Call for Project Nominations

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for the
Statewide Transportation Enhancement Program

Provided by

The Transportation Equity Act
For the 21st Century of 1998

Texas Department of Transportation
Administered by the
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SECTION A
PROGRAM GUIDELINES

Definitions and Abbreviations

AASHTO — American Association of State Highway and Transportation Officials

ADA — Americans with Disabilities Act

CFR — Code of Federal Regulations

COMMISSION — The Texas Transportation Commission

COUNCIL OF GOVERNMENTS (COG) — An association of local governments established under Chapter 391, Local Government Code, to make studies and plans to guide far-reaching development of a region, to eliminate duplication and to promote the economy of an area.

EPA — Environmental Protection Agency

FHWA — Federal Highway Administration

FPAA — Federal Project Authorization and Agreement

NATIONAL REGISTER OF HISTORIC PLACES — This register lists properties that have historic significance and is maintained by the Secretary of the Interior. Current listings are made available through the Texas Historical Commission.

NEPA — National Environmental Policy Act

STIP — Statewide Transportation Improvement Program is the formal program document required by Title 23, United States Code, §135(f), which is necessary to receive federal reimbursement for projects.

STP — Surface Transportation Program, a federal transportation program authorized under 23 United States Code, Section 133

TEA-21 — The Transportation Efficiency Act for the 21st Century

TEPEC — Transportation Enhancement Project Evaluation Committee comprised of the
executive directors of six state agencies. These agencies include the Texas Department of Transportation, Texas Historical Commission, Texas Department of Economic Development, Texas Parks and Wildlife Department, Texas Natural Resource Conservation Commission and General Land Office.
TIP — Transportation Improvement Program is the transportation program required by Title 23, United States Code, §134 (h), and/or §8 (h) of the Federal Transit Act (49 USC App. §1608 (h)), cooperatively developed with metropolitan planning organizations which include improvement projects proposed for federal funding in accordance with the criteria set forth in federal law and federal regulations.

TxDOT — Texas Department of Transportation

US DOT — The United States Department of Transportation
Introduction

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, acknowledged the relationship between transportation decisions and preserving and enhancing significant natural and cultural resources. The Transportation Equity Act for the 21st Century (TEA-21) of 1998 expands the ideas established under ISTEA to include new activities to improve our ecology and enrich our lives. Transportation enhancement provisions provided by TEA-21 include options that can contribute to the livelihood of communities, the quality of our environment and the aesthetics of our roadways.

The Statewide Transportation Enhancement Program operates under the rules adopted and revised by the Texas Transportation Commission (the Commission) on February 25, 1999, and codified in 43 Texas Administrative Code (TAC) §11.200 – §11.205. The rules are included in Section C of this guide.

Transportation enhancements are funded through the Surface Transportation Program (STP), administered by the Texas Department of Transportation (TxDOT) for the Federal Highway Administration (FHWA) of the U.S. Department of Transportation (USDOT). Ten percent of STP funds are set aside for enhancement activities. Texas intends to select projects for the remaining federal funds, apportioned to the state under the TEA-21 entitlement period (FY 98 - 03), during this program call for nominations.

The funds provided by this program are on a cost reimbursement basis. The transportation enhancement program is not a grant. Projects undertaken with enhancement funds are eligible for reimbursement of up to 80 percent of allowable costs, which may include plans, specifications, estimates, environmental mitigation, acquisition of real property, construction, construction management, administrative expenses, and interpretation or other activities to enhance the appreciation of natural or cultural resources. The nominating entity is responsible for the remaining cost share. All cost overruns must be paid for by the nominating entity. Costs incurred before TxDOT’s authorization to proceed are not reimbursable. Other ineligible expenses include the cost of preparing a project nomination, routine operations, and maintenance of a project.

Nominating entities may submit nominations for projects previously selected by the Commission for additional funds to complete or expand the project.

Projects entered into the Statewide Transportation Enhancement Program should integrate transportation facilities into the surrounding environment in a sensitive and creative manner that goes beyond standard or routine operations. Transportation enhancement funding dedicates revenue for non-traditional transportation-related activities. TxDOT encourages all Texans to
actively participate in developing the state’s transportation goals.
Call for Project Nominations

TxDOT, in cooperation with FHWA, is pleased to announce a call for project nominations to the Statewide Transportation Enhancement Program. This guide summarizes the program and outlines the project nomination process. TxDOT strongly encourages sponsors and nominators to be familiar with all materials in the nomination package and to contact the local TxDOT district office for assistance in completing the nomination form.

Up to 80 percent of eligible project costs can be reimbursed by FHWA through the STP administered by TxDOT. At least 20 percent of the project’s allowable costs must be paid for by a public authority, as the local funding match. By nominating a project for the program, the nominating entity agrees to enter into an agreement with TxDOT and be financially responsible for the non-federal participating funding and for implementation of a project.

The transportation enhancement program is a statewide competitive process. All projects must demonstrate a relationship to the surface transportation system to be eligible. After a project has been determined eligible by TxDOT and FHWA, it will undergo a technical feasibility review. All eligible projects will be evaluated by the Transportation Enhancement Project Evaluation Committee (TEPEC). TEPEC’s evaluations and recommendations are provided to the Commission. The Commission selects projects from all eligible nominations. Selections are made at the sole discretion of the Commission. Project selection is anticipated during the winter of 2001.

TxDOT must receive an original and 12 copies of the completed nomination form by 5:00 p.m., June 18, 2001, at a local TxDOT district office in the project area. TxDOT will not accept nomination forms after this due date.
Program Eligibility

The transportation enhancement program is unique. What differentiates it from other transportation programs is its orientation toward non-traditional transportation projects. Determining eligibility refers to the requirements that a project must meet in order to be considered for funding. Eligibility criteria are separate from selection criteria.

In order to be eligible for the transportation enhancement program, projects must demonstrate a relationship to the surface transportation system; fit one of the 12 enhancement categories; and go above and beyond standard transportation activities. In addition to these, a project must have a nominator that complies with the program guidelines; meet standards established under the Americans with Disabilities Act (ADA) and National Environmental Policy Act (NEPA); and complies with all other applicable state and federal regulations.

TxDOT in consultation with FHWA will determine the eligibility of all nominated projects. Project nominations should include only eligible activities and costs. Consequently, in reviewing nominations FHWA and TxDOT may determine some candidate projects are only partially eligible and that ineligible activities or costs cannot be funded. A minimum of 50 percent of the project activities and a minimum of 50 percent of the estimated project costs must be eligible under the program rules for the project to continue in the selection process. Only eligible items will be funded, if selected. Project nominators will be given the opportunity to continue in the process, if the majority of their project is eligible and a revised budget is submitted.

In accordance with federal guidance, projects that solely include aviation activities are not considered surface transportation related and therefore are not eligible for funding participation. To be considered eligible for funding, projects that include aviation activities must incorporate various other surface transportation modes, such as automobiles, trains, and/or ships into the project.

Transportation Relationship

Transportation enhancement projects must establish a relationship to the surface transportation system by either function or impact. Once a relationship to the surface transportation system is established, transportation enhancement activities can be implemented in a variety of ways. They can be developed as parts of larger transportation projects, as parts of larger joint development projects or as stand-alone projects. A project must demonstrate one of the following relationships to the surface transportation system:

Function
A candidate project can establish a relationship by function if it serves a purpose relating to the existing surface transportation system. Facilities originally designed as a part of the system, including historic bridges and railroad depots, or facilities that compliment the system, such as facilities for bicyclists and pedestrians, serve the surface transportation system through function. Operation of visitors centers or transportation-related museums are other examples of projects that relate to the surface transportation system by function.

**Impact**

A candidate project can establish a relationship by impact if it creates a beneficial effect on the existing surface transportation system. Activities such as aesthetically improving a roadway median through a landscaping activity or creating wetlands by filtering pollution from highway water runoff will serve the surface transportation system through impact.

**Qualifying Categories**

Projects must be selected from one of the 12 allowable activity categories:

1. **Provision of facilities for pedestrians and bicycles** — Activities in this category should relate to the existing surface transportation system by enhancing or providing bicycle and pedestrian modes of travel. Constructing or reconstructing walking and biking trails that join communities, shops, schools, businesses, activities and recreation sites enhance the system. Other activities in this category may enhance the surface transportation system through more aesthetic routing, or design, or improving other existing facilities to make them more usable for pedestrians and bicyclist, such as adding bicycle parking at a rail station. Some amenities that make these facilities more popular or attractive, such as landscaping or street furnishings for pedestrians, including pedestrian lighting, are also eligible.

Bicycle and pedestrian projects must be independent of new roadway construction and rehabilitation. These facilities must be primarily utilized for transportation purposes rather than recreational and have logical endpoints. Construction or reconstruction of a bike lane or pedestrian bridge may be eligible. Bicycle lanes that consist of a portion of an existing roadway that is designated by striping, signing and pavement markings for the preferential or exclusive use of bicyclists are eligible.

Stand alone parking lot projects for future bicycle or pedestrian facilities are not eligible.

Activities that are conducted as an incidental and routine part of new transportation projects to accommodate routine use by pedestrians and bicyclists are not eligible. Facilities incorporated in current transportation projects may not qualify for enhancement funding. Paved shoulders, wide curb lanes, sidewalks, and curb cuts are not eligible if incidental and routine to road construction or reconstruction.
Facilities for bicycles and pedestrians may allow equestrian use, but facilities exclusively for equestrian activities do not fall into any of the 12 categories of enhancements and, therefore, are not eligible for enhancement funding.

All bicycle facility projects must be designed and constructed to meet the criteria outlined in The Guide for Development of Bicycle Facilities, published by the American Association of State Highway and Transportation Officials (AASHTO). All pedestrian facility projects must comply with AASHTO's guide, A Policy on Geometric Design of Highways and Streets, and The Secretary of the Interior's Standards for Historic Preservation, where applicable.

Do:
Construct new sidewalks, separate walking trails/paths, and bike paths.
Construct or improve marked bike lanes on existing roadways.
Add or improve road shoulders to accommodate a marked bike lane for cyclist.
Construct pathways to connect downtown or residential neighborhoods to a park and ride lot, schools, business centers, parks, transit centers and shopping.
Include landscaping, trash receptacles and other street furnishing for pedestrians.
Include pedestrian lighting and crosswalks.

Don't:
Install 30-foot high light poles facing the street and consider them pedestrian lighting.
Create a velodrome, running/jogging track or loop, mountain bike or similar recreational trail.
Perform sidewalk repair/maintenance or ramps for ADA compliance, unless incidental to construction of new sidewalks.

2. Provision of safety and education activities for pedestrians and bicyclists — Activities in this category include all types of training programs to educate the public on safety features and information available for cyclists and pedestrians. Eligible activities for this category may include, but are not limited to, producing brochures and other promotional material; and training and development. Instruction in schools, institutions and groups to promote bicycle and pedestrian safety is also eligible. Programs must be consistent with local ordinances on bicycle and pedestrian travel.

Do:
Print brochures and other promotional material for visitations to schools and other institutions and groups to promote or teach bicycle and pedestrian safety.
Create a training program for children to learn rules of the road for cyclist and pedestrians.
Conduct workshops for adults to learn commuter routes and educate them on safety features available for cyclist.
Don’t:
Duplicate a safety and education program that is currently available in your area.
Create promotional material to give away, without any educational activity to go with it.

3. Acquisition of scenic easements and scenic or historic sites — Activities in this category may be used to purchase or donate real property that possesses significant aesthetic, historic, natural, visual or open space value. Acquisition of the real property should enhance the transportation user’s experience of the surface transportation system and contribute to the system. Planning, transaction fees for surveys, appraisals, and relocation costs, legal costs or purchase costs are also reimbursable. Funds can cover the acquisition of real property listed in or eligible for listing in the National Register of Historic Places. A current certification by the State Historic Preservation Office of the Texas Historical Commission must accompany the nomination in order for historic properties to be considered for the transportation enhancement program.

The acquisition of real property for purely recreational use is not allowable.

Real property that is purchased for its scenic or historic characteristics must be maintained accordingly. A maintenance plan that will ensure preservation of those qualities for which the real property is acquired must be provided in the nomination form.

Do:
Verify that the land is available for purchase or donation and supply supporting documentation for the project nomination, include a property description and its fair market value.

Don’t:
Acquire land already planned or permitted for development.

4. Scenic or historic highway programs (including providing tourist and welcome center facilities) — Activities in this category include projects that protect and enhance the scenic, historic, cultural, natural and archaeological aspects of scenic or historic highways. Projects do not have to be included in a federal scenic or historic highway program, but must relate to recognized or established scenic or historic sites. Facilities may consist of new construction or rehabilitation in adaptive reuse. Projects that incorporate tourist and welcome centers should be operational during the periods that visitors would normally utilize those facilities. The hours of operation must be included on the nomination form.

Do:
Construct tourist and welcome centers related to scenic or historical sites.
Have tourist and welcome centers open during the hours most people travel and that provide 24-hour access, to an ADA restroom, water, and shelter.
Convert a historic building into a tourist and welcome center.
Develop and distribute information relating to recognized scenic or historic highway programs.

Don't:
Create a highway rest area or welcome center that does not relate to any historic or scenic sites.

5. Landscaping and other scenic beautification — Activities in this category should aesthetically or environmentally enhance improve or protect the natural attractiveness of areas "within the viewshed" of a highway or other transportation facility. Eligible activities include landscape planning, design, and construction activities that enhance aesthetic or ecological resources along highways, other transportation corridors and points of access.

Landscape design may include elements such as specialized paving surfaces, walls or retaining walls for erosion control, pedestrian and street furnishings (benches, tables, trash receptacles and pedestrian lighting) as well as, planning, vegetation planting and earthwork. The development of decorative and functional green spaces can include irrigation systems, site grading and planting design.

Landscaping activities may be included as part of other projects. Artistic undertakings such as statues, murals, gateway signs, and other outdoor art will not be considered for funding participation.

Do:
Landscape a city entrance way with native species of grasses and plants.
Construct a streetscape project that will have an aesthetic impact on the community and highway system, by including vegetative landscaping and attractive hardscape.
Plan an irrigation system to water the native plants.

Don't:
Construct noise barriers or drainage improvements
Include post-construction finish work such as replanting or reseeding.
Build man-made structures such as statues, bridges, artwork or entranceway signs.
Plan on routine, incidental, or maintenance activities such as cutting grass, tree pruning or removal, or erosion mitigation.

