florida, FDOT requires consideration of location requirements under the SRTS program. Both infrastructure and non-infrastructure type projects, as well as costs for a Safe Routes to School coordinator remain eligible. The SRTS Program is defined in 23 U.S.C. 402 note Public Law 109-59 and additional information on the program can be found on the National Center for Safe Routes to School’s website at <http://www.saferoutesinfo.org/>.

SRTS applications are provided in **Appendix B** for the infrastructure type projects and **Appendix C** for the non-infrastructure type projects. The form for infrastructure projects is FDOT Form [500-000-030](#). A sample application for non-infrastructure projects can be found at the link provided below:

<http://www.dot.state.fl.us/projectmanagementoffice/Districts/D4LAP/D4LAPfiles/2013%20Transportati%20Alternatives%20Application%20Materials/2013TransAltAppMaterials.htm>.

TABLE 3

| Eligible Project Types | |
|---|---|
| <ol style="list-style-type: none"> 1. Transportation alternatives (TA) defined in 23 U.S.C. 101 and provided below 2. Recreational trails program, defined in 23 U.S.C. 206 3. Safe routes to schools program, defined in 23 U.S.C. 402 note, Public Law 109-59 4. Planning, designing, constructing boulevards within the right of way of former interstate routes or other divided highways | |
| Eligible TA Project Activities | |
| Category | Includes |
| Construction, Planning, Design of facilities for pedestrians, bicyclists, and other non-motorized forms of transportation | <ul style="list-style-type: none"> • on and off road trails • sidewalks, crosswalks, and curb ramps • bicycle infrastructure • ped/bike signals • traffic calming • lighting and other safety infrastructure • projects to achieve ADA compliance |
| Construction, Planning, Design of infrastructure related projects and systems that will provide safe routes for non-drivers | <ul style="list-style-type: none"> • on and off road trails • sidewalks, crosswalks, and curb ramps • bicycle infrastructure • ped/bike signals • lighting and other safety infrastructure |
| Conversion and use of abandoned railroad corridors | <ul style="list-style-type: none"> • trails for pedestrians, bicycles and other non-motorized users |
| Construction of turnouts, overlooks, and viewing areas | <ul style="list-style-type: none"> • related lighting, interpretation, and pedestrian amenities |
| Community improvement activities | <ul style="list-style-type: none"> • Inventory, control, or removal of outdoor advertising • Historic preservation and rehabilitation of historic transportation facilities • Vegetation management practices in transportation rights-of-way <ul style="list-style-type: none"> ○ Provides safety benefit ○ Prevent against invasive species ○ Provide erosion control • Archeological activities related to impacts from transportation project eligible under Title 23 |
| Environmental mitigation activities | <ul style="list-style-type: none"> • Pollution prevention • Pollution abatement • Mitigation to address <ul style="list-style-type: none"> ○ Stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, includes activities described in Section 133(b)(11), 328(a), and 329 ○ Reduction in vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats |

TABLE 3 CONT'D

| Ineligible TA Activities |
|---|
| <ol style="list-style-type: none"> 1. Safety and Educational activities for pedestrians and bicyclists – <i>except for those targeting children in grades K-8 under the SRTS program</i> 2. Acquisition of scenic easements and scenic or historic sites 3. Scenic or historic highway programs 4. Historic preservation as an independent activity unrelated to transportation 5. Operation of historic transportation facilities 6. Archeological planning and research undertaken for proactive planning 7. Transportation museums 8. State or MPO administrative purposes, except for SRTS administration, and administrative costs of the State permitted for RTP set-aside funds 9. Promotional activities, except as permitted under the SRTS 10. General recreation and park facilities, playground equipment, sports fields, campgrounds, picnic areas and pavilions, etc. 11. Routine maintenance and operations |

PROJECT SPONSORS

Eligible project sponsors are provided in 23 U.S.C. 213(c)(4)(B) and listed below.

- Local governments
- Regional transportation authorities
- Transit agencies
- Natural resource or public land agencies
- School districts, local education agencies, or schools
- Tribal governments
- Any other local or regional governmental entity with responsibility for oversight of transportation or recreational trails that the State determines to be eligible and consistent with the goals of 23 U.S.C. 213 (c).

