

Hawaii Department of Transportation Transportation Alternatives Program



**Program Overview and Application
March 2020**

1.0 PROGRAM INFORMATION

1.1 INTRODUCTION AND BACKGROUND

The Transportation Enhancements (TE) program began in 1991 under the Intermodal Surface Transportation Equity Act (ISTEA). Since then, it has provided funding for over 24,000 projects across the nation and about 50 projects in Hawaii. In 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21), created the Transportation Alternatives Program, or TAP and codified the program under 23 United States Code (U.S.C.) sections 213(b) and 101(a) (29). This program replaced the funding from the TE, Safe Routes to School, and Recreational Trails programs¹. In 2015, the Fixing America's Surface Transportation (FAST) Act under Section 1109 further refined the TAP. Under FAST, TAP is no longer its own program and is now a set-aside program under the new Surface Transportation Block Grant (STBG) Program. Additionally, per Federal Highways Administration (FHWA) Guidance, FAST repealed 23 U.S.C. 213, removed the former 23 U.S.C. 101(a) (29), and recodified the program under 23 U.S.C. 133(h). For administrative purposes, FHWA now refers to the program as the Transportation Alternatives Set-Aside (TA Set Aside).

To be eligible under the TAP, a project must:

- Relate to transportation enhancement activities and / or surface transportation: 23 United States Code (U.S.C.) 101(a) (35) defines relating to surface transportation as proximity to a highway or bicycle and pedestrian corridor; whether it enhances the aesthetic, cultural, or historic aspects of the travel experience; and whether it serves a current or past transportation purpose.
- Be sponsored by an eligible agency (see Section 2.1)
- Fit within one of the eligible TAP activities (see Section 2.2)
- Be selected through a competitive process (see Section 3)

For more information on the TAP, visit FHWA's TAP website at http://www.fhwa.dot.gov/environment/transportation_alternatives/.

1.2 PURPOSE

Per FHWA's Guidance, the TAP provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving no-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail program projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

1.3 CONTACT INFORMATION

For more information, please contact the HDOT TAP Coordinator at 808-587-1834 or TA.Program@hawaii.gov

¹ The Recreational Trails Program funding is a set aside and is not being distributed via this TAP application process.

2.0 PROGRAM REQUIREMENTS

2.1 ELIGIBLE RECIPIENTS (PROJECT SPONSORS)

23 U.S.C. 133(h)(4)(B) defines the entities eligible to receive TAP funds as:

- Local governments
- Regional transportation authorities
- Transit agencies
- Natural resource or public land agencies
- School districts, local education agencies, or schools
- Tribal governments
- Nonprofit entity responsible for the administration of local transportation safety programs
- Any other local or regional governmental entity with responsibility for, or oversight of, transportation or recreational trails (other than a metropolitan planning organization or a State agency) that the State determines to be eligible, consistent with the goals of this subsection

Applications will be accepted by eligible project sponsors only. State Departments of Transportation (DOTs), and Metropolitan Planning Organizations (MPOs) are not eligible project sponsors however they may partner with an eligible entity project sponsor to carry out a project.

Non-profit organizations who do not qualify under one of the listed eligible entity categories (e.g., a nonprofit entity responsible for the administration of local transportation safety programs) are not eligible project sponsors. However, they may partner with an eligible entity to carry out a project.

The HDOT's role in the TAP is oversight only - eligible project sponsors shall be responsible for all aspects of project implementation.

The use of federal funds requires extensive knowledge of federal regulations and processes. Therefore, priority will be given to eligible project sponsors who have experience with the Federal-Aid Highway Process and have implemented projects using funds from the FHWA (see Section 2.3). Each project sponsor shall designate a project manager (PM) who will be the primary contact for communications with the HDOT regarding project status and development.