6. Historic preservation — Activities in this category include all aspects of historic preservation, such as identification, evaluation, documentation, acquisition, protection, management, rehabilitation, restoration, and stabilization of historic properties. Historic properties are sites, structures, objects, landscapes, or districts included in or eligible for inclusion in, the National Register of Historic Places. All work to be performed on historic
properties must be done in compliance with the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings or the Secretary of the Interior’s Standards for Historic Preservation Projects, and state historic building codes. Only those work items that conform to these standards will be considered eligible work items for transportation enhancement funding. Because historic rehabilitation can involve specialized and labor-intensive work, applicants are strongly encouraged to consult with preservation architects or contractors experienced in this type of work before developing their project's scope of work and budget. Any costs associated with these activities prior to selection and approval by the Commission, are not eligible for reimbursement. All work must be performed and managed by personnel who are qualified as professionals educated and experienced in historic-preservation activities.

In order to be eligible for transportation enhancement funding, historic properties must be listed in or determined eligible for listing in the National Register of Historic Places and have a relationship to the surface transportation system. A current certification by the State Historical Preservation Officer of the Texas Historical Commission must accompany the nomination in order to be considered for the program.

Acquisition of historic artifact collections and exhibits are not eligible under the transportation enhancement program. Activities required to eliminate or mitigate the effect of a transportation project on any historic real property are not eligible. This transportation enhancement program category does not include reconstruction, i.e., building replicas of historic structures or buildings.

A preservation project arising from the deferment of maintenance that should have been performed as a condition of a previous preservation agreement will not be eligible.

Tenant improvements are also not eligible costs.

In order for the total cost of exterior restoration to be considered eligible, the entire interior must have a current or historic relationship to the surface transportation system. Projects proposing restoration of historic buildings must include current and proposed floor plans showing the function of each room on each floor. The function of the rooms must serve in a manner that relates to the surface transportation system to be eligible. Funding of exterior restoration will be based on the percentage of the interior space being utilized for transportation related activities. For example, if 55 percent of the interior of a building will be used as a transportation museum, then funding for the exterior restoration will be limited to 55 percent.

Historic preservation projects must enable a transportation-related use of the historic property and be open to the general public.

Do:
Restore a historic building to be used as a multi-modal center, transit office, or visitors center. Restore a historic building to be used as a bicycle and pedestrian facility.

Don’t:
Place a tourist brochure rack or kiosk and call it a visitors center.
Plan on preservation of any historic structure that has no relationship to the surface transportation system through either function or impact.

7. Rehabilitation and operation of historic transportation buildings, structures, or facilities, including historic railroad facilities and canals — Activities in this category include historic transportation buildings and other structures and facilities related to the operation, use, construction or maintenance of any mode of surface transportation (exclusive of aviation).

Rehabilitation means the process of returning the real property to a state that makes possible a contemporary use while preserving the significant historic features of that real property. Subsequent conversion costs for non-transportation related activities or tenant improvements are not eligible.

Fundable activities may include interior and exterior restoration to the original state and adaptive reuse for transportation purposes. Interior restorations of historic transportation structures serve a function of interpreting transportation history. Adaptive reuse is allowable provided the real property will benefit the general user of the surface transportation system and not simply individuals having a specific business in the facility.

The types of historic structures and facilities eligible under this category include, but are not restricted to, tunnels, bridges, trestles, canals, viaducts, stations, rails, non-operational vehicles, and other transportation features related to the operation, passenger and freight use, construction, preservation or maintenance of any mode of surface transportation (exclusive of aviation).

All work to be performed on historic properties must be done in compliance with the Secretary of the Interior’s Standards for Historic Preservation Projects or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, and state historic building codes. Only those work items that conform to these standards will be considered eligible work items for enhancement funding. Because historic rehabilitation can involve specialized and labor-intensive work, applicants are strongly encouraged to consult with preservation architects or contractors experienced in this type of work before developing their project’s scope of work and budget. Any costs associated with these activities prior to selection and approval by the Commission are not eligible for reimbursement. All work must be performed and managed by personnel who are qualified as professionals educated and experienced in historic-preservation activities.
In order to be eligible for enhancement funding, historic properties must be listed in or determined eligible for listing in the *National Register of Historic Places*. A current certification by the State Historic Preservation Office of the Texas Historical Commission must accompany the nomination in order to be considered for the program.

Projects nominated in this category must enable transportation-related use of the historic property consistent with the historic character of the property and be open to the general public.

**Do:**
- Restore railway depots as multi-modal centers.
- Restore a historic bridge to be used as an alternate-crossing route for bicycle and pedestrians.

**Don’t**
- Relocate a historic structure without contacting the Texas Historical Commission to determine if it will still qualify for listing in the National Register of Historic Places.
- Restore a historic structure to be used as a retail store, leased office space or for other commercial operations.

**8. Preservation of abandoned railway corridors, including conversion and use for pedestrian and bicycle trails** — Activities in this category includes the acquisition, rehabilitation and development of corridors for bicycle or pedestrian use. Trails must be designed and constructed in accordance with AASHTO’s *Guide for the Development of Bicycle Facilities*, a *Policy Guide for Geometric Design of Highways and Streets* and ADA requirements. Eligible railway corridors either have been authorized for abandonment, have abandonment proceedings pending or have been set aside for future transportation use under applicable federal or state laws. Preservation of an abandoned rail corridor must lead to the development of a pedestrian and/or bicycle facility and is not intended to solely preserve the rail corridor for future use.

Nominations should include a copy of the railbanking deed, if the property is railbanked. It is advisable to have an environmental analysis of the property done prior to considering a project of this nature for nomination. Any cost associated with the environmental analysis performed prior to selection and approval is not eligible for reimbursement. Corridor environmental mitigation costs can be significant and are not allowable reimbursement costs under the program.

**Do:**
- Create bicycle and pedestrian facilities connecting neighborhoods, schools, and shopping centers.

**Don't:**
- Purchase a corridor solely for preservation for future use.

**9. Control and removal of outdoor advertising** — Activities in this category include the
control and removal of abandoned or nonconforming signs, billboards, displays and devices. This is in addition to exercising effective control of outdoor advertising through the removal of illegal signs. This category may include compilation of an inventory of nonconforming outdoor advertising displays. Removal of billboards that conform to local, state, and federal requirements and controls are not eligible.

Non-conforming signs may be acquired for removal with federal funds. Effective controls must be in place to prohibit new signs from being erected where those removed with federal-aid were located.

**Do:**
- Provide documentation that the billboards are nonconforming.
- Provide documentation that the owner has been advised to remove them.

**Don’t:**
- Propose taking legal conforming billboards down.
- Propose removal of billboards along locally classified roads.
- Propose to remove nonconforming billboards in TxDOT's right of way. TxDOT can accomplish this without Enhancement Program funding.

10. **Archaeological planning and research** — Activities in this category include archaeological planning and research on sites related to transportation. It also includes experimental projects for archaeological site preservation and interpretation, and improvement of methods of identification, evaluation and treatment of archaeological sites. Eligible activities include problem-oriented analysis and synthesis using data derived from (though not limited to) transportation-related archaeological projects, and the development of national and regional research designs to guide future surveys, data recovery and synthetic research. Nominations must have the approval of the State Historic Preservation Officer. All work must be done in compliance with the *Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation*, or *Secretary of the Interior’s Standards for Historic Preservation Projects*, or the National Register Bulletin Number 36: *Guidelines for Evaluating and Registering Historical Archeological Sites* and must be managed under the direction of qualified professionals who are educated and experienced in archaeology. Project sites must be associated with transportation facilities. The project must produce a useable product (such as a report, data base or site identification system).

**Do:**
- Stand-alone archaeological planning and research projects related to transportation.
- Archaeological site research relating to transportation, including interpretation and display of the information discovered.

**Don’t:**
- Create area wide archeological inventories or studies unrelated to the surface transportation system.
Conduct field inventory or reconnaissance where archaeological resources are known or likely to occur.
Propose archeological planning, research and data recovery associated with a planned Local, State or Federal highway improvement project.

11. Environmental mitigation —

a) Environmental mitigation to address water pollution due to highway runoff —
Activities in this category includes programs designed to minimize pollution associated with storm-water runoff from transportation facilities. Eligible mitigation projects include those that incorporate aesthetic and ecological considerations and promote recharge. Normal storm sewer construction and maintenance is not eligible unless it is integral to a larger, eligible enhancement project.

Activities that have been identified as requirements of storm water permits are not eligible for enhancement funding.

Acquisition of real property is not considered an eligible mitigation of water pollution unless the acquisition fulfills the mitigation objective.

Activities must go beyond what is normally required for mitigation of transportation projects, and beyond routine or required maintenance of existing transportation facilities.

Do:
Create traps, basins, sedimentation ponds and other structures to capture highway runoff.
Plant native species or aquatic vegetation to create a filtration system, beautify the highway, prevent soil erosion, and water pollution due to highway water runoff.

Don't:
Plan activities, which have been identified as requirements of storm water permits.
Include a mitigation project as part of a new highway expansion.
Create a water mitigation project to filter water runoff from a private parking area.

b) Environmental mitigation to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity — Activities in this category should help preserve wildlife by using methods that have either been established or are being researched to establish protection of wildlife relating to vehicle incidents on roadways, without disconnecting habitat of the wildlife. Mitigation can consist of, but is not limited to, constructing fences, purchase or lease of real property, constructing wildlife tunnels or bridges, and planting native vegetation as sight buffers or grazing deterrents.
It is strongly recommended that the nominating entity contact the local TxDOT District Environmental Coordinator to discuss the development of the project’s scope within this category.

**Do:**
Build wildlife bridges and fences, constructing them in a known wildlife crossing area to encourage wildlife crossings over or under the highway system.
Install or modify culverts to accommodate wildlife passage beneath highways.
Replace existing roadside vegetation with appropriate low-growing species to improve visibility to and from roadside areas, or with appropriate species less attractive to wildlife.  
Monitor and collect data on habitat fragmentation and vehicle-related wildlife mortality

**Don't:**
Submit a project that will use property as a nature preserve.  
Propose creating stock tanks and feeding programs to help support hunting programs.

12. **Establishment of transportation museums** — Activities in this category may include new construction or rehabilitation and reuse of historic or non-historic structures, to house transportation exhibits such as trains, ships or automobiles, that were instrumental in the development of the surface transportation system. Museums may incorporate an aviation element provided that other surface transportation modes are included. Acquisition of historic artifact collections and exhibits are not eligible under the transportation enhancement program.

Projects must produce a useable facility that is open to the public, meet ADA accessibility requirements, and return all profits derived from the facility back into the operation and maintenance of the facility.

**Do:**
Restore a historic structure to be used as a transportation museum.
Construct a new building to be used as a transportation museum.
Showcase different transportation modes and technology relative to surface transportation.

**Don't:**
Include the cost to acquire artifact collections or exhibits.  
Establish a museum for aviation activities only.

### Go Above and Beyond

A project must go above and beyond standard transportation activities. The proposed project cannot solely be required or mandated by TEA-21 or other federal laws. If the activities proposed in the candidate project could be considered routine in a standard highway or transportation project, the candidate project will not be considered eligible for the program.
Standard highway activities, including items such as utility relocation, routine maintenance of transportation facilities, roadway illumination, and roadways or other stand-alone facilities designed specifically for motor vehicles, are not eligible.
Other Eligibility Considerations

Transportation enhancement projects must comply with all applicable state and federal laws and regulations, including environmental requirements.

All projects must comply with the ADA mandate of accessibility. Projects to retrofit existing facilities solely for conformance to accessibility standards do not qualify for enhancement funding. Standards for ADA may be found in the *Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities*.

Various environmental actions required by NEPA and storm sewer maintenance are not eligible unless they are an integral part of a larger qualifying project. TxDOT must determine that these activities are vital to the success of the project as a whole before they can be determined eligible.

Some mitigation costs may be eligible for reimbursement for certain activities as long as that activity is necessary to complete an eligible project. Removal, containment, and disposal of materials that at one time met acceptable building standards, such as the use of lead paint and asbestos, may be allowable mitigation costs, if they are included in the requested itemized budget. However, mitigation cost to cover the removal of underground storage tanks, hazardous material spills or other environmental pollution is not eligible under the program.

Improvements to real property owned by private, non-profit organizations may be considered eligible. A statement from the current property owner, stating their willingness to dedicate the use of the project property to the public, for a period of not less than 10 years, must be included in the nomination. An agreement between the owners of the real property and the nominating entity is required, if selected. The agreement must establish that the project will be dedicated for public use for a period not less than 10 years upon completion and defines the responsibilities of the parties as to the operation and maintenance of the project upon completion. This agreement must be executed prior to the execution of the project agreement between the nominating entity and TxDOT. Ultimately, the nominating entity will be responsible for the operation and maintenance of the project in the agreement between TxDOT and the nominating entity.

Master plans, feasibility studies, general planning not leading directly to a specific, tangible transportation enhancement projects, and salaries for the staff to perform such planning, are not eligible items for funding. Planning may be appropriate in some categories if the activity leads directly to a specified enhancement activity whether or not actual construction is involved. Planning for some archaeological activities may also be eligible.

Public land may be used as the local funding match, as long as the land is donated from one public entity to another. An agency may not donate land to itself. The land must be or have been
acquired in accordance with all state and federal regulations, including the Uniform Relocation Act. Acquired land must be located within the project’s area.

Ineligible candidate projects may not be resubmitted for subsequent program calls without revisions.

Upon completion, a facility must be open to the public for a period of not less than 10-years. A nominal fee to cover operation and maintenance expenses of the facility may be charged. The nominating entity is the party responsible for the operation and maintenance of the facility and will be the contracting party with TxDOT. The facility may not be used for commercial or for-profit activities during the 10-year period.

Project costs incurred prior to project selection by the Commission and TxDOT approval to proceed are not eligible for reimbursement.
Local Funding Share

The funding provided by this program is on a cost reimbursement basis. Projects undertaken with enhancement funds are eligible for reimbursement of up to 80 percent of allowable costs. The funds approved by the Commission and programmed into the State Transportation Improvement Program (STIP) are a fixed amount. All non-federal participating costs, including cost overruns, must be furnished through the nominating entity. Costs incurred before TxDOT authorization to proceed are not reimbursable. Other ineligible expenses include the costs of preparing a project nomination, and for routine operations and maintenance of a project. Should the nominating entity not be in compliance with federal and state regulations or not complete the project, TxDOT will seek reimbursement of expended federal funds.

