



NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

Nebraska Department of Transportation

Transportation Alternative Program Guide

2023



PROGRAM DESCRIPTION

The Transportation Alternatives Set-Aside was authorized under Section 1122 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) and is reauthorized under the Bipartisan Infrastructure Law (BIL). Each state develops rules to administer their program according to its priorities.

The federally funded Transportation Alternatives Program (TAP) encompasses a variety of smaller-scale transportation projects such as pedestrian and bicycle facilities, Complete Streets and road diets, recreational trails, safe routes to school projects, and community improvements such as historic preservation. TAP projects must relate to the surface transportation systems to be eligible for funding.

This call for projects is limited to eligible project sponsors and projects from areas with populations of less than 5,000, urban areas with populations of 5,000 to 49,999, and urbanized areas with populations of 50,000 to 200,000 that are outside 2020 U.S. Census Urbanized Area boundaries with populations over 200,000. Large urbanized area boundaries, with populations above 200,000, are also known as Transportation Management Areas (TMAs). TMAs received a separate allocation of TAP funding that is administered by the Metropolitan Planning Organization (MPO). TMA's develop their own rules to administer their program according to their priorities.

~~This call for TAP projects is for outside of the TMAs or for projects within a TMA that were denied funding by the MPO.~~ (Updated 3/20/23) Available funding is as follows:

Population 0 – 4,999 \$12,500,000

Population 5,000 – 49,999: \$6,250,000

Population 50,000 – 200,000: \$1,500,000


Flexible, all populations: \$27,000,000

Note: In Nebraska, TAP funds for the Recreational Trails Program are administered by the Nebraska Game and Parks.

The TAP application package must present persuasive evidence of support for the proposed project from the communities in which it would be implemented and include a commitment to provide a local funding match of at least 20% of the allowable project costs.

The following list identifies the most basic facts in conjunction with the rules for Nebraska's call for TAP projects. This list is not all inclusive. Interested project sponsors must review all sections of this guide and applicable rules found in FHWA's TA Set aside Guidance, attached. NDOT staff are available to discuss TAP program information and the project application process.

1. TAP projects shall be selected through a competitive process administered by the NDOT Local Assistance Division.
2. Project Funding Agreements, and reimbursement of eligible costs.
 - a. Federal TAP funds are provided through the Federal Highway Administration (FHWA). Projects undertaken with TAP funds are eligible for reimbursement of up to 80% of the allowable costs. Compensation for expenditures will be authorized on a cost reimbursement basis. The project must have a fully

- 
- executed Program Agreement between the project sponsor and the NDOT. Expenditures incurred prior to receiving a project award and formal notice to proceed will not be eligible for reimbursement.
- b. Acquisition of property for a TAP project must be in accordance with all applicable federal and state statutes and regulations, including the Uniform Relocation Act, even when the cost is not reimbursable through the program.
 - c. The federal funding amount authorized for a TAP project is not fixed, there is no cap on funding.
3. Local Match
 - a. The local funding match is a minimum 20% of the eligible costs of the project. No in-kind match will be accepted.
 - b. Funds from other federal programs may be used as a local funding match only when specifically authorized by federal law or regulation.
 - c. Private cash donations may be acceptable if authorized by law.
 4. Whether proposed as an independent project or as an element of a larger transportation project, the project must be limited to a logical unit of work and be constructible as an independent project.
 5. All applicants are required by law to comply with the Americans with Disabilities Act (ADA) of 1990 and Title VI of the Civil Rights Act of 1964.
 6. The funded activity must be maintained and provide public access for at least 25 years and be accessible to the general public.
 7. Projects must meet federal and state requirements to be considered eligible for construction. If any of the individual components of a project are not eligible for federal reimbursement, the project sponsor will need to demonstrate a willingness and ability to pay ineligible costs or demonstrate the TAP project is constructible as an independent project without the ineligible items.
 8. Projects that include state right-of-way or have a direct effect on an existing state maintained roadway must have a letter from a NDOT District Engineer for the respective area offering consent for the proposed project. Visit NDOT's website at <https://dot.nebraska.gov/contact-us/> under District Contacts, for an interactive map to determine the appropriate District Engineer contact.
 9. A project sponsor may submit more than one TAP project application.
 10. A project must seek a minimum of \$500,000 of federal reimbursement. There is no maximum federal reimbursement per project.

PROGRAM STRUCTURE

Eligible Project Categories

The following categories of activities are eligible for funding under Nebraska's TAP Program.

- Transportation Alternatives (as defined by 23 U.S.C. 101(a)(29), in effect under MAP-21),

- 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.

