



2023 TA Call for Projects *Frequently Asked Questions* following August/September 2022 Information Sessions

Below are frequently asked questions received during TxDOT's 2023 TA Call for Projects Pre-call Information Sessions. The Code of Federal Regulations (CFR) and Texas Administrative Code (TAC) have been cited in response to several questions using only the abbreviations CFR and TAC.

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General Questions

- 1) Where can interested parties find out more information about TxDOT's 2023 Transportation Alternatives Call for Projects?

Answer:

All program call materials can be found at TxDOT's website

(<https://www.txdot.gov/content/txdotreimagine/us/en/home/business/grants-and-funding/bicycle-pedestrian-local-federal-funding-programs.html>). Additional materials are made available periodically throughout the program call. When the Program Call opens materials will include Program Guide, Preliminary Application, Preliminary Application Instructions, and various supporting resources. At the beginning of Step 2, Detailed Application, Detailed Application Instructions, and additional supporting resources.

- 2) Is there a maximum or minimum award amount for the various TA project categories?

Answer:

- Community Based Infrastructure – Target project funding award amounts between \$250,000 and \$5 million per project.
- Large Scale Active Transportation Infrastructure – Target project funding award amounts between \$5 million and \$25 million per project.
- Active Transportation Network Enhancements Infrastructure – Local governments under 200,000 people, minimum target project funding award amount \$250,000; Local governments over 200,000 people, minimum target project funding award amount \$1 million.

- Active Transportation Non-Infrastructure – Minimum target project funding award amount \$100,000.
- Due to the need for obligating funds within the constraints of this federal program, TxDOT will maintain some flexibility in regard to total funding awarded in each project category. Project funding amounts listed are intended as targets. Depending on the number of applications received and amounts requested during the Call for Projects, TxDOT may award projects with costs that exceed these targets. Conversely, projects that exceed these targets should be developed with phasing in mind, with options for scaling the project back if TxDOT is not able to award the total amount requested.

3) Is my project eligible for funding?

Answer:

Please refer to Table 3 in the Program Guide for information about project sponsor eligibility, eligible project activities, and project examples. Feel free to email bikeped@txdot.gov with detailed inquiries.

4) Is there a target number of awards or maximum amount of funding that TxDOT is looking to fund for each of the project categories?

Answer:

TxDOT does not have a target number of awards. Table 3 identifies target amounts for certain project categories. Depending on the number of applications received and amounts requested during the Call for Projects, total awards by project category may vary from these targets.

5) Does TxDOT usually receive more TA applications for projects than they have funding for?

Answer:

Historically, TxDOT has received more project applications from larger project sponsors than the available funding. However, in the 2017 and 2019 TA call for projects, TxDOT received fewer applications for non-urban area projects than available funding. In response, TxDOT modified its TA Program rules with the intent to increase the number of project applications from smaller communities, resulting in an excess of applications from these areas.

6) How often will there be a Transportation Alternatives Call for Projects?

Answer:

TxDOT has hosted a TA Call for Projects every other year since 2015.

7) Which population numbers should a project sponsor use to determine which funding area they are eligible for? For which jurisdiction should we use population data: county, city, census designated place?

Answer:

All population figures used for TxDOT's 2023 TA Call for Projects should be based on the US Census Bureau's 2020 Decennial Census. See <https://data.census.gov/cedsci/>.

The jurisdiction used to determine population will vary by project. For a project located in a city or unincorporated area, you would use the population area for the city or "Census Designated Place". For a rural project, then you would use the surrounding Census tracts.

8) What resources are available to local governments to aid them in complying with federal and state requirements?

