

## **NOTICE OF PROPOSED GUIDANCE DOCUMENT**

DTIMBTLRRH12

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on DTIMBTLRRH12 WI STAT 85.021, a proposed guidance document.

### **PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION**

Comments may be submitted to the Wisconsin Department of Transportation for 21 days by:

1. Department's website: <https://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=DTIMBTLRRH12>

2. Mailing written comments to:

Division of Transportation Investment Management  
Wisconsin Department of Transportation  
4822 Madison Yards Way  
PO Box 7913  
Madison, WI 53707-7913

### **WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT**

The final version of this guidance document will be posted at [wisconsin.dot.gov](http://wisconsin.dot.gov) to allow for ongoing comment.

### **AGENCY CONTACT**

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DOTDTIMGuidanceDocs@DOT.WI.GOV



## WisDOT 2018-2022 Application Instructions

**NOTE:** An application is required for each new potential 2018-2022 program cycle project. Please review and utilize instructions when completing the application.

### Project Eligibility

Please refer to the WisDOT 2018-2022 TAP Guidelines for extensive eligibility discussion. Eligible TAP projects must:

- (1) Fit within one of the federal eligibility categories and must comply with all WisDOT TAP policies as outlined in WisDOT TAP guidelines;
- (2) The project must relate to surface transportation;
- (3) The project must have an eligible sponsor; and
- (4) The project must be selected through a competitive process.

**Sponsors should review the ‘WisDOT TAP Guidelines’ because state policies and procedures may modify or eliminate certain federally eligible TAP project categories.**

The National Transportation Alternatives Clearinghouse (NTAC) has useful and detailed fact sheets available for most eligible TAP categories. Applicants are strongly encouraged to refer to these fact sheets, available at [http://www.ta-clearinghouse.info/10\\_definitions](http://www.ta-clearinghouse.info/10_definitions), and contact WisDOT staff with any specific TAP eligibility questions. WisDOT staff contact information is provided at the end of these guidelines.

Please note that WisDOT region staff may request revised or additional information from project applicants in order to resolve any eligibility issues prior to submitting applications for funding consideration. **Failure to provide a complete application or to provide supplementary information requested by WisDOT may preclude an application from consideration for receipt of TAP funding.**

WisDOT reserves the right to deny ineligible budget line items even after project sponsors submit detailed engineering work for WisDOT review. Applicants can minimize potential eligibility issues by submitting applications and attachments as early as possible to allow WisDOT region staff to provide substantive technical assistance.

**Direct questions regarding the application process to the Wisconsin Department of Transportation (WisDOT) regional contact.**

WisDOT Region	Contact	Phone	Email
SE Region	Bob Schmidt	(262) 548-8789	<a href="mailto:robert1.schmidt@dot.wi.gov">robert1.schmidt@dot.wi.gov</a>
SW Region	Tom Koprowski	(608) 246-3869	<a href="mailto:thomas.koprowski@dot.wi.gov">thomas.koprowski@dot.wi.gov</a>
NW Region	Bill Zimmer	(715) 635-5014	<a href="mailto:william.zimmer@dot.wi.gov">william.zimmer@dot.wi.gov</a>
NC Region	Sandy Stankevich	(715) 365-5784	<a href="mailto:sandy.stankevich@dot.wi.gov">sandy.stankevich@dot.wi.gov</a>
NE Region	Sandy Carpenter	(920) 492-5681	<a href="mailto:sandra.carpenter@dot.wi.gov">sandra.carpenter@dot.wi.gov</a>

**Additional project information is available on the following WisDOT web page:**

<http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/tap.aspx>

## WisDOT TAP Application Instructions

### Application Submission and Deadline

Project application deadline is no later than **5:00 pm on Friday, January 26, 2018**. However submitting applications prior to the deadline will allow WisDOT to review applications and communicate with locals regarding outstanding questions. *Late applications will not be accepted.*

