

HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION

Guide to the HRTPO Transportation Alternatives (TA) Set-Aside Project Selection Process

Prepared by the Hampton Roads Transportation Planning Organization
November 2014
(Updated October 2023)



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ABSTRACT

This document provides information on the process used by the Hampton Roads Transportation Planning Organization (HRTPO) to select projects for funding under the Transportation Alternatives (TA) Set-Aside.

ACKNOWLEDGMENTS

This document was prepared by the Hampton Roads Transportation Planning Organization (HRTPO) in cooperation with the U.S. Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Virginia Department of Transportation (VDOT), Virginia Department of Rail and Public Transportation (DRPT), Transportation District Commission of Hampton Roads (TDCHR), and Williamsburg Area Transit Authority (WATA). The contents of this report reflect the views of the HRTPO. The HRTPO staff is responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the FHWA, FTA, VDOT or DRPT. This report does not constitute a standard, specification, or regulation. FHWA, FTA, VDOT or DRPT acceptance of this report as evidence of fulfillment of the objectives of this program does not constitute endorsement/approval of the need for any recommended improvements nor does it constitute approval of their location and design or a commitment to fund any such improvements. Additional project level environmental impact assessments and/or studies of alternatives may be necessary.

NON-DISCRIMINATION

The HRTPO assures that no person shall, on the ground of race, color, national origin, handicap, sex, age, or income status as provided by Title VI of the Civil Rights Act of 1964 and subsequent authorities, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity. The HRTPO Title VI Plan provides this assurance, information about HRTPO responsibilities, and a Discrimination Complaint Form.

TABLE OF CONTENTS

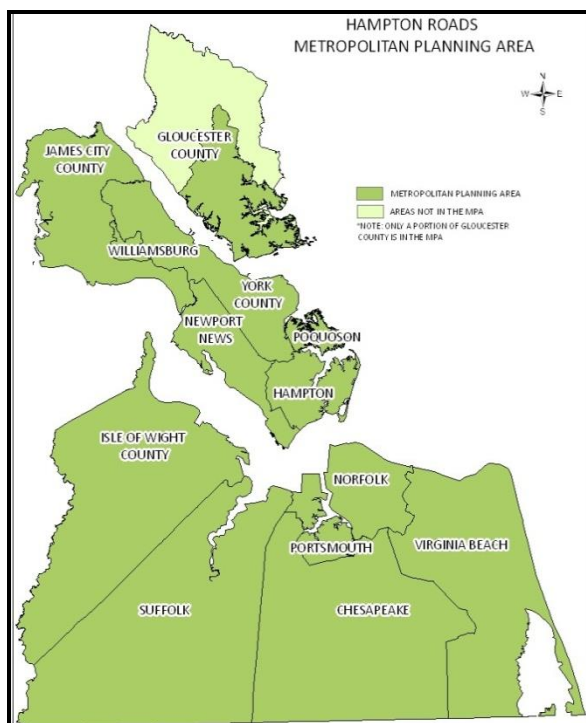
Overview.....	1
What Is the TA Set-Aside?.....	1
What Are Eligible TA Set-Aside Projects?	2
Who Are Eligible TA Set-Aside Recipients?	5
Local Match and Other Requirements	6
Project Selection Process	6
TA Set-Aside Project Selection Process Steps	7
HRTPO TA Set-Aside Funding Policy	7
Funding Program Criteria.....	7
Funding Policies	8
2023 Guide Updates.....	9

OVERVIEW

The Hampton Roads Transportation Planning Organization (HRTPO) is the metropolitan planning organization (MPO) for the Hampton Roads area. As such, it is a federally mandated transportation policy board comprised of representatives from local, state, and federal governments, transit agencies, and other stakeholders and is responsible for transportation planning and programming for the Hampton Roads metropolitan planning area (MPA).

The MPA is comprised of the cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg, and the counties of Isle of Wight, James City, York, as well as a portion of Gloucester County.

The purpose of this document is to provide information and guidance on the Transportation Alternatives (TA) Set-Aside included in the Surface Transportation Block Grant Program (STBG) established in the Fixing America's Surface Transportation (FAST) Act. The Commonwealth Transportation Board (CTB) and the HRTPO share the responsibility and authority of project selection and fund allocation for this program, relying on project evaluation and application scoring done by VDOT's Local Assistance Division. This process is described in greater detail in the following sections of this document.