Answer:

TxDOT and FHWA have many resources available to local governments. The resources listed below are some of the most commonly used resources (accessible via the internet):

TxDOT

- TxDOT Local Government Projects website: <https://www.txdot.gov/government/programs/local-government-projects.html>
- Local Government Projects Online Toolkit: <https://www.txdot.gov/government/processes-procedures/lgp-toolkit.html>
- Training and Qualifications: <https://www.txdot.gov/government/programs/local-government-projects/training.html>
- Forms and Publications: <https://www.txdot.gov/inside-txdot/forms-publications/publications/local-government.html>
- Local Government Standards and Special Provisions: <https://www.txdot.gov/business/resources/txdot-specifications/local-government.html>

FHWA

- FHWA website: <https://www.fhwa.dot.gov/>
- Federal-aid Essentials for Local Public Agencies: Federal-aid Essentials offers a central online library of informational videos and resources, designed specifically for local public agencies. Each video addresses a single topic-condensing the complex regulations and requirements of the Federal-aid Highway Program into easy-to-understand concepts with illustrated examples. Visit FHWA's website at: <https://www.fhwa.dot.gov/federal-aidessentials/>

Eligible Project Sponsors, Projects, and Reimbursable Activities

- 9) If a project is awarded, does the project sponsor need to pay for the construction of the project out of pocket and then get reimbursed? Or can the project be initially paid by the grant?

Answer:

Project sponsors awarded infrastructure funding as part of TxDOT's TA program are reimbursed for eligible construction and design (if applicable) expenses. Project sponsors awarded non-infrastructure funding as part of TxDOT's TA program are reimbursed for eligible planning document expenses. After the project sponsor incurs eligible expenses and pays its contractors, the project sponsor will be reimbursed by TxDOT according to the Advanced Funding Agreement, signed before work begins. The TA program is not a grant program, but a federal reimbursement program for eligible activities.

Expenses incurred prior to an Advance Funding Agreement (including grant writing or development assistance) are not eligible for reimbursement.

- 10) Would proposed projects in larger cities in urbanized areas such as Houston or Dallas be eligible project sponsors under this call for Projects?

Answer:

Yes. Proposed projects located in large cities are eligible for TxDOT's 2023 TA Call for Projects. These project sponsors would be eligible to apply for the Large-scale infrastructure, Network Enhancements infrastructure, and Non-Infrastructure project categories.

- 11) Can an MPO be a project sponsor? If an MPO applies and is funded - how would "ownership" of a trail be transferred to a city(s)?

Answer:

New to the 2023 TA Call for Projects, metropolitan planning organizations (MPOs) that serve an area with a population of 200,000 or less are eligible as direct recipients for TA funds.

TxDOT encourages MPOs to partner with the local entities on the application and implementation since the local jurisdiction would likely be the owner of the ROW and resulting project and likely responsible for maintaining the investment.

- 12) Is the purchase of property for a bikeway or pedestrian facility eligible for reimbursement under this program?

Answer:

The department's TA funds are available for right-of-way acquisition on a case-by-case basis as approved by TxDOT. ROW acquisition must facilitate project execution within TA Program obligation requirements and be supported by affected property owners to ensure property acquisition does not delay project implementation.

- 13) If TxDOT is applying in collaboration with a local government, does that give that applicant an unfair advantage over those not getting assistance from TxDOT?

Answer:

Each project is competitively evaluated based on a variety of multidisciplinary criteria. Projects co-sponsored by TxDOT will not be evaluated by the District who prepared the application.

Project sponsors interested in collaborating with their local TxDOT District staff on an application should contact their District TA Coordinator to discuss.

- 14) Are utility or water drainage costs eligible under any project category?

Answer:

Minor utility adjustments or stormwater & drainage work may be included in the budget if these activities are incidental to the bike/ped project. Minor utility adjustments or stormwater & drainage work would be eligible as long as these costs do not exceed 30% of the total project cost. Major utility relocations are not eligible.

Application and Evaluation Processes

- 15) There is a limit of three applications. Does this limit apply to preliminary applications (Step 1) or can a project sponsor submit more than three preliminary applications and then narrow the number of applications to three for the detailed application (Step 2)?

Answer:

Project sponsors may submit up to three preliminary applications. These projects may be submitted for any project category. Only projects found eligible based on the preliminary application can be submitted for Step 2, the detailed application phase.