Include the name of the local unit of government in the file name and email completed application(s) to the appropriate WisDOT Region email address. If your project is within the boundaries of an MPO you also need to email your application to the Metropolitan Planning Organization (MPO) as listed on page 22 of the TAP Local Program Guidelines:

WisDOT Region	Email
SE Region	<a href="mailto:DOTDTSDETEBPFP@dot.wi.gov">DOTDTSDETEBPFP@dot.wi.gov</a>
SW Region	<a href="mailto:DOTDTSWSWTEBPFP@dot.wi.gov">DOTDTSWSWTEBPFP@dot.wi.gov</a>
NW Region	<a href="mailto:DOTDTSNWTBPFP@dot.wi.gov">DOTDTSNWTBPFP@dot.wi.gov</a>
NC Region	<a href="mailto:DOTDTSNCTBPFP@dot.wi.gov">DOTDTSNCTBPFP@dot.wi.gov</a>
NE Region	<a href="mailto:DOTDTSNETAP@dot.wi.gov">DOTDTSNETAP@dot.wi.gov</a>

### **Application Highlights & Tips**

- Project sponsors must fund a portion of total project costs. TAP project costs are funded with maximum 80% federal and minimum 20% local funds.
- There is no requirement to consider all eligible TAP activities equally. Therefore each type of eligible activity is rated against all other types. The final project scope, cost, and delivery schedule are the responsibility of the sponsor.
- Only one project sponsor is allowed per project.
- Print and use instructions to assist in completion of application(s).

### **Application Format**

WisDOT only accepts applications in Microsoft Word format. Applications saved in PDF format will not be accepted, as handwritten signatures are not required. Sponsors should send any necessary attachments in Microsoft Word, Excel or Adobe PDF format.

### **Application Type**

Project sponsors must select one of four discrete application types:

<b>Areas <math>\geq</math> 200,000</b> Appleton Green Bay Madison Milwaukee Round Lake Beach	<b>Areas</b> <b>5,000 - 200,000</b>	<b>Areas</b> <b>&lt; 5,000</b>	<b>Areas</b> <b>Region-wide</b> <b>% of Areas</b> <b>&gt; 200,000 (name of TMA)</b> 5,000-200,000 < 5,000
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## WisDOT TAP Application Instructions

For **Areas  $\geq$  200,000**, which include Appleton, Green Bay, Madison, Milwaukee and Round Lake Beach, each will be given a sub allocation, the MPO in consultation with WisDOT and using a competitive process will select their own projects.

For **Areas 5000-200,000**, **Areas  $\leq$  5K**, and **Region-wide** the selection will be administered by WisDOT through a statewide competitive process. The Statewide process will involve ranking all eligible projects regardless of area size, then parsing them into their requisite categories. This will ensure a fair way to assess region-wide projects.

Projects which are within the boundaries of TMA may either compete locally within the MPO or as part of the statewide solicitation.

**NOTE** that "To be consistent with policies that govern the sub allocation of STP funds, the large urbanized area's sub allocated TAP funds may be used anywhere within the MPO planning boundaries that cover the large urbanized area," from *FHWA Transportation Alternative Program (TAP) Guidance page 6*.

### **Project Applicant**

**Name, Location of Public Sponsor and Sponsor Type** Type the name of sponsor. Indicate sponsor type by checking the appropriate box.

**NOTE:** *Projects that are sponsored by DNR for projects on state-owned land, the DOA must co-sign the Project Agreement. Contact DOA immediately to coordinate on the project.*

**Project Title** Provide a clear and descriptive project title.

**Project Location** Describe the location, boundaries, and length of the project. Provide the county name and street address if the project is located on a highway or road.

**NOTE:** *For infrastructure projects, please attach one black and white, 8½ by 11 map showing the project location.*

**Project Representative Contact Person(s) Information** Provide contact information for the primary public sponsor agency. In cases where the public sponsor is acting on behalf of a private organization, also provide contact information for the secondary organization on the project application form. Also provide contact information for the official head of government who would formally receive notification of any potential award.

