



MPO TECHNICAL COMMITTEE MEETING

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Meeting Date & Time: **August 9th 2:30 p.m.**

Meeting Location: **El Metro Transit Center 1301 Farragut 3rd floor (West of Elevators)**

AGENDA:

1. Chairperson to call meeting to order.
2. Discussion and recommendation on the Laredo Webb County Area MPO 2022 Transportation Alternatives Set-Aside (TASA) Program Call for Projects Application Guidelines.
3. Discussion on Category 7 funding availability and establishing a policy and strategy to allocate future Category 7 funds.
4. Update on the upcoming MPO Policy Committee meeting draft agenda.
5. Discussion of old or new business.
6. Adjournment.



LAREDO & WEBB COUNTY

AREA METROPOLITAN PLANNING ORGANIZATION

2022 Call for Projects

Transportation Alternatives (TA) Set-Aside Program

Application Guidelines

**NOMINATION PACKAGES DUE BY:
4:00 PM, Friday, November 18, 2022**

IMPORTANT: Federal FAST Act funds have very specific requirements for program management along with detailed reporting. If you are unfamiliar with Federal regulations and program requirements, or have not received federal funds administered by TxDOT in the past, please review the documents associated with this Call for Projects to determine if your agency is willing, and has the institutional capacity, to comply with the required terms and conditions.

Transportation Alternatives (TA) Set-Aside Program Call for Projects for the Laredo & Webb County Area

Project proposals must be received by 4:00 PM, CST on Friday, November 18, 2022

- The Laredo & Webb County Area MPO must have the submitted application **"in hand"** at the City of Laredo, City Secretary offices by the application deadline.
- A postmark by the established deadline does not constitute an on-time application. In addition, supplemental information, other than administrative clarifications, will not be accepted after the application deadline.
- Incomplete applications or those not submitted by the deadline will not be accepted.
- Project sponsors are encouraged to submit their proposals far enough in advance of the submission deadline to allow LWCAMPO staff to review proposals for completeness.
- Project proposals must consist of (#) original hard copies (including attachments) and one (1) electronic copy of all files on a USB drive.
- All applicants will be allowed to summarize their project (for no longer than 3 minutes in length) on the day of the interviewing/scoring process.
- Right-of-way (ROW) acquisition is not eligible for TASA fund reimbursement. Therefore, ROW acquisition is for informational purposes only.
- The information in this application is public record. Therefore, applicants should not include information regarded as confidential.
- Project proposals should be mailed or hand-delivered to:

<u>Mail</u>	<u>Physical Location</u>
Laredo & Webb County Area MPO	Laredo & Webb County Area MPO
Attn: City Secretary	Attn: City Secretary
City of Laredo	City of Laredo
P.O. Box 579	1110 Houston St. (3rd Floor City Hall)
Laredo, TX 78042-0579	Laredo, Texas 78040

For questions regarding the application, scoring criteria, or project call timeline, please contact Mr. Juan S. Mendive, Interim MPO Director at jmendive@ci.laredo.tx.us

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A. OVERVIEW

On December 16, 2021, the Federal Highway Administration (FHWA) issued guidance (Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America, hereafter “Policy”) that serves as an overarching policy framework on the use of BIL resources. Among other guidance, the Policy expresses FHWA’s intent of ensuring that the funding and eligibilities provided by the BIL will be interpreted and implemented, to the extent allowable under statute, to encourage States and other funding recipients to invest in projects that upgrade the condition of streets, highways and bridges and make them safe for all users, while at the same time modernizing them so that the transportation network is accessible for all users, provides people with better choices across all modes, accommodates new and emerging technologies, is more sustainable and resilient to a changing climate, and is more equitable.

In enacting the BIL, Congress increased the size of the TA Set-Aside funding amounts. This presents opportunities to fund many smaller-scale but critically important multimodal transportation projects at both the State and local level.

The TA Set-Aside provides funding for a variety of transportation projects such as pedestrian and bicycle facilities; construction of turnouts, overlooks, and viewing areas; community improvements such as historic preservation and vegetation management; environmental mitigation related to stormwater and habitat connectivity; recreational trails; safe routes to school projects; and vulnerable road user safety assessments.

With its eligibilities including bicycle and pedestrian facilities, safe routes to school projects, and vulnerable road user safety assessments, Transportation Alternatives is a key program for helping States build Complete Streets that are safe for all users and achieve safe, connected, and equitable on-and off-road networks.

The program also provides significant resources to local governments, both through its suballocation provisions (including allowing States to develop a process to suballocate up to 100 percent of funds) and a requirement for holding a competitive grant process for local governments and other eligible entities before transferring TA set-aside funds to other Federal-aid programs.

