

Iowa's Transportation Alternatives Program (TAP)

Program Guidance

Fixing America's Surface Transportation (FAST) Act
Federal fiscal years (FY) 2016 through 2020

October 1, 2017

Program Background

Legislative History

Iowa's Transportation Alternatives Program (TAP) is a new iteration of the program that was included in, Moving Ahead for Progress in the 21st Century Act (MAP-21), a transportation authorization act which was in effect from 2013 to 2015. The MAP-21 program redefined the former Transportation Enhancements (TE) activities and consolidated these eligibilities with the former Safe Routes to School (SRTS) program, Recreational Trails Program (RTP) and some types of projects that were previously funded through the discretionary National Scenic Byways (NSB) program which were all originally authorized under the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and continued through two successive laws, TEA-21 and SAFETEA-LU. The most recent transportation authorization act, Fixing America's Surface Transportation (FAST) Act, was enacted in 2015. This act placed further restrictions on the selection of projects for funding under the federal TAP program structure which has led Iowa to implement a modified version of the federal program.

Iowa Implementation

On September 13, 2016, the Iowa Transportation Commission endorsed continuing to allow Iowa's Transportation Management Areas (TMAs), which include the Iowa portions of the metropolitan planning areas surrounding Davenport, Des Moines, and Council Bluffs; Metropolitan Planning Organizations (MPOs); and Regional Planning Affiliations (RPAs) to select the vast majority of projects eligible for this program through a regionally administered selection process. Under previous transportation authorization acts and in support of the state's history of encouraging regional planning through these organizations, a majority of funding is distributed to the TMAs, MPOs, and RPAs to directly select projects locally. With the goal of distributing funding as equitably as possible across the state, the Iowa DOT retains \$1 million annually to administer a Statewide TAP program, geared toward statewide or multi-regional projects, while targeting the remaining funding to the TMAs, MPOs, and RPAs through the Local Projects TAP program.

While consistent with the long-standing regional project selection process in Iowa, this method of project selection is no longer allowed under the competitive project selection requirements of the FAST Act for the federal Transportation Alternatives Set-aside program. The goal of the Local Projects TAP program is the selection of regional projects based on regional priorities. This is consistent with the state's 2017 long range transportation plan, Iowa in Motion – 2045. In the past, the statewide bicycle/pedestrian planning framework was set within a network of statewide priority corridors with inconsistent local demand or support; however, experience has shown that most successful bicycle/pedestrian projects seize on opportunities and depend on local organization, commitment, and momentum to see a project through to completion. Each TMA, MPO, and RPA has an adopted long-range transportation plan that outlines goals and priorities for the transportation system in the region. Many of these organizations have also undertaken a variety of TAP-related bicycle/pedestrian planning activities which can help further define regional priorities for bicycle/pedestrian funding. Relying on the TMA, MPO, and RPA regional planning processes will result in a better overall Local Projects TAP program by selecting the local projects most

likely to be successful. To allow for the continued selection of projects by the TMAs, MPOs, and RPAs, Iowa DOT will administer the Iowa's TAP program with Surface Transportation Block Grant (STBG) funds rather than the funding apportioned to the state for the federal Transportation Alternatives Set-aside program. The use of STBG funds will allow the state the flexibility to continue to administer a TAP program that supports regional decision-making.

TMAs, MPOs, and RPAs will solicit Local Projects TAP program project applications and select projects for award. Iowa DOT will annually calculate STBG-TAP funding targets for each MPO and RPA on a per capita basis and TMA's will receive an STBG-TAP target which represents the Transportation Alternatives Set-aside funds sub-allocated to them via federal statute. The funds targeted to MPOs and RPAs must be awarded and programmed for projects eligible under the Iowa's TAP program guidance. The funding programs administered by the TMAs will continue to be bound by the federal Transportation Alternatives Set-aside guidance published by the Federal Highway Administration (https://www.fhwa.dot.gov/environment/transportation_alternatives/). Iowa DOT will also make additional STBG funds, referred to as STBG-TAP-Flex funds, available to all TMAs, MPOs, and RPAs on a per capita basis. Each TMA, MPO, or RPA will decide how much, if any, of these STBG-TAP-Flex funds are rolled into the Local Projects TAP program administered by the agency.