A minimum match of 20 percent local funding to a maximum 80 percent federal funding is required in each project phase when federal reimbursement is requested. Nominating entities may over-match transportation enhancement activity costs beyond the match requirement. Non-eligible activities should not be included in the enhancement project nomination form. TxDOT authorizes expenditures in project phases (preliminary engineering, real property acquisition, and construction).

To be eligible for reimbursement, all project costs must be included in the itemized budget section of the nomination form and approved by the Commission. Costs may be shifted between work categories upon receiving TxDOT approval. Eligible environmental evaluation and mitigation costs, which may arise in the course of the project, must be included in the itemized budget section of the nomination form in order to be reimbursed.

Donations of real property, materials and services required for the development of the project may be eligible to count towards the local funding share of a project as in-kind contributions. Donations may be made by governmental or non-governmental organizations. Nominators may not donate contributions to themselves. The value of the materials being donated to the project will be based on the fair market value of the materials at the time of donation. In-kind service contributions are limited to the preparation of the plans, specifications and estimates. TxDOT will allow in-kind service contributions for up to 10 percent of the project’s estimated cost. The remaining balance, of the local match, may be made up of cash or contributions of donated real property or materials. The nominating entity may also provide other services to reduce the overall cost of a project, but it will not be considered as an eligible in-kind contribution.

Donations of real property must be for project purposes only. The value of the donated real property will be based on the appraised fair market value at the time of the donation. Real property that has been acquired by the nominator for the project prior to selection does not qualify for donation credit.
All donations must be documented. The nominator must supply a letter from the donor, stating the donor's intent to donate, the item(s) to be donated, and the fair market value of the item(s). The letter(s) should be included as an attachment in the nomination form.
Obtaining realistic cost estimates for the services to be performed are extremely important to insure that adequate funding is secured. Only those approved items of work and cost estimates established in the nomination form will be eligible for federal funding participation. Administrative costs which are incurred by TxDOT and the nominating entity are allowable costs. It is recommended that the services of a professional engineer, architect, or contractor be obtained to assist in development of the required project services and cost estimates. Costs for professional services associated with preparation of the nomination form are not eligible for reimbursement.
Nomination Process

Transportation enhancement projects result from the ideas and inspirations of individuals interested in creating improvements to the surface transportation system. Projects must be nominated by a public authority, which will act as the nominating entity. The nominating entity must exercise jurisdiction over the geographic area in which the project is located and be willing to commit to the recommendation, implementation, development, construction, maintenance and financing of the project. Projects may also be sponsored. Sponsors are those associated with transportation enhancement projects that are willing to commit to the project's development and implementation. A sponsor can be one or more individuals, partnerships and associations, public or private corporations, non-profit groups or public authorities. Non-public authority sponsors wanting to propose a project must seek a public authority willing to nominate the project. All projects must have a nominating entity. Not all projects will have sponsors.

Nomination forms and instructions are available from the local TxDOT district office (see Section B). TxDOT must receive an original and 12 copies of the completed nomination form by 5:00 p.m., June 18, 2001. The completed project nomination form must be filed with a TxDOT district office. Projects that are within a single metropolitan area must be submitted to the Metropolitan Planning Organization (MPO) for approval prior to the submission to TxDOT. The MPO must provide official documentation that the project, if approved for funding, will be included in the local Transportation Improvement Plan (TIP). Please coordinate with the MPO for additional guidance and assistance.

TxDOT will receive and consider for funding project nominations from specific nominating entities, depending on the location of the project, as outlined below.

**DESIGNATED NOMINATING ENTITY CHART**

<table>
<thead>
<tr>
<th>If the Candidate Project is:</th>
<th>Then the Eligible Nominating Entity is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Located within a single city or within a single metropolitan area,</td>
<td>The governing body of the city or MPO.</td>
</tr>
<tr>
<td>Located in a rural area in a single county and not within a metropolitan area,</td>
<td>The governing body of the county.</td>
</tr>
<tr>
<td>Located on public lands managed by a state agency and located in a rural area in a single county and not within a metropolitan area,</td>
<td>The state agency managing those public lands.</td>
</tr>
</tbody>
</table>
Located in multiple jurisdictions consisting of any combination of metropolitan areas, cities not within a metropolitan area, or rural areas in one or more counties,

<table>
<thead>
<tr>
<th>Either:</th>
</tr>
</thead>
<tbody>
<tr>
<td>· A state agency,</td>
</tr>
<tr>
<td>· An agency of the state,</td>
</tr>
<tr>
<td>· A local transit operator,</td>
</tr>
<tr>
<td>· Any one MPO, the governing body of any one city or county, or any one council of governments.</td>
</tr>
</tbody>
</table>
A nominating entity may prioritize enhancement projects nominated in its jurisdiction.

**Letters or other evidence of support and/or opposition of the project should be included with the project nomination.**

A discussion of the opportunity for public participation must be included in the nomination form. TxDOT strongly encourages nominating entities to obtain community support early. Support should be established prior to submitting the project nomination. It is through community support and involvement that projects are successful.

Evidence of support for the candidate project in the form of a resolution or other official document from all governing bodies in the project area must be submitted with the nomination form. Nominating entities that are proposing candidate projects calling for work in multiple metropolitan areas, cities or counties must provide copies of the nomination package to the presiding official's of the governmental bodies within the project area.

All candidate nomination packages become the property of TxDOT.

TxDOT also encourages the nominating entity to contact the local TxDOT District Enhancement Coordinator for assistance in completing the nomination form. A list of TxDOT districts and coordinators is provided in Section B of this guide.
Evaluation and Selection

Screening for Eligibility

TxDOT and FHWA staff will review each nomination for completeness and eligibility. If the nomination fails to meet the criteria for eligibility, a notice will be sent to the nominating entity explaining why the nomination is ineligible or partially eligible. For a nomination to be considered eligible, a minimum of 50 percent of a project’s activities and a minimum of 50 percent of the estimated project’s cost must be deemed as eligible under the program rules.

The nominating entity may request reconsideration of the determination of ineligibility or partial eligibility in a written appeal addressed to TxDOT’s Executive Director within 15 days after receipt of notice. The appeal must cite the elements of the project the nominating entity believes are eligible under the program rules and include a revised budget to reflect those items determined as eligible. The determination of the Executive Director in response to the request for reconsideration is final.

Technical Review

TxDOT staff will consult with appropriate state and federal agencies to assess the project’s conformity with technical standards established by applicable laws, regulations and accepted professional practice. The review will also consider the preliminary feasibility and appropriateness of the scope of work, including review of the project’s itemized cost estimate. Eligible nominations will be submitted with the results of the technical review to the Transportation Enhancement Project Evaluation Committee (TEPEC).

Evaluation and Recommendations

TEPEC consists of a six-member committee composed of representatives from the following six state agencies: Texas Department of Transportation, General Land Office, Texas Department of Economic Development, Texas Historical Commission, Texas Parks and Wildlife Department, and Texas Natural Resource Conservation Commission. The committee will consider and discuss the eligible candidate project’s relationship and potential benefit to the surface transportation system. The committee will evaluate the function and impact of each project based on the quality of the project, the geographic scope of the project’s benefits and the project’s transportation enhancement value. TEPEC will prepare recommendations as to which projects are suitable for funding and provide these recommendations to TxDOT.

Selection
TxDOT will present TEPEC’s evaluations and recommendations to the Commission, along with any other relevant information, such as the nominating entity’s priority ranking (if provided), the amount of funding match provided, the project’s potential benefit to the state, staff recommendations and other policy statements. The Commission will select projects for funding from the list of eligible candidate projects, considering TEPEC’s and TxDOT’s staff evaluations and recommendations. The Commission will give a rationale for its selection. The decision of the Commission is final and not subject to appeal.

Candidate projects that are not selected may be resubmitted during subsequent program calls.
Project Administration
(After Selection)

Projects may be administered by TxDOT or by the nominating entity. Prior approval must be received by TxDOT for a nominating entity to be able to administer a project in accordance with the requirements set forth in 43 TAC § 15.52. Even though all or portions of a project may be administered locally, there will be cost incurred by TxDOT for administration fees to cover district and division review of plans, programming, environmental clearance, coordination with other agencies, real property acquisition, and oversight costs.

Entities receiving federal funds for transportation enhancement activities must comply with all federal and state procedures and requirements applicable to development of federal-aid transportation projects. Funds from other federal programs may be used only when specifically authorized by federal regulation or statute.

The nominating entity must receive approval and authorization from TxDOT, prior to incurring any cost for which they will request reimbursement. The nominating entity will submit all requests to TxDOT for reimbursement of allowable cost using the specified forms and procedures. For locally administered projects, the nominating entity must pay the consultants and contractors, then seek federal reimbursement from TxDOT. For TxDOT administered projects, the nominating entity must provide the non-federal funding match and TxDOT will then seek reimbursement from FHWA for the federal participating share.

All selected projects must be developed to current standards and specifications established and recognized by FHWA and TxDOT. TxDOT will implement or arrange for implementation of each selected project in accordance with statutory requisites and contracting procedures applicable to the type and character of the project. Any changes to the project’s scope of work or changes in the design plans, as submitted to and approved by the Commission, must have advance approval from TxDOT. TxDOT is responsible for inspection and final acceptance of all selected projects, and for certification of project completion.
Project Development and Implementation

Once the Commission selects a project, project implementation begins. TxDOT strongly encourages the nominating entity to aggressively pursue project implementation upon receiving approval of the project from TxDOT. Development of a transportation enhancement project is a phased process. Approval must be obtained from TxDOT before any work in any phase can begin. Enhancement projects may incorporate the following phases:

1) inclusion in the STIP,
2) project agreement,
3) preliminary engineering,
4) real property acquisition, and
5) construction

A nominating entity may proceed to incur reimbursable costs for a given phase only after it receives written notification from TxDOT. Notification occurs after:

1) approval of the project in the STIP,
2) execution of the project agreement, and
3) receipt of a Federal Project Authorization and Agreement (FPAA) approving costs for a specific phase of development.

Phase I — STIP Inclusion

After the Commission selects projects for funding, the project is included in the STIP. Projects in single metropolitan areas must be coordinated with the Metropolitan Planning Organizations (MPO) for inclusion in the TIP and STIP. TxDOT adds projects from non-urban areas that are not located in a single metropolitan area, to the STIP. The inclusion of the project in the STIP requires the approval of the Commission, FHWA and the Federal Transit Authority (FTA).

Phase II — Project Agreement

Prior to any reimbursement of costs, a project agreement must be executed by TxDOT and the nominating entity. The agreement incorporates all contractual aspects of the project including but not limited to: responsibilities of the parties, funding requirements, and applicable state and federal regulations.

Staff from TxDOT’s district office and the nominating entity will meet to discuss the provisions in the project agreement. The project agreement is prepared by TxDOT and forwarded to the nominating entity for review and execution. TxDOT performs final
execution of the project agreement.
TxDOT expects nominating entities to execute the project agreement and begin preliminary engineering during the fiscal year they are programmed into the STIP. TxDOT may withdraw a project’s funding in the event the project agreement is not executed within one year after the project is selected by the Commission.

**Phase III — Preliminary Engineering**

After execution of the project agreement, TxDOT requests approval from FHWA for obligation of federal funds for costs of preliminary engineering, including associated cost such as plans, specifications and estimates (P.S. & E.). Preliminary work for property acquisition and the development of environmental documentation may also be reimbursed from the preliminary engineering phase funding.

The nominating entity, with TxDOT's approval, may use its own workforce to do preliminary engineering work. TxDOT may also perform all or portions of the preliminary engineering. When seeking federal cost reimbursement, the nominating entity may also obtain consultant services after satisfying state and federal requirements for selecting consultants. Agreements between the nominating entity and consultants must be approved in advance by TxDOT.

Consultant contracts for design-related services must result from negotiations that utilize qualifications-based selection procedures. Qualification-based procedures do not allow for price to be used as a factor in the selection process. In accordance with applicable federal regulations consultant fees shall not be based on a percentage of construction costs.

Consultant selection may occur after receipt of approval for preliminary engineering and after TxDOT has approved the consultant selection process and the consultant agreement. Consultant selection must conform to federal and state requirements, including participation by disadvantaged business enterprises (DBEs).

Nominating entities may desire to secure the services of design consultants, without seeking federal reimbursement for their services. This process can reduce cost and time required in meeting state and federal requirements for procurement of consultant services.

Proposed projects must obtain federal environmental clearance under NEPA and other federal and state regulations. This process can be costly and take extended periods of time. If the proposed project includes railroad activities, historic properties, archaeological sites, parklands, endangered species, wetlands, or if a public controversy is involved, additional time could be involved in the process. **Coordination with TxDOT is extremely important to ensure environmental clearance.**
All projects are subject to Section 106 of the National Historic Preservation Act of 1966, which requires environmental clearance of federal-aid projects and may take one of three forms:

1) Categorical Exclusion,
2) Environmental Assessment, or
3) Environmental Impact Statement.

Environmental clearance is required on all projects.

Environmental documentation is part of the preliminary engineering process and must be completed prior to construction. To the fullest extent possible, all environmental investigations, reviews, and consultations will be coordinated as a single process. Compliance with all applicable environmental requirements will be reflected in the environmental document along with the conditions of the document approval.

All projects involving construction activities require established design standards. For example, the construction of bicycle facilities must be designed in accordance with AASHTO’s Guide for the Development of Bicycle Facilities. Pedestrian facility projects must comply with AASHTO’S A Policy on Geometric Design of Highways and Streets, and the Secretary of the Interior’s Standards for Historic Preservation, where applicable. When projects involve historic properties the Secretary of the Interior’s Standards for the Rehabilitation and Guidelines for Rehabilitating Historic Buildings must be met; and the nominating entity will need to coordinate project plans with the Texas Historical Commission to ensure that all work conforms to appropriate standards and guidelines. Additionally, contract documents must be in conformance with TxDOT’s Standard Specifications for the Construction of Highways, Streets and Bridges.

All plans associated with historical preservation or archaeological activities must have the State Historic Preservation Office of the Texas Historical Commission’s approval prior to TxDOT’s authorization to proceed with construction.

All projects must conform to applicable design specifications consistent with the ADA. While safety is of paramount concern, design solutions that respect the integrity and value of historic preservation, communities, rivers, streams, lakes, coastal areas, wetlands, and other environmental, scenic and aesthetic resources are encouraged.

