



Nevada Transportation Alternatives Program
(TAP)
Guidance for 2020 Application



www.nevadadot.com/tap

Transportation Alternatives Program
Nevada Department of Transportation
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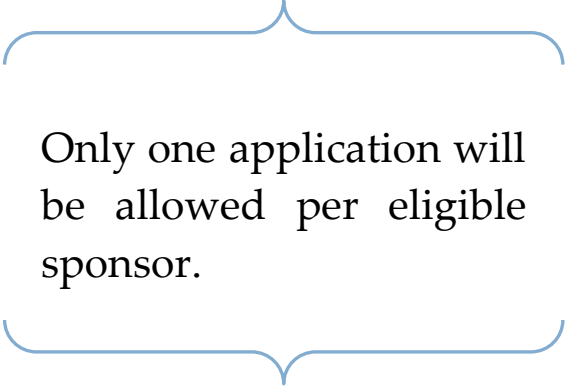
I. PURPOSE & ELIGIBILITY

The Nevada Transportation Alternatives Program (TAP) provides federal funds for projects that improve non-motorized mobility, historic preservation, scenic accessibility, Safe Routes to School programs, and environmental/vegetation management. TAP projects may be part of an existing planned project or as a “stand alone” project. TAP funded transportation projects must be legally accessible to the general public on a 24 hour/7 day a week basis and be maintained for use on a year round basis. Each proposed project should provide for safe, logical termini.

Eligible sponsors include, but are not limited to: Tribal Governments, School Districts, Private Schools, Governmental Agencies/Entities. Non-Profit organizations may only apply when partnered with an eligible sponsor. Proposed projects submitted by eligible sponsors will be entering into binding legal agreements for funding with the Nevada Department of the Transportation (NDOT). Only one TAP application will be allowed per eligible sponsor. If a project is initiated by a non-eligible sponsor (i.e. a non-profit) the application must be submitted by an eligible sponsor.

There are two broad types of eligible activities: 1) Transportation infrastructure (constructed improvements); and 2) Non-infrastructure projects (efforts related to Education, Encouragement, Enforcement and Evaluation) that effect kindergarten (K) through eighth (8th) grade students. Each of these project categories will be evaluated with unique scoring and ranking criteria.

Applications received for proposed projects located within the boundaries of a Metropolitan Planning Organization (MPO) jurisdiction (Carson Area MPO, RTC of Southern Nevada, Tahoe Area MPO and Washoe RTC) will be forwarded to MPO staff as a courtesy.



Only one application will be allowed per eligible sponsor.

II. ELIGIBLE ACTIVITES

There are two broad categories for eligible activities under the TAP Program:

1. Transportation Infrastructure (Physical Improvements)
2. Non-Infrastructure Projects

A more in depth explanation of these categories can be found on the FHWA website at: <https://www.fhwa.dot.gov/map21/qandas/qatap.cfm#legislation>

III. PROCESS

The NDOT will evaluate and facilitate the ranking of projects for each cycle. This application is available at www.nevadadot.com/tap.

NDOT TAP Application Process

1. The NDOT announces the application deadline for the funding cycle.
 2. Applications are received by the NDOT prior to the funding cycle deadline.
 3. The NDOT determines project eligibility/ineligibility and notifies sponsor. Proposed projects/activities located within a MPO planning boundaries will be forwarded to the MPO as a courtesy.
 4. All applications are forwarded to the TAP Scoring Committee members for review and initial scoring based on TAP Scoring Criteria. Infrastructure and non-infrastructure projects are scored separately using appropriate criteria.
 5. Project sponsors are invited to give a presentation at the TAP Scoring Committee meeting. Scoring Committee members may modify their scores based on the presentations and discussions. Scores are turned into NDOT staff.
 6. The NDOT creates a ranked list of projects as scored by the TAP Scoring Committee including bonus point calculations.
 7. Based on funding available, a list of recommended projects is developed by the NDOT staff and forwarded to the NDOT Director for Approval.
 8. Successful/Unsuccessful project sponsors are notified of the NDOT Director's determination.
 9. Successful projects will be listed in the Statewide Transportation Improvement Program (STIP) a legal agreement will then be developed between the sponsor and the NDOT.
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IV. FUNDING PROVISIONS

The TAP program is not a grant program but a cost reimbursement program. Prior to the initiation, the project must be included in the NDOT Statewide Transportation Improvement Program (STIP) and authorized by the Federal Highway Administration (FHWA). A fully executed legal agreement is required prior to the NDOT's issuance of a Notice to Proceed (NTP). No expenses incurred prior to the issuance of the NTP will be eligible for reimbursement.

Funding through the NDOT, will provide up to 95 percent of the project costs. The sponsor is required to provide a minimum of 5 percent of the project costs as matching funds. "In kind" matching funds may be allowable as a portion of the project cost.

It is the project sponsor's responsibility to ensure that the cost estimate is realistic and will fully meet the project's needs. It is recommended that the services of a licensed professional engineer, registered architect, registered landscape architect, licensed contractor, or safe routes to school coordinator (as applicable) be obtained to assist in the development of the required project services and cost estimates. Costs for professional services associated with preparation of the application are not eligible for reimbursement. Any increase in state/federal funding will require an amendment to the original project agreement.

All Projects

The sponsor is responsible for all costs over and above the approved awarded funding amount. Funding for project costs in excess of those awarded initially will not be provided. Therefore, **obtaining realistic cost estimates** for the services/tasks to be performed are extremely important to ensure that adequate funding is provided. If the sponsor decides not to complete a project, the sponsor will be responsible to reimburse all TAP expenditures to NDOT.