Finally, under some circumstances, there are flexible funding provisions for TA Set-Aside funds. These provisions are explained in more detail in this guidance.

The FHWA encourages State and local agencies and other project sponsors to consider the use of funds from the TA Set-Aside to address safety and implement the Safe System approach wherever possible. Improvements to safety features, including traffic signs, pavement markings, and multimodal accommodations that are routinely provided as part of a broader Federal-aid highway project can and should be funded from the same source as the broader project as long as the use is eligible under that funding source. For the TA Set-Aside, this includes on- and off-road facilities

The FHWA encourages staff to work with State transportation departments, local governments, and other stakeholders to identify opportunities to use BIL resources for the repair, rehabilitation, reconstruction, replacement, and maintenance of existing transportation infrastructure, especially the incorporation of safety, accessibility, multimodal, and resilience features. This

includes projects that maximize the existing right-of-way for nonmotorized modes and transit options and increase safety, accessibility, and/or connectivity. The TA Set-Aside provides resources that can help achieve these policy objectives. This guidance provides information on the TA Set-Aside and the provisions and requirements for the use of Federal-aid highway funds, project selection processes, and eligible activities. It also includes information on and links to related activities including Complete Streets; Bicycle and Pedestrian Planning, Program, and Project Development guidance; the Highway Safety Improvement Program (HSIP); the Recreational Trails Program (RTP); and the Safe Routes to School Program (SRTS).

Complete Streets

As one approach to ensuring the safety of all roadway users, FHWA encourages States and communities to adopt and implement Complete Streets policies that prioritize the safety of all users in transportation network planning, design, construction, and operations. Section 11206 of the BIL defines Complete Streets standards or policies as those which “ensure the safe and adequate accommodation of all users of the transportation system, including pedestrians, bicyclists, public transportation users, children, older individuals, individuals with disabilities, motorists, and freight vehicles.” A complete street includes but is not limited to, sidewalks, bike lanes (or wide paved shoulders), special bus lanes, accessible public transportation stops, safe and accommodating crossing options, median islands, pedestrian signals, curb extensions, narrower travel lanes, and roundabouts. A Complete Street is safe, and feels safe, for everyone using the street. The TA Set-Aside is a key program flexibility to States in building Complete Streets to achieve safe, connected, and equitable networks.

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination against people with disabilities and ensure equal opportunity and access for persons with disabilities. The Department of Transportation’s Section 504 regulations apply to recipients of the Department’s financial assistance (see 49 CFR 27.3(a)). Title II of the ADA applies to public entities regardless of whether they receive Federal financial assistance

The ADA requires that no qualified individual with a disability shall, because a public entity’s facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity (28 CFR 35.149). A public entity’s pedestrian facilities are considered a “service, program, or activity” of the public entity. As a result, public entities and recipients of Federal financial assistance are required to ensure the accessibility of pedestrian facilities in the public right-of-way, such as curb ramps, sidewalks, crosswalks, pedestrian signals, and transit stops in accordance with applicable regulations.

TA Set-Aside funds are available to improve accessibility and to implement recipients’ ADA transition plans and upgrade their facilities to eliminate physical obstacles and provide for accessibility for individuals with disabilities. The FHWA will provide oversight to recipients of TA Set-Aside funds to ensure that each public agency’s project planning, design, and construction programs comply with ADA and Section 504 accessibility requirements.