**Phase IV — Real Property Acquisition**

Prior to acquiring any real property, TxDOT requests approval from FHWA for obligation of federal funds for costs of the property and costs associated with the acquisition. Acquisition of real property for project purposes may be eligible for funding participation, if prior authorization is obtained. All acquisition activities must be performed in accordance with the Federal Uniform
Relocation Assistance and Real Property Acquisition Act (Uniform Act), as amended and in conformance with TxDOT’s acquisition procedures for federal-aid projects. Costs associated with appraisals, surveys, legal matters, purchase or relocation assistance are eligible for reimbursement. Applicable environmental considerations must be completed and approved by TxDOT prior to acquisition. All encroachments including, but not limited to, liens and encumbrances, utility facilities requiring relocation, and hazardous materials, must be resolved in a manner that does not impact the project.
The use of eminent domain to acquire real property is not allowed under this program. However, real property that was acquired prior to 1991, by a governmental entity through eminent domain and in accordance with applicable state and federal laws, may be used for project purposes.

Projects may require the securing of leases or easements as opposed to purchasing the real property. A statement from the current property owner, stating their willingness to dedicate the use of the project property to the public, for a period of not less than 10 years, must be included in the nomination. The ten-year period shall also apply to the securing of surface property rights. In such cases, a long-term lease or easement is required between the property owner and the nominating entity. A copy of the lease or easement agreement must be provided to TxDOT for review and approval prior to execution between the parties, after project selection.

Real property may also be obtained through donation. Donations must be given from one entity to another in order for the contribution to be used as a match. Nominators cannot donate property to themselves.

An offer to acquire real property must be in writing and may be made only after appraisals are approved by TxDOT and funding is authorized. Commencement of negotiations with real property owners prior to federal approval may jeopardize reimbursement eligibility.

Obtaining an option to purchase real property is not considered to be an offer to purchase. Therefore, the requirement that no offer be made until after receiving environmental clearance and project approval, will not be violated by obtaining an option. Reimbursement of real property acquisition cost from federal funds will be based on the current appraised value of the real property.

Agreements between public authorities and acquisition consultants, private negotiators, and private relocation assistance service firms must be approved by TxDOT. Federal funds may be used only for costs incurred after TxDOT approves the agreement(s) and the authorization to proceed.

Obtaining an appraisal at an early stage, for the purpose of estimating the capital cost of a project, will not bar FHWA participation in project costs. Such an appraisal generally serves the same function as the project estimate TxDOT prepares, providing cost projections used in planning, applying for funding, etc. However, FHWA will not participate in the cost of an appraisal prepared prior to environmental clearance, project approval and federal authorization.

Any appraisal used as the basis for an offer must be current. It must be reviewed to determine if it is still current and, if not, a new or revised appraisal must be obtained. Costs above the current appraised value are not eligible for federal funding reimbursement.
Generally, the acquisition of real property phase is included when a purchase, easement, or lease of real property is involved; an operating railroad facility will be crossed or modified; an occupant or business will be relocated; or an access issue is involved.

Environmental analysis and public involvement requirements must be completed before starting most real property acquisition activities. Acquisition projects often require special environmental studies, even when no development will occur on the site. Examples include archaeological resources, historic resources or endangered species studies.

**Phase V — Construction**

Prior to construction, TxDOT requests approval from FHWA for obligation of federal funds for construction cost including associated costs such as project advertising, bid opening, awarding the contract, labor compliance, contract change order and project management. **In order to ensure federal funding eligibility, projects must be authorized by TxDOT prior to advertising for construction.** Approval for construction will be issued once environmental clearances are obtained, TxDOT approves construction plans, and all issues related to real property acquisition are resolved.

Projects may be constructed and administered by TxDOT. If requested and approved by TxDOT, the nominating entity may assume responsibility for construction and administration activities; however, TxDOT will retain oversight responsibility. Compliance with applicable federal and state laws and regulations is required. TxDOT assumes final approval and oversight of construction.

The construction contractor is to be chosen through a competitive bidding process approved by TxDOT. The selected bid must be approved by TxDOT’s authorized representative prior to the award of the construction contract. In the event competitive bidding is determined not to be a cost-effective method, the nominating entity may use its own work force upon receiving TxDOT’s approval.

If the cost of the project exceeds the amount approved by the Commission, the nominating entity has at least one of the following options:

- Fund the additional cost with available local resources;
- Modify the scope of the project to fit within the funding programmed (subject to approval by TxDOT);
- Re-advertise the project for new contractor bids;
• Withdraw the project from the program as no longer cost effective and refund all expended federal dollars to TxDOT.

TxDOT recommends preliminary engineering be completed and construction begin within two years from the time the project is selected by the Commission.
Elimination of a Project

Projects may be eliminated from the program by one of the following actions:

- The nominating entity fails to satisfy any requirements provided for in the program rules.

- The implementation of the project would involve significant deviation from the activities as proposed in the nomination form.

- The nominating entity withdraws from participation in the project.

- The project is not implemented within a reasonable time, as determined by the department in consultation with the nominating entity. (In absence of information suggesting that a shorter or longer period is appropriate, three years or less from the date of inclusion in the STIP will be presumed to be a reasonable time.)

- A local agreement is not executed within one year after the project is selected for funding by the Commission.

- Upon a determination that federal funding may be lost due to the project not being implemented and completed.

- If at anytime prior to the execution of the local project agreement, any municipality or county in which project activities are proposed, notifies TxDOT of its opposition to the project. Notification of opposition must be in the form of a resolution or other official document from the authorized governing body of the entity opposing the project.
SECTION B
ADDITIONAL PROGRAM INFORMATION

Historic Properties

Instructions for Requesting Certification from the Texas Historical Commission for Projects Involving Historic Properties, (Depots, Buildings, Bridges, etc.)

Projects proposing the preservation, restoration, rehabilitation or adaptive use of historic buildings or historic transportation structures (potentially under categories 3, 4, 6, 7, or 12) must obtain certification from Texas Historical Commission (THC). The THC is the state agency that serves in Texas as the State Historic Preservation Office (SHPO), and is the authority recognized by state and federal transportation officials for judging the historic importance of a property. The project applicants should request certification in the form of a determination of eligibility (or confirmation of listing in the National Register) from the History Programs Division of the THC, prior to submitting a candidate project of this nature to the Statewide Transportation Enhancement Program.

The SHPO must review any properties at least 50 years of age that are proposed as part of a project applying for Enhancement Program funding, within the dates of the current application call (please be advised documents from previous calls are not acceptable).

- Properties must be listed, or determined eligible for listing, in the National Register of Historic Places. Projects, which if carried out, would render a currently ineligible property eligible for the National Register, may be acceptable.

- The application package submitted to TxDOT for the Statewide Transportation Enhancement Program must include this written certification of eligibility/listing from THC dated for the current application call.

The THC has indicated that project applicants should request the above certification as soon as they have decided to propose a project involving any known or suspected historic property. The THC will respond within 30 days of receipt of such requests. THC can accept no requests within 30 days of the Enhancement Program application deadline.

Project sponsors should contact the THC as soon as possible for several reasons:

- While a property may not be eligible for the National Register in its current
condition, a project could restore a property's historic appearance and change its National Register eligibility. The THC can assist nominators in incorporating these measures into the project proposal.

- The work proposed may be inappropriate for the subject property. In such cases, THC can suggest ways to modify the proposal so that the proposed work is in keeping with the property's historic character.

- The THC may request additional information in order to make a determination of the property's National Register eligibility.

- For eligible properties not yet listed in the National Register, applicants should incorporate appropriate expenses into their proposal for research and completion of forms for nomination to the National Register.

When requesting certification of National Register eligibility from THC, please provide the following information by mail or office delivery to THC at least 30 days in advance of the Enhancement project application deadline:

1. Common or historic name(s) of any building or structure in the proposed project.
2. City map (or county map for rural properties) showing the exact location of the proposed project, including address.
3. Clear photographs of all sides of each building in the proposed project and of the overall project area with adjacent surroundings.
4. Brief history of the property, including date of construction, architect, or builder and date and description of any alterations or relocations, with particular emphasis on any transportation history related to the property.
5. Brief description of the scope of the proposed project and its effects on the property.

This information should be sent in hard copy to THC. Do not fax or Email this information to THC. Original and clear photographs are essential for the required SHPO evaluation.

Your official certification from THC will be a letter describing a "determination of eligibility" for listing in the National Register of Historic Places. The THC may, upon your request, fax this letter to you with completion of the SHPO evaluation. You must include this letter from THC in your application package, if you are applying for Enhancement funds under categories 3, 4, 6, 7 or 12, and more-than-50-year-old properties are present.

If you know that your building(s) or structure(s) is already listed in the National Register of Historic Places, THC still must review current photos of the property. The presence of
any Official State Historical Marker does not mean that the property is listed or eligible for the National Register of Historic Places. Other historical designations - Recorded Texas Historic Landmark (RTHL), State Archaeological Landmark, local landmark status, etc., are not a substitute for National Register listing or eligibility.

Once projects have been submitted to the Enhancement Program, TxDOT and the THC will review all project proposals for appropriateness and technical sufficiency. Those projects that are in keeping with accepted preservation guidelines, including the Secretary of the Interior's Standards for the Treatment of Historic Properties, will have the best chance for selection.

Send certification requests and required evaluation materials to:

Mr. F. Lawerence Oaks,
c/o History Programs Division,
Texas Historical Commission,
P. O. Box 12276
Austin, TX 78711-2276
(512) 463-6100

Please feel free to call THC for any additional information.
For More Information

For more information about the Statewide Transportation Enhancement Program or to obtain a project nomination form and instructions, please contact the local TxDOT district office. See the following pages for a list of TxDOT district offices and District Enhancement Coordinators.

A map showing TxDOT districts is found in this section.

Additionally, copies of this Statewide Transportation Enhancement Program Guide and program information may be accessed through TxDOT's internet address at: http://www.dot.state.tx.us/insdtdot/orgchart/des/step/introduction.htm
Associated Agencies and Publications

For general information on the Surface Transportation Program, please contact:

Federal Highway Administration
826 Federal Office Building
300 E. 8th Street
Austin, Texas 78701
512/916-5913

For a copy of the guide for the Development of Bicycle Facilities or A Policy on Geometric Design of Highways and Streets, according to the American Association of State Highway and Transportation Officials, please call or write to:

AASHTO
444 North Capitol Street, NW, Suite 225
Washington, D.C. 20001
800/231-3475 or 202/624-5800

For guidance concerning historic preservation and archaeology projects, please contact the State Historic Preservation Office through the Texas Historical Commission at:

Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711-2276
512/463-6100

For a copy of the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, or the Secretary of the Interior’s Standards for Historic Preservation Projects, please write to:

U.S. Department of Commerce
National Technical Information Service
5285 Port Royal Road
Springfield, Virginia 22161
703/487-4600 - 8 a.m. to 8 p.m. EST
Fax: 703/321-8547
For a copy of the **Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities**, please contact:

U.S. Architectural & Transportation Barriers Compliance Board  
1331 F Street, N.W., Suite 1000  
Washington, D.C.  20004-1111  
202/272-5434 (Voice)  
202/272-5449 (TTY)  
Fax: 202/272-5447

**District Workshop Schedules**

Each TxDOT District will have at least one Transportation Enhancement Workshop scheduled for the public within their district to discuss program information and give assistance in completing the project nomination form.

Please contact the TxDOT District Enhancement Coordinator or Public Information Officer nearest you for a list of workshops to be held in your area. Enhancement Workshop dates will be published on the TxDOT web site, once dates have been confirmed. If inclement weather should occur, make sure to contact the district to confirm that workshops will be held at the regularly scheduled time.

We encourage anyone interested in submitting a project nomination to attend at least one workshop. Obtain a copy of the current guide and nomination form prior to attending the workshop, if possible, so that you can be familiar with the program material. Bring your ideas and questions to the workshop, that we may assist you in developing your ideas for projects and submitting a nomination to the program.
TxDOT District Enhancement Coordinators

Abilene District Office  
William W. Leach  
P.O. Box 150  
Abilene, TX 79604-0150  
(915)676-6831, Fax (915)676-6602

Amarillo District Office  
Cheryl Luther  
P.O. Box 2708  
Amarillo, TX 79105-2708  
(806)356-3249, Fax (806)356-3263

Atlanta District Office  
Lori Self  
701 East Main  
Atlanta, TX 75551  
(903)799-1301, Fax (903)799-1313

Austin District Office  
Joe Holland  
P.O. Drawer 15426  
Austin, TX 78761-5426  
(512)832-7039, Fax (512)832-7080

Beaumont District Office  
Anthony Cochran  
P.O. Box 3468  
Beaumont, TX 77704-3468  
(409)896-0270, Fax (409)896-0265

Brownwood District Office  
Michael Belvin  
2495 Hwy. 183 North  
Brownwood, TX 76802  
(915)643-0446, Fax (915)643-0306

Bryan District Office  
Cecilia McCord  
1300 North Texas Avenue  
Bryan, TX 77803-2760  
(979)778-9797, Fax (979)778-9702

Childress District Office  
Dwayne Culpepper  
P.O. Box 900  
Childress, TX 79201-0900  
(940)937-7157, Fax (940)937-7154

Corpus Christi District Office  
Pete W. Stricker  
P.O. Box 9907  
Corpus Christi, TX 78469-9907  
(361)808-2328, Fax (361)808-2313

Dallas District Office  
Richard Mason  
P.O. Box 3067  
Dallas, TX 75221-3067  
214-320-6686, Fax (214)320-4470

El Paso District Office  
Mary Brown  
P.O. Box 10278  
El Paso, TX 79994-0278  
(915)774-4221, Fax (915)774-4371

Fort Worth District Office  
Joel Mallard  
P.O. Box 6868  
Fort Worth, TX 76115-0868  
(817)370-6591, Fax (817)370-6759

Houston District Office  
Tori Kaplan  
P.O. Box 1386  
Houston, TX 77251-1386  
(713)802-5810, Fax (713)802-5896

Laredo District Office  
Omar Cantu  
1817 Bob Bullock Loop  
Laredo, TX 78043  
(956)712-7438, Fax (956)712-7402

Lubbock District Office  
Steve Warren  
P.O. Box 771  
Lubbock, TX 79408-0771  
(806)748-4490, Fax (806)748-4380

Lufkin District Office  
Mike Offield  
1805 North Timberland  
Lufkin, TX 75901  
(936)633-4303, Fax (936)633-4378

Odessa District Office  
Richard (Rick) Hopkins  
3901 East US Hwy. 80  
Odessa, TX 79761  
(915)498-4759, Fax (915)498-4760

Paris District Office  
Rick Mackey  
1365 North Main Street  
Paris, TX 75460-2697  
(903)737-9375, Fax (903)737-9289

Pharr District Office  
Gracie Cantu  
P. O. Drawer EE  
Pharr, TX 78577-1231  
(956)702-6147, Fax (956)702-6110

San Angelo District Office  
Tommy Robinson  
4502 Knickerbocker Road  
San Angelo, TX 76904  
(915)947-9244

San Antonio District Office  
Clay Smith  
P.O. Box 29928  
San Antonio, TX 78284-3601  
(210)615-5920, Fax (210)615-6295

Tyler District Office  
Dale Spitz  
2709 West Front Street  
Tyler, TX 75702  
(903)510-9232, Fax (903)510-9138

Waco District Office  
Jim Reed  
P.O. Box 1010  
Waco, TX 76703-1010  
(254)867-2733, Fax (254)867-2738

Wichita Falls District Office  
Carolyn Askins  
1601 Southwest Parkway  
Wichita Falls, TX 76302-4906  
(940)720-7712, Fax (940)720-7873

Yoakum District Office  
Billy Goodrich  
P.O. Box 757  
Yoakum, TX 77995-0757  
(512)293-4381, Fax (512)293-4372

Revised 12/1/00
Map of TxDOT Districts
SECTION C
PROGRAM RULES

The following program rules were approved by the Texas Transportation Commission, February 25, 1999, and incorporated into 43 Texas Administrative Code, Section 11.200 - 11.205

SUBCHAPTER E. STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM.
§11.200. Purpose. Title 23, United States Code, §133(d)(2) and §160(e)(2), require that 10% of certain funds apportioned to a state pursuant to Title 23, United States Code, §104(b)(3), be used for transportation enhancement activities, as defined. The Commission may allocate funds to the department for use on the state highway system for transportation enhancement activities that provide a safe, effective, and efficient movement of people and goods. The Commission will also make funds available in a statewide competitive program that enhances the surface transportation systems and facilities within the state for the benefit of the users of those systems. The sections under this subchapter prescribe the policies and procedures for the implementation of the program.