MPO's within TMA's may choose to further restrict the eligible program activities to suit the priorities established under the program they administer individually. ~~Project sponsors within a TMA are encouraged to verify TAP project eligibility with their local TMA and MPO.~~ (Updated 3/20/23)

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. Historic preservation and rehabilitation of historic transportation facilities.
6. Construction of Complete Street/Safe Streets For All improvements

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
7. Traffic diversion improvements in the vicinity of schools. (section 1404(f)(1)(a))

Recreational Trails Program Projects (RTP)

Any project eligible under the RTP also is eligible under the TA Set Aside. 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. Construction of new recreational trails (with some restrictions for new trails on Federal lands);

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 TAP PROJECT SPONSORS

Under 23 U.S.C. 133(h)(4)(A), as amended by the BIL, the entities eligible to receive TA Set-Aside funds are:

- 1 A local government.** Local government entities include any unit of local government below a State government agency, except for an MPO representing an urbanized area with a population over 200,000. Examples include city, town, township, village, borough, parish, or county agencies.
- 2 Or through partnership with a Local Government Agency** via an interlocal agreement where the Local Government Agency acts as the lead agency. Projects should benefit the general public and not only a private entity.
 - i. A school district, local education agency, or school.** School districts, local education agencies, or schools may include any public or nonprofit private school.
 - ii. A nonprofit entity.**
- 3 A regional transportation authority.** Regional transportation authorities are considered the same as the Regional Transportation Planning Organizations defined in the statewide planning section (23 U.S.C. 135(m)).
- 4 A transit agency.** Transit agencies include any agency responsible for public transportation that is eligible for funds as determined by the Federal Transit Administration.
- 5 A natural resource or public land agency.** Natural resource or public land agencies include any Federal, Tribal, State, or local agency responsible for natural resources or public land administration. Examples include:
 - State or local park or forest agencies.
 - a. State or local fish and game or wildlife agencies.
 - b. Department of the Interior land management agencies.
 - c. U.S. Forest Service.
- 6 A Tribal government.**
- 7 A metropolitan planning organization that serves an urbanized area with a population of 200,000 or fewer.** MPOs representing urbanized areas over 200,000 population are not eligible entities.
- 8 Any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails** (other than a metropolitan planning

organization that serves an urbanized area with a population of over 200,000 or a State agency) that the State determines to be eligible, consistent with the goals of 23 U.S.C. 133(h).

- 9 **A State**, at the request of an eligible entity listed above.

NDOT will act as the Responsible Charge for all projects outside of a TMA. The applying entity must designate a Project Liaison (PL) for the project that is a full-time public employee or elected official who is accountable for the project. This designated employee who has been properly authorized to service as LPA's representative between LPA, State and FHWA will take all actions necessary for the project on behalf of the LPA. There are preestablished milestones throughout the phases of the project where the PL will aid NDOT in carrying out required actions as the project progresses. In acting as the RC, NDOT will negotiate all contracts, administer and manage the project deliverables, will acquire all property rights necessary, and will let for bid and manage the construction inspection for the project.

States and MPOs representing urbanized areas over 200,000 population are not eligible entities. (23 U.S.C. 133(h)(4)(A)(ix)). State DOTs and MPOs may partner with any eligible entity project sponsor to carry out a project. After projects have been selected, the State DOT may manage projects.

TAP PROGRAM CALL TIMELINE AND SUBMISSION REQUIREMENTS

Announcement

NDOT's call for 2023 TAP projects begins on February 15th, 2023. Downloadable information, including the 2023 TAP Program Guide and 2023 TAP Application Form, are available on NDOT's website at: <https://dot.nebraska.gov/business-center/lpa/projects/programs/tap/>


Application Submission to NDOT

Project applications must be submitted in the prescribed Application Form and be received by NDOT no later than 4:00 p.m., CDT, on **April 30th, 2023**. **The application package must include an official resolution from the project sponsor, signed before the governing body by an appropriate representative, stating the local entity's willingness to commit to the project's development, implementation, construction, maintenance, management, and financing.**

Completed TAP application packets and attachments must be submitted, via either mail or in person, to NDOT at 1400 Nebraska Parkway, Lincoln NE, 68502 Attention Jeff Soula.

Eligibility Determination, Evaluation and Selection Process

NDOT will review TAP project applications for eligibility. NDOT will review each application package to ensure all the requested information and documentation has been included. An application



package that fails to include any of the items specified in this guide and the TAP 2023 Application Form will be considered incomplete and will not be considered for funding. NDOT selection committee will assess and score eligible projects through a competitive process. NDOT will notify TAP Project sponsors regarding project selection by July 31st, 2023.