1. TA Set-Aside Program purpose.

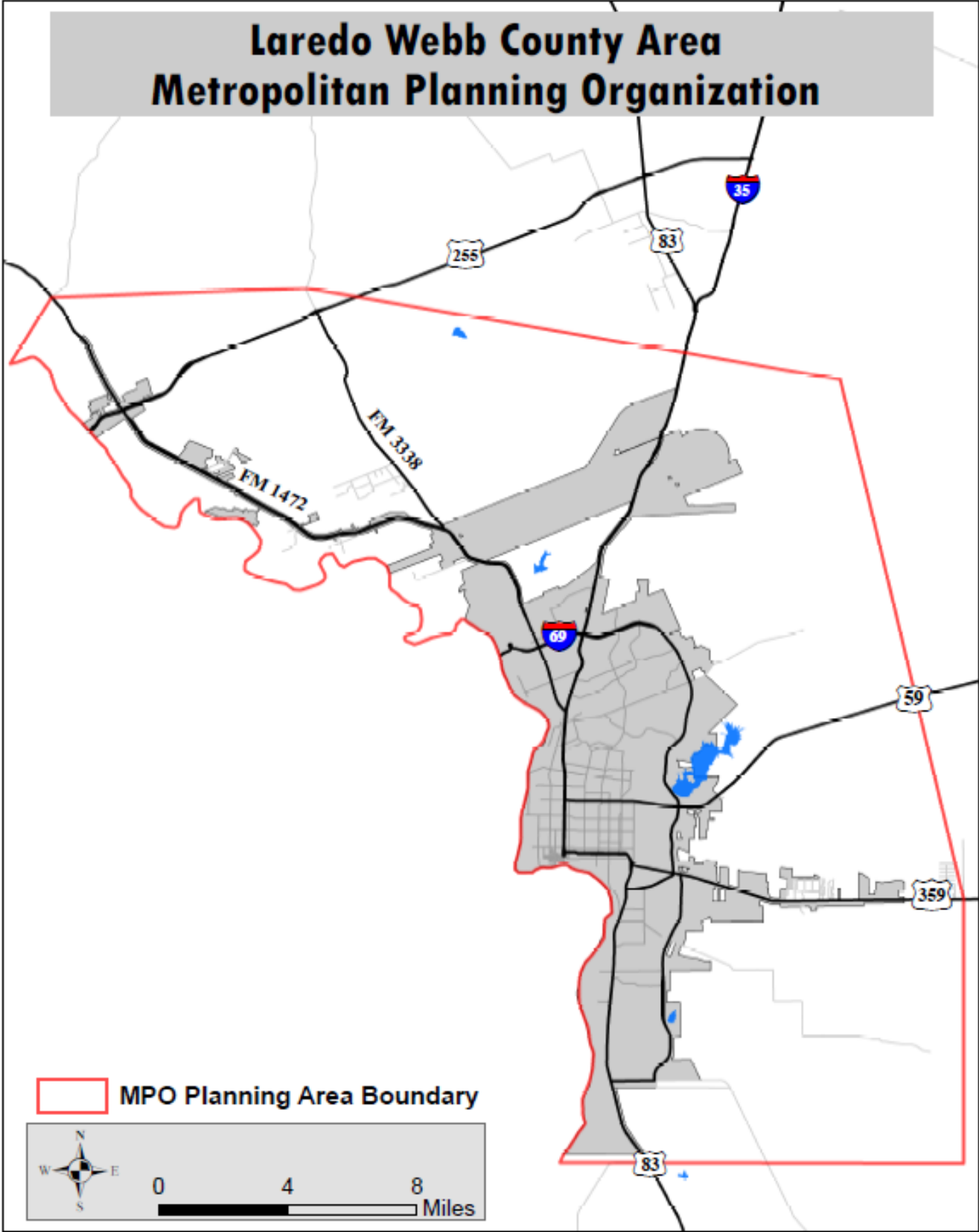
Under the Bipartisan Infrastructure Law (BIL), the TA Set-Aside from the Surface Transportation Block Grant (STBG) Program provides funding for a variety of generally smaller-scale transportation projects such as pedestrian and bicycle facilities; construction of turnouts, overlooks, and viewing areas; community improvements such as historic preservation and vegetation management; environmental mitigation related to stormwater and habitat connectivity; recreational trails; safe routes to school projects; and vulnerable road user safety assessments. With its eligibilities including bicycle and pedestrian facilities, safe routes to school projects, and vulnerable road user safety assessments, Transportation Alternatives is a key program for helping States build Complete Streets that are safe for all users and achieve safe, connected, and equitable on-and off-road networks.

As noted above, the BIL established several new requirements for TA Set-Aside funds, including a certification by the Secretary before funds from the TA Set-Aside may be transferred to other apportioned programs. Please study the rules and become familiar with all of the program requirements for the TA Set-Aside Program for the Laredo & Webb County Area MPO.

General types of projects eligible under TA Set-Aside Program for the Laredo & Webb County Area MPO include: on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, improved safety and access to schools, and boulevards and similar multi-modal roadways.

The Federally funded TA Set-Aside Program offers opportunities to expand transportation choices and enhance the transportation experience through several categories of activities related to the surface transportation system. The TA Set-Aside Program focuses on non-traditional transportation projects. TA Set-Aside Program projects must relate to surface transportation and be eligible under one or more of the qualifying categories.

MPO Planning Area Boundary Map



2. TA Set-Aside Program Facts.

The following list is not all inclusive; however, it identifies the most basic program facts. Please contact the Laredo & Webb County Area MPO early in the process for questions related to submitting an application package.