The Florida Department of Transportation and Metropolitan Planning Organizations (MPO) are **not** eligible project sponsors; however, they may partner with an eligible project sponsor to carry out a project.

Non-profit organizations are also not eligible project sponsors unless they qualify under one of the eligible categories listed above, such as a transit entity or school. Non-profit organizations, however, may partner with an eligible entity if State or Local requirements permit.

PROJECT APPLICATIONS

The FDOT has developed a sample application form to be used by the Districts in the development of District specific application forms. This sample application is attached to this guidance document in **Appendix A**.

► **MPO Areas**

In all MPO areas, regardless of population, applications are to be submitted to the MPO with copies provided to the respective FDOT District Office. The MPOs are responsible for collecting, reviewing, and prioritizing all applications received based on criteria established by the MPO and which achieves the objectives of the TAP. Applications are typically reviewed and prioritized by various committees within the MPO structure and officially approved by the MPO Policy Board.

In TMAs with multiple MPOs, the MPOs will coordinate and agree upon a single project priority list for the TMA. As noticed in the Federal Register, Volume 77, No. 138, there are fifteen (15) designated TMAs in Florida. Those areas are: Miami, Tampa-St. Petersburg, Orlando, Jacksonville, Sarasota-Bradenton, Cape Coral, Palm Bay-Melbourne, Port St. Lucie, Palm Coast-Daytona Beach- Port Orange, Pensacola Fl-Al, Kissimmee, Bonita Springs, Lakeland, Tallahassee, and Winter Haven.

The list of prioritized projects is then forwarded to the respective FDOT District Office for eligibility and feasibility determination. Those projects determined eligible and feasible may then be considered for funding and programming in the FDOT Work Program.

► **Areas Outside MPOs**

For areas outside of MPOs, applications are to be collected by the appropriate county commission for submission to their respective FDOT District Office. Counties will establish tentative priorities for projects in their area, and the FDOT will perform the project eligibility reviews. Consideration should be given to utilizing an advisory committee to evaluate and prioritize each project in counties outside of MPOs. Advisory committees should consist of county, municipal, and FDOT District staff. Interested members of the public may also be included.

Once FDOT has completed their eligibility and feasibility determinations, the list of prioritized projects will be finalized. Projects are then considered for programming in the FDOT Work Program.

► **SRTS Applications**

While SRTS infrastructure projects are broadly eligible under the TAP, it is important for statistical purposes and continuation of the program for Project Sponsors to continue submitting projects under the SRTS criteria. For those projects a separate SRTS application must be submitted along with a TA application. This allows these types of projects to be considered under other safety programs should they receive a low priority or not be selected for funding through the TAP. Completion of the SRTS application will provide the information necessary to be considered under other safety programs. Further details are provided on the TA application.

► **Application Cycle:**

Applications for TA projects may be submitted on an annual basis; however, it is acceptable, and desirable, to maintain an approved priority list of TA projects that may span a number of years relieving the FDOT, MPOs, and Local Agencies from an annual process. Such a list provides flexibility in funding

and scheduling projects and allows TA projects to be advanced should funding become available mid-year. It also provides a more efficient programming cycle by allowing FDOT and the MPOs to add projects to the outer years of the Work Program and Transportation Improvement Program (TIP).

While each District Office sets their own schedule for application submittals and evaluations, a general schedule is provided below in **Table 4**. This schedule reasonably follows the Work Program cycle. Applicants should contact their respective District Office for specific schedule dates.

Table 4

| Typical Application Cycle | |
|---------------------------------------|--------------------|
| Process Step | Date Range |
| Project Planning & Development | October – December |
| Application Submittal | January - February |
| Committee Presentations | March – April |
| Eligibility/Feasibility Determination | May – June |
| Work Program Estimate Update | July – mid-August |
| Submit Priority List | September |

PROJECT SELECTION & PROGRAMMING

MAP-21 requires projects be selected through a competitive selection process (23 U.S.C. 213(c)(4)(A)) that is managed in part by the MPOs or Local Agencies. FHWA has issued guidance that further explains who manages the selection process. This information is shown in **Table 5**. As neither MAP-21 nor FHWA have established standards, procedures, or processes for the competitive selection of projects, development of a competitive selection process is left to the State, MPOs, and Local Agencies.