Important Dates:

• **February 15th, 2023**

2023 TAP Call for Projects is published. The TAP 2023 Program Guide and 2023 TAP Application Form are available for download from NDOT's website at: <https://dot.nebraska.gov/business-center/lpa/projects/programs/tap/>

• **April 30th, 2023 (4:00 p.m. CDT)**

Submission deadline for the 2023 TAP project application(s). A TAP project Application Form must be received by the NDOT Local Assistance Division on or before **4:00 p.m. CDT, Wednesday, April 30th, 2023. A TAP Application Packet must include the following:**

1. Completed TAP application form
2. Attachments identified in the TAP application form
3. Resolution for project commitment and ROW condemnation should it become necessary
4. Estimates
5. Completed TAP application packets and attachments must be submitted, via either mail or in person, to NDOT at 1400 Nebraska Parkway, Lincoln NE, 68502 Attention Jeff Soula. Applications must be received by April 30th, 2023 by 4:00 PM. NDOT reserves the right to deem a TAP application package ineligible for funding if not received by the prescribed deadline.

• **May 1st to July 21st**

2023 TAP project evaluation (project ineligibility letters mailed, if necessary)

• **July 31st**

Project awards announced. Individual sponsors will be notified of award. A list of approved projects will also be posted on the NDOT website.

PROJECT SELECTION

NDOT seeks to prioritize TAP investments in projects that represent the best use of available TAP funds. Project sponsors are encouraged to document project details and benefits using verifiable means; which may include the use of US Census data and maps, published crash data, final research papers, and other published information as applicable. Photographs, maps, and charts are good tools to convey information and are required as part of the project application.

Evaluation

The competitive project selection has two stages.

Stage one, all projects will be sorted to match the population grouping of the funding available to them (0-4,999 or 5,000-49,999, etc.). These projects will be ranked against the other projects in the same population group. Once the population-based funding is met for each population group, the remaining unselected projects move on to stage two.

Stage two project selection is for the flexible population category of funding. Remaining projects will be ranked based solely on score alone.

Components of a Quality Application

- Clarity – Ensure the description of the project is clear and concise. Thoroughly explain the purpose of the proposed project, what will be constructed, and any other details that will help the selection committee understand the intent of the project.
- Safety – Highlight the degree to which the proposed project will address any existing safety needs or concerns.
- Proximity to Activity Center – Describe the proposed project’s location in relation to areas of activity within the community, such as schools, medical or care facilities, shopping districts, etc.
- Connectivity – Explain how the proposed project ties into existing sidewalk or trail facilities.
- Attachments – Ensure all required or other applicable attachments are included, such as a location map, funding resolution, MPO/RPC letter of support, relevant plans, etc.
- Cost Estimate – Prepare a detailed estimate with accurate, realistic construction costs.

Scoring Criteria

Applications will be arranged by Project Category and distributed to the Project Scoring Committee for review and initial evaluation. The committee will be made up of representatives from the Nebraska Department of Transportation.

Project scoring will be split into three categories for a maximum 150 points. The three categories are; NDOT priority project types (50 points), a comprehensive review (50 points), and a category review (50 points).

NDOT PRIORITY PROJECT TYPES (50 POINT POSSIBLE)

Project removes opportunity barriers for underserved populations; such automobile dependence in a high need area (15 pts)

- High need areas are defined as areas with 50% of the population with 1 or more risk factors as defined by 2019 Community Resilience map from Census data: [My Community Explorer \(arcgis.com\)](#)

(<https://experience.arcgis.com/experience/13a111e06ad242fba0fb62f25199c7dd/page/Page-1/>)

Extensions and/or Restorations (non-routine) to an existing regional trail system (15 pts)

Complete Street/Road Diet projects (20 pts)

COMPREHENSIVE REVIEW (50 POINT POSSIBLE)

The committee will use the evaluations displayed below to assign each project a score of -30 points to 50 points. Scoring is derived from information in the application materials submitted, including proposed budget, illustrations, and text narrative.

Points will be awarded on both technical aspects as well as category-specific criteria to determine the need and quality of the project and its potential to strengthen the transportation system for users of all ages and abilities. The assessment evaluates projects based upon perceived strengths and weaknesses, accuracy of estimate, appropriateness of scope and potential obstacles.

The committee will begin evaluation by reviewing the following:

Category	Low Score	High Score
Multiple Components	0	15
Estimated Budget	-5	5
Project Potential	-15	30
Total	-20	50

Multiple Components – The proposed project provides benefits to users of multiple transportation modes and /or incorporates elements of more than one eligible Transportation Alternative activity. The maximum total point value is 15 points.