- a) Eligible TA Set-Aside projects must be sponsored by an eligible entity and selected through the competitive selection process.
- b) **Project sponsors** should design projects that clearly fit into the eligible categories defined in this document. It is the responsibility of the project sponsor to present how the project aligns with the guidelines for eligible project activities.
- c) **There is no limitation on the number of applications that may be submitted by an eligible entity.** However, entities (individual Departments) submitting more than one application must rank the projects by priority. In addition, a separate resolution of local cash-match commitment from the eligible entity project sponsor (e.g. local government/agency) must be provided for each submitted application.
- d) Federal guidance states that **projects must be principally for transportation** rather than purely recreational and must have logical endpoints. For example, if a project proposes a looped trail system within a city park, this would be considered recreational and would not be considered eligible. However, the route to that park is eligible.
- e) Consistent with other Federal-aid highway programs, **TA Set-Aside Program funds (Category 9) are administered by TxDOT.** After project selection, a determination will be made as to whether the project will be administered by TxDOT or the local entity.
- f) **The TA Set-Aside Program is not a grant.** The funds provided are on a cost reimbursement basis. Therefore, it is important to understand that the applicant will need adequate cash flow to accommodate the payment of 100 percent of the project costs. Applicants will be reimbursed with the Federal portion after the work has been accomplished.
- g) **The local match must be cash.** A resolution of local cash-match commitment from the eligible entity project sponsor (e.g. local government/agency) must be provided with the application. In certain limited circumstances, **in-kind contributions non-cash donations may be considered** but only after consultation with FHWA and TxDOT. Consultation should occur prior to application submission.
- h) **The eligible entity project sponsor** is responsible for any and all cost overruns.
- i) **The Laredo & Webb County Area MPO Policy Committee will approve all final projects and funding levels.**

- Itemized budgets submitted for **TA Set-Aside Program** funding will be reviewed by the Federal Highway Administration (FHWA), TxDOT, and the Laredo MPO to ensure work activities are eligible and itemized costs are reasonable.
 - Project application requests for **TA Set-Aside Program** funds are subject to funding availability.
- j) **Prior to Project Letting.** Applicants must have a fully executed Advanced Funding Agreement (AFA) with the Laredo TxDOT District and comply with all applicable state and federal requirements related to the development of federal-aid highway projects. The AFA must be executed within one year from the date of selection by the MPO Policy Committee or risk loss of federal funding.
 - k) **Administrative Fee.** TxDOT may impose an administrative fee of up to 15% of the project cost. The fee is an eligible expense covered with awarded funds but for which applicants must account when calculating the availability of funds for construction.
 - l) **Selected projects** must be included in the MPO's Transportation Improvement Program (TIP) and the Statewide Transportation Improvement Program (STIP) prior to project letting.
 - m) **Commence Construction.** TA Set-Aside Program Projects must advance to construction within three (3) years from the date of selection by the MPO Policy Committee or risk loss of federal funding.
 - n) **All on-system projects** must follow TxDOT procedures.
 - o) **Regardless of whether the projects are located** within the right-of-way of a Federal-aid highway, the treatment of projects will require: project agreements, authorization to proceed prior to incurring costs, prevailing wage rates (Davis-Bacon Act, Buy America, and competitive bidding).
 - p) **Projects should benefit the general public, and not only a private entity.**
 - q) TA Set-Aside Program projects are not required to be located **along Federal-aid highways.**

B. ELIGIBLE ENTITIES

Under 23 U.S.C. 133(h)(4)(A), the eligible entities to receive TA Set-Aside Program funds are:

1. **A local government.** Local government entities include any unit of local government below a State government agency, except for an MPO representing an urbanized area with a population over 200,000. Examples include city, town, township, village, borough, parish, or county agencies.
2. **A regional transportation authority.** Regional transportation authorities are considered the same as the Regional Transportation Planning Organizations defined in the statewide planning section (23 U.S.C. 135(m)).
3. **A transit agency.** Transit agencies include any agency responsible for public transportation that is eligible for funds as determined by the Federal Transit Administration.
4. **A natural resource or public land agency.** Natural resource or public land agencies include any Federal, Tribal, State, or local agency responsible for natural resources or public land administration. Examples include:
 - State or local park or forest agencies.
 - State or local fish and game or wildlife agencies.
 - Department of the Interior land management agencies.
 - U.S. Forest Service.
5. **A school district, local education agency, or school.** School districts, local education agencies, or schools may include any public or nonprofit private school. Projects should benefit the general public and not only a private entity.
6. **A Tribal government.**
7. **A nonprofit entity.** The BIL removed the requirement that the nonprofit entity be responsible for the administration of local transportation safety programs.
8. **Any other local or regional governmental entity with responsibility for oversight of transportation or recreational trails** (other than a metropolitan planning organization that serves an urbanized area with a population of over 200,000 or a State agency) that the State determines to be eligible, consistent with the goals of 23 U.S.C. 133(h).