Reimbursable Nature of the Program

The funds awarded by Iowa's TAP program are 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. This means project sponsors must incur the cost of the project prior to being repaid. Only after a project has been approved by the Iowa DOT and the Federal Highway Administration (FHWA) division office, can costs become eligible for reimbursement. Costs must be incurred only after FHWA division office project approval or they are not eligible for reimbursement. Requests for reimbursement will be made to the Iowa DOT and must be accompanied by sufficient documentation to show that the project costs have already been paid.

Treatment of Projects Requirement

The FAST Act requires that projects must be carried out under the same rules and procedures as a highway project on a federal-aid highway. These rules will be available to successful applicants through the Federal-Aid Project Development Guide as well as through the Iowa DOT Instructional Memorandums. Both of these references can be found on the Iowa DOT website at <http://www.iowadot.gov>.

Iowa's TAP Program

Eligible Activities

The following categories of activities are eligible for funding under Iowa's TAP Program. TMAs, MPOs, and RPAs may choose to further restrict the eligible program activities to suit the priorities established under the program they administer individually. Project sponsors are encouraged to verify Local Projects TAP project eligibility with their local TMA, MPO, or RPA.

- Transportation Alternatives (as defined by 23 U.S.C. 101(a)(29), in effect under MAP-21),
- Infrastructure-related or non-infrastructure-related projects formerly eligible through the Safe Routes to School program (as defined under Section 1404(f) of the SAFETEA-LU), and
- Projects eligible through the Recreational Trails Program under 23 U.S.C. 206.

Transportation Alternatives

Eligible projects must meet one or more of these eligibilities and must relate to surface transportation.

1. Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized 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).
2. Construction, planning, and design 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.
3. Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other nonmotorized transportation users.
4. Construction of turnouts, overlooks, and viewing areas.
5. Community improvement activities, which include but are not limited to:
 - a. Inventory, control, or removal of outdoor advertising.
 - b. Historic preservation and rehabilitation of historic transportation facilities.
 - c. Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control.
 - d. Archaeological activities relating to impacts from implementation of a transportation project eligible under this title.
 - e. Streetscaping and corridor landscaping.
6. Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to:
 - a. Address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in Title 23 sections 133(b)(11), 328(a), and 329; or
 - b. Reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

Infrastructure-Related Safe Routes to School Projects

The planning, design, and construction of infrastructure-related projects that will substantially improve the ability of students to walk and bicycle to school, including:

1. Sidewalk improvements,
2. Traffic calming and speed reduction improvements,
3. Pedestrian and bicycle crossing improvements,
4. On-street bicycle facilities,

5. Off-street bicycle and pedestrian facilities,
6. Secure bicycle parking facilities, and
7. Traffic diversion improvements in the vicinity of schools. (section 1404(f)(1)(a))

Non-Infrastructure Related Safe Routes to School Projects

Activities to encourage walking and bicycling to school, including:

1. Public awareness campaigns and outreach to media and community leaders,
2. Traffic education and enforcement in the vicinity of K-8 schools,
3. Student sessions on bicycle and pedestrian safety, health, and environment, and
4. Funding for training, volunteers, and managers of safe routes to school programs. (section 1404(f)(2)(a))

Recreational Trails Program Projects

Eligible Recreational Trails Program projects include:

1. Maintenance and restoration of existing recreational trails;
2. Development and rehabilitation of trailside and trailhead facilities and trail linkages;
3. Purchase and lease of recreational trail construction and maintenance equipment;
4. Construction of new recreational trails (with some restrictions for new trails on Federal lands);
5. Acquisition of easements and fee simple title to property for recreational trails or recreational trail corridors;
6. Assessment of trail conditions for accessibility and maintenance;
7. Development and dissemination of publications and operation of educational programs to promote safety and environmental protection, (as those objectives relate to one or more of the use of recreational trails, supporting non-law enforcement trail safety and trail use monitoring patrol programs, and providing trail-related training), but in an amount not to exceed 5 percent of the apportionment made to the State for the fiscal year.