- 16) Will applications submitted during previous TA Calls for Projects that were not awarded funding be considered in the FY 21-22 program without re-application?

Answer:

No, projects submitted during previous TxDOT TA Calls for Projects that were not awarded must be resubmitted using the 2023 preliminary and detailed applications to be considered for funding under TxDOT's 2023 TA Call for Projects.

- 17) Is there a benefit to/preference for proposing a project in TxDOT ROW?

Answer:

Projects that are on or adjacent to the TxDOT maintained roadway network will not receive a higher rank simply because the project is on-system. TxDOT's priority with this program call is to fund quality bicycle and pedestrian projects leveraging as much TA funding as possible. However, TxDOT reserves the right to use other federal and/or state resources to implement a project submitted under this program call that is located within TxDOT right-of-way and advances the department's ADA/pedestrian accessibility, safety, or mobility goals. Refer to pg. 5 of the Program Guide for more information about alternative funding sources.

18) Does the program have a preference between project types (i.e. sidewalks, multi-use paths, etc.)?

Answer:

All project types are welcome. Review Section C of the Program Guide for information about project evaluation and selection criteria to assist in identifying competitive projects.

19) Do all project elements have to connect? For example, is making sidewalk improvements at different locations considered one project or do the improvements need to connect?

Answer:

A project that fills in gaps in a non-motorized transportation network may be eligible, as long as the detailed application demonstrates how the proposed elements contribute to a single, interconnected project. Project sponsors may be asked to split a larger project into smaller segments if each element of the project makes more sense as a standalone project.

20) Are projects crossing RR ROW less likely to be recommended for the detailed application?

Answer:

No, projects that cross RR ROW are not less likely to be recommended for Step 2 (detailed applications). However, it is important to identify project complexities early in the project development process so that these complexities can be addressed to avoid delays in project implementation if the project is awarded funding. Advanced railroad coordination is strongly recommended and may be essential for funding consideration. Obtaining railroad approval can take several months and in some instances several years. The detailed application should document coordination to date with the affected railroad regarding the proposed project.

21) Does "project readiness" mean you need to have engineering complete and PS&E documents ready to go?

Answer:

No. Project readiness is dependent on a number of factors listed in Table 4 in the Program Guide and using information provided in the Detailed Application (Step 2). Shovel-ready projects demonstrate excellent project readiness; however, projects with few constructability concerns that are not shovel ready are still very competitive in TxDOT's calls for projects for TA funds.

22) If a project is selected for funding by the Texas Transportation Commission as part of TxDOT's 2023 TA Call for Projects, when will project sponsors (with funded projects) be required to pay their local match?

Answer:

The local funding match for the preliminary engineering phase, including TxDOT's direct state cost for review of project plans and environmental documentation, would be due to TxDOT within 30 days of the local government receiving the fully executed Advance Funding Agreement (AFA). The AFA should be executed between 6 months and one year after the date that the commission selected the project for funding. The remaining local match for construction (if a project is state let) and direct state costs for construction oversight would be due to TxDOT 60 days prior to TxDOT's construction letting of the project.

If the project sponsor is responsible for developing preliminary engineering documents for federal participation and/or a local letting is authorized, the local government would remit the local match for TxDOT's direct state costs at the beginning of each phase of work. The project sponsor would then pay its contractors up front and be reimbursed for 80% of the eligible construction costs, plus any local match adjustment.

If TxDOT implements a project on behalf of the project sponsor, then the project sponsor would be responsible for paying its entire local match for each phase of work prior to initiation of that phase.

23) Are local government costs toward preparing the detailed application package eligible for reimbursement?

Answer:

No. Any costs incurred prior to the project being selected for funding, being identified in the local Transportation Improvement Program (TIP) and Statewide TIP (if individually listed), execution of the Advance Funding Agreement, federal authorization of the project, and authorization from TxDOT to proceed are not eligible for reimbursement.