### **MPOs**

**If this project takes place in an area represented by an MPO, then it must be ranked by that MPO.** Refer to the WisDOT Web site for contact information if your project takes place in an urbanized area represented by an MPO. **MPO ranking is due by April 20, 2018.**

**NOTE:** *MPO project selection applies **only** to projects within a TMA which is an urbanized area with a population of 200,000 or more. Refer to this map (<http://wisconsindot.gov/Documents/doing-bus/local-gov/plning-orgs/map.pdf>) for more information about the TMA areas.*

**NOTE:** *Projects located within Metropolitan Planning Areas (MPAs) must be included in the applicable MPO's Transportation Improvement Program (TIP). MPAs include the census-defined urbanized area plus contiguous areas expected to become urbanized within the 20-year forecast period of the MPO long-range transportation plan.*

## WisDOT TAP Application Instructions

### **Project Activity**

**TAP Eligibility Category** Indicate the most pertinent category by checking the appropriate box.

### **Project Summary**

In 400 words or less, succinctly describe the project **in the space provided**. A project summary should describe the project well enough that the reader could hypothetically make a decision without reading the rest of the application. Prepare a project summary in a Word document, complete a spell check, and cut and paste the summary into the application form.

### **Project Benefit**

Indicate the project benefit. Make sure that this benefit is fully supported in the project narrative.

### **Local Resolution of Support**

There must be a local resolution of support for the proposed project, executed by a governing body that has the authority to make financial commitment on behalf of the project sponsor (i.e., County Board, City Council, or Regional Planning Commission Policy Board). This resolution must be submitted prior to award. Applicants must indicate there is a resolution or that there will be a resolution. **A copy of the resolution is due to the region no later than April 20, 2018.**

### **WisDOT History of the Project Area**

For questions regarding past, current or future road improvement projects please be as descriptive as possible. Use WisDOT project IDs if known.

### **Existing Facilities and Projects**

**Does a railroad facility exist within 1000 feet of the project limits?** Check *Yes* or *No*. **If yes, specify** by selecting: *At-grade Crossing, Roadway Underpass/Overpass, Longitudinal Encroachment, or Parallel.*

**Does the project physically cross an existing railroad facility?** Check *Yes* or *No*.

To ensure compliance with both state and federal law and policy, all projects with any of the following conditions must be evaluated for rail issues:

- A railroad crossing located within the project limits or within 1,000 feet of the project location and/or on the designated detour route.
- Grade separations between a highway and a railroad.
- Projects that parallel a railroad on adjacent right of way.
- Projects that use railroad properties.
- Projects that involve adjustments to railroad facilities.
- Projects that will impact a corridor reserved under an applicable recreational trails program.

Evaluation may require coordination with the railroad company at an early stage (sometimes even prior to submitting the project application). The WisDOT Railroad and Harbors Section and the Region Railroad Coordinator are available to assist with coordination.

## WisDOT TAP Application Instructions

**Known safety issues?** Check *Yes* or *No*. If **yes, specify**, and consider applying for Highway Safety Improvement Program (HSIP) funding. Please refer to the following link for additional information on HSIP: <http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/highway/hsip.aspx>.

Check *Yes*, *No* for other questions regarding existing facilities. For projects on or parallel to a local road or street provide the name of that road or street, and provide a brief description to any exceptions to standards that may be requested.

### **Real Estate (RE) / Right of Way (ROW)**

TAP project sponsors must locally fund any real estate costs under \$100,000. Compliance with state and federal real estate laws is less complicated when a local sponsor owns the land for the proposed project. Applicants and sponsors should consult with the Local Public Agency (LPA) coordinator in the appropriate WisDOT region to ensure compliance with all requirements of the real estate acquisition process, especially when a project involves private property owned by third parties. Failure to follow proper real estate procedures will jeopardize reimbursement of eligible project costs. TAP applicants for projects that involve real estate should thoroughly address project cost and timeline implications in the appropriate fields within the WisDOT TAP application. WisDOT Real Estate contacts are listed at the end of the TAP 2018-2022 Guidelines

Check *Yes*, *No* for other questions regarding real estate and right of way. Check the appropriate box for the type of ROW acquisition and list any funding used past or present within the limits of the projects two acquire RE or ROW (i.e. DNR Stewardship Funds).