Table 5

| Project Selection | |
|--|---|
| Area | Who Manages Selection Process? |
| Urbanized areas > 200,000 population | MPO (in consultation with FDOT) |
| Urban areas <200,000 population & Nonurban areas | FDOT (based on prioritized project submittals by small MPO’s and/or counties) |
| Any area of the State | FDOT (based on prioritized project submittals by counties) |

► Competitive Selection Process:

To select projects through a fair and competitive process it is necessary to establish advisory or selection committees to review the TAP applications and properly evaluate the proposed projects. MPOs have, and typically utilize, their committee structure (Technical Advisory Committee, Bike/Ped committees, etc.) to establish evaluation criteria. This criteria is to be used by the evaluation committee(s) for prioritizing the proposed projects. It is important that a similar committee be formed for projects in those areas with less than 200,000 in population. Such a committee should consist of both FDOT and Local Agency representatives, as well as interested citizens.

The resulting priority list is to be approved by the MPO or county, as appropriate, prior to submittal to FDOT for programming.

► **Evaluations:**

Each agency that evaluates TA applications, whether an MPO, County, or FDOT District Office, should utilize a list of technical criteria to evaluate and prioritize each application. The criteria should support the intent of the TAP and, at a minimum, include consideration of the following factors. This list is not in any order of importance and other factors considered important to a particular area could be included.

- ✓ right-of-way availability
- ✓ environmental impacts / permitting issues
- ✓ safety benefits
- ✓ public support for the project (a record of public involvement/support should be provided with application)
- ✓ constructability
- ✓ maintenance responsibility
- ✓ project's effectiveness in supporting TA goals
- ✓ project phases to be funded
- ✓ status of agency's Local Agency Program (LAP) certification
- ✓ cost estimate

Evaluating agencies may also consider the use of project presentations as part of the evaluation process. Presentations should address project specifics and emphasize the origin (county comprehensive plan, special area plan, MPO Long Range Transportation Plan, documented safety concern, etc.) and purpose of the project and its ability to address the intent of the TAP.

Once the evaluation and prioritization process is complete and approved, the FDOT District Office will select projects for programming. Programming of projects will be based on priority, funds availability, implementing agency, and the ability of the agency to implement the project.

For those projects submitted under SRTS criteria, SRTS Coordinators will track all SRTS applications and determine their eligibility. SRTS projects that do not make the priority list may be submitted to the Statewide SRTS Coordinator for evaluation under other safety programs for which the project may be eligible.

► **Programming:**

Once the project evaluations are complete, priorities established, and selections made for inclusion in the Work Program, the FDOT will prepare an official project estimate by phase for budgeting and programming purposes. Projects will be added to the FDOT Tentative Work Program according to the Work Program Instructions. In MPO areas, the FDOT will coordinate with the MPO for any necessary amendments to the Transportation Improvement Program (TIP).

Once a project is programmed, the FDOT will inform the Local Agency responsible for the project's development and instruct them to coordinate with the District LAP Administrator. The Local Agency will

be responsible for obtaining the proper certification to perform the project through the Local Agency Program (LAP).

PROJECT DEVELOPMENT

In most instances, TA projects will be developed by the Local Agency. However, in order to do so, the Local Agency must be LAP certified. Once a project is entered and funded in the FDOT Work Program, the Local Agency will enter into a LAP Agreement with the FDOT. All project aspects will be conducted in accordance with the LAP Manual and must meet federal requirements with regard to project development, consultant acquisition, design, right-of-way acquisition, project advertisement and procurement, and construction administration. All federally-funded projects are subject to the National Environmental Policy Act (NEPA) requirements and must receive federal authorization prior to commencement of any work. Any expenditure made on the project prior to execution of a LAP Agreement and receipt of a notice to proceed from FDOT will not be reimbursed and may jeopardize the project's funding.