C. ELIGIBLE PROJECTS OR ACTIVITIES

The BIL retained previous TA Set-Aside eligibility, amended the reference for SRTS projects, and added activities in furtherance of a vulnerable road user safety assessment, as defined in 23 U.S.C. 148(a). See 23 U.S.C. 133(h)(3).

The BIL also added eligibility for State DOTs to use funds for administrative and technical assistance, limited to 5 percent of the TA Set-Aside fund (after the RTP set-aside). 23 U.S.C. 133(h)(6)(C).

TA Set-Aside eligible projects consist of:

Section 133(h)(3)(A): Projects or Activities described in 23 U.S.C. 101(a)(29) or 23 U.S.C. 213 as in effect prior to the enactment of the FAST Act. Those sections contained the following eligible projects:

1. **Transportation Alternatives** as defined in 23 U.S.C. 101(a)(29) as it appeared prior to changes made by the FAST Act: The term “transportation alternatives” means any of the following activities when carried out as part of any program or project authorized or funded under title 23 U.S.C., or as an independent program or project related to surface transportation:
 - a) Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic-calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
 - b) 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.
 - c) Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
 - d) Construction of turnouts, overlooks, and viewing areas.
 - e) Community improvement activities, including:
 - Inventory, control, or removal of outdoor advertising;
 - Historic preservation and rehabilitation of historic transportation facilities;
 - Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control (see State DOTs Leveraging Alternative Uses of the Highway Right-of-Way Guidance); and,
 - Archaeological activities relating to impacts from implementation of a transportation project eligible under title 23, U.S.C.
 - f) Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to:
 - address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff

- reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

2. The Recreational Trails Program (RTP) under 23 U.S.C. 206 of title 23 provides funds to the States to develop and maintain recreational trails and trail-related facilities for both nonmotorized and motorized recreational trail uses. The RTP is an assistance program of the Department of Transportation's Federal Highway Administration (FHWA). Federal transportation funds benefit recreation including hiking, bicycling, in-line skating, equestrian use, cross-country skiing, snowmobiling, off-road motorcycling, all-terrain vehicle riding, four-wheel driving, or using other off-road motorized vehicles. Any project eligible under the RTP also is eligible under the TA Set-Aside.

3. The Safe Routes To School (SRTS) program. The SRTS is a cross cutting program that empowers communities to make walking and bicycling to school a safe and routine activity once again. The Program makes funding available for a wide variety of programs and projects, from building safer street crossings to establishing programs that encourage children and their parents to walk and bicycle safely to school.

The purpose of this program is:

- a) To enable and encourage children, including those with disabilities, to walk and bicycle to school;
- b) To make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and
- c) To facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

For purposes of this Call For Projects, the STRS program category includes similar “Active Transportation” category projects that improve safety and access to any public or private school including elementary, secondary, and higher education institutions.

Funds are available for **infrastructure-related projects** and **noninfrastructure-related activities**:

➤ **Infrastructure-related projects.**

Amounts apportioned to a State under this section may be used for construction of infrastructure-related projects that will substantially improve the ability of students to walk and bicycle to school, including but not limited to the following:

- **Sidewalk improvements:** new sidewalks, sidewalk widening, sidewalk gap closures, sidewalk repairs, curbs, gutters, and curb ramps.
- **Traffic calming and speed reduction improvements:** roundabouts, bulb-outs, speed humps, raised crossings, raised intersections, median refuges, narrowed traffic lanes, lane reductions, full- or half-street closures, automated speed enforcement, and variable speed limits.
- **Pedestrian and bicycle crossing improvements:** crossings, median refuges, raised crossings, raised intersections, traffic control devices (including new or upgraded traffic signals, pavement markings, traffic stripes, in-roadway crossing lights, flashing beacons, bicycle-sensitive signal actuation devices, pedestrian

countdown signals, vehicle speed feedback signs, and pedestrian activated signal upgrades), and sight distance improvements.

- **On-street bicycle facilities:** new or upgraded bicycle lanes, widened outside lanes or roadway shoulders, geometric improvements, turning lanes, channelization and roadway realignment, traffic signs, and pavement markings.
- **Off-street bicycle and pedestrian facilities:** exclusive multi-use bicycle and pedestrian trails and pathways that are separated from a roadway.
- **Secure bicycle parking facilities:** bicycle parking racks, bicycle lockers, designated areas with safety lighting, and covered bicycle shelters.
- **Traffic diversion improvements:** separation of pedestrians and bicycles from vehicular traffic adjacent to school facilities, and traffic diversion away from school zones or designated routes to a school.