§11.201. Definitions. The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

1. Allowable costs - Necessary project expenditures incurred after federal and state authorization to proceed and otherwise eligible for reimbursement under applicable statutes and regulations. In appropriate projects, allowable costs may include costs of plans, specifications and estimates, environmental mitigation, acquisition of land or other real property, construction, construction management, administrative expenses, and interpretation or other activities to enhance the appreciation of scenic, historic, natural, or cultural resources. Expenditures for routine operation and maintenance are not allowable costs.

2. Appropriate local officials - Principal elected officials of general purpose local governments.

3. Candidate project - A project recommended to the department by a nominating entity for the Commission’s consideration for inclusion in the Program.


5. Department - Texas Department of Transportation.

6. District office - A headquarters office for one of the department’s geographical districts into which the state is divided.

7. Executive director - The executive director of the Texas Department of Transportation or his or her designee not below the level of assistant executive director.

8. Federal funds - Financial assistance provided by the Federal Highway Administration for project development.

9. FHWA - Federal Highway Administration.
(10) Function - The candidate project serves a purpose relating to the existing transportation system.

(11) Impact - Substantiates the relation to the surface transportation system in that the candidate project creates a beneficial effect on the existing transportation system.

(12) In-kind contributions - That portion of allowable costs of a project contributed by other governmental entities or private parties consisting of donations of cash, real property, materials, or contribution of services.

(13) Jurisdiction - For a city, the area within the incorporated city limits, including a city’s extraterritorial jurisdiction. For a county, any area within the boundaries of the county, excluding incorporated areas. For a state agency, any area within which its prescribed authority may be exercised.

(14) Local agreement - An agreement between the nominating entity and the department which includes a commitment for the required local funding, describes the total scope and course of project activities, and outlines the responsibilities and duties of the participants.

(15) Local funding match - Monies or authorized in-kind contributions provided by the nominating entity to participate in costs associated with project development.

(16) Local transit operator - A public entity providing public transportation within a given region.

(17) Metropolitan area - That area included within the boundaries determined pursuant to Title 23, United States Code, §134(c), and/or §8(c) of the Federal Transit Act (49 USC App. §1608(c)).

(18) Metropolitan transportation plan - The plan required by Title 23, United States Code, §134(g), and/or §8(g) of the Federal Transit Act (49 USC App. §1608(g)).

(19) Metropolitan planning organization (MPO) - That entity designated by the governor in accordance with 1 TAC §§5.51-5.57 concerning Metropolitan Planning Organizations as responsible, together with the state, for carrying out the provisions of Title 23, United States Code, §134, and/or §8 of the Federal Transit Act (49 USC App. §1608). MPOs are generally composed of local elected officials, the administrators of the area’s major transportation systems, state officials, transit officials, and other interested parties.

(20) Nominating entity — The state agency, agency of the state, MPO, councils of governments, city, county, or local transit operator which nominates a particular candidate project for consideration by the department, exercises jurisdiction over the geographic area in which that project is located, and commits to the project’s development, implementation, construction, maintenance, management, and financing.

(21) Operational income - Net income received by the owner of a facility constructed or enhanced using funds received through the Program after deducting the costs incident to the generation of that income. The term includes, but is not limited to income from fees for services performed, use or rental of real or personal property, or sale of commodities. Taxes, license fees, fines, royalties, and other such revenues received by the facility owner or paid within the facility are not considered income.

(22) Program - The Statewide Transportation Enhancement Program.
(23) Project - An undertaking to develop, implement, or construct a particular transportation enhancement at a specific location or locations, or, if the context so implies, the particular enhancement so developed, implemented, or constructed.

(24) Project area - The location in which project activities will take place.

(25) Public authority - A state agency, city, or county.

(26) Reimbursable costs - Allowable costs that have been incurred by the department or the nominating entity which are eligible for federal participation and which have been approved by the Commission.

(27) Selected project — A project which the Commission has elected to include in the Program.

(28) Sponsor — One or more individuals, partnerships, associations, private corporations, or public authorities recommending a particular project and committed to its development, and implementation.

(29) State — The State of Texas or any of its political subdivisions.

(30) State highway system - As defined in Texas Transportation Code §221.001, that system of highways in the state included in a comprehensive plan prepared by the department’s executive director under the direction and with the approval of the Commission.

(31) Statewide Transportation Improvement Program (STIP) - The formal program document required by Title 23, United States Code, §135(f), which is necessary to receive federal reimbursement for projects.

(32) Surface transportation system - An interconnected transportation network for moving people and goods using various combinations of transportation modes.

(33) TEPEC - Transportation Enhancement Project Evaluation Committee.

(34) Transportation - Pertaining to the movement of people between their places of residence, employment, commerce, education, recreation, and entertainment; or of goods between places of manufacture, storage, sale, maintenance, repair, salvage, and disposition.

(35) Transportation Improvement Program (TIP) - The transportation program required by Title 23, United States Code, §134(h), and/or §8(h) of the Federal Transit Act (49 USC App. §1608(h)), cooperatively developed with metropolitan planning organizations which include improvement projects proposed for federal funding in accordance with the criteria set forth in federal law and federal regulations.

(36) Transportation enhancement activities - Those activities so defined in §101(a) of Title 23, United States Code, including any of the following, if such activities relate to the surface transportation system:

(A) provision of facilities for pedestrians and bicycles;

(B) provision of safety and education activities for pedestrians and bicycles;

(C) acquisition of scenic easements and scenic or historic sites;

(D) scenic or historic highway programs (including providing tourist and welcome center facilities);

(E) landscaping and other scenic beautification;
(F) historic preservation;
(G) rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals);
(H) preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian or bicycle trails);
(I) control and removal of outdoor advertising;
(J) archaeological planning and research;
(K) environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity; and
(L) establishment of transportation museums.


(a) To be eligible for consideration for inclusion in the Program, a candidate project must:
   (1) propose one or more transportation enhancement activities that have a relationship of function or impact to the surface transportation system, yet go beyond activities customarily incorporated into transportation projects;
   (2) consist of expenditures that conform to applicable provisions of state and federal laws;
   (3) present persuasive evidence of support for the candidate project from the communities in which it would be implemented, to include a commitment to provide at least 20% of the allowable costs of the candidate project;
   (4) propose to construct or enhance a facility from which all operational income will be used for the costs necessary for the proper operation and maintenance of the facility;
   (5) be nominated for consideration by an eligible nominating entity in the manner prescribed in §11.203 of this title (relating to Project Nomination);
   (6) be available for public use for a period of not less than 10 years; and
   (7) have at least 50% of the project’s activities identified in the project description and budget of the nomination form deemed eligible for federal reimbursement.

(b) Projects which will require the acquisition of real property through the exercise of eminent domain by any entity are not eligible for participation in the Program.

(c) Ineligible candidate projects may not be resubmitted for subsequent program calls without revision.

§11.203. Project Nomination.

(a) Call for nominations. The department will call for nominations of candidate projects by publication in the Texas Register. The department will also provide notice of the call for candidate projects to all Metropolitan Planning Organizations (MPOs), all councils of governments (COGs), and all local transit operators in the state.

(b) Who may nominate.

(1) The department will receive and consider for funding only candidate project nominations from specific nominating entities, depending on the location of the candidate project, as outlined in the following chart: (Figure 1: 43 TAC §11.203(b)(1)
Figure 1: 43 TAC §11.203(b)(1)

<table>
<thead>
<tr>
<th>IF THE CANDIDATE PROJECT IS:</th>
<th>THEN THE ELIGIBLE NOMINATING ENTITY IS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Located within a single city or within a single metropolitan area</td>
<td>The governing body of the city or MPO</td>
</tr>
<tr>
<td>Located in a rural area in a single county and not within a metropolitan area</td>
<td>The governing body of the county</td>
</tr>
<tr>
<td>Located on public lands managed by a state agency and located in a rural area in a single county and not within a metropolitan area</td>
<td>The state agency managing those public lands</td>
</tr>
<tr>
<td>Located in multiple jurisdictions consisting of any combination of metropolitan areas, cities not within a metropolitan area, or rural areas in one or more counties</td>
<td>Either: A state agency, An agency of the state, A local transit operator, Any one MPO, the governing body of any one city or county, any one Council of Government</td>
</tr>
</tbody>
</table>

Other proponents of transportation enhancement activities may submit project ideas for application only through an appropriate nominating entity.

(2) Activities in multiple jurisdictions should be segmented into separate candidate projects whenever practical.

(3) When the nominating entity for a candidate project is not itself the MPO, city, or county designated by Title 23, United States Code, §134 or §135, to select enhancement projects in any area in which activities would take place, the nominating entity must provide documentary
evidence that the MPO, city, or county designated by §134 or §135, to select such projects in that area has authorized it to nominate the project.

(c) How to nominate a project.
(1) To nominate a candidate project, the eligible nominating entity must file its nomination, in the form prescribed by the department, with the district engineer of the district office responsible for the area in which the proposed enhancement would be implemented. The nomination form for a single project in multiple jurisdictions may be filed with the district engineer of the district office responsible for any of the areas in which the proposed enhancement would be implemented. The nomination shall consist of information necessary for project evaluation, and shall include to the maximum extent practicable:

(A) a clear and concise description of the proposed enhancement (The description must detail all work to be performed as part of the candidate project, the relationship between the proposed enhancement and the surface transportation system, any real property or easements required, any special land uses planned, and any relationships between the candidate project and any other work anticipated, planned, presently under way, or previously completed);

(B) an implementation plan for the candidate project, including both a schedule of project activities and an itemized budget (The schedule of activities must indicate any circumstances known to the nominating entity that are likely to affect commencement of work on the candidate project or the time required to complete it, including environmental and historic issues. The budget must describe all proposed local financing of allowable project costs and be accompanied by documentary evidence of the commitment of the nominating entity to pay those costs and of their ability to do so. If federal funds will be used for the locally provided share of project costs, a copy of the statutory or regulatory authority for that use must be attached. The budget shall indicate that an appropriate amount has been included to cover design, plans, specifications and estimates, environmental mitigation, construction, construction management, real property acquisition, department administrative expenses, and other costs associated with development and implementation);

(C) a map delineating the location or locations of the candidate project (The map should show project limits, highlight any areas of major work, and show all existing or proposed transportation facilities and associated real property);

(D) photographs of the existing project site;

(E) a site plan of the proposed construction and illustrations of the proposed work (If the candidate project is proposing restoration or rehabilitation work for a historic property, the site plan must include current and proposed floor plans for the property; the floor plan must indicate the proposed function to be served by each room);

(F) if real property is to be acquired, a written commitment from the current real property owner must be provided and a description of how it is to be acquired (through purchase or donation), including estimated current fair market value and proposed funding arrangements (Fair market value of real property shall be established as of the date the purchase becomes effective or when equitable title to the real property vests in the public authority, whichever is earlier);
(G) if construction is proposed, a description of how it would be accomplished, including estimated cost;

(H) a description of all expected benefits from the proposed enhancement, particularly those benefits pertaining to the surface transportation system (The description must include expected use of any facilities involved, and must compare current and projected demand for use of those facilities);

(I) appropriate documentary evidence of community involvement in development of the proposed enhancement and public support for it (At a minimum, evidence submitted must include a description of any opportunities for public participation, including public meetings, that were included in the process of selecting candidate projects by the nominating entity and a resolution or other official document from all of the governing bodies of any public authority with jurisdiction over the area in which the project would be implemented. The supporting document should state the governing body’s support for the implementation of the proposed project, its recommendation that it be considered for funding, and (when appropriate) its commitment to provide a share of allowable project costs. For activities in metropolitan areas, one of these documents must be from the governing body of the MPO for that area);

(J) a plan covering the operation and maintenance of the facility created by or benefiting from the enhancement (The plan will identify all parties responsible for operation and maintenance, estimate the annual cost to operate and maintain the facility, describe the source of those funds, identify all expected operational income from the facility, and describe the intended use of that income);

(K) documentary evidence that the environmental consequences of the proposed enhancement have been fully considered, and that the proposed enhancement will comply with all applicable local, state, and federal environmental laws, regulations, and requirements (The evidence required should include sufficient facts to allow the department to determine the necessity for environmental studies according to §§2.40-2.51 of this title (relating to Environmental Review and Public Involvement for Transportation Projects));

(L) a written statement showing that the proposed enhancement is consistent with any long-range transportation plans for that area in which it would be implemented;

(M) for any enhancement activity that would be implemented within a metropolitan area, a letter from the MPO stating that, should funding for the candidate project be made available, the MPO will include the candidate project in the TIP for that area if the candidate project has not yet been included; and

(N) for projects proposing the acquisition, restoration, or rehabilitation of historic sites or properties, documentary evidence from the Texas Historical Commission that the property or site is currently listed in or eligible for listing in the National Register of Historic Places.