Attach a detailed list of available, completed project and parcel acquisition documentation. Refer to Section 11.2, Records Management, found in the LPA MANUAL for RIGHT OF WAY ACQUISITION <http://wisconsindot.gov/dtsdManuals/re/lpa-manual/lpa-manual-ch11.pdf>.

### **Environmental/Cultural Issues**

Check *Yes*, *No* or *Not Investigated* for each environmental/cultural issue. If *Yes* is checked, provide a brief description of the issue in the *Comments* box.

**Section 4(f)** refers to the use of publicly owned park and recreational lands, wildlife and waterfowl refuges and significant historical or archeological sites in transportation project development.

**Section 6(f)** of the Land and Water Conservation Fund (LWCF) Act refers to the conversion to other use of lands or facilities acquired with LWCF Act funds and requires replacement of used land with lands of equal value and use.

### **Miscellaneous Issues**

**Construction Schedule Restrictions (trout, migratory bird, local events)** Provide information and details concerning any natural or manmade events that may restrict when or how the project is constructed.

**Local Force Account (LFA):** Is LFA work expected to be requested on this project? Check *Yes* or *No*. If yes, explain the desired LFA portion of the project. Please note that WisDOT is limited in its ability to approve certain TAP LFA activities.

**NOTE:** Before an LFA is eligible, a cost-effectiveness finding is required to justify doing the work. LFA work must include labor, equipment and materials. The purchase of materials only is not considered to be a legitimate project. Refer to the following links for additional LFA information:

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<http://wisconsindot.gov/Pages/doing-bus/local-gov/lcl-frc-agmt/default.aspx>

<http://wisconsindot.gov/rdwy/fdm/fd-03-01.pdf#fd3-1-3>

<http://wisconsindot.gov/rdwy/fdm/fd-03-20.pdf#fd3-20-11>

**Maintenance:** Check *Yes* or *No* for each maintenance issue. If *Yes* is checked, provide a brief explanation in the *Comments* box.

**Other Funding Sources:** Has the municipality anticipated, requested or been approved for other federal or state funding from WisDOT for the improvement? Check *Yes* or *No*.

If yes, please indicate all of the other funding sources that are anticipated, have been requested or approved with the associated project ID(s). Check *Anticipated*, *Requested* or *Approved* for all funding sources that apply (e.g., Highway Safety Improvement Program, Local Roads Improvement Program, etc.). Include a project ID if the funding has been approved.

**Railroad Programs** include the Rail-Highway Crossing Safety Program and the Freight Railroad Preservation Program (FRPP).

**Other Concept Notes:** Provide any additional relevant project information that has not been covered in another section of the application.

## School Demographics and Safe Routes to School Plan

Complete these two sections only if submitting an application within the TAP Safe Routes to School eligibility category.

## Project Costs and Dates

### Application Project Costs Guidelines

Applicants must demonstrate an ability to provide 20% in matching funds and finance the entire project until the Federal Highway Administration (FHWA) reimburses the federal share of 80% of project costs. Total dollar amounts must correlate to percentage totals.

Most projects are reimbursed monthly or quarterly on the basis of progress invoices.