V. SPONSOR RESPONSIBILITIES

To comply with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), projects must have an environmental review to assess and/or mitigate effects on social, economic and environmental factors. Similarly, work involving sensitive historic structures or archaeological sites must conform to the U.S. Secretary of the Interior's standards and guidelines for archaeology and historic preservation.

The sponsor must carry out and comply with all Federal, State and local laws, and acquire environmental approvals and any required permits from the appropriate Federal, State and local agencies. Also, the sponsor must acquire building and other local permits, if applicable.

Engineering and architectural designs for all facilities must comply to the Americans with Disabilities Act.

The sponsor may be required to provide long-term maintenance of a constructed project, on a year round basis, after completion.

For the purpose of estimating project costs the NDOT has a cost wizard tool available at www.nevadadot.com/tap ,(go to the documents/info page). Sponsors should carefully control increases and overruns as they may jeopardize completion of the entire project.

VI. Funding, Scope, Schedule, and Phasing

Changes of project scope will be looked at on a project by project basis. It is the NDOT's intent to allow for changes if they are in the "spirit" of the original project as presented to the TAP Scoring Committee. The NDOT does not want to slow or delay any project due to scope changes. The NDOT does reserve the right to ask for additional clarification if scope changes are desired. Changes in project scope may require an additional review by the TAP Scoring Committee and/or amendment to the legal agreement.

TAP Project Deadlines

	Infrastructure Projects Constructed through NDOT LPA# Process	Infrastructure Projects Constructed by NDOT directly	Non-Infrastructure Projects
<u>Within 15 days</u> after the sponsor receives notification that their proposed project has been selected for funding, the applicant must:	Sponsor must indicate their choice of project management		n/a
<u>Within 45 days</u> after the sponsor receives notification that their proposed project has been selected for funding, the applicant must:	Contact NDOT LPA Manager	n/a	Contact NDOT SRTS Coordinator
<u>Within 1 year</u> after receiving the funding notification the sponsor must enter into a legal agreement outlining their responsibilities:	✓	✓	✓
<u>Within 3 years</u> after receiving the funding notification, the project must be advertised for construction*	✓	✓	n/a
<u>TAP funding has a four year life and must be expended.</u>	✓	✓	✓
Sponsors are required to provide monthly updates on project status.	✓	n/a	✓

Figure 7.1

Failure to meet any of the requirements in *Figure 7.1* may result in the cancellation of the project.


Failure to provide project updates may cause the NDOT to determine the sponsor is unresponsive and may cancel the project.

Project completion is of utmost importance to NDOT. Monthly updates to NDOT staff are needed to help ensure that the project is moving forward. If there is no response from a sponsor after being contacted by NDOT staff for a period of three months, NDOT may cancel the project.

VII. APPLICATION INSTRUCTIONS and REQUIRED ATTACHMENTS

Applications must be submitted by using the NDOT PLANA site at <https://www.nevadadot.com/projects-programs/transportation-alternatives-program/plana>. On this page you will find instructions as well as contact information regarding the PLANA site.

If additional description/information is needed it may be submitted separately. Please send to address shown on the cover of this document to the attention of the TAP coordinator.



If a sponsor is unresponsive the approved project may be cancelled.

Eligible entities include, but are not limited to: Tribal Governments, School Districts, Private Schools, Governmental Agencies/Entities. Non-Profit organizations may apply when partnered with an eligible entity. Proposed projects submitted by an eligible sponsors/agency will be entering into binding legal agreements for funding with the NDOT.

SELECTED* FEDERAL REQUIREMENTS

National Environmental Policy Act (NEPA)

This act requires Federal agencies to disclose and consider, through an Environmental Assessment and, sometimes, through an Environmental Impact Statement, any significant effect a project may have on the environment (including cultural, natural, social and historical resources). Except in unusual circumstances, a TE project will be processed as a categorical exclusion (CE). A CE does not mean that no environmental work is required, only that there is not a significant environmental effect; therefore, less documentation is required.

Section 4(f) of the U.S. Department of Transportation Act

The FHWA cannot approve a project that uses land from a Section 4(f) resource (publicly owned parks, recreation areas, wildlife and waterfowl refuges, and national, state, or local historical sites) unless the project sponsor is also the owner/administrator of the park, or FHWA determines that no feasible alternative exists. In such a case, all efforts must be made to minimize harm to the resource. Note that this Section does not apply to restoration,

rehabilitation or maintenance of historic transportation facilities if the work does not adversely affect the resource's historic qualities.

Section 106 National Historic Preservation Act (NHPA) of 1966

Federal agencies are required to consider the potential effects of a project on a property that is listed in or eligible for the National Register of Historic Places.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, As Amended

This act provides requirements in the real property acquisition and provides for relocation payments. Note that all Transportation Alternative projects are subject to the Act except those that do not involve acquisition of additional property or relocations.

Brooks Act

Federally assisted consultant contracts for engineering and design services must use qualification-based selection procedures, which disallow price as a factor in the selection process.

Competitive Bidding

Construction projects must be advertised and awarded to the lowest responsible and responsive bidder through open competitive bidding.

Predetermined Minimum Wage (Davis-Bacon)

The minimum prevailing wage rate must be paid to all workers on Federal-aid highway projects that exceed \$2,000. Note that if the project is a transportation facility and is eligible solely on function (e.g., restoration of a railroad station, an independent bike path, etc.), then this Act does not apply unless the project is physically located within the existing right-of-way of a Federal-aid highway.

Non-Infrastructure Activities

Education, Encouragement, Enforcement and Evaluation activities must comply with the safe routes to school program under section 1404 of Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

*This list is by no means comprehensive for the full listing of federal regulations please visit <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>

TRANSPORTATION ALTERNATIVES PROGRAM CONTACTS

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