- 24) If a proposed project includes a project sponsor overmatch (project sponsor proposes to contribute a cash match greater than 20% of the total construction cost), does this make a project more competitive?

Answer:

The presence of a project sponsor overmatch is not an evaluation criterion. However, an overmatch is an indication of strong local/community support which is an evaluation criterion.

- 25) Are in-kind local matches acceptable for this funding program

Answer:

The Transportation Alternatives program no longer accepts in-kind contributions in lieu of local cash matches.

MPOs, TMAs, and Jurisdictional Questions

- 26) If a TA project was not awarded funding following an MPO Call for Projects, can the project sponsor submit the project to TxDOT?

Answer:

Yes. The same project already submitted to the MPO's Call for Projects can be submitted to TxDOT's Call for Projects as long as the project is not submitted to MPO and TxDOT calls for projects concurrently. The project sponsor must fill out TxDOT's TA applications.

- 27) If part of our jurisdiction is in a TMA and part is outside, are we eligible to submit a project located in our jurisdiction but outside of the TMA boundary?

Answer:

Yes, TA funding eligibility is determined by project location. If the project is located inside of the TMA, it is not eligible for Community Based TA funding. Please see Table 3 and Figure 3 to determine for which project category a proposed project may be eligible.

Transportation Development Credits (TDC), Economically Disadvantaged Counties Program (EDCP), and local match requirements

- 28) Which projects are eligible under provisions of the Transportation Development Credits (TDCs)?

Answer:

Under TxDOT's 2023 TA Call for Projects, eligibility for TDCs is as follows:

1. The project is located in an economically disadvantaged county certified by the commission for FY 2023, or
2. The project is located in a city/Census Designated Place (CDP) that meets all of the following criteria:
 - Population less than 200,000
 - Below state average per capita taxable property value¹

¹ Texas Comptroller of Public Accounts; 2020 City Rates and Levies, Total Property Market Value and U.S. Census Bureau; 2020 5-Year American Community Survey, Table DP05, Total Population

- Below state average per capita income², and
- Above state average unemployment³

The Program Guide identifies cities and CDPs that are eligible for TDCs in a table format. For a map of cities and CDPs eligible to use TDCs for local match please use this link:

<https://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=01fa15525e9e4be68a43c06dc06ce2e6>.

For rural projects located outside jurisdictional boundaries or CDPs not identified on the map, contact TxDOT-PTN for guidance.

- 29) If a proposed project location extends across the county boundary between two counties where one county is eligible for TDCs and one county is not, how does TxDOT determine TDC eligibility?

Answer:

If a project extends into two counties and one county is eligible for TDCs and one does not, then TxDOT will prorate the reduction percentage according to the proportion of the project located in the TDC eligible area.

NOTE: These are rare situations and will be handled on a case-by-case basis. If a project sponsor believes this situation applies, please notify TxDOT-PTN at BikePed@txdot.gov for assistance in accommodating these reductions on the submitted detailed application.

- 30) If my community is eligible for TDCs, is there a limit to the amount of credit or is it automatically no cash match?

Answer:

TDCs allow for 100% federal TA funds to be applied to the project in lieu of a local match, so eligible projects will require no cash match.

Procurement/Hiring consultants

- 31) Can the project sponsor hire a consultant to help with its application?

Answer:

Yes. Project sponsors should be aware that any work done prior to the state's letter of authority is not reimbursable with TA funds. Work to develop the application is not reimbursable with TA program funds.

- 32) Once the project sponsor incurs federally reimbursable costs, how long will it take for project sponsors to receive reimbursement from TxDOT?

Answer:

Following district review and acceptance of a complete invoice, TxDOT is required to provide reimbursement to the project sponsor within 30 days.

² U.S. Census Bureau; 2020 5-Year Community Survey, Table DP03, Per Capita Income

³ U.S. Census Bureau; 2020 5-Year Community Survey, Table DP03, Civilian Unemployment Rate