2.2 ELIGIBLE PROJECTS AND SCOPE

For project eligibility, FAST refers to the provisions that were in effect the day prior to the enactment of FAST. Therefore, the following remains in effect:

23 U.S.C. 101(a) (29) defines nine categories for eligible TAP activities:

- Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101, et seq.).
- 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.
- Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
- Construction of turnouts, overlooks, and viewing areas.
- Inventory, control, or removal of outdoor advertising.
- Historic preservation and rehabilitation of historic transportation facilities.
- Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control.
- Archaeological activities relating to impacts from implementation of a transportation project eligible under title 23 U.S.C.
- Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to:
 - address storm water management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in sections 133(b)(3) [as amended under the FAST Act], 328(a), and 329 of title 23 U.S.C; or
 - reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats (Former 23 U.S.C. 213 (b)(2) -(4))

Of the eligible activities, the HDOT will place a higher priority on bicycle and pedestrian related projects. The HDOT will also place a higher priority on projects applying for funds for the construction phase and that do not require or have already acquired all right-of-way.

2.3 PROJECT LOCATION

23 U.S.C. 133(h)(2) requires that TAP funds be allocated as described below (Figure 1):

- 50 percent for a fiscal year shall be obligated under this section in proportion to their relative shares of the population of the State--
 - in urbanized areas with an urbanized area population of over 200,000
 - in areas other than urban areas with a population greater than 5,000
 - in other areas of the State
- 50 percent shall be obligated in any area of the State.

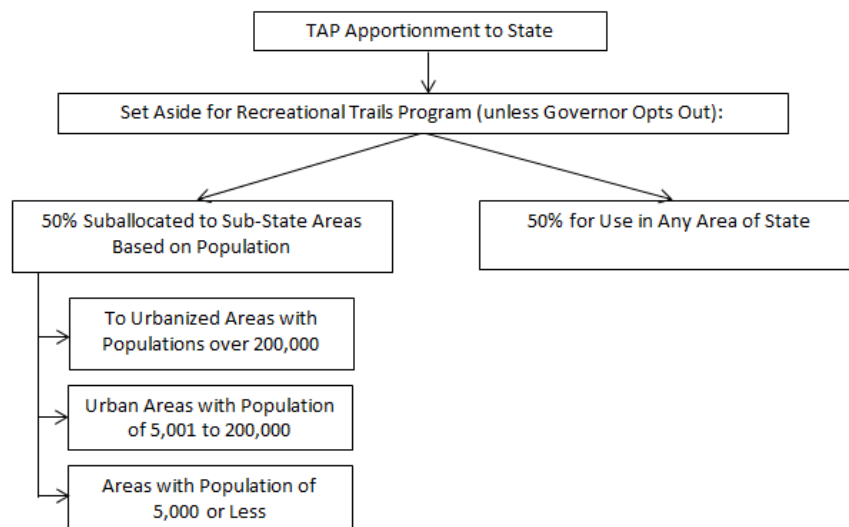


Figure 1: Distribution of TAP funding within the State of Hawaii

2.4 FUNDING AND FEDERAL-AID HIGHWAY PROCESS COMPLIANCE

All applicable Federal, State, and Local regulations shall be followed. 23 U.S.C. Section 133(i) states that “notwithstanding any other provision of law, projects funded under this section (excluding those carried out under subsection (h)(f)) shall be treated as projects on a Federal-aid highway under this chapter.” This means that to use FHWA TAP funds, project sponsors must comply with the applicable provisions of title 23 U.S.C. The use of federal funds triggers federal requirements for the implementation of projects regardless of whether the projects are located within the right-of-way of a Federal-aid highway. These requirements include, but are not limited to:

- Reimbursement: TAP projects are eligible for federal assistance up to 80% of the project cost with the remaining 20% match or difference thereof provided by the project sponsor. Noncash or in-kind contributions as the local match will not be accepted. TAP funds are reimbursable. Indirect costs (overhead) for project sponsors shall not be reimbursed. Costs incurred prior to receiving written notice to proceed from the HDOT shall not be reimbursed. Cost overruns are the responsibility of the project sponsor.
- Procurement and contracting: All contracts (i.e. for construction) must be procured in accordance with all applicable Federal, State, and Local regulations. This includes 40 U.S.C. Section 1101-1104 (the Brook’s Act) and Hawaii Revised Statutes (HRS) 103D (the Hawaii Public Procurement Code).
- The cost principals contained in 2 Code of Federal Regulations (CFR) Part 200.
- 23 U.S.C. 113 (the Davis-Bacon Act of 1931—prevailing wage rates).
- Project management, delivery, and implementation: invoicing and reporting, projects designed by a licensed engineer and meet Federal and State standards/specifications and safety requirements.
- Environmental process: compliance with 23 CFR 771 (the National Environmental Policy Act), HRS 343 (the Hawaii Environmental Policy Act),

Section 106 of the National Historic Preservation Act (NHPA) of 1966, and Section 4(f) of the U.S. Department of Transportation Act.

