

Nevada Transportation Alternatives Program (TAP) Guidance for 2015 Funding



Caliente US 93 Pedestrian Project



www.nevadadot.com/tap

Transportation Alternatives Program
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Downtown Elko Beautification

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I. PURPOSE & ELIGIBILITY

The Nevada Transportation Alternatives Program (TAP) provides federal funds for projects that improve non-motorized mobility, historic preservation, scenic accessibility, Safe Routes to School programs, and environmental/vegetation management. TAP projects may be part of an existing planned project or as a “stand alone” project. TAP funded transportation projects must be legally accessible to the general public on a 24 hour/7 day a week basis and be maintained for use on a year round basis. Each proposed project should provide for safe, logical termini.

Eligible sponsors include, but are not limited to: Tribal Governments, School Districts, Private Schools, Governmental Agencies/Entities. Non-Profit organizations may only apply when partnered with an eligible sponsor. Proposed projects submitted by eligible sponsors will be entering into binding legal agreements for funding with the Nevada Department of the Transportation (NDOT). Only one TAP application will be allowed per eligible sponsor. If a project is initiated by a non-eligible sponsor (i.e. a non-profit) the application must be submitted by an eligible sponsor.

There are two broad types of eligible activities: 1) Transportation infrastructure (constructed improvements); and 2) Non-infrastructure projects (efforts related to Education, Encouragement, Enforcement and Evaluation) that effect kindergarten (K) through eighth (8th) grade students. Each of these project categories will be evaluated with unique scoring and ranking criteria.

Only one application will be allowed per eligible sponsor.

Applications received for proposed projects located within the boundaries of a Metropolitan Planning Organization (MPO) jurisdiction (Carson Area MPO, RTC of Southern Nevada, Tahoe Area MPO and Washoe RTC) will be forwarded to MPO staff as a courtesy.

II. ELIGIBLE ACTIVITIES

Infrastructure:

Construction of scenic overlooks, vehicle turnouts and viewing areas - Communities develop the scenic and historic character of highways. These projects make the travel experience educational and attract tourists to local roads.

Scenic Beautification- Projects such as streetscaping, corridor landscaping, junkyard screening

and removal may be eligible.

Traffic calming improvements related to improving the environment for non-motorized users. This may include speed humps, chicanes, speed tables, raised intersections, chokers, closures, road diets, neighborhood traffic circles, etc. Traffic calming can result in:

- slower motor vehicle speeds
- reduce collision frequency/severity
- reductions in cut-through traffic
- increased safety for all modes
- reduced need for law enforcement
- calmer street environments, and
- increased access for all transportation modes.

Inventory, control, or removal of outdoor advertising - This category includes billboard inventories and removal of illegal and nonconforming billboards. Inventory control may include, but not be limited to, data collection, acquisition and maintenance of digital aerial photography, video logging, scanning and imaging of data, developing and maintaining an inventory and control database, and hiring of outside legal counsel.

Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways

Historic preservation and rehabilitation of historic transportation facilities –This category includes the preservation of buildings and facades in historic districts; restoration of historic buildings for transportation-related purposes; and access improvements to historic sites, as well as restoration of railroad depots, bus stations and lighthouses; rehabilitation of rail trestles, tunnels, bridges and canals.

Archaeological Planning and Research - This category is limited to research on sites relating to impacts from implementation of a transportation project eligible under United States Code of Federal Regulations Title 23 – Highways. This category is not for routine excavations.

Archaeological activities relating to impacts from implementation of a transportation project are eligible.

Vegetation Management - Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control.

Environmental mitigation activities, including pollution prevention and pollution abatement activities and mitigation to:

- address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in 23 U.S.C. 133(b)(11), 328(a), and 329; or
- reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

Bicycle Facilities - may include facilities such as; separated share-use paths, bicycle lanes, signage on bicycle boulevards, pavement markings and colorings, innovative treatments, and bicycle network gap closures. Also eligible are; bicycle parking racks, bicycle lockers, designated areas with safety lighting, and covered bicycle shelters, and projects related to making bicycling a safer and more appealing alternative for non-drivers.