WHAT IS THE TA SET-ASIDE?

The Transportation Alternatives Program (TAP) was established in the Moving Ahead for Progress in the 21st Century Act (MAP-21). The TAP replaced funding from several pre-MAP-21 programs including Transportation Enhancements, Recreational Trails, and Safe Routes to School, wrapping them into a single funding source. The Fixing America's Surface Transportation (FAST) Act, signed into law on December 4, 2015, converted the long-standing Surface Transportation Program (STP) into the Surface Transportation Block Grant Program (STBG), aligning the program's name with how the Federal Highway Administration (FHWA) has historically administered it. The STBG promotes flexibility in state and local transportation decisions and provides flexible funding to best address state and local transportation needs.

Within the STBG funding is a set-aside amount called the Transportation Alternatives or "TA" Set-Aside, as set forth in 23 U.S.C. 133(h). These set-aside funds include all activities that were previously eligible under TAP, encompassing a variety of smaller-scale, non-traditional transportation projects. Projects funded under TA Set-Aside must comply with all applicable Federal requirements.

WHAT ARE ELIGIBLE TA SET-ASIDE PROJECTS?

TA Set-Aside eligible activities include:

- On and off road pedestrian and bicycle facilities
- Infrastructure projects for improving non-driver access to public transportation and enhanced mobility
- Community improvement activities such as historic preservation and vegetation management
- Environmental mitigation related to stormwater and habitat connectivity
- Recreational trail projects
- Safe routes to school projects
- Projects for planning designing, or constructing boulevards and other roadways largely in the right-of-way of former divided highways

Qualifying Transportation Alternatives¹

1. Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation.

Eligible

- Trails on and off road
- New sidewalks
- Rehabilitating sidewalks to comply with ADA standards and to improve pedestrian access
- Other ADA pedestrian improvements including curb ramps and truncated domes
- Bicycle Lanes
- Bicycle parking and bus racks
- Bicycle and pedestrian bridges and underpasses
- Rails-with-trails
- Equestrian trails when built along with a shared use path.

Not Eligible

- Sidewalk repair, drainage improvements or other maintenance activities
- Circular trails/sidewalks
- Facilities located wholly on one site or property that do not provide a connection to existing trails or sidewalks outside the site or property
- Trails for equestrian use only
- Recreational facilities
- Any non-ADA compliant trail/sidewalk facility
- Way-finding signage/ program as a stand-alone project
- Preliminary work including feasibility/ location studies and master plans

¹ VDOT Local Assistance Division, TAP Project Eligibility Guidance (<http://www.virginiadot.org/business/prehancegrants.asp>)

2. Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.

Eligible

- Crosswalks and pedestrian refuge areas
- Pedestrian and bicycle signals
- Pedestrian lighting and safety related infrastructure
- Safe connections to public transportation

Not Eligible

- Bicycle and pedestrian safety/ educational programs
- Lighting fixtures intended for aesthetic purposes only, i.e. instances where adequate lighting already exists
- Roadway lighting

3. Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.

Eligible

- Rails-to-Trails facilities

Not Eligible

- Projects solely to preserve abandoned railroad right-of-way
- Trail facilities for motorized vehicles (ATV's, dirt bikes, snowmobiles, etc.)
- Maintenance and/or upkeep of trails (including the purchase of equipment)

4. Construction of turnouts, overlooks, and viewing areas to promote the scenic and historic character of local roads.

Eligible

- Turnouts, overlooks and viewing areas that interpret a scenic or historic site

Not Eligible

- Interpretation and other amenities installed without construction of a turnout, overlook or viewing area
- Safety rest areas
- Visitor/welcome centers
- Farmers markets, entertainment pavilions, etc.
- Staffing, operating or maintenance costs of the pull-off
- Marketing and/or promotional activities

5. Inventory, control, or removal of outdoor advertising.

Eligible

- Billboard inventories including those done with GIS/GPS
- Removal of illegal and non-conforming billboards (non-conforming signs are those lawfully erected but that no longer comply with the Highway Beautification Act of 1965)

Not Eligible

- Administration or operating expenses involved in State outdoor advertising program activities.