- Accessibility/ADA of 1990
- 23 CFR 450 (the Statewide Transportation Planning Process)
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 found in 49 CFR Part 24 (real property acquisition)
- 23 U.S.C. 313 (Buy America)
- Title VI of the Civil Rights Act of 1964 and Environmental Justice (Executive Order 12898)
- A project agreement for the award of the project.
- A project agreement must be provided for continued maintenance and operation of the TAP funded facility over its economic or useful life. If the facility does not perform as intended for its useful economic life, the project sponsor will be asked to pay back a prorated portion of project funds.

TAP funds cannot be used for State or MPO administrative purposes; promotional activities; general recreation and park facilities, playground equipment, sports fields, campgrounds, picnic areas and pavilions, etc.; or routine maintenance and operations.

3.0 APPLICATION PROCESS, EVALUATION, AND SELECTION

3.1 PROCESS

A call for projects shall be made by the HDOT to notify eligible project sponsors of the opportunity to submit applications for TAP projects. Project sponsors must submit completed applications to the HDOT TAP Coordinator. The TAP Coordinator will review the applications for eligibility and completeness.

Once the initial review is completed, the applications will be provided to the TAP Evaluation Committee, which provides the HDOT with a prioritized ranking of proposed projects, by region and project location for use of sub-allocated or any area funds. The TAP Evaluation Committee is comprised of members with the technical capacity to evaluate the proposed TAP projects based on the evaluation criteria and knowledge of transportation needs and issues in the State.

The TAP Coordinator and/or Evaluation Committee may contact applicants to discuss or clarify their application, to better understand the proposed project, and/or to better understand the applicant's capability to comply with TAP requirements. Applicants who fail to clarify or correct their application after having been notified or questioned may be eliminated from further consideration.

The HDOT reserves the right to reject any or all applications in whole or in part, to undertake discussions with applicants and prospective applicants, and to accept additional applications or modified applications which, in the HDOT's judgment, will be most advantageous to the State of Hawaii, cost and other factors considered. The HDOT reserves the right to waive defects in any application if such action is in the best interest to the State.

The HDOT will use the results to develop an overall four-year TAP Plan. It shall be fiscally constrained for consideration into the Statewide Transportation Improvement Program (STIP) and/or the Transportation Improvement Program (TIP). Projects within the TAP Plan may be re-prioritized in the best interest of the State. The TAP Plan will be updated every three years, or more frequently as needed dependent on the availability of funds.

3.2 NOTIFICATION OF INTEREST

Eligible project sponsors who are considering applying for TAP funds, please send an email to or call the HDOT's TAP Coordinator to notify the HDOT of your interest: TA.Program@hawaii.gov or 808-587-1834.

3.3 SUBMISSION OF COMPLETED APPLICATION

Project sponsors shall submit completed applications and direct inquiries to the HDOT's TAP Coordinator:

TAP Coordinator	or	TA.Program@hawaii.gov
869 Punchbowl Street #301		808-587-1834
Honolulu, Hawaii 96813		

3.4 CONFIDENTIALITY

If the applicant desires certain information in its application (i.e. trade secrets and other proprietary data) to remain confidential, the applicant shall submit a written request to the HDOT along with the application asking that such information not be disclosed. The information that is requested to be confidential shall accompany the application and be readily separable to facilitate public inspection of the non-confidential portion.

Price is not considered confidential and will not be withheld. The HDOT will decide as to whether such information will remain confidential and notify the applicant. If the HDOT determines the information will not remain confidential, the applicant must, within ten days after receiving notice of the HDOT's determination, notify the HDOT in writing of their decision to either withdraw the application in its entirety or have the application considered without the purported confidential information.

3.5 EVALUATION CRITERIA

The evaluation criteria considered by the TAP Evaluation Committee is as follows. Applications will be awarded points based on how well the project meets the evaluation criteria, with a total possible score of 100 points.