All bicycle facility projects should be designed and constructed based on appropriate published guidance (i.e. American Association of State Highway Transportation Officials (AASHTO), National Association of City Transportation Officials (NACTO), Institution of Transportation Engineers (ITE), etc.)

Pedestrian Facilities-such as bulb-out crossings, raised crosswalks, raised intersections, median refuges, pedestrian signals, lighting, enhanced mid-block crossings, sidewalk furnishings and trash receptacles, etc.

All pedestrian facility projects should be designed and constructed based on appropriate published guidance (i.e. AASHTO, NACTO, ITE, etc.) and must be compliant with the Americans with Disabilities Act (ADA) of 1990.

Conversion and use of abandoned railroad corridors for trails - for pedestrians, bicyclists, or other non-motorized transportation users. This category is meant to convert abandoned railroad corridors to trails to help expand travel and recreational opportunities within communities. Converted rail corridors make ideal trails because of their flat grade, long length, and intact right-of-way. Rail-trails, as these types of trails are called, help to encourage physical activity and reduce air pollution.

Non-Infrastructure:

Safe Routes to School (SRTS)

Activities that substantially improve the ability of kindergarten through 8th grade students to walk and bicycle to/from school include:

- secure bike/skateboard parking
- walking/bicycling encouragement programs
- traffic enforcement

- education programs related to bicycling and walking
- public awareness campaigns
- safe routes training
- Regional Safe Routes to School Coordinators

If a project is a SRTS type project it is extremely important to have coordination with SRTS coordinator, school district and other SRTS stakeholders.

- In Clark County: Sherie Moore, skmoore@interact.ccsd.net or 702-799-6560
- In Washoe County: MJ Cloud, mcloud@washoeschools.net or 775-333-3782
- In Western Nevada including; Carson City Douglas, Storey and Lyon Counties: Cortney Bloomer, cbloomer@carson.org or 775-283-7525
- All other areas of the state: Tim Rowe, trowe@dot.state.nv.us or 775-888-7357

III. INELIGIBLE ACTIVITIES

This is not a comprehensive list but listed below are some activities that will not be funded with federal TAP monies and are the sponsor's responsibility.

- Visitor/Welcome Centers and Transportation Museums
- Historic Preservation of non-transportation facilities
- Bicycle and Pedestrian Safety and education programs targeted at populations other than K-8th grade students
- Acquisition of scenic easements or scenic or historic sites
- Archaeological planning and research as part of mitigation for highway projects
- Operation of historic transportation facilities

IV. PROCESS

Eligible sponsors are encouraged to submit one application per each funding cycle. The NDOT will evaluate and facilitate the ranking of projects for each cycle. This application is available at www.nevadadot.com/tap.

NDOT TAP Application Process

#1 The NDOT announces the application deadline for the funding cycle.

#2 Applications are received by the NDOT prior to the funding cycle deadline.

#3 The NDOT determines project eligibility/ineligibility and notifies sponsor.

#4 Proposed projects/activities located within a MPO planning boundaries will be forwarded to the MPO as a courtesy.

#5 Based on the applications received by the NDOT, the Carson Area MPO and Tahoe Area MPO will identify (in writing) one priority infrastructure project from within their respective planning boundaries to receive bonus points. These bonus points are applied due to the extensive, federally required, planning efforts of these MPOs.

#6 All applications are forwarded to the TAP Scoring Committee members for review and initial scoring based on TAP Scoring Criteria. Infrastructure and non-infrastructure projects are scored separately using appropriate criteria.

#7 Project sponsors are invited to give a presentation at the TAP Scoring Committee meeting. Scoring Committee members may modify their scores based on the presentations and discussions. Scores are turned into NDOT staff.

#8 A 10% point bonus (7 points, based on a 70 point scoring maximum) is added to the averaged score of the identified Carson Area MPO and Tahoe Area MPO priority infrastructure project (as identified in #4 above).