6. Historic preservation and rehabilitation of historic transportation facilities.

Eligible

- Rehabilitation and/or restoration of historic transportation facilities including: train depots, rail trestles, bridges, lighthouses, bus terminals, tunnels, canals, locks and tow paths
- Properties previously owned and operated by the railroad (example – railway offices and station master’s house)
- Historic toll facilities

Not Eligible

- Historic buildings that are not part of the historic transportation infrastructure (for example: inns and taverns, gas stations and carriage houses)
- Operation of historic transportation facilities
- Space not open/ accessible to the public
- Spaces used in for-profit enterprises
- Constructing a replica of a historic transportation facility
- Construction of new rail/ passenger stations
- Transportation infrastructure not related to surface transportation (i.e. air and space travel)

7. Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control.

Eligible

- Vegetation to improve transportation safety (could include removal of vegetation to improve sight distance)
- Removal/ management of invasive species
- Planting of grasses or wildflowers to manage/ prevent erosion along corridors

Not Eligible

- Landscaping as scenic beautification/ stand-alone landscaping projects
- Landscaping off transportation rights-of-way
- Gateway signage

8. Archaeological activities relating to impacts from implementation of a transportation project.

Eligible

- Archeological excavations and surveys related to a transportation project
- Archeological activities required as part of a MAP-21 eligible project
- Interpretation and display of artifacts discovered as part of a transportation project

Not Eligible

- Archeological activities not related to a transportation project eligible under federal Title 23

9. Environmental mitigation activities to decrease the negative impacts of roads on the natural environment.

Eligible

- Stormwater management activities related to highway run-off that address water pollution and improve the ecological balance of local streams and rivers
- Detention and sediment basins
- Stream channel stabilization
- Storm drain stenciling and river/stream clean-ups

Not Eligible

- Drainage improvements related to poor maintenance
- Stormwater management activities not related to highway run-off and water pollution

10. Wildlife mortality mitigation to decrease negative impacts of roads on the natural environment.

Eligible

- Wetlands acquisition and restoration
- Wildlife underpasses and overpasses to improve wildlife passage and habitat connectivity
- Improvements to decrease vehicle-cause wildlife mortality

Not Eligible

- Projects not related to the negative impacts of highway construction

WHO ARE ELIGIBLE TA SET-ASIDE RECIPIENTS?

Eligible recipients of TA Set-Aside funds include:

- Local governments;
- Regional transportation authorities;
- Transit agencies;
- Natural resource or public land agencies;
- School districts, local education agencies, or schools;
- Tribal governments; and
- Other local or regional governmental entity with responsibility for oversight of transportation or recreational trails.

Under TA Set-Aside, nonprofits are not eligible direct grant recipients, however, nonprofits can partner with any eligible entity on an eligible TA Set-Aside project, if State or local requirements permit. State DOTs and MPOs are also ineligible to receive TA Set-Aside funds.

LOCAL MATCH AND OTHER REQUIREMENTS

The TA Set-Aside is an 80/20 reimbursement program with a maximum 80% eligible for federal reimbursement requiring a minimum 20% local match. Local match can be provided as cash or in-kind.

Specific requirements related to in-kind match are as follows:

- The expenses covered by in-kind match must be otherwise eligible for the program.
- With the exception of donated real property (buildings or land) in-kind value cannot be credited as match prior to a fully executed project agreement, the project's obligation of funds and authorization by FHWA.
- In-Kind services that contribute to engineering activities can be credited after project agreement, obligation and authorization.
- In-Kind services that are construction activities can be credited after project agreement, obligation, authorization and NEPA (environmental document) approval.

Examples of eligible in-kind match include: design services, attorney services, appraisal services, donated property, donated building, donated materials or construction services.

Additionally, projects funded with TA Set-Aside funds will be treated as projects on a Federal-aid highway under Title 23 CFR provisions regardless of whether the projects are located within the right of way of a Federal-aid highway.

These provisions include: Federal Obligation and Authorization prior to incurring costs, National Environmental Protection Act (NEPA), Uniform Act for right-of-way acquisition, Civil Rights requirements, Americans with Disabilities Act (ADA), Davis-Bacon wage rates, Buy America (steel), competitive bidding and other procurement requirements. Projects funded under TAP must comply with all applicable Federal requirements.

PROJECT SELECTION PROCESS

The process for obtaining TA Set-Aside funding for transportation projects is a competitive one. Proposed projects are evaluated and ranked using a specific set of criteria that were developed by VDOT's Local Assistance Division in close coordination with MPOs around the State. HRTPO staff was involved in development of the scoring criteria and application materials from the early stages. See Appendix A for the CTB TA Set-Aside funding policy, scoring guidance, application instructions and a sample application.