1. Contribution to Surface Transportation System (15 points total)
 - Enhances the surface transportation system (0-10 points)
 - Regional significance (0-5 points)

2. Contribution to Region and/or Community (15 points total)
 - Non-transportation related benefits (i.e. social, economic, environmental, and/or health benefit) (0-5 points)
 - Unique and/or special project or resource (0-5 points)
 - Stakeholder and/or public support for project (0-5 points)
3. Effective and Efficient Use of Funds (10 points total)
 - Funds requested not more than total funds available (0-5 points)
 - Expected lifespan of project is long term (0-5 points)
4. Project Viability for Near-Term Implementation (40 points total)
 - Feasibility/probability of successful implementation (0-10 points)
 - ROW not needed/already acquired (0-10 points)
 - Ready to go (planning/environmental, design, and ROW completed) (0-10 points)
 - Project sponsor's management capability and experience with the Federal-Aid Highway Process (0-10 points)
5. Project Scope (20 points total)
 - Bicycle and/or pedestrian related project (0-10 points)
 - Consistency with the HDOT's mission, plans, and policies, including the Statewide Federal-Aid Highways 2035 Transportation Plan, Federal-Aid Highways 2035 Transportation Plans for the Districts of Kauai, Maui, and Hawaii Island, Complete Streets Policy and Principles, Bike Plan Hawaii, and Statewide Pedestrian Master Plan (0-5 points)
 - Consistency with local transportation-related plans, including General Plans, Community Plans, transportation plans, bikeway and pedestrian master plans, etc. (0-5 points)

3.6 NOTIFICATION OF AWARD

After the inclusion in the Statewide Transportation Improvement Program (STIP) and Transportation Improvement Program (TIP) if applicable, the proposed project may be obligated for TAP funds. After the federal obligation is complete, the project sponsor shall be notified to begin work on the TAP project.

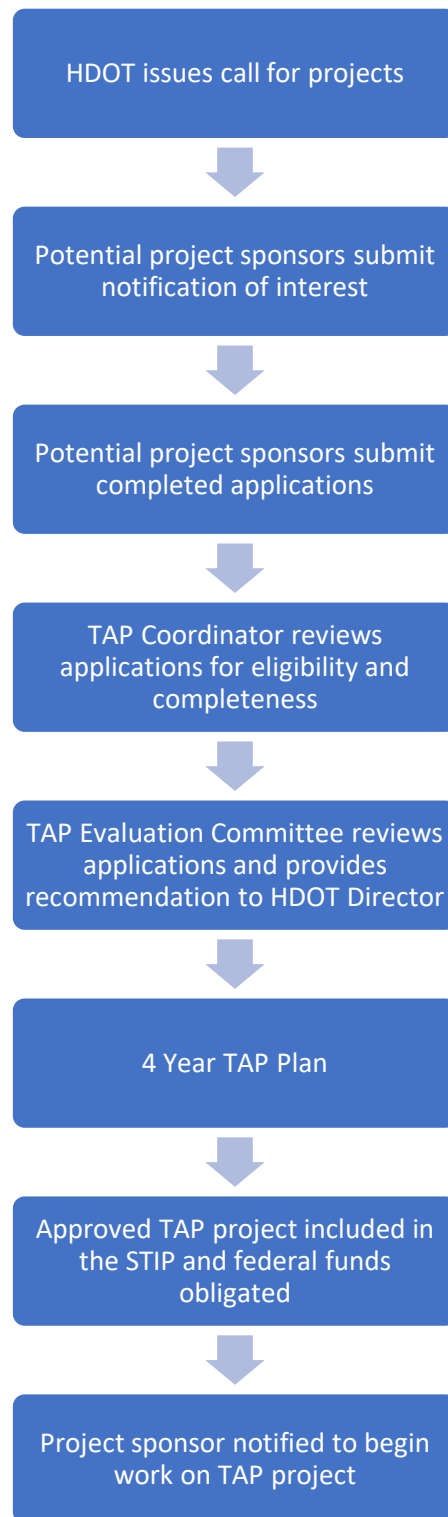


Figure 2: HDOT TAP Application Process

4.0 PROJECT IMPLEMENTATION

4.1 PROJECT SCHEDULE

Work shall be conducted in a manner to ensure the timely and efficient completion of the TAP project. The project sponsor must provide a project work plan to the HDOT TAP Coordinator. The project sponsor must provide written notice to proceed to the contractor within 180 days after TAP funds are obligated, and the project must be closed within 360 days after construction is completed.