Ineligible Activities

- State or MPO administrative activities.
- Promotional activities, except as permitted within an eligible SRTS project.
- Routine maintenance and operations, except trail maintenance as permitted by the Recreational Trails Program.
- General recreation and park facilities, playground equipment, sports fields, campgrounds, picnic areas and pavilions, etc.

Eligible Applicants and Project Sponsors

Iowa's TAP program allows the following types of entities to sponsor an eligible project. TMAs, MPOs, and RPAs may choose to further restrict the eligible project sponsors to suit the priorities established under the program they administer individually. Project sponsors are encouraged to verify Local Projects TAP project sponsor eligibility with their local TMA, MPO, or RPA.:

- Local governments.

- Regional transportation authorities.
- Transit agencies.
- Natural resource or public lands agencies.
- Tribal governments.
- 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.
- A non-eligible project sponsor may partner with an eligible co-sponsor in applying for funds.

Eligible Costs

Only certain costs are eligible for reimbursement through Iowa's TAP program. An obligation of funds occurs when a project is approved and a project agreement is executed between the federal government (FHWA division office) and the Iowa DOT. This is called FHWA authorization. This does not generally occur until a project has cleared a number of steps in the project development process including the execution of a project agreement between the project sponsor and the Iowa DOT. Although considerable time and money may have already been spent developing a project, the obligation of funds upon FHWA authorization marks the beginning of project costs which are eligible for reimbursement. Any costs incurred prior to receipt of a notice to proceed from the Iowa DOT are not eligible for reimbursement.

After obligation and FHWA authorization, many project specific costs are eligible. Preliminary and final engineering work including project development, acquisition of right-of-way, environmental work, cost estimates, construction plans, and architectural work are eligible after approval is granted by the Iowa DOT. Utility relocations as permitted under Iowa Code, construction engineering, and construction costs would also be eligible. Any administrative, maintenance, or general planning studies would not be eligible. Upon award, each project will be assigned a dedicated contact person within the Iowa DOT who will work with the project sponsor through each step of the project development process.

Local Match

Iowa's TAP program funds may pay for up to 80 percent of eligible project costs or up to the approved grant maximum, whichever is less. A local match is required to pay for 20 percent or more of the remaining project costs. This match requirement also applies to Safe Routes to School projects. Federal funds cannot be used as matching funds, unless expressly permitted by law. State funds may be eligible for use as match to federal funds. Services, materials, or real property donated by a third party to the project sponsor may also be counted as match under certain circumstances and with Iowa DOT approval.

Application Process

Solicitation and Application Deadline

Statewide and Multi-regional Projects

Applications for projects with a scope that is statewide or multi-regional in nature may be considered for funding through the Statewide TAP Program. Applications are due to the Iowa DOT annually by October

1 and must include the completed application, Iowa DOT *Form 240004 Application Form for Iowa's Transportation Alternatives Program (TAP) Funds*, and all required attachments. Email submissions of the completed application by the stated deadline are allowed.

Local Projects

Projects with a local city or county focus will submit an application for the Local Projects TAP program to the local TMA, MPO, or RPA. Each TMA, MPO, and RPA will announce submittal deadlines for eligible project sponsors within their area and will verify that submitted applications are complete. TMA, MPO, and RPA staff will work directly with local project sponsors in identifying proposed projects and assisting project sponsors with completing the application. Contact information for local TMAs, MPOs, and RPAs as well as submittal deadlines can be found on the Iowa DOT website.

Project Selection

Statewide or Multi-regional Projects

In addition to meeting project eligibility requirements, projects funded under the Statewide TAP program are intended to have statewide or multi-regional significance. As such, applications for projects such as community or county trails that could be considered primarily local impact projects will not be scored favorably. These types of projects with a local impact should be submitted to the TMA, MPO, or RPA in your region according to its application deadline for the Local Projects TAP program.

An assessment of the relative statewide significance of a project may be made by considering the following:

- Statewide or multi-regional impact of the project,
- Degree of enhancement of the quality or utility of the state's overall surface transportation system,
- State or multi-regional tourism benefits,
- Degree of statewide or multi-regional planning implemented, and
- Iowa DOT priority project type (SRTS or Iowa Byways).