#9 The NDOT creates a ranked list of projects as scored by the TAP Scoring Committee including bonus point calculations.

#10 Based on funding available, a list of recommended projects is developed by the NDOT staff and forwarded to the NDOT Director for Approval.

#11 Successful/Unsuccessful project sponsors are notified of the NDOT Director's determination.

#12 Successful projects will be listed in the Statewide Transportation Improvement Program (STIP) a legal agreement will then be developed between the sponsor and the NDOT.

V. FUNDING PROVISIONS

The TAP program is not a grant program but a cost reimbursement program. Prior to the initiation, the project must be included in the NDOT Statewide Transportation Improvement Program (STIP) and authorized by the Federal Highway Administration (FHWA). A fully executed legal agreement is required prior to the NDOT's issuance of a Notice to Proceed (NTP). No expenses incurred prior to the issuance of the NTP will be eligible for reimbursement.

Funding through the NDOT, will provide up to 95 percent of the project costs. The sponsor is required to provide a minimum of 5 percent of the project costs as matching funds. "In kind" matching funds may be allowable as a portion of the project cost.

It is the project sponsor's responsibility to ensure that the cost estimate is realistic and will fully meet the project's needs. It is recommended that the services of a licensed professional engineer, registered architect, registered landscape architect, licensed contractor, or safe routes to school coordinator (as applicable) be obtained to assist in the development of the required project services and cost estimates. Costs for professional services associated with preparation of the application are not eligible for reimbursement. Any increase in state/federal funding will require an amendment to the original project agreement.

All Projects

The sponsor is responsible for all costs over and above the approved awarded funding amount. Funding for project costs in excess of those awarded initially will not be provided. Therefore, **obtaining realistic cost estimates** for the services/tasks to be performed are extremely important to ensure that adequate funding is provided. If the sponsor decides not to complete a project, the sponsor will be responsible to reimburse all TAP expenditures to NDOT.

VI. SPONSOR RESPONSIBILITIES

To comply with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), projects must have an environmental review to assess and/or mitigate effects on social, economic and environmental factors. Similarly, work involving sensitive historic structures or archaeological sites must conform to the U.S. Secretary of the Interior’s standards and guidelines for archaeology and historic preservation.

The sponsor must carry out and comply with all Federal, State and local laws, and acquire environmental approvals and any required permits from the appropriate Federal, State and local agencies. Also, the sponsor must acquire building and other local permits, if applicable.

Engineering and architectural designs for all facilities must comply to the Americans with Disabilities Act.

The sponsor may be required to provide long-term maintenance of a constructed project, on a year round basis, after completion.

For the purpose of estimating project costs the NDOT has a cost wizard tool available at www.nevadadot.com/tap ,(go to the documents/info page). Sponsors should carefully control increases and overruns as they may jeopardize completion of the entire project.

VII. Funding, Scope, Schedule, and Phasing

Maximum Infrastructure funding will be limited to \$650,000 per project

Maximum Non- Infrastructure funding will be limited to \$125,000 per project

Changes of project scope will be looked at on a project by project basis. It is the NDOT’s intent to allow for changes if they are in the “spirit” of the original project as presented to the TAP Scoring Committee. The NDOT does not want to slow or delay any project due to scope changes. The NDOT does reserve the right to ask for additional clarification if scope changes are desired. Changes in project scope may require an additional review by the TAP Scoring Committee and/or amendment to the legal agreement.