4.2 REPORTING

Project sponsors who are awarded TAP funds shall submit semi-annual reports detailing tasks completed and the status/progress of their project by July 31 and January 31 of each year.

4.3 REIMBURSEMENT

Reimbursement for eligible expenses will be done by progress payment. All requests for reimbursement must be accompanied by a progress report and supporting documentation such as invoices, or other documentation that show costs incurred that are acceptable to the HDOT. Reimbursements must be submitted at least once every 12 months to avoid de-obligation of the federal funds.

4.4 PROJECT CLOSE OUT

To close out the project, the project sponsor must complete Final Acceptance and Final Close Out.

Final Acceptance includes closing out the contract work. The project sponsor must submit the following to the HDOT: the County's memorandum or letter concerning project completion, Certificate of Wages and Classification—Statement of Compliance, Statement of Certified Payroll, State's Materials Certificate, Consent of the Surety, Contractor's Certification of Claims Paid, Final Estimate, Certificate of Vendor Compliance, Final Statement of Working Days, Final Report of DBE Participation, Prompt Payment Certification, and other documents as needed.

Final Close Out includes closing out the project and funding. The project sponsor must submit the following to the HDOT: a letter indicating that all requirements for the project have been completed, the Final Disposition Log, and other documents as needed. Please note that all administrative actions including final reimbursements must be submitted to HDOT no later than 60 days after the end date of the period of performance.

4.5 PROJECT MODIFICATIONS

Any changes to the project, including the project manager or other project team members and scope and schedule, must be approved by the HDOT.

APPENDIX A: HDOT TAP APPLICATION

Hawaii Department of Transportation Highways Division (HDOT)
Transportation Alternatives Program (TAP)
Application - Federal Fiscal Year 2020

Instructions:

For questions regarding the TAP, please contact the HDOT TAP Coordinator at (808) 587-1834. Read the *HDOT TAP Program Overview and Application*. Fill out the application below.

Submit one electronic copy and mail three hard copies of completed applications and attachments to:

Email: TA.Program@hawaii.gov

Mail: Hawaii Department of Transportation
Attention: TAP Coordinator
869 Punchbowl Street, #301
Honolulu, HI 96813

The following information will be used as a basis for project evaluation. The evaluation criteria categories related to each section are referenced in parentheses. The Evaluation Committee will base their review on the content of the entire application and not only the items with related evaluation criteria. Incomplete applications may be deemed ineligible.

Project Sponsor (Criteria 4):

Agency: _____
Project Manager: _____
Address: _____
Email Address: _____
Telephone Number: _____
Partner Agencies: _____

Project Information:

Attach a map that shows the location, surrounding transportation system, and limits of the project.

Project Name: _____
Project Location (Island/Region): _____
Project Location (Roadway/Limits): _____
Project Length: _____

Project Budget (Criteria 3, 4):

Provide the budget for all phases of the project and indicate where TAP funds are requested.

Project Phase	Total	Federal Funds		Match
		TAP	Other	
Planning				
Design				
Right of Way (ROW)				
Construction				
TOTAL				

Eligible TAP Activity (check all that apply):

- ☐ Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
- ☐ 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.
- ☐ Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
- ☐ Construction of turnouts, overlooks, and viewing areas.
- ☐ Inventory control, or removal of outdoor advertising.
- ☐ Historic preservation and rehabilitation of historic transportation facilities.
- ☐ Vegetation management practices in transportation rights of way to improve roadway safety, prevent against invasive species, and provide erosion control.
- ☐ Archaeological activities relating to impacts from implementation of a transportation project eligible under title 23.
- ☐ Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to:
 - address storm water management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in sections 133(b) (11), 328(a), and 329 of title 23U.S.C.;
 - and reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

Project Description and Scope (All criteria):

Describe the project scope and how it relates to the surface transportation system. Identify components that are TAP activities and any components that are not a TAP activity. Describe the impact on operations and maintenance efforts and costs.