The above listing is not inclusive of all eligible projects; other types of projects may also be eligible if they meet the objectives of reducing speeds and improving pedestrian and bicycle safety and access.

Planning, design, and engineering expenses, including consultant services, associated with developing eligible infrastructure-related projects are also eligible to receive infrastructure funds.

Projects constructed with these funds must be accessible to persons with disabilities, per the Americans with Disabilities Act Accessibility Guidelines (ADAAG) at 28 CFR Part 36, Appendix A, as enforced by the U.S. Department of Justice and FHWA, and as required under Section 504 of the Rehabilitation Act.

Project Location.

Public funds must be spent on projects within the public right-of-way (ROW). This may include projects on private land that have public access easements. Public property includes lands that are owned by a public entity, including those lands owned by public school districts. Construction and capital improvement projects also must be located within approximately two miles of a primary or middle school (grades K-8). Schools with grades that extend higher than grade 8, but which include grades that fall within the eligible range, are also eligible to receive infrastructure improvements.

For projects on private land, there must be a written legal easement or other written legally binding agreement that ensures public access to the project. There must be an easement filed of record, which specifies the minimum length of time for the agreement to maximize the public investment in the project. The project agreement should clearly state in writing:

- The purpose of the project.
- The minimum timeframe for the easement or lease.
- The duties and responsibilities of the parties involved.
- How the property will be used and maintained in the future.

The project must remain open for general public access for the use for which the funds were intended for the timeframe specified in the easement or lease. The public access should be comparable to the nature and magnitude of the investment of public funds. Reversionary clauses may be appropriate in some instances. These clauses would assure that if the property is no longer needed for the purpose for which it was acquired, it would revert to the original owner.

For real property acquisition, all project sponsors must comply with the provisions of the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*. Regulations implementing this Act are found in *49 CFR Part 24*. These regulations will be applied to evaluating the acquisition of real property and any potential displacement activities.

➤ **Noninfrastructure-related activities.**

Amounts apportioned to a State under this section may be used for activities to encourage walking and bicycling to school, including but not limited to the following:

- Public awareness campaigns and outreach to press and community leaders,
- Traffic education and enforcement in the vicinity of schools,
- Student sessions on bicycle and pedestrian safety, health, and environment, and
- Funding for training, volunteers, and managers of safe routes to school programs.

Noninfrastructure funds may be used for different purposes including but not limited to the following:

- Creation and reproduction of promotional and educational materials.
- Bicycle and pedestrian safety curricula, materials and trainers.
- Training, including SRTS training workshops that target school- and community-level audiences.
- Photocopying, duplicating, and printing costs, including CDs, DVDs, etc.
- Mailing costs.
- Costs for additional law enforcement or equipment needed for enforcement activities.
- Equipment and training needed for establishing crossing guard programs.

Activity Location.

Traffic education and enforcement activities must take place within approximately two miles of a primary, middle, or high school (Kindergarten through 12th grade) (23 U.S.C. 208(a) and (g)(2)(A)). Other eligible activities under the noninfrastructure portion of the SRTS program do not have a location restriction. Education and encouragement activities are allowed at private schools as long as other non-infrastructure program criteria are fulfilled.

NOTE: Projects and activities in each category should directly support increased safety and convenience for elementary and middle school children in grades K-8 to bicycle and/or walk to school. Projects may indirectly benefit high school age youth or the general public, however these constituencies cannot be the sole or primary beneficiaries.

- **SRTS coordinators** eligible under section 1404(f)(3) [now eligible under 23 U.S.C. 208(g)(3)].

4. **Planning, designing, or constructing Boulevards.** TA Set-Aside Program funds are eligible for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways often parallel to freeway facilities.

A boulevard is defined as:

- A walkable, low-speed (35 mph or less) divided arterial thoroughfare in urban environments designed to carry both through and local traffic, pedestrians and bicyclists.
- Boulevards may be long corridors, typically four lanes but sometimes wider, serve longer trips and provide pedestrian access to land.
- Boulevards may be high-ridership transit corridors.
- Boulevards are primary goods movement and emergency response routes and use vehicular and pedestrian access management techniques.
- Curb parking is encouraged on boulevards.

In accordance with FHWA guidance, an eligible "boulevard" project should demonstrate some of the following elements:

- Traffic calming measures.
- Context-sensitive bicycle and pedestrian facilities.
- Compliance with accessibility requirements and guidelines.
- Promotion of transit corridor through additional protected stops and routes.
- Environmentally efficient lighting, landscaping, and water-saving systems.