More information and specific requirements of the LAP can be found at the following web address: <http://www.dot.state.fl.us/projectmanagementoffice/LAP/default.shtm>. Some District offices have also developed LAP Guides or Desk References that may provide additional assistance or understanding of the program. District LAP Administrators should be contacted for information on district specific documents and/or requirements. Contact numbers for the District LAP Offices are provided at the following web address: <http://www.dot.state.fl.us/projectmanagementoffice/LAP/LAPContacts.shtm>.

Figure 1

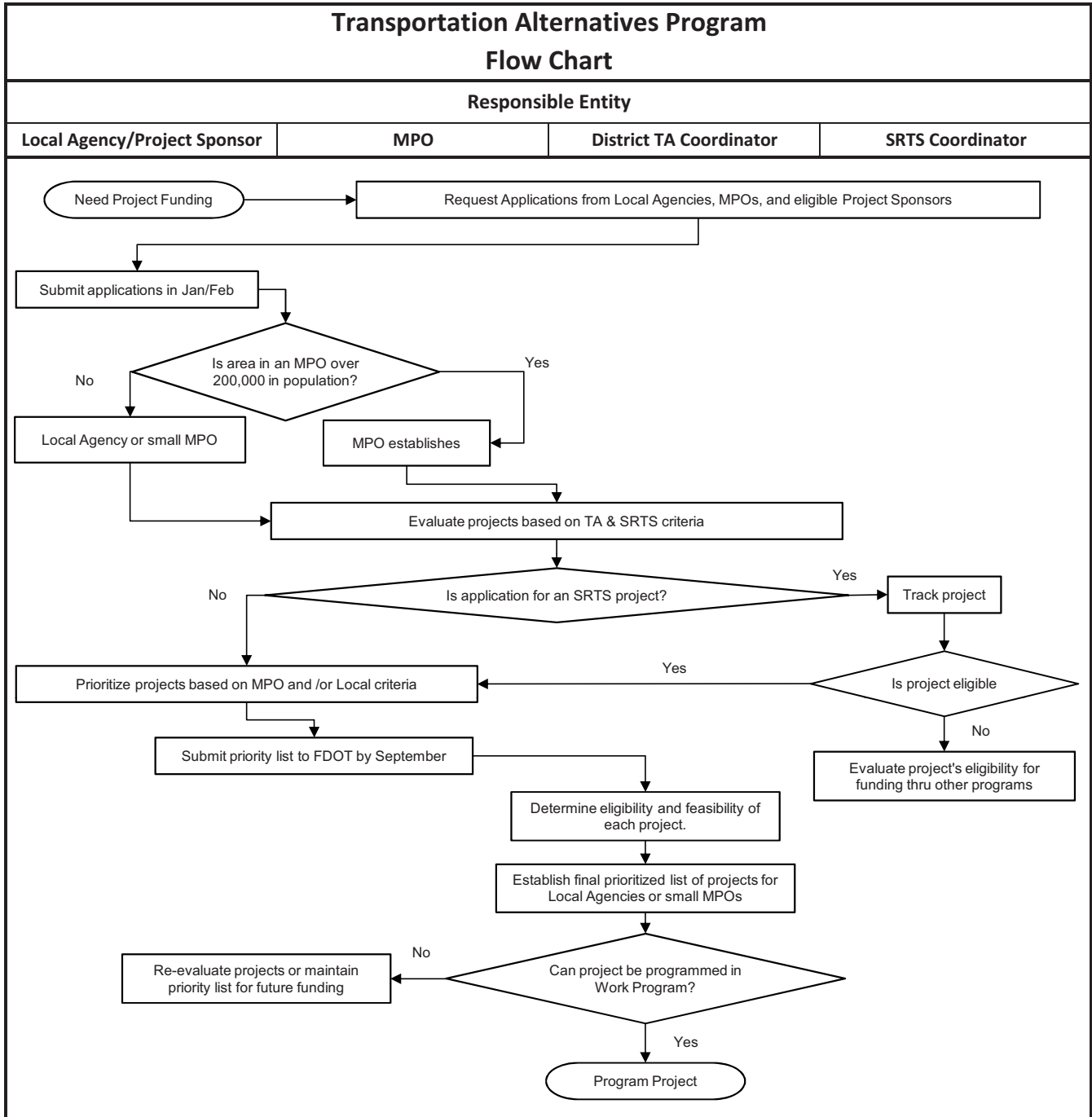


Figure 2

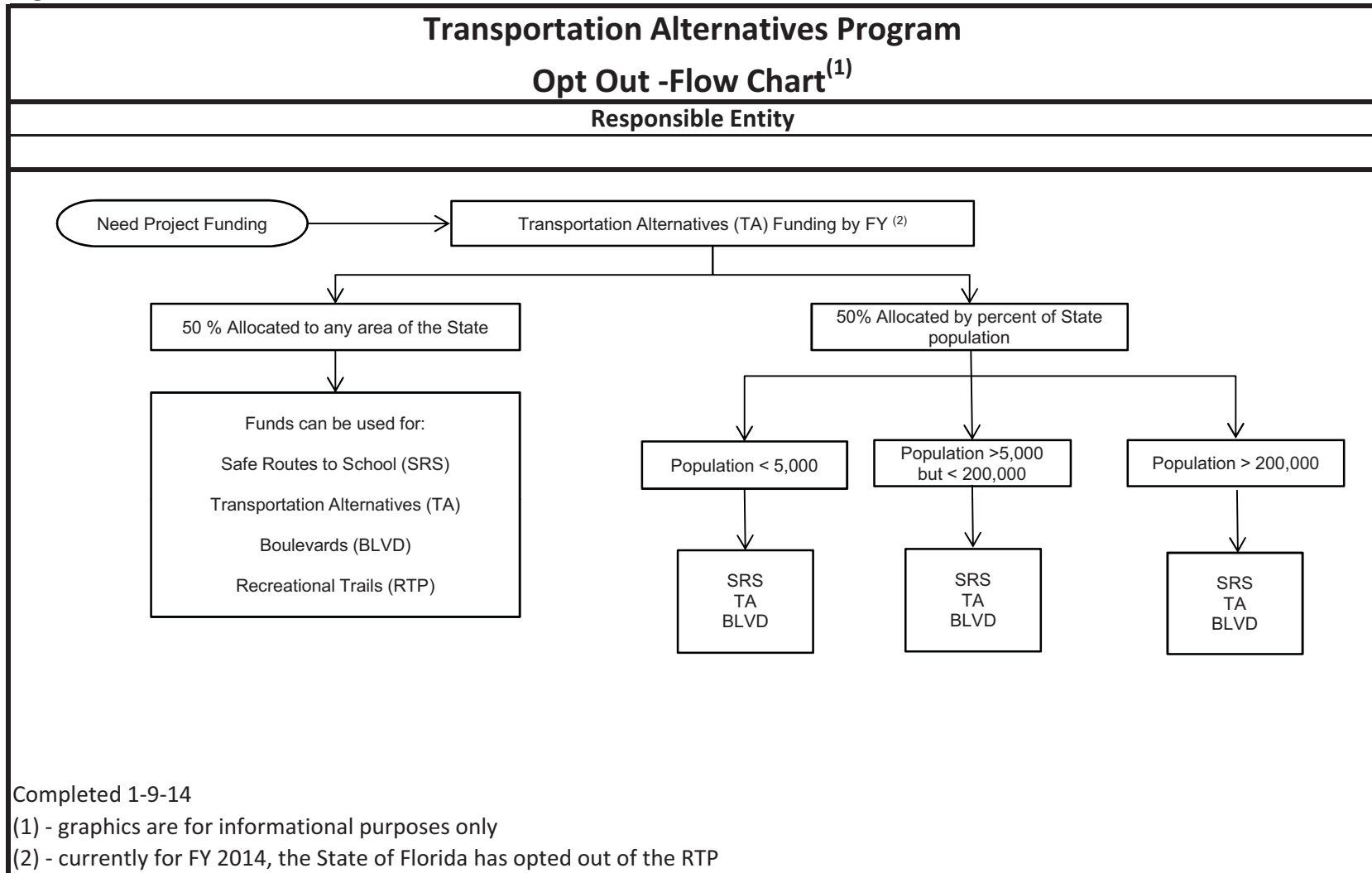


Figure 3