Existing Conditions:

Describe the existing conditions. This could include the current roadway configuration (number of lanes and their width), traffic counts, speed limits, and surrounding land use.

Purpose and Benefits (Criteria 1, 2, 3, 5):

Describe the project's purpose, benefits and contribution to the surrounding area. Identify the anticipated user groups and number of people it will serve or directly benefit:

Project Schedule (Criteria 4):

Project Phase	Not required (only applies to ROW)	Completed	Underway or Upcoming	
			Estimated Start	Estimated End
Planning/Environmental		<input type="checkbox"/>		
Design		<input type="checkbox"/>		
ROW	<input type="checkbox"/>	<input type="checkbox"/>		
Construction		<input type="checkbox"/>		

Project Status and Readiness (Criteria 3, 4):

Provide project status and describe the work completed and remaining. Include anticipated clearances, permits, impacts, and environmental document; utilities (impact on existing or new); outstanding issues and how they will be resolved; role of partner agencies; and coordination with stakeholders. Provide completed documents, such as PS&E or construction plans.

Title VI and Environmental Justice (Criteria 2):

Describe how the project will improve mobility for disadvantage populations, including the elderly, disabled, minority, and low-income populations.

Additional Information:**Project Oversight Assurance (Criteria 4):**

As explained in the TAP Overview and Application, the proposed TAP project must receive project oversight by an eligible project sponsor. Project sponsors are responsible for all aspects of project implementation. By signing this Project Oversight Assurance, the project sponsor is certifying to the HDOT that the TAP project will be developed, implemented and maintained in accordance to applicable FHWA and State requirements.

Project Name: _____

Agency: _____

Name and Title: _____

Signature and Date: _____

APPENDIX B: HDOT TAP PROGRESS REPORT

State of Hawaii
Department of Transportation
Highways Division

**Transportation Alternatives Program (TAP)
Progress and Expenditure Report**

Federal Fiscal Year: 2020

☐ Semi-annual (10/1 to 3/31)

☐ Annual (4/1 to 9/30)

This report shall be completed by the Applicant Project Manager, then reviewed and concurred by the Oversight and Highways Project Managers, then submitted to the TAP Coordinator. And, shall be submitted to the TAP Coordinator one month after the end of the reporting period.

II. Project Information:

Federal-Aid Project No.	
Project Title	

Applicant Project Manager	
Applicant Agency	
Phone/ Email	

Oversight Project Manager	
Oversight Agency	
Phone/ Email	

Highways Project Manager	
Highways Office	
Phone/ Email	

III. Work Item Description

(Describe the approved objectives and scope of work of this project)

IV. Work Progress During This Reporting Period

(Describe the approved work to be completed this period)

(Describe the work completed this period. Provide completed documents of major tasks.)

(If not on schedule, provide how the project will be brought back to the approved schedule)

V. Project Expenditure Summary

(Complete the following expenditures [cash basis] for the approved TAP federal and its matching funds for the period. Round your numbers to the nearest ten dollars. If not applicable, leave blank)

Total approved TAP funds and its matching funds	
-------------------------------------------------	--

Labor			
a	Expenditures from previous periods		
b	Expenditures this period		
c	Total expenditures	a + b	
d	Approved TAP funds and matching funds		
e	Available funds to date	d - c	

Non-Labor (excluding contract services costs)			
f	Expenditures from previous periods		
g	Expenditures this period		
h	Total expenditures	f + g	
i	Approved TAP funds and matching funds		
j	Available funds to date	i - h	

Contract Services			
k	Expenditures from previous periods		
l	Expenditures this period		
m	Total expenditures	k + l	
n	Approved TAP funds and matching funds		
o	Available funds to date	n - m	
p	Retainage from previous periods		
q	Retaining this period		
r	Total retainage	p + q	

Project Totals			
s	Available labor funds	e	
t	Available non-labor funds	j	
u	Available contract funds	o	
v	Total available funds	e+j+o	
w	Expended labor funds	c	
x	Expended non-labor funds	h	
y	Expended contract funds		
z	Total Expended funds	c+h+m	