

## TEXAS TRANSPORTATION COMMISSION

VARIOUS Counties

**MINUTE ORDER**

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VARIOUS Districts

The Texas Transportation Commission (commission) desires to award federal funds and transportation development credits (TDCs) to support a variety of bicycle and pedestrian infrastructure projects across the state. A total of \$10,913,451 in federal funds and up to 1,562,279 TDCs are awarded in this minute order.

The Transportation Alternatives Set-Aside (TA) Program is authorized under Section 11109 of Infrastructure Investment and Jobs (IIJA) Act and codified at 23 U.S.C. §133(h). The commission adopted administrative rules that establish the guidelines under which the TA Program is administered by the Texas Department of Transportation (department), located at Title 43, Texas Administrative Code (TAC), §§11.400 - 11.418. TA funds available for this action are associated with fiscal year 2022 - 2023 federal appropriations. Awards totaling \$10,913,451 of federal TA funds is shown in exhibit A.

This award distributes TA funds available for projects in any area of the state.

The commission recognizes that federal legislation requires the state to have a competitive process to allow eligible entities to submit projects for funding. Pursuant to program rules, a Notice of Call for Projects for TA funds was published in the *Texas Register* on December 2, 2022. TA project applications were received by the department on or before June 5, 2023. In accordance with 43 TAC §11.411, the commission will select TA projects for funding based on recommendations from the director of the division responsible for administering the TA Program, the potential benefit of the projects to the state, and their value as enhancements to the surface transportation system.

Projects awarded through this minute order were originally competitively selected in previous Texas Department of Transportation (department) TA Calls for Projects. Due to unexpected increases in material and labor costs since developing the original application as well as updated design requirements, seven applications for previously selected projects were submitted through the department's 2023 TA Call for Projects requesting additional funds. Award of additional TA funds is authorized by 43 T.A.C. §11.411(e) and ensures the projects will remain on schedule with adequate funding to be constructed as originally intended. The projects were evaluated for eligibility, technical standards, and specific selection criteria as set forth in the previous call for projects.

In making this award, the commission has also considered whether the projects are eligible for TDCs to be used as the local match, as authorized by 43 T.A.C. §5.109. The commission has considered the potential to expand the availability of funding for bicycle and pedestrian infrastructure projects and finds that the award of TDCs for eligible program expenditures meets the established program goals set forth in 43 TAC §§5.102 and 5.109 to maximize the use of available federal funds, particularly in situations in which federal funds otherwise would be unused because of the inability of local governments to provide the non-federal share. Projects eligible for TDCs are designated in exhibit A.

IT IS THEREFORE ORDERED by the commission that the projects listed in exhibit A are hereby selected and designated for funding under the TA Program, pending availability of funds, and that the executive director or the director's designee is authorized to proceed with the award and execution of local agreements, as required by the program rules.

TEXAS TRANSPORTATION COMMISSION

VARIOUS Counties

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VARIOUS Districts

IT IS FURTHER ORDERED that for the TA funds applied to the projects listed in exhibit A subsequently verified as eligible for development, the total amount in federal funds must be locally matched by a minimum of 20 percent, unless the project is designated as eligible for TDCs. For projects eligible for TDCs, the amount of TA funds awarded represents 100 percent federal funds, and the local entity is awarded up to 20% of that amount in TDCs to be used as local match. Any required local match must be 100 percent in cash.

IT IS FURTHER ORDERED that the commission may select additional eligible projects for funding from among those project applications submitted in the 2023 TA Call for Projects.

Submitted and reviewed by:

DocuSigned by:  
*Eric Gleason*  
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Director, Public Transportation Division

Recommended by:

DocuSigned by:  
*Wanda Williams*  
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Executive Director

116510      July 11, 2023  
Minute      Date  
Number      Passed

EXHIBIT A  
TRANSPORTATION ALTERNATIVES SET-ASIDE (TA) PROGRAM  
AWARD OF ADDITIONAL TA FUNDS TO PREVIOUSLY SELECTED TA PROJECTS

<b>Project Sponsor</b>	<b>Project Name</b>	<b>Primary/ Secondary Facility</b>	<b>Federal Funds Requested</b>	<b>Transportation Development Credits (TDC)</b>
Amarillo, City of	Barrio Neighborhood SE 10 <sup>th</sup> Ave	Shared Use Path/Sidewalk	\$3,102,055	--
Glen Rose, City of	Glen Rose ISD SRTS/TA	Sidewalk	\$710,765	Yes
Avery, City of	NETT SUP Improvements	Shared Use Path	\$584,732	Yes
Bowie County	SH 98 to FM 1840 Shared Use Path - NETT	Shared Use Path	\$2,991,666	Yes
Clarksville, City of	Clarksville Trail - NETT	Shared Use Path	\$1,525,483	Yes
Red River County	NETT Shared Use Path Improvements	Shared Use Path	\$448,350	Yes
Rio Hondo, City of	School Walking and Bicycle Paths	Shared Use Path/Sidewalk/Bike Lane	\$1,550,400	Yes
<b>Total Award TA Funds</b>			<b>\$10,913,451</b>	