Applications will be reviewed by the Iowa DOT according to the above criteria. Projects recommended for funding will be presented to the Iowa Transportation Commission for approval. Following Commission action, project sponsors will be notified of their award, and details concerning initiating project development will be provided. The Iowa DOT reserves the right to reduce or adjust grant requests.

Local Projects

Each TMA, MPO, or RPA will provide all applications considered for funding in each award cycle to the Iowa DOT. The Iowa DOT will review each application upon receipt from the TMAs, MPOs, and RPAs and confirm that the application is eligible to receive Local Projects TAP program funding according to the program guidance. The Iowa DOT will return confirmation of eligibility and provide any comments on the applications back to the TMAs, MPOs, and RPAs. Each TMA, MPO, and RPA will review each eligible application received, consider any comments received by Iowa DOT, and assess each project for consistency with local/regional plans and priorities. This is normally done through the use of a regional

review committee or other means and considers factors relevant to regional priorities as determined by each TMA, MPO, or RPA.

Application Submittal

Applicants for the Local Projects TAP program are encouraged to contact their local TMA, MPO, or RPA to verify the application information required for their area. While they are encouraged to use the Local Projects TAP application form developed by the Iowa DOT, TMAs may require applicants to submit a form of their choosing. MPOs and RPAs are required to use the Iowa DOT form at a minimum, but individual MPOs and RPAs may require additional information for the Local Projects TAP program beyond those items listed below. The MPO or RPA will include a request for additional information in the notice of their solicitation. A complete application for the Local Projects TAP program submitted to an MPO or RPA or to the Iowa DOT for the Statewide TAP program will, at minimum, consist of the following as applicable:

1. A completed application form. *Form 240004 Application Form for Iowa's Transportation Alternatives Program (TAP) Funds* is available on the Iowa DOT website.
2. A narrative assessing existing conditions, outlining the concept of the proposed project, and providing adequate project justification as described in the application form. The narrative also requires a discussion of topics like how the project will enhance connectivity, project readiness, and environmental conditions among others.
3. A detailed map identifying the location of the project.
4. A sketch-plan of the project, including cross-section for bicycle or pedestrian facilities.
5. Digital photographs
6. An itemized breakdown of the total project costs.
7. A time schedule for the total project development.
8. An official endorsement of the project from the authority to be responsible for its maintenance and operation according to the requirements included in the application form. For infrastructure projects, this includes assurance that the facility will be adequately maintained in public use for a minimum of 20 years. For cities, counties, or other political subdivisions, this endorsement is required to be in the form of a fully executed resolution by the elected body or board as applicable.
9. If applicable, a letter of support for the project from the scenic or historic byway board.
10. If applicable, information about the affected school(s) and student travel information for a SRTS project.
11. A narrative discussing the public input process that was followed and public acceptance as well as a discussion of local and regional planning efforts, partnership, and stakeholder involvement.
12. If the project will include construction within Iowa DOT right-of-way, a letter of support from the Iowa DOT District Office is required.
13. Minority Impact Statement

Funds Awarded

Statewide TAP program funds may be awarded for up to 80 percent of the estimated eligible total project costs except for the following categories of projects. The Iowa Transportation Commission values local

SRTS and Iowa Byways projects and has decided to incentivize the award of these projects by the TMAs, MPOs, and RPAs through the Local Projects TAP program. A Local Projects TAP application for a SRTS or Iowa Byways project may be eligible to receive a portion of federal funds through the Statewide TAP program in the following scenarios:

- If a project is located along an Iowa Byway, has the endorsement of the appropriate byway organization, and has received or been recommended for 50 percent of the estimated total eligible project costs by the local TMA, MPO, or RPA through the Local Projects TAP Program selection process or the (STBG) program, the project may be eligible to receive an additional award of 30 percent of the estimated total eligible project costs of Statewide TAP program funding.
- SRTS projects that have received or been recommended 50 percent of estimated total eligible project costs by the local TMA, MPO, or RPA through the Local Projects TAP Program selection process or the STBG program, may be eligible to receive an additional award of 30 percent of estimated eligible total project costs of Statewide TAP program funding.