(2) Complete nomination packages must be received by the department no later than the specified deadline published in the Texas Register.
(3) Nominating entities proposing candidate projects calling for work in multiple metropolitan areas, cities, or counties must provide copies of the nomination documents to affected local public officials.

(4) A nominating entity may submit a written statement of the relative priority ranking assigned by the nominating entity to that candidate project among all candidate projects nominated by that entity for consideration in response to the current call for project nominations.

(d) All candidate project nomination packages become the property of the department. Nomination packages will be returned to the nominating entity only in cases where the nominating entity requests the return in writing after the completion of the project selection process for the current call for nominations.

§11.204. Selection of Projects for Funding.

(a) Eligibility and technical screening.

(1) The department will review each candidate project to determine eligibility for funding according to federal and state law and to determine that each candidate project will meet technical standards established by applicable law and accepted professional practice. In determining eligibility, the department will coordinate with FHWA. In determining technical sufficiency, the department will coordinate with appropriate state and federal agencies. Eligible candidate projects, together with the results of the technical review, will be submitted to the TEPEC as described in subsection (b)(1) of this section for evaluation of potential benefits.

(2) The department will by certified mail, return receipt requested, notify the nominating entity of each ineligible activity proposed. This notification will include a statement explaining the proposed activities’ ineligibility. A request for reconsideration of a finding of ineligibility may be initiated only by a letter from the nominating entity to the executive director setting forth reasons in support of a finding of eligibility. The letter requesting reconsideration must be received by the department no later than 15 days after the nominating entity received the department’s notification, as established by the return receipt. The determination of the executive director in response to the request for reconsideration will be final.

(b) Evaluation of project benefits.

(1) The potential benefit of each eligible candidate project will be evaluated by an advisory committee, to be known as the Transportation Enhancement Project Evaluation Committee (TEPEC). The members of TEPEC shall be:

(A) the executive director of the department, or designee, who shall chair the committee;

(B) the State Land Commissioner, or designee; and

(C) the executive director, or designee, of each of the following state agencies: the Texas Department of Economic Development; the Texas Historical Commission; the Texas Parks and Wildlife Department; and the Texas Natural Resource Conservation Commission.

(2) The TEPEC will meet at the call of the chair to consider and discuss the relationship to the surface transportation system and potential benefit of eligible candidate projects. After discussing the candidate projects, the committee will evaluate the function and impact of each project based on the quality of the project, the geographic scope of the project’s
benefits, and the project’s transportation enhancement value. The TEPEC will prepare recommendations as to which projects are suitable for funding and provide these recommendations to the department.

(3) The TEPEC will serve to advise the department of the benefit of candidate projects only and its decisions will in no way be binding on the ability of the Commission to select from among all eligible candidate projects those projects approved for funding.

(c) Selection.

(1) The department will recommend for consideration by the Commission a program of candidate projects. To assist the Commission in its decisions concerning selection and funding, the department will, in addition to department staff recommendations, provide to the Commission:

(A) the list of all eligible candidate projects and any comments and recommendations from the TEPEC;

(B) any other comments relevant to consideration of any candidate project for funding, including:

(i) any policy matters;
(ii) evidence of support and opposition for the candidate project;
(iii) evidence of the commitment from the nominating entity to provide more than the minimum required non-federal share of allowable project costs and their ability to do so;
(iv) an evaluation of proposed projects indicating the extent to which each project will meet accepted standards as established by applicable law and by accepted professional practice;
(v) the views, comments, and certifications of an MPO or a governing body of a city or county; and
(vi) all other project specific information as appropriate.

(2) The Commission will select from among all eligible candidate projects those projects, if any, approved for funding. In selecting an eligible candidate project for funding, the Commission will consider:

(A) all information provided under paragraph (1)(A) and (B) of this subsection;
(B) the potential benefit to the state of the candidate project; and
(C) contribution of candidate projects to the safe, effective, and efficient movement of people and goods.

(3) In evaluating the potential benefit to the state of the candidate project, the Commission will consider, but is not bound by, recommendations and comments from the TEPEC.

(4) The Commission will, by written order, designate the selected projects and specify the rationale for selection.

(5) The funds approved by the Commission are a fixed amount. The nominating entity may seek additional funds through this program in subsequent program calls.

(6) Candidate projects which are not selected must be resubmitted to receive consideration during subsequent program calls.
§11.205. Project Administration.

(a) When a project is selected for funding, the department will notify the nominating entity of its selection. If the selected project is to be implemented in a metropolitan area, the department will request that the MPO immediately begin the process required to include the selected project in its TIP.

(b) The department will immediately begin the process required to include all selected projects in the STIP. Costs incurred prior to the inclusion of the activity in the STIP, execution of the local agreement, and prior to federal and state approval and authorization to proceed are not eligible for reimbursement.

(c) A candidate project will be eliminated from participation in the Program if at any time prior to the execution of the local agreement, any municipality or county in which project activities are proposed notifies the department of its opposition to the project. Notification of opposition must be in the form of a resolution or other official document from the duly constituted governing body of the entity opposing the project. Jurisdiction for the purposes of support or opposition to a candidate project does extend to a municipality’s extraterritorial jurisdiction.

(d) The department will implement or arrange for implementation of each selected project in accordance with statutory requisites and contracting procedures applicable to the type and character of the project.

(e) All selected projects must be developed to current standards and specifications established or recognized by the federal government and the department. The department may allow project plans to be developed by other public authorities, provided those plans are reviewed by the department and determined to have been developed according to current department standards and specifications. The department will coordinate with other state and federal agencies as required by state or federal law or applicable policy.

(f) All agencies receiving federal funds for transportation enhancement activities must comply with all federal and state procedures and requirements applicable to development of federal-aid transportation projects.

(g) Before funding any real property acquisition or construction activities, the department will ensure that required opportunities for public involvement have been provided and proper environmental documentation has been completed.

(h) Funds from other federal programs may be used only when specifically authorized by federal statute or regulation. Pursuant to Title 23, United States Code §323, private cash donations, donations of real property, and contributions of materials and services, may be considered as in-kind contributions and may be allowable costs to meet the local funding match of the project. Except where specifically permitted under federal law or by FHWA, the value of an activity accomplished away from the project and not directly chargeable to the project is not allowed as an in-kind contribution toward the non-federal share of allowable project costs.

(i) Whether proposed as an independent project or as an element of a larger transportation project, the candidate project must be limited to a logical unit of work.
(j) The department is responsible for inspection and final acceptance of all selected projects and for certification of project completion.

(k) The department will submit all requests to FHWA for reimbursement of allowable costs. When the department implements appropriate projects through or in cooperation with other entities, those entities will request reimbursement of allowable costs they incur from the department using the forms and procedures specified by the department.

(l) Projects must be developed in accordance with this subchapter. Any changes in the scope of work established in the nomination form, as approved by the Commission must have the advanced written approval of the executive director. Significant increase in the scope of work will require the advanced approval of the Commission.

(m) If the nominating entity does not complete the project, the department may seek reimbursement of the expended federal funds from the nominating entity.

(n) The executive director may eliminate a project or a portion of a project from participation in the Program if at any time:

1. the nominating entity fails to satisfy any requirement of this subchapter;
2. implementation of the project would involve significant deviation from the activities as proposed in the nomination form;
3. the nominating entity withdraws from participation in the project;
4. the project is not implemented within a reasonable time, as determined by the department in consultation with the nominating entity (In the absence of information suggesting that a shorter or longer period is appropriate, three years or less from the date of inclusion in the STIP will be presumed to be a reasonable time.);
5. a local agreement is not executed within one year after the project is selected by the Commission; or
6. the director determines that federal funding may be lost because the project has not been implemented or completed.
Completed Sample Nomination Form
NOMINATION FORM - 2001
STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM

I. PROJECT NAME: Anytown’s Flying-Horse Visitor Information Center

II. NOMINATING ENTITY
NAME: City of Anytown

TYPE OF NOMINATING ENTITY. Please check the appropriate category.
County  X City  An Agency of the State  Local Transit Operator  State Agency
Metropolitan Planning Organization (MPO)  Council of Governments

CONTACT PERSON: Ms. Betty Black
(Individual familiar with the project and who can answer questions)
TITLE: City Manager
MAILING ADDRESS: 200 West Center Street, P. O. Box 123
CITY: Anytown  STATE: Texas  ZIP CODE: 77789
DAYTIME TELEPHONE: (512) 555-3360  FAX No: (512) 555-3344
EMAIL: BBlack@ci.anytown.tx.us

Signature ____________________________________________ Date ________________
AN AUTHORIZED REPRESENTATIVE OF THE NOMINATING ENTITY MUST SIGN THE
NOMINATION FORM.

III. SPONSORING ENTITY (If Applicable). Sponsoring Entities must be willing to commit to the
project’s development and implementation.

NAME: Anytown Chamber of Commerce
CONTACT PERSON: Mr. Lewis Hammer
MAILING ADDRESS: 3490 Stableton Lane
CITY: Anytown  STATE: Texas  ZIP CODE: 77789
DAYTIME TELEPHONE: (512) 555-1234  FAX No: (512) 555-1546
EMAIL: LHammer@seeus.com
IV. PROJECT ELIGIBILITY. The proposed project must have a direct relationship to the surface transportation system by Function or Impact. Please check only one box.

X FUNCTION IMPACT

V. ELIGIBLE CATEGORIES Check only one category in which the project has a primary activity.

1. Provision of Facilities for Pedestrians and Bicycles
2. Provision of Safety and Education Activities for Pedestrians and Bicycles
3. Acquisition of Scenic Easements and Scenic or Historic Sites
4. Scenic or Historic Highway Program (including the provision of tourist and welcome center facilities)
5. Landscaping and other Scenic Beautification
6. Historic Preservation
7. Rehabilitation and Operation of Historic Transportation Buildings, Structures or Facilities (including historic railroad facilities and canals)
8. Preservation of Abandoned Railway Corridors (including the conversion and use thereof for pedestrian or bicycle trails)
9. Control & Removal of Outdoor Advertising
10. Archaeological Planning & Research
11. Environmental Mitigation of Water Pollution due to Highway Runoff or Reduce Vehicle-caused Wildlife Mortality while Maintaining Habitat Connectivity
12. Establishment of Transportation Museums

VI. PREVIOUS ENHANCEMENT PROGRAM PROJECTS
Has this project been submitted in previous Transportation Enhancement Program calls?
Yes X No

Is this project a part of another previously selected Transportation Enhancement project?
X Yes No

[If yes, please describe.]
In 1996, the City of Anytown was awarded $356,000 for the construction of the Roadrunner Trail. The bicycle and pedestrian facility runs through downtown connecting the Senior Citizen's Center, Public Library and Anytown Depot. The trail length is 1.3 miles and was completed in October 2000. Originally in the 1996 nomination, the trail was proposed to extend from the Senior Citizens Center to the Flying-Horse station; however, due to a shortage of funding, the trail ended at the depot. This 2001 nomination includes the completion of the Roadrunner Trail from the depot to the station and the conversion of the station into the Flying-Horse Visitor Information Center.
VII. PROJECT DESCRIPTION AND LOCATION

Project Location: Anytown, Texas  
COUNTY: Wecan  
TxDOT District(s): Waco  
Project Limits: The Visitors Center is located at the intersection of SH 77 and River Street. The trail extension will run ½ block north from the center, crossing Jefferson Street, then west two blocks to Anytown Depot, joining the existing Roadrunner Trail (A distance of approximately 1,100 linear feet.

[Detailed Scope of Work: Provide a clear concise description of the proposed project. Detail all work to be performed, any right-of-way easements or easements required, any special land uses planned and the relationship between the proposed enhancement and the surface transportation system. Include a detail map showing the limits and location of the project, photographs and site plans.]

FLYING-HORSE VISITORS INFORMATION CENTER

The City of Anytown wishes to rehabilitate and convert the historic circa 1934 Conoco Oil, Flying-Horse gas station into a visitors information center and extend the Roadrunner Trail from the depot to the center. The center will provide 24-hour accessible restrooms; visitor information; a safely lit parking area with security surveillance; and picnic area for the traveling public. The information desk will be operational from 8am to 5pm daily, staffed by the Chamber of Commerce. An additional two acres of land will need to be acquired to complete the project's parking and picnic area. Landscaping will be included to enhance the visual appearance of the station near the road, trail, parking, and picnic areas. The landscaping will include planting native vegetation, irrigation, earthwork, adding benches, picnic tables, lighting, and trash receptacles.

The building rehabilitation will include interior and exterior restoration as well as adapting features to meet ADA compliance, adding new restrooms, and replacing portions of the roof and hardwood flooring.

Extension of the Roadrunner Trail will allow trail users will be able to take advantage of the center's parking area and utilize the center as a trailhead. The project will provide intermodal connections by linking the visitors center with the trail, depot, and downtown. The trail extension will be 1,100 feet in length, ADA compliant, and match the dimensions and materials of the existing 12' wide concrete trail that meets AASHTO design standards.

The station is located on S.H. 77, the main inner-state highway connecting north and south Texas until Interstate-35 was constructed. Located on the highway and within the city limits, the station not only served automobiles but also acted as the Greyhound Bus station, providing passengers with a comfortable place to wait and eat in the station's diner. Known as the Flying-Horse, the station could be seen from a long distance because of the large red neon flying horse attached to the unique Art Deco styled station. Unusual for the construction of a gas station, the building features black and white ceramic tiles adorning the exterior with sculptured metal trim at the cornices. This building, which serves as an identifying landmark, is listed in the National Register of Historic Places that notes its architectural significance.
Through this rehabilitation, the city intends to have a facility that provides the public with an information center and a trail with a safe trailhead. The center will provide information about the historic station, as well as other historic structures and natural resources in the area, such as Mother Neff Park and Lake Waco located within easy travel distance.

SEE ATTACHMENT A – Map, Photographs and Site Plans
VIII. PROJECT TIME LINE. [Provide an implementation plan for the proposed project, including a schedule of project activities.]

Upon selection of the consultant, the design of the project is anticipated to be complete within 8 - 12 months. Construction of the trail can be complete within 6 months being done consecutively with the rehabilitation of the building that we anticipate taking 24 months. We expect the entire project to be completed within 3 years.