For purposes of the this Call for Projects, this category includes urban thoroughfares/boulevard roadways typically located in urban environments with low traffic speeds and designed with multi-modes of transportation including motor vehicles, bicyclists, pedestrians, and transit. These projects are context sensitive in design and consistent with the recommended practices set forth by the Institute of Transportation Engineers (ITE) *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach*, often including "walkable" streetscapes with pedestrian and transit user accommodations, on-street parking, and other amenities and design elements suitable for the adjoining land uses.

Source: ITE: *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach*, page 52.

5. Other Related Eligibility

Surface Transportation Block Grant Program (STBG). The BIL's STBG Program 23 U.S.C. 133(b)(7) clarifies eligibility for recreational trail projects including the maintenance and restoration of existing recreational trails, and amended the citation for the safe routes to school program under section 208. It also continues all prior STBG eligibilities (see in particular 23 U.S.C. 133(b)(22), as amended, which carries forward all pre-FAST Act eligibilities). But, also adds the following new eligibilities: [Except as noted, § 11109(a)(1)]

- Privately-owned, or majority-privately owned, ferry boats and terminal facilities that, as determined by the Secretary, provide a substantial public transportation benefit or otherwise meet the foremost needs of the surface transportation system [23 U.S.C. 133(b)(1)(B)];
- Wildlife crossing structures, and projects and strategies designed to reduce the number of wildlife-vehicle collisions [23 U.S.C. 133(b)(1)(G); 23 U.S.C. 133(b)(14)];
- The addition or retrofitting of structures or other measures to eliminate or reduce crashes involving vehicles and wildlife [23 U.S.C. 133(b)(3)];
- Projects eligible under 23 U.S.C 130 and installation of safety barriers and nets on bridges [23 U.S.C. 133(b)(5)];
- Maintenance and restoration of existing recreational trails [23 U.S.C. 133(b)(7)];
- Installation of electric vehicle (EV) charging infrastructure and vehicle-to-grid infrastructure [23 U.S.C. 133(b)(15)];
- Installation and deployment of current and emerging intelligent transportation technologies [23 U.S.C. 133(b)(16)];
- Planning and construction of projects that facilitate intermodal connections between emerging transportation technologies, such as magnetic levitation and hyperloop [23 U.S.C. 133(b)(17)];
- Protective features, including natural infrastructure, to enhance resilience of an eligible transportation facility [23 U.S.C. 133(b)(18)];
- Measures to protect an eligible transportation facility from cybersecurity threats [23 U.S.C. 133(b)(19)];
- Conducting value for money analyses or similar comparative analyses of public-private partnerships [§ 11508(d)(2); 23 U.S.C. 133(b)(21)]
- [Up to 5% of STBG apportionment] rural barge landing, docks, and waterfront infrastructure in a rural community or Alaska Native village that is off the road system; [§11109(a)(7); 23 U.S.C. 133(b)(23) and (j)];
- Projects to enhance travel and tourism [23 U.S.C. 133(b)(24)];
- Replacement of low-water crossing with a bridge not on a Federal-aid highway [§ 11109(a)(2)(D); 23 U.S.C. 133(c)(4)];
- Capital projects for the construction of a bus rapid transit corridor or dedicated bus lane [§ 11130; 23 U.S.C. 142(a)(3)]; and
- [Up to 15% of STBG apportionment] may be used on otherwise STBG-eligible projects or maintenance activities on roads functionally classified as rural minor collectors or local roads, ice roads, or seasonal roads, may be transferred to the Appalachian Highway System Program or the Denali Access System Program [§11109(a)(7); 23 U.S.C. 133(k)].

- a) **Highway Safety Improvement Program (HSIP).** The HSIP is the projects, activities, plans, and reports carried out under 23 U.S.C. 148. FHWA has developed a wide variety of resources to help States **plan** highway safety improvement projects using a performance-driven process; **implement** those projects; **evaluate** the effectiveness of past projects and **report** annually on the status of HSIP implementation efforts. 23 U.S.C. 148(a)(11)(B)(v) added SRTS non-infrastructure projects as eligible under HSIP as a specified safety project. Many activities eligible under the TA Set-Aside already were eligible under HSIP, subject to HSIP criteria.
- b) **Shared Micromobility and Electric Bicycles.** A project or program is eligible under Congestion Mitigation and Air Quality Improvement (CMAQ) if it “shifts traffic demand to nonpeak hours or other transportation modes, increases vehicle occupancy rates, or otherwise reduces demand for roads through such means as shared micromobility transportation facilities (including bikesharing and shared scooter systems)” and, also for construction of pedestrian walkways for carrying out nonconstruction projects related to safe access for bicyclists and pedestrians. Electric bicycles may be allowed on nonmotorized trails and pedestrian walkways that use Federal-aid funds. Therefore, electric bicycle infrastructure is eligible under the TA Set-Aside.
- c) **Bicycle projects** funded by TA Set-Aside funds (as well as any STBG funds) may be for both transportation and recreational purposes