The FAST Act states that once funding is taken off the top for the Recreational Trails Program administered by the Virginia Department of Conservation and Recreation, the remaining TA Set-Aside funds will be split with a specified amount being distributed based on population and the rest available for distribution anywhere statewide.

Each District CTB member is provided up to \$1 million to allocate to TA Set-Aside projects at his/her discretion. After District CTB members select projects, the Secretary of Transportation and CTB At-Large members are responsible for selecting projects to receive the remaining statewide funds (any funds over the amount allocated by the 9 District CTB members). Allocations of statewide funds are left to CTB member discretion and can be put on any project in the state.

The population-based funds are specifically for urbanized areas with populations over 200,000. The metropolitan planning organization (MPO) is responsible for allocation of these funds through a competitive process. HRTPO staff coordinates with VDOT Local Assistance Division, which is responsible for accepting applications, verifying project eligibility, and scoring the project applications. The final project scores are computed by averaging the scores produced by each of four VDOT project evaluators (three from VDOT Local Assistance Division and one from the District).

The Transportation Programming Subcommittee (TPS) – taking into account the available funding, policies and priorities of the HRTPO and District CTB member selections, and using the VDOT ranked project list as a guide – produces a list of recommended projects and funding allocations for consideration by the Transportation Technical Advisory Committee (TTAC) and the HRTPO Board. The steps of the project selection process are summarized below and the HRTPO policy for TA Set-Aside project selection is summarized in the next section. For specific deadline dates associated with a particular project selection process cycle, see the schedule posted on the HRTPO website

TA SET-ASIDE PROJECT SELECTION PROCESS STEPS

1. Applicant workshops held by VDOT (July/August)
2. TTAC and HRTPO Board endorsement of proposed TA Set-Aside projects (October)
3. Application deadline for project proposals (November 1)
4. Evaluation and scoring of project applications (November-January)
5. Applications and scores presented to the CTB and HRTPO. (February)
6. TPS meeting for TA Set-Aside project selection (March)
7. Proposed TA Set-Aside projects and allocations approved by HRTPO Board and CTB (April)
8. Final TA Set-Aside allocations approved by CTB (June)

HRTPO TA SET-ASIDE FUNDING POLICY

FUNDING PROGRAM CRITERIA

- Must meet all applicable federal regulations and requirements
- Must be consistent with the current HRTPO Long Range Transportation Plan (LRTP). “Consistent with the LRTP” means:
 - If the project is of the type that must be identified individually in the LRTP (roadway widening, new road construction, interchange projects, fixed guideway transit projects, etc.), then the project must be included in the current LRTP.
 - If the project is not of the type that must be identified individually in the LRTP (typical intersection improvements, signal timing, typical sidewalk and bikeway projects, etc.), then the project should not be incompatible with the strategies included in the LRTP.

-
- Must be an HRTPO Board endorsed TA Set-Aside project
 - Proposed projects scored based on VDOT Local Assistance Division TA Set-Aside evaluation criteria

FUNDING POLICIES

1. HRTPO staff will coordinate with the District CTB member on his/her selected projects and allocations. This information will be provided to the TPS to help prevent over-funding projects.
2. The TPS shall primarily base its recommended project selection and allocations on the composite score of the candidate projects. However, the TPS may, at its discretion, recommend allocating funds to a project based on something other than the composite score. Justification for such an allocation shall be included in the information provided for consideration by the TTAC.

2023 Guide Updates

1. 4 – year rule to reach construction (continued from 2013 policy)
2. Agreements must be signed and returned by locality within six months of receipt.
3. All TA funds available for CTB allocation will be distributed equally to each member.
4. Applications accepted biennially; project selections made in even-numbered years.
5. 8 pre-applications and 5 full applications per applicant, per cycle
6. Funded projects will receive 100% of TA request, up to cap.
7. \$2.5M lifetime cap on TA funds per project (CTB Allocation)
8. Surplus funds transfer to a statewide account for redistribution according to tiered transfer policy:
 - a. Additional TA funds may be requested via transfer with a documented deficit at award, advertisement, during or after construction, and then to other project needs.
 - b. The statewide account will retain \$2M for project deficits.

For further information on the Transportation Alternatives Program visit
<http://www.viriniadot.org/business/prehancegrants.asp>