15	Provides benefits to users of multiple transportation modes AND incorporated elements of more than one eligible Transportation Alternatives activity
5	Provides benefits to users of multiple transportation modes
0	Project does not have multiple enhancement components

Estimated budget – Projects are also scored based upon the quality of their Estimated Budget with accurate and detailed estimates scoring higher. The maximum total point value is 5.

5	Cost estimates are accurate and have sufficient detail
3	Cost estimates are moderately high or low and have sufficient detail
-5	Cost estimates are not accurate and/or have insufficient detail, and/or ineligible costs

Project potential – shows strength and weakness of project, show of public support, and if the proposed project is an enhancement to the region’s transportation system. the maximum total point value is 30.

Strengths and Weaknesses	
5	Project has no known legal, political, or physical obstacles
0	Project has minor obstacles
-10	Project has major obstacles

Demonstration of public awareness	
10	Sponsor has used various methods to inform public of project (e.g., news articles, website, support letters, part of local or regional plan) and virtually no know public opposition
3	Sponsor has made some effort to inform public and minimal opposition
0	Minimal awareness and/or some well documented opposition
-5	No awareness and/or demonstration of strong opposition from citizen, agencies or groups

Enhancement to the transportation system	
15	Proposed project is an enhancement to the existing transportation system AND has been identified in an approved planning document
5	Proposed project has been identified in an approved planning document
0	Proposed project is a stand-alone project
-5	Proposed project negatively affects the existing transportation system

Site Review – A site review will take place for all eligible applications. This will be done virtually.

CATEGORY REVIEW (50 POINT POSSIBLE)

This evaluation is divided into each project category: Bicycle and Pedestrian; Historical and Archaeological, and Safe Routes to School. Each Project could receive up to a possible 50 point based on the review of the project proposal.

Historical & Archeological – transportation projects are evaluated based upon project usage, historical importance as it related to transportation and characteristics. For example, a project with usage of over 20,000 people at a National Landmark which is representative of a significant period in Nebraska’ transportation history would score well.

Project Usage – Estimated user base within a logical distance from the project. This is the approximate number of people who may have direct benefit from the proposed project on an annual basis (e.g., the number of visitors to the site or facility, or the number of people moving past a site). Please elaborate on how you determine this number in your application. The maximum total point value is 15.

15	>20,000 people
10	5,000 to 20,000 people
5	<5,000 people

Historical Importance – The extent that the project preserves a historical or archaeologically significant site. The maximum total point value is 15.

15	Site is a National Landmark
10	Site is on a National Register
5	Site is eligible for inclusion on National Register

Characteristics – Number of historic transportation characteristics the project possesses. The transportation component of the project must be explicit and well defined; a preservation professional reviewing the application will make final determination of these items and whether the application qualified for any of the points. The maximum total point value is 20.

5	The site is directly associated with transportation history
0	The site is not directly associated with transportation history

If your answer to the first question under *Characteristics* earned you 5 points, we will select all that apply from the below three additional questions and combine point.

5	The site involves the use of materials or techniques that are historical or archaeologically unique
5	The site was designed, constructed, or occupied by a person of historical significance
5	The site is one of only a few remaining examples of a once common structure/site in Nebraska

Bicycle & Pedestrian – transportation projects are evaluated based upon relationship to the transportation system and project characteristics.

Relationship to Transportation System – Need(s) the proposed project will address. The maximum total point value is 35.

10	Included in a regional bicycle or pedestrian plan
OR	
5	Included in an adopted local bicycle or pedestrian plan
10	Completion/maintain of missing link on a national or statewide facility
OR	
5	Completion/maintenance of a missing link on a local facility
10	Provides new, or maintains, access to major destinations such as schools, shops, transit system facilities, park and ride lots and major community facilities
5	Includes reasonable enhancement to an existing facility (e.g. benches, lighting, etc.), if applicable

Project Characteristics – Degree to which the project addresses existing or future safety problems for bicyclists and/or pedestrians along the existing corridor. The maximum total point value is 15.

Legal Speed Limit (select one)	>50 MPH	5
	40 TO 50 MPH	4
	30 TO 40 MPH	3
	20 to 30 MPH	1
	<20 MPH	0

Conflict Factor (Select all that apply)	provide/maintain safe crossing at railroads, roadways or rivers	5
	provide/maintain safe accommodation for bicyclists and/or pedestrians parallel to railroads, freeways or rivers	4
	eliminates one or more intersections	3
	Eliminates ten or more driveways	1



FEEDBACK

Send Comments or Questions to:

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 402.479.3562

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 402.479-4337