**Minimum / Maximum Project Funding Amounts:** To ensure efficient utilization of local and state administrative resources and promote projects with significant impacts, WisDOT recommends the following minimum project funding amounts for TAP projects:

- **Infrastructure projects should ideally cost \$300,000 total or more**, including any design work. These guidelines apply to both Locally Let and State Let projects. It is assumed projects will be Locally Let, unless the local sponsor and WisDOT Region agree to undertake the project as a State Let. Equipment and materials acquisition are allowable but may be considered construction-related because federal reimbursement will only occur after installation of the materials to ensure that the project is completed. Because of the major time and effort needed to comply with FHWA real estate requirements, sponsors should plan on covering real estate costs under \$100,000 with 100% local funds.
- **Non-Infrastructure, planning, and design Projects, such as Safe Routes to School or system-wide bicycle planning activities, must cost \$50,000 total or more.**

## WisDOT TAP Application Instructions

### Project Costs and Timeline Recommendations

Due to financial commitment made to previously approved multi-modal projects, funds for major Construction and Non Infrastructure activities for SRTS cannot be made available sooner than FY 2021 (begins July 1, 2020).

### Project Costs

Complete the Project Costs and Dates table for the appropriate fiscal years of the application/project cycle (2018-2022). If you will construct your project in phases throughout both years, schedule the project costs as appropriate and describe them in the project description.

In addition to the application table, Sponsors must include a detailed breakdown of project costs. Attach a detailed breakdown of project costs in Microsoft Excel. This detailed breakdown must clarify assumptions made in creating the budget such that a third-party reviewer would be able to substantiate the assumptions.

Submit a separate application and budget for each project or stand-alone project segment for which you are willing to accept funding, or for a bike trail section that could function as a separate facility. Project requests are not considered for partial funding.

Some important things to remember when completing a detailed cost breakdown are to make sure to:

- Check your math more than once
- Your project costs are accurate and realistic
- Your cost estimate detail attachment totals match your Project Cost Table Totals

### CONFIDENTIAL INFORMATION

**(Do not include pages A-7 and A-8 in the Concept Definition Report [CDR] for infrastructure projects)**

Applicants should reference the following WisDOT Web page prior to completing this section of the application: <http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/highway/tools.aspx>

**NOTE: Requesting design and construction projects in the same fiscal year is not allowed.**

Check each phase of the project (e.g., construction, design) for which you are requesting federal funds.

**Project Priority** for each project shall be relative to your entire 2018-2022 program cycle submittal. Enter priority numerically (examples: 1 or 6).

**All estimates will be reviewed by WisDOT Region staff for consistency with current practices and approaches. WisDOT Region staff may revise estimates in these categories due to the complexity of the project or other factors. WisDOT will notify the sponsor of any changes to estimates within the application and determine whether the sponsor wishes to continue with the application with the revised estimate.**

### Construction

**Basis for Construction Estimate** Indicate the method used for estimating the construction cost of the project by checking the appropriate box for *Itemized Costs, Cost Per Mile, Past Projects Cost, WisDOT*



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*2015 Cost Estimate Table, or if Other, specify.* Please submit construction cost estimate documentation (e.g., electronic spreadsheet) to the appropriate WisDOT Region along with the completed application.

**Check the state fiscal year** in which you request the phase be scheduled (i.e., FY 2021 is July 1, 2020 – June 30, 2021). Please note that WisDOT has final authority to select the year in which the project is scheduled.

Enter the **Federal Share of the Participating Construction Cost (80%)**, the **Local Share of the Participating Construction Cost (20%)**, and the **Non-Participating Construction Cost (100% Local)** for the Roadway category. **NOTE: Temporary traffic/pedestrian control items should be included in the construction estimate. Also NOTE: Project selected by a TMA may be funded at 50% federal share.**

**A. Subtotal Construction Costs** Sum lines A and B of the Construction section.

**B. State Review for Construction** Coordinate with your WisDOT Regional Local Program representatives to determine the State review Cost Estimate Range.

**Construction with State Review Cost Estimate** Sum lines A and B of the Construction section.

### Design

Check box to indicate if design will be 100% locally funded or 80% federally funded.