TAP Project Deadlines

| | Infrastructure Projects Constructed through NDOT LPA# Process | Infrastructure Projects Constructed by NDOT directly | Non-Infrastructure Projects |
|---|--|---|------------------------------------|
| <u>Within 15 days</u> after the sponsor receives notification that their proposed project has been selected for funding, the applicant must: | Sponsor must indicate their choice of project management | | n/a |
| <u>Within 45 days</u> after the sponsor receives notification that their proposed project has been selected for funding, the applicant must: | Contact NDOT LPA Manager | n/a | Contact NDOT SRTS Coordinator |
| <u>Within 1 year</u> after receiving the funding notification the sponsor must enter into a legal agreement outlining their responsibilities: | ✓ | ✓ | ✓ |
| <u>Within 3 years</u> after receiving the funding notification, the project must be advertised for construction* | ✓ | ✓ | n/a |
| <u>TAP funding has a four year life and must be expended.</u> | ✓ | ✓ | ✓ |
| Sponsors are required to provide monthly updates on project status. | ✓ | n/a | ✓ |

* This requires having plans, specifications, estimates, certifications (e.g., rights-of-way, environmental, cultural, etc.) and other required documents completed, submitted and approved by the NDOT in order to advertise for construction.

#Local Public Agency (LPA)

Failure to meet any of the above-mentioned requirements may result in the cancellation of the project.

Failure to provide project updates may cause the NDOT to determine the sponsor is unresponsive and may cancel the project.

Project completion is of upmost importance to NDOT. Monthly updates to NDOT staff are needed to help ensure that the project is moving forward. If there is no response from a sponsor after being contacted by NDOT staff for a period of three months, NDOT may cancel the project.

VIII. APPLICATION INSTRUCTIONS and REQUIRED ATTACHMENTS

Applications must be submitted by using the NDOT Project Initiation Form (PIF) found at www.nevadadot.com/tap.

If additional description/information is needed it may be submitted separately. Please send to address shown on the cover of this document to the attention of the TAP coordinator.



If a sponsor is unresponsive the approved project may be cancelled.

Eligible entities include, but are not limited to: Tribal Governments, School Districts, Private Schools, Governmental Agencies/Entities. Non-Profit organizations may apply when partnered with an eligible entity. Proposed projects submitted by an eligible sponsors/agencies will be entering into binding legal agreements for funding with the NDOT.

SELECTED* FEDERAL REQUIREMENTS

National Environmental Policy Act (NEPA)

This act requires Federal agencies to disclose and consider, through an Environmental Assessment and, sometimes, through an Environmental Impact Statement, any significant effect a project may have on the environment (including cultural, natural, social and historical resources). Except in unusual circumstances, a TE project will be processed as a categorical exclusion (CE). A CE does not mean that no environmental work is required, only that there is not a significant environmental effect; therefore, less documentation is required.

Section 4(f) of the U.S. Department of Transportation Act

The FHWA cannot approve a project that uses land from a Section 4(f) resource (publicly owned parks, recreation areas, wildlife and waterfowl refuges, and national, state, or local historical sites) unless the project sponsor is also the owner/administrator of the park, or FHWA determines that no feasible alternative exists. In such a case, all efforts must be made to minimize harm to the resource. Note that this Section does not apply to restoration, rehabilitation or maintenance of historic transportation facilities if the work does not adversely affect the resource's historic qualities.

Section 106 National Historic Preservation Act (NHPA) of 1966

Federal agencies are required to consider the potential effects of a project on a property that is listed in or eligible for the National Register of Historic Places.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, As Amended

This act provides requirements in the real property acquisition and provides for relocation payments. Note that all Transportation Alternative projects are subject to the Act except those that do not involve acquisition of additional property or relocations.

Brooks Act

Federally assisted consultant contracts for engineering and design services must use qualification-based selection procedures, which disallow price as a factor in the selection process.

Competitive Bidding

Construction projects must be advertised and awarded to the lowest responsible and responsive bidder through open competitive bidding.

Predetermined Minimum Wage (Davis-Bacon)

The minimum prevailing wage rate must be paid to all workers on Federal-aid highway projects that exceed \$2,000. Note that if the project is a transportation facility and is eligible solely on function (e.g., restoration of a railroad station, an independent bike path, etc.), then this Act does not apply unless the project is physically located within the existing right-of-way of a Federal-aid highway.

Non-Infrastructure Activities

Education, Encouragement, Enforcement and Evaluation activities must comply with the safe routes to school program under section 1404 of Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

*This list is by no means comprehensive for the full listing of federal regulations please visit <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>

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