IX. PROJECT USE AND BENEFITS. [Clearly define who will benefit from the project and how. Describe how the project will improve social, economic and environmental aspects of the area, region or state. Describe how the project relates to the surface transportation system and what activities in the project complement the movement of people and goods.]

The Flying Horse Visitors Center will serve the general traveling public, as well as the community, by providing information about scenic and historic sights in the area, such as Mother Neff Park (Historic), Lake Waco, Paleolithic mammoth sites, the Brazos Riverwalk and trails, Ft. Parker, and prehistoric Native American camp sites.

Additionally, the center will provide restrooms with security all hours of the day and night. By giving visitors a safe place to stop, travelers will be able to refresh themselves by taking a walk, use the restroom, exercise their pet and or children, and have a bite to eat at the picnic tables, thereby being more alert for when they get back on the highway.

Completing the trail connection to the center will allow bicyclist to take advantage of the visitors information center as a trailhead, utilizing the restrooms, picnic area, and visitors information in a safe, well-lit setting.

Being located in a rural community, this will be the only 24-hour facility available for 60 miles.
X. **ITEMIZED BUDGET.** [List the estimated cost for each work activity. An accurate and itemized budget will help define the scope of work proposed in your project. Only those approved items of work and cost estimates established in the nomination form will be eligible for federal funding participation. Contingency costs are not eligible for participation. Include: Preliminary Engineering, Environmental Costs, Real Property Costs, and Construction Costs.]

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XI. FUNDS REQUESTED

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<tr>
<td>Subtotal Value of Project (Line 1 + Line 2)</td>
<td>$1,167,599.87</td>
</tr>
<tr>
<td>TxDOT Administrative Expenses (20% of line 3)</td>
<td>233,519.97</td>
</tr>
<tr>
<td>Total Value of Project (Line 3 + Line 4)</td>
<td>1,401,119.84</td>
</tr>
<tr>
<td>Local Match:</td>
<td></td>
</tr>
<tr>
<td>20% of Total Value of Projects (Line 5)</td>
<td>280,223.97</td>
</tr>
<tr>
<td>Less In-Kind Contributions (Line 2)</td>
<td>50,000.00</td>
</tr>
<tr>
<td>Local Match (Line 6 less Line 7)</td>
<td>230,223.97</td>
</tr>
<tr>
<td>Federal Funds Requested (80% of Line 5)</td>
<td>$1,120,895.88</td>
</tr>
</tbody>
</table>

*All in-kind contributions or donations must provide supporting documentation
XII. COMMUNITY INVOLVEMENT. [Include documentary evidence of public interest, endorsement and participation in the development of the proposed project. Provide dates of public meetings and any letters of support.]

A public hearing was conducted March 15, 2001. Copies of the newspaper notices publicizing the hearing are attached. Also, attached are copies of newspaper articles, letters to the editor and editorials from elected officials and interested citizens regarding their support for the center. Meetings were held at the local Anytown Historical Society to discuss the project nomination and fund raising activities to donate funds for the rehabilitation project. Pages from the meeting's minutes where the activities were discussed are also attached. Minutes from three City Council meetings, where a discussion for the support and nomination of the project was held, are additionally provided. We have received over 100 letters from the general public, as well as elected officials supporting this project, copies of 5 letters are provided as examples. (Others are available upon request.)

Public Hearing Minutes - March 15, 2001
Letters of Support
SEE ATTACHMENT B – Community Support

XIII. PROPERTY ACQUISITION INFORMATION

Will Property to be acquired for the project? X YES NO

[If yes, provide a written statement from the current property owner stating their willingness to sell or donate the property, the fair market value, and a description of the property]

Who owns the property? The City of Anytown owns the station building and trail. The Applebaum Society owns 1.5 acres of the land to be acquired. Ms. Sarah Parker owns the other .5 acre property.

[Describe how the property is to be acquired (through purchase or donation), including estimated current fair market value and proposed funding arrangements.]

Two acres will need to be acquired. Acquisition of these two acres will be needed to complete the project’s grounds and parking area.

Property identified as Block 8, Lot 7, consisting of 1.5 acres of land located directly West of the station, owned by the Applebaum Society, a non-profit organization, will be donated to the City for the use of the visitors center, as an in-kind donation. (See attached letter of May 12, 2001, declaring the organization's intent to donate the property to the City and its estimated fair market value of $50,000.)

Property identified as Block 10, Lot 1, consisting of .5 acre of land located N/E of Property B, owned by Ms. Sarah Parker, private citizen, will be purchased. (See attached letter of May 1, 2001, from Ms. Parker, stating her willingness to sell the property to the City and its estimated fair market value of $25,000.)
value of $25,000. A copy of the latest tax appraisal is included.)

SEE ATTACHMENT C - Property Acquisition Information

XIV. MAINTENANCE. [Identify all parties responsible for operation and maintenance of the projects, the estimated annual cost to operate and maintain the facility, the source of those funds, and all expected operation income from the facility and the intended use of that income.]

Maintenance of the facility will be provided by the City, in cooperation with the Chamber of Commerce that will provide the day to day operation and staff for the visitors center. The annual operating and maintenance budget of the facility is anticipated to be $28,200. No income is anticipated to be generated from the facility; however, if any fees are charged, all funds will be used for the maintenance and operational cost of the facility.

Annual Expense:
- Maintenance engineer $10,000
- Custodial Services 8,000
- Supplies 2,200

Maintenance Contracts:
- Landscaping 3,000
- HVAC 3,000
- Security System 2,000

$28,200

XV. ENVIRONMENTAL PROJECT IMPACTS. [Describe the environmental consequences of the proposed project and how the proposed project will comply with all applicable local, state and federal environmental laws, regulations and requirements.]

The City has contacted the Texas Historical Commission and will coordinate with them to assure that the rehabilitation of this building will meet the Department of the Interior's Standards for the Rehabilitation of Historic Properties.

It is anticipated that during rehabilitation lead paint and asbestos will be found in the structure that will need to be contained, removed, and disposed of properly.

An environmental study was performed on the land to be acquired in 1978, by the Enviro-Sur Consulting Firm. However, as there will be newly broken ground and historic properties involved in the project, it is anticipated that there will be a need for another evaluation on the land and building. Costs have been included in the budget to cover documentation. (See attachments)

At one time this building housed a gas station with underground gas tanks. We are providing information that certifies that the tanks have already been removed. Tank removal certificates are filed and registered with TNRCC. (See attachments)

There are no water quality issues associated with this project
SEE ATTACHMENT D – Environmental Impacts
XVI. PERMITS AND CLEARANCES

Navigational Permits (Section 10) Yes ___ No ____

Section 404 Permits (Wetland Regulations) Yes ___ No ____

Section 106 Clearance (Archeological and Historical Studies) Yes X No ____

National Pollution Discharge Elimination System Yes ___ No ____

Section 4F (Historical Studies/Parks) Yes ___ No ____

Other: Haz Mat Yes X No ____

XVII. CERTIFICATION OF FUNDING AND SUPPORT

See Attachment E –City of Anytown, Resolution No. 01.TX-100

XVIII. INTENT FOR TRANSPORTATION IMPROVEMENT PLAN (TIP) PLACEMENT

See Attachment F –Intent for TIP Placement

XIV. DETERMINATION OF ELIGIBILITY FOR THE NATIONAL REGISTER OF HISTORIC PLACES (if applicable)

See Attachment G - Texas Historical Commission Determination of Eligibility

AN ORIGINAL AND 12 COPIES OF THE COMPLETED NOMINATION FORM MUST BE SUBMITTED TO A TXDOT DISTRICT OFFICE BY 5:00 P.M., JUNE 18, 2001
Example Vicinity Map

FLYING-HORSE VISITOR’S INFORMATION CENTER
Attachment A
Project Map, Site Plans and Photographs
(1 of 10)
Example Vicinity Map

FLYING-HORSE VISITOR’S INFORMATION CENTER
Attachment A
Project Map, Site Plans and Photographs
(2 of 10)

Example Site Location Map
Attachment A
Project Map, Site Plans and Photographs
(3 of 10)

Example of Proposed Site Plan
Attachment A
Project Map, Site Plans and Photographs
(4 of 10)
Example Floor Plan
Attachment A
Project Map, Site Plans and Photographs
(4 of 10)

Example Site Detail Sheet
Attachment A
Project Map, Site Plans and Photographs
(5 of 10)
Example of Proposed Site Photograph Page

ATTACHMENT - A-
PROJECT MAP, PHOTOGRAPHS, AND SITE PLANS

Anytown's Flying-Horse Visitors Information Center

Photograph #1
(taken from East, Hwy 77)
Exterior
Front of building
Shows detail of tile and
Cornice, that will need to be
reset and replaced in areas.
Metal will need cleaning and
sealing. There is also
evidence where the window
sills and doorways have
deteriorated.

Photograph #2
Exterior
(taken from North,
Jefferson St.)
Side of building
Shows the stations car bay
area that will be converted
into the restrooms for the
visitors center. The lifts have
been removed from the bays,
but will be delineated in the
reuse of the rooms. Trail will
link up on this side.
Example of Proposed Site Photograph Page

Photograph #3
Exterior
(taken from South, River St.)

Side of building where the diner entrance & parking area were. Evidence of where the roof will need to be replaced can be seen in this photo. Also, the sign area will need stabilization.

Photograph #4
Exterior
(taken from West, Silver St.)

Shows the rear of the station area where landscaping and the picnic area will be added, the bike racks will be located at the Northwest end of building. You can see where restoration will be needed for cleaning, repointing, and repair of the brick.
Example of Proposed Site Photograph Page

Attachment A - Project Map, Photographs, and Site Plans

Anytown's Flying-Horse Visitors Information Center

Photograph #5

Interior
(was the diner side of the station)

This side will have an area for serving coffee and cookies to visitors in the foyer, and a presentation room (where presentations can be given about scenic and historic sights in the area). Portions of the woodwork and wooden flooring will need replacing and restoration.

Photograph #6

Interior
(this was the service station area)

This area will house restrooms, a visitors information desk, storage closet, and part of the entranceway foyer. The metal ceiling can still be seen and will need restoration. A portion of the floor and ceiling will need replacement due to water damage.
Example of Proposed Site Photograph Page

ATTACHMENT - A-
PROJECT MAP, PHOTOGRAPHS, AND SITE PLANS

Anytown's Flying-Horse Visitors Information Center

Photograph #7
(Trail area as it will leave the visitors center)
The trail width and construction will match the existing Roadrunner Trail
Also see cross section graphics

Photograph #8
(Trail area as it leaves the depot to the center)
The trail will run through 3 blocks of vacant land already owned by the City, as shown in the project location map.
Attachment A

Project Map, Site Plans and Photographs

(10 of 10)

Example Public Hearing Notices

Public Hearing Notices: January 15, 2001

ANYTOWN GAZZETTE

Public notice is given that a Hearing will be conducted March 15, 2001, from 10:00am through 1:00 pm, by the City of Anytown, in the City Chambers Courthouse. The hearing is to receive comments about the City's proposed project to create a visitors center by rehabilitating the Flying-Horse Gas Station at River St. and Hwy 77. The proposal will include extending the Roadrunner Trail to the Center that will also serve as a trailhead. Comments may be received orally or in writing. All those attending may speak to state their support or opposition to the project. The hearing will be conducted by City officers and the statements will be recorded and available for review at the Mach 18, 2001 City Council Meeting. Facilities are ADA. For further information, you may contact the City Manager at 555-393-2299 or City Hall.

Public Hearing Notices: February 1, 2001

ANYTOWN GAZZETTE

Public notice is given that a Hearing will be conducted March 15, 2001, from 10:00am through 1:00 pm, by the City of Anytown, in the City Chambers Courthouse. The hearing is to receive comments about the City's proposed project to create a visitors center by rehabilitating the Flying-Horse Gas Station at River St. and Hwy 77. The proposal will include extending the Roadrunner Trail to the Center that will also serve as a trailhead. Comments may be received orally or in writing. All those attending may speak to state their support or opposition to the project. The hearing will be conducted by City officers and the statements will be recorded and available for review at the Mach 18, 2001 City Council Meeting. Facilities are ADA. For further information, you may contact the City Manager at 555-393-2299 or City Hall.
Attachment B
Community Support
(1 of 12)

Example Newspaper Article
Attachment B
Community Support
(2 of 12)

Example Newspaper Article
Anytown
Main Street

Will hold a
Landscaping & Beautification Sale
Saturday • February 20
8am-noon
Texas Shop Parking Lot

• Azaleas
• Camellias
• Crepe Myrtles

• Eleagnus
• Hollys
• Pampas Grass

• And Much More!

1 Gallon $4
3 & 5 Gallon Plants $12 each

Special orders can be taken the day of the sale!
If you have any questions please contact
Anytown Main Street Promotions Committee Member
James McMurphy at 797-1934

The money raised will go toward the
Flying-Horse Station and Trail restoration project

Attachment B
Community Support
(4 of 12)
Example of a Public Hearing Notice

PUBLIC HEARING
ON
NOMINATION OF THE FLYING-HORSE VISITORS CENTER
MINUTES OF HEARING MARCH 16, 2001

OPEN COMMENTS WERE RECEIVED ON THE ABOVE CAPTIONED PROJECT NOMINATION FROM 10:00 AM TO 1:00 PM IN THE CITY CHAMBERS COURTHOUSE, ANYTOWN, TEXAS.

SPAKER: TOM CHANEY, CITY COUNCILMAN

SUMMARY OF MEETING:
23 SPEAKERS WERE HEARD, 12 WRITTEN STATEMENTS WERE RECEIVED. NO STATEMENTS OF OPPOSITION TO THE PROJECT WERE RECEIVED; HOWEVER, QUESTION CONCERNING THE DESIGN OF THE BUILDING WERE RAISED AS TO WHETHER THE ORIGINAL LAYOUT OF THE INTERIOR WOULD ACCOMMODATE TODAY'S INTENDED USE, ETC., ETC., ETC.