An application for the Statewide TAP program meeting the requirements included in this guidance must be submitted by the local project sponsor to Iowa DOT in order to be considered for an award from the Statewide TAP program. Actual federal funds applied to a project will not exceed 80 percent of total project costs, or the maximum award amount, whichever is less. TMAs, MPOs, and RPAs that award an Iowa Byway or SRTS project 50 percent of its eligible project costs are encouraged to work with the project sponsor to ensure an application is submitted to the Iowa DOT Statewide TAP program.

Contacts

Applicants interested in the Statewide TAP program should contact the Iowa DOT for additional information:

Pamella Lee
Transportation Alternatives Program Manager
Iowa Department of Transportation
Office of Systems Planning
800 Lincoln Way
Ames, IA 50010
Phone 515-239-1810
Pamella.Lee@iowadot.us

Applicants interested in the Local Project TAP program should contact their local MPO or RPA. A list of these organizations and their contact information is available on the Iowa DOT website.

Federal Requirements, Standards, or Guidelines

Since Iowa's TAP program is funded with federal-aid highway program funds, awarded projects are subject to certain federal laws and regulations including but not limited to:

1. Involvement of the public, including the adjacent property owners, in the development of the project.
2. Compliance with the Uniform Relocation Property Assistance and Real Property Acquisition Policies Act (the Uniform Act) for the acquisition of easements or the purchase of land in fee simple. This includes fair treatment practices and may include the completion of an appraisal on parcels to be acquired. This requirement applies whether or not federal funds will be used for the acquisition costs.
3. National Environmental Policy Act (NEPA). This requires verification the project is not harmful to the environment including, but not limited to:
 - Noise - impacts of noise during and after construction.
 - Air Quality - compliance with Iowa's state implementation plan for maintaining its attainment status relative to the national ambient air quality standards. Conformity with the requirements of the Clean Air Act must be verified.
 - Cultural Resources - disturbances to areas of archaeological or historical significance. Properties proposed for rehabilitation or preservation must be eligible for or listed on the National Register of Historic Places.
 - Water Quality - impacts to water quality.
 - Wetlands - impacts to wetlands.
 - Floodplains - impacts to regulatory floodways or to a 110-year floodplain.
 - Farmland Protection - impacts to surrounding farmland.
 - Regulated material sites - location of and impacts to regulated material sites.
 - Threatened or endangered species - impacts to threatened or endangered species.
4. Americans with Disabilities Act (ADA). Projects must conform to the Americans with Disabilities Act, which allows for reasonable access to the project for persons with disabilities.
5. Disadvantaged Business Enterprises (DBE) and Minority Business Enterprises (MBE). Verification must be received that efforts have been made to solicit bids from disadvantaged and minority business enterprises.
6. Prevailing wage (Davis-Bacon) Requirements. Projects will be required to comply with Davis-Bacon wage requirements, which state that contractors will conform to federal minimum wage requirements.
7. Competitive bidding requirements. Construction projects are required to be let through the Iowa DOT or according to procedures for a public letting as per Iowa Code 26.3 through 26.13.
8. Permits or Other Approvals. It is the project owner/sponsor's responsibility to obtain all permits or other approvals that may be required as a result of the activities proposed as part of the project.
9. Accounting Procedures. The Grantee shall establish and maintain for the project either a separate set of accounts or accounts within the framework of an established accounting system, in a

manner consistent with 2 C.F.R. §§ 200.302, 200.303, and 200.305. All costs charged to the project, including any approved services contributed by the Grantee or others, shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers describing in detail the nature and propriety of the charges. The Grantee shall ensure that all checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents pertaining in whole or in part to the project are clearly identified with a grant agreement number, readily accessible, and to the extent feasible, kept separate from documents not pertaining to the project.

10. Maintenance. The project owner/sponsor will commit to maintaining the completed project for the duration of its useful life. In the case of most infrastructure projects, the useful life will be considered to be a minimum of 20 years.