**NOTE: 100% locally-funded design projects must meet all applicable federal design standards.**

**Check the state fiscal year** in which you request the phase be scheduled (i.e., FY 2019 is July 1, 2018 – June 30, 2019). Please note that WisDOT has final authority to select the year in which the project is scheduled.

**A. Plan Development** Use the Subtotal Construction Costs (line A in the Construction section above) to determine the Construction Cost Estimate Range in Table 1 (above) and apply the Plan Development (Design) percentage to calculate an estimated dollar amount. Enter both the percentage and the dollar amount in the application.

**B. State Review for Design** Coordinate with your WisDOT Regional Local Program representatives to determine the State review Cost Estimate Range.

**Design with State Review Cost Estimate** Sum lines A and B of the Design section.

### Real Estate

**Check the state fiscal year** in which you request the phase be scheduled (i.e., FY 2017 is July 1, 2016 – June 30, 2017). Please note that WisDOT has final authority to select the year in which the project is scheduled.

**Total Real Estate Cost** Provide a total cost for the real estate project.

### Utility

**Check the state fiscal year** in which you request the phase be scheduled (i.e., FY 2017 is July 1, 2016 – June 30, 2017). Please note that WisDOT has final authority to select the year in which the project is

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scheduled.

**Total Utility Cost** Provide total cost for the utility project.

**NOTE:** Compensable utility costs must be a minimum of \$50,000 per utility. Link to WisDOT Utility Policy: <http://wisconsindot.gov/rdwy/fdm/fd-18-00toc.pdf>

### **Other (Non-Infrastructure (including Safe Routes to School) Planning, Administration, etc.)**

**Check the state fiscal year** in which you request the phase be scheduled (i.e., FY 2019 is July 1, 2018 – June 30, 2019). Please note that WisDOT has final authority to select the year in which the project is scheduled.

**Total Other Cost** Provide total cost for the planning, administration, or other non-infrastructure project.

### **Narrative Response/Attachment 3**

Provide up to **three** pages of narrative (**minimum 10 point font size**) in response to questions one through five. Review committees will rely upon these Narrative Responses to rate and rank applications.

### **Key Program Requirements Confirmation**

Confirm understanding of project condition(s) by typing a name, title, and initials in the boxes at the bottom of the page. The individual providing initials and signature on the application (i.e., Head of Government or Designee, not a consultant) **must have fiscal authority** for the project sponsor.

### **Fiscal Authorization and Signature**

**REMINDER:** For infrastructure projects, Attach an 8 ½ x 11 map showing the project location.

**Application prepared by a consultant?** Check *Yes* or *No*.

If *Yes*, please provide the **Consultant Company Name** and **Company Location (City, State)**, **Consultant Signature**, and signature **Date**. An electronic typed signature is all that is required to submit an application. A handwritten signature in PDF format is NOT necessary.

**NOTE:** On Local Program projects, it is not permissible for a consultant to fill out applications gratis (or for a small fee) for a municipality and then be selected to do the design work on a project. A municipality could start their QBS consultant selection process early enough and make the application part of the scope of services with the understanding that all costs incurred prior to authorization will be the responsibility of the local municipality. See FDM 8-5 for additional information.

**Sponsor Agency** responsible for completing application. The Sponsor Agency is the local unit of government that is financially responsible for the federal-aid improvement.

**Contact Person** Must be a Head of Government or Designee (e.g., County Highway Commissioner).

**Title** of the Contact Person.

**Address** of the Contact Person.

**Telephone** number of the Contact Person.

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**Email** address of the Contact Person.

**Head of Government/Designee Signature** A local official, not a consultant, must sign the application. An electronic typed signature is all that is required to submit an application. A handwritten signature in PDF format is NOT necessary.

**Date** the application was signed.

### **Attachments**

Refer to application form for details. Check the appropriate boxes to indicate that attachments are annexed to the application.

### **WisDOT Information – Shaded area to be completed by WisDOT staff only**

WisDOT staff will enter the information in the top portion at application review and enter the project ID(s) after project approval.