Attest to this ______ day ______ of ______ by:

Sally Spears
City Clerk
Anytown, Texas

Attachment B
Community Support
Statewide Transportation Enhancement Program
Example Council Meeting Minutes

CITY COUNCIL MEETING
MINUTES OF January 12, 2001
CITY OF ANYTOWN

AGENDA

Reading of last months minutes

OPEN COMMENTS

comment comment comment comment comment comment comment
comment comment comment comment comment comment comment
comment comment comment comment comment comment comment
comment comment comment comment comment comment comment
comment comment comment comment comment comment comment
comment comment comment comment comment comment comment
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comment comment comment comment comment comment comment

A motion is made by Jake Johansen of the Anytown Chamber of Commerce, that the city submit a proposal in the Statewide Transportation Enhancement Program to request assistance in funding a new visitor center, utilizing the old Flying-Horse gas station and continuing the last trail project to connect to the center. Mayor Smith request that the City Manager work up a budget for the council to look at in estimating the amount of funds needed before bringing the project back for consideration before the council. The mayor’s motion is seconded and the subject is tabled until a budget can be reviewed. Etc...

comment comment comment comment comment comment comment
comment comment comment comment comment comment comment
comment comment comment comment comment comment comment
comment comment comment comment comment comment comment

Attested to this 12 day JAN of 2001 by:

Sally Spears
City Clerk
Anytown, Texas
Community Support
(6 of 12)

Example of Meeting Minutes

ANYTOWN HISTORICAL SOCIETY
MEETING MINUTES

February 17, 2001
The rehabilitation of the Flying-Horse Station to be used as a Visitors Center building was mentioned. Fund raising activities were discussed. Activities considered are bake sale, flower planter sales, a benefit dance at the station’s location, bachelor auction, once a month dinners at various local restaurants (a percentage going to the restoration), and miniature station signs for sale. A committee is formed to develop the ideas that have been discussed.

March 22, 2001
The FH Center Committee reports on the progress of contacting local sponsors for raising money for the Flying-Horse Visitors Center. Dates are set for activities and some are underway. Mary Kay May is appointed treasurer of the Committee. A motion is also made to bring the City into the Main St. Program.

April 15, 2001
Report is made by Treasurer May on the amount of funds raised so far for the rehabilitation of the FH Center. Information will need to be submitted to the City for support of the project by the beginning of May for the city to assemble the required information for the project nomination. The Society is assisting the city in contacting the Texas Historical Commission for verification of the historic determination of the building in the National Register of Historic Places and should have a letter from them within the week.

Minutes Reported by:

Louise Lassiter
Historical Society Secretary
May 1, 2001
Attachment B
Community Support
(7 of 12)

Example Resolution of Support

Anytown Independent School District
211 School Street
Anytown, Texas 77777

Ph 501-333-0007
Fax 501-337-7773

RESOLUTION OF THE Anytown Independent School District BOARD OF TRUSTEES IN SUPPORT OF THE FOLLOWING PROJECT BY THE CITY OF Anytown

Restoration of the Flying-Horse Service Station for a Visitors Information Center and Trailhead

WHEREAS, THE ABOVE NAMED PROJECT WILL ENHANCE THE AESTHETIC VALUE OF OUR COMMUNITY; AND

WHEREAS, THE ABOVE NAMED PROJECT WILL ENCOURAGE EDUCATION THROUGH HISTORIC PRESERVATION; AND

WHEREAS, THE ABOVE NAMED PROJECTS WILL ENCOURAGE THE ECONOMIC DEVELOPMENT OF OUR COMMUNITY

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE Anytown INDEPENDENT SCHOOL DISTRICT, ON THIS THE 8TH DAY OF January, 2001

APPROVED

A. E. Presley, Superintendent of School

"An Equal Opportunity Employer"
Attachment B

Community Support

(8 of 12)

Example Project Support Letter

April 28, 2001

To Whom It May Concern:

On behalf of the Anytown Area Chamber of Commerce, I would like to take this opportunity to say they we heartily support efforts by the City of Anytown to apply for funding under the Texas Department of Transportation Enhancement Program/TEA-21 grant for the Restoration of the Flying-Horse Service Station for a Visitors Information Center and Trailhead.

One of the missions of the Anytown Area Chamber of Commerce is to enhance the support of tourism and commerce through the business community. We feel that the addition of the Flying-Horse Visitor's Information Center and bicycle trail, will increase the visitors to our community which is so vital to our economy to promote continued growth.

Not only will the Flying-Horse Visitor's Information Center and trail, increase the tourism in Anytown, but will enhance the scenic aspect of Highway 77, which is a major route used by visitors to the State of Texas.

The Anytown Area Chamber of Commerce is committed to the support of this community project.

Sincerely,

[Signature]

Manager
Anytown Chamber of Commerce
Attachment B
Community Support
(9 of 12)

Example of Project Support Letter

Bureau for Business Betterment
Marketing, Promotions, and
Public Relations Dept.
Anytown, Texas

June 1, 2001

Dear Commissioners,

The City of Anytown is submitting a nomination to the Statewide Transportation Enhancement Program for funding to renovate the Flying Horse Gas Station to be used as a visitors information center. The center will also serve as a trailhead for the popular Roadrunner Trail that has already been established with the assistance from your program of a previous project call. In this nomination a trail extension will link the new visitors center to the existing trail thereby completing the last project as originally intended.

We wholeheartily support the nomination of this project! The completion of the trail is looked forward to by many and has the support of the businesses of Anytown. The addition of a visitors center will provide the town and visitors with a service that has long been needed. We anticipate this project addition to help generate the local economy by giving visitors an additional reason to stop and see our town while using the facilities.

Thank you for the consideration the commission has given our town in the past, we hope that we can count on your assistance to help us complete the goals we have ahead of us. If you should have any questions concerning our support, please don’t hesitate to contact us.

In Best Regards,

Shonnie DeMoney
President, BBB
Attachment B
Community Support
(10 of 12)

Example Letter of Support
Senator Beaux Boles
Capitol Station
P.O.Box 13300
Austin, TX 78711

District 00
District Office
P.O. Box

May 2, 2001

Commissioner
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

Dear Mr.——:

It has come to my attention the City of Anytown is seeking Transportation Enhancement Program funding for the restoration of the Flying-Horse Station and Trail Extension through your nomination process. As a senator representing the area in which the project is nominated, I want to join the community in stating my support for the project.

The Flying-Horse Station has been a notable landmark in the Central Texas area for as long as I can remember. As a boy, my family would always make that our mid-trip destination on our way from Dallas to Austin, with me looking for that big red horse that marked the best hamburgers for miles. Aside from fond childhood memories, the station is significant to the area because of the unique architecture, that maybe the last of its kind in this part of the state. In saving this important structure the project will provide a service to the transportation system by converting the building into a visitors information center and trailhead. The center will serve visitors and the community, while the completion of the trail will complete an already popular project.

Please give this project the full consideration that it deserves. If you have any questions concerning the project, feel free to call me.

In Best Regards,

[Signature]

Beaux Boles

Attachment B
Community Support
(11 of 12)
Example Letter of Support
Mary Ann Russell  
State Representative  

House of Representatives  
District 00  

Capitol Station  
P.O.Box 13300  
Austin, Tex. 78711  

May 2, 2001  

Commissioner  
Texas Department of Transportation  
125 E. 11th Street  
Austin, Texas 78701  

Dear Mr.——:  

I am writing to express my support for the Flying-Horse Visitors Information Center Project nominated for funding in the Transportation Enhancement Program. As a state representative I know that there are never enough funds to cover all projects, but I'd like to highlight just a few reasons why this would make a good choice for the program.  

The Flying-Horse Station is already well known and has been a landmark for years. What better place to make into a visitors center? In a sense, it has always served visitors and locals by either providing a place to get their cars serviced or grabbing up, by giving out directional information, providing restrooms for travelers, and a dining place for those who were hungry. Not much has changed really, except the times. I think the City of Anytown has come up with a good idea, their Chamber of Commerce will man the facility and the City will fund it. All they need is a little help to get it started.  

The station is significant historic structure because of its unique architecture and is in the National Register. Route 77 is an alternate route to I-35 and used by many. In saving this important structure the project will provide a service to the transportation system by converting the building into a visitors information center and trailhead. The center will serve visitors and the community, while the completion of the trail to the center will complete an already popular trail project. The project is combining two good ideas in one.  

If you have any questions concerning the project, please give me a call. Thank you for giving this project your full consideration.  

Sincerely,  

Mary Ann Russell  

Attachment B  
Community Support  
(12 of 12)
Example Land Acquisition Letter

May 12, 2001

The Honorable Joe A. Smith
City of Anytown, Texas

Re: Land adjacent to Flying-Horse Station

Dear Mayor Smith:

We received your letter concerning the ownership of the property located at the corner of Highway 77 and River St, referred to as Block 8, Lot 7, in the deed records. The Applebaum Society of Anytown is currently the owner of said property and we are aware of the City's efforts to convert this property and other adjoining properties into a project that will be beneficial to the citizens of Anytown as well as the general public. We enthusiastically support the City's efforts in creating a visitors center and completing the bicycle and pedestrian facility, that is currently in use.

In support of your project, our non-profit group would like to donate the aforementioned property to the City. The land is approximately 1.5 acres in size and we estimate to be valued at approximately $50,000.

We wish you the best in your efforts to establish this new facility. If you should need any further verification regarding the property, please don't hesitate to contact me. I will be happy to work with you. Also, please let us know when the transfer will be needed so that arrangements can be made.

Best Regards,

Max Landfrey
Trustee for the Applebaum Society

Attachment C
Property Acquisition Information
(1 of 3)
Example Land Acquisition Letter

May 1, 2001

To Whom It May Concern:

The City of Anytown is intending to convert the Flying-Horse Gas Station into a visitors information center and provide access to the existing Roadrunner Trail at Anytown Depot by extending that trail from the depot to the new visitors center. In order to accomplish the project in the area they propose, I understand they will need additional land to complete the project.

I currently own the piece of property, identified in the county tax records as Block 10, Lot 1, that is .5 acres and adjacent to the property where the Flying-Horse Gas Station is located. I am willing to sell that property to the City of Anytown for the current fair market value of the property, estimated to be $25,000.

Should you have any questions concerning the ownership of the property, you may contact me at 555.2233.9304.

Sincerely,

[Signature]

Ms. Sarah Parker
8977 Boxcar Lane
Somewhere Near, Texas 79980
Example of Land Acquisition Letter

WECAN COUNTY
COUNTY CLERK'S OFFICE
DISTRICT 2

January 1, 2001

Ms. Sarah Parker
8978 Boscar Lane
Somewhere Near, Texas 79980

Dear Ms. Parker:

Assessment on the property at 123 Jefferson St. has been performed for the year 2000. Taxes will be assessed at $25 per $1000 of the current fair market value, estimated at $25,000 for the .5 acres.

Amount due by March 1, 2001, is $625.00. Payments must be made out to Ms. Phoebe Moore, Wecan County Clerk and may be made in person or mailed to the County Clerk's Office.

Sincerely,

Phoebe Moore
County Clerk, Wecan County
Somewhere, Texas 79983
Property Acquisition Information
(3 of 3)

Example Environmental Letter

TExAS NATURAL RESOURCE CONSERVATION COMMITTEE
Protecting Texas by Reducing and Preventing Pollution
February 1, 2001

McMurphy, James
125 Range Rd
Anytown, Texas 77790

Re: Underground Storage Tank (UST) System Permanent Removal From Service at
Anytown Flying Horse Station 100 River St. Anytown, Texas 77789
Facility ID: 77790

Dear Mr. Murphy

This office has completed its review of the UST system permanent removal from service activities conducted on January 28, 2001 for the above referenced facility. Based on the information available, it appears that the UST system permanent removal from service activities meet the general requirements of Title 30, Texas Administrative Code (TAC) §334.55, the Texas Natural Resource Conservation Commission (TNRCC) rules for UST system permanent removal from service.

The TNRCC appreciates your assistance in this matter and your compliance efforts to ensure protection of the State’s environment. If you have any questions, please contact Mrs. Kellie Prescott of my staff at (806)353-9251.

Sincerely,

Eddy Vedder
Waste Section Manager
Waco Region
EV/kdp

cc: Allen Martinets, Technical Services Section, PST Division
Attachment D
Environmental Impacts
(1 of 2)
Example Environmental Records
Example Funding Resolution

Resolution No. 01.TX-100

A RESOLUTION OF THE CITY OF ANYTOWN, TEXAS APPROVING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM FOR A PROJECT NOMINATION PROVIDED BY THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

WHEREAS, the City of Anytown, Texas desires to submit an application for the development of the Anytown’s Flying-Horse Visitor Information Center; and

WHEREAS, the center will be utilized to introduce visitors to attractions and areas of interest in the City of Anytown; and

WHEREAS, the city desires to establish its commitment to pledge the 20% match in accordance with the Texas Transportation Enhancement Program guidelines; and

WHEREAS, the city commits to the project’s development, implementation, construction, maintenance and financing,

BE IT RESOLVED BY THE CITY OF ANYTOWN, TEXAS that the mayor is authorized to execute all documents necessary for the submission of the Anytown’s Flying-Horse Visitor Information Center.

PASSED AND APPROVED on this the 12th day of September 2000.

Joe A. Smith, Mayor
City of Anytown, Texas

ATTEST:

Mary Sue Lewis, City Secretary
Attachment E
Certification of Funding Support
(1 of 1)

Example Resolution

RESOLUTION NO. 2
A RESOLUTION OF THE Anytown URBAN TRANSPORTATION STUDY METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE CERTIFYING INTENT FOR TRANSPORTATION IMPROVEMENT PLAN (TIP) PLACEMENT FOR PROJECTS FUNDED BY THE FISCAL YEAR 2000 STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM.

WHEREAS, the Transportation Efficiency Act for the 21st Century provides for a transportation enhancement program; and

WHEREAS, the Texas Department of Transportation has issued a program call for this program; and

WHEREAS, federal guidelines require that projects selected for federal funding under the transportation enhancement program must be placed in the Transportation Improvement Program (TIP) of the Metropolitan Planning Organization; and

WHEREAS, the following projects from Anytown Metropolitan Area have applied for funding through the Statewide Transportation Enhancement Program:

Anytown's Flying-Horse Visitor Center

NOW THEREFORE BE IT RESOLVED BY Anytown URBAN TRANSPORTATION STUDY METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE:

PART 1: That the above listed project selected for statewide enhancement program funding by the Texas Transportation Commission will be placed in the appropriate Transportation Improvement Program for Anytown Metropolitan Planning Organization.

PART 2: That this resolution shall become effective immediately upon adoption.

ADOPTED this the 27th day of June, 2001

Joe A. Smith
Mayor
CITY OF Anytown, Texas

Allen Townsend
TRANSPORTATION PLANNING COORDINATOR
Attachment F

Intent for Transportation Improvement Plan (TIP) Placement
(1 of 1)

Example Letter for Historic Determination
Attachment G

Historic Property Determination of Eligibility
For Listing in the National Register
(1 of 1)