6. **Ineligible Activities**

TA Set-Aside funds cannot be used for the following activities of eligible projects:

- MPO administrative purposes. (Except list under Allocating Indirect Costs to Projects per Memo dated September 4, 2015).
- Promotional activities. (Except as permitted under the SRTS, non-Infrastructure implementation activities related to education, encouragement, and enforcement)
- Routine maintenance and operations. (Except trail maintenance and restoration as permitted under the RTP)
- General recreation and park facilities, playground equipment, sports fields, campgrounds, picnic areas, pavilions, or other facilities that do not serve an eligible TA Set-Aside, RTP, or SRTS purpose.

Note: BIL amended 23 U.S.C. 206 to add subsection (j), which states:

USE OF OTHER APPORTIONED FUNDS. Funds apportioned to a State under section 104(b) that are obligated for a recreational trail or a related project shall be administered as if the funds were made available to carry out this section.

This means that TA Set-Aside and STBG funds that are obligated for RTP projects are to be administered as if they were made available to carry out 23 U.S.C. 206. Therefore, the treatment of projects provision in 23 U.S.C. 133(i) would not apply to such projects.

D. FUNDING AND MATCH REQUIREMENTS

TA Set-Aside is not a grant program in that no money is provided upfront. Approved costs are reimbursed only after an Advanced Funding Agreement (AFA) between TxDOT and the project sponsor is signed and a Resolution is authorized for the project. In order to get an approved Resolution, the project must obtain the following clearances: right-of-way clearance, utility clearance, railroad clearance, environmental (NEPA) clearance, and have an approved Plan, Specification and Estimate (PS&E) package. No activities performed prior to obtaining the Resolution are reimbursable through the awarded funding

TA Set-Aside funds are contract authority with obligations reimbursed from the Highway Account of the Highway Trust Fund.

TA Set-Aside funds are subject to the annual obligation limitation imposed on the Federal-aid Highway Program.

TA Set-Aside funds are available for obligation for a period of 3 years after the last day of the fiscal year for which the funds are authorized. Failure to obligate the funds results in the loss of the funding. The funds will revert back to Laredo MPO for re-allocation at the regional level.

1. Funding Target

The Laredo & Webb County Area MPO Policy Committee has established the following funding target **\$1,000,000** as the maximum funding award per project in the Laredo MPO planning area. There is no limitation on the number of project awards per Eligible Entity receiving TA Set-Aside Program funds. However, Eligible Entities must provide proof of local match funding availability for each of the Entity's submitted project applications.

2. Minimum Local Match Requirements

The Laredo MPO Policy Committee has established a minimum local match requirement of 20 percent with projects eligible for reimbursement of up to 80 percent of allowable costs. The local match must be cash except that in certain limited circumstances in-kind contributions non-cash donations may be considered but only after consultation with FHWA and TxDOT

Approximately \$714,000 are anticipated to be available in Category 9 to fund projects under the TA Set-Aside Program in the Laredo Metropolitan Planning Area for fiscal years 2022, 2023 and 2024 for a total amount of approximately \$2.1 Million. Said funds require a 20% match, or \$142,800 in matching funds per year, totaling \$856,800 in total project costs per year.

E. PROGRAM CALL FOR PROJECTS SEQUENCE OF EVENTS

Events	Proposed Dates
Present final draft guidelines to Active Transportation Committee	July 27, 2022
Present final draft guidelines to Technical Committee	August 9, 2022
Present final draft guidelines to Policy Committee & authorize Call for Projects	September 21, 2022
Hold workshops for potential applicants	Sept/Oct 2022
Application deadline	November 18, 2022
Review applications	Nov/Dec 2022
Final selection by Policy Committee	Jan. 2023

The Laredo & Webb County Area MPO (LWCAMPO) Policy Committee, with assistance of MPO Staff, is responsible for selecting projects for the Laredo MPO Planning Area through a competitive process.

For projects selected by LWCAMPO, the local project sponsor is responsible for completing all pre-construction activities (design, environmental clearance, right-of-way and utility relocation/coordination) with local funds. Category 9 funds can then be used to reimburse project sponsors for 80% of the costs that were paid by the local entity, up to the awarded amount. Construction inspection and construction management activities associated with approved projects are eligible uses of TA Set-Aside funds.

1. Application Process.

Project nominations must be coordinated with and delivered to City of Laredo, City Secretary's office before the deadline. Project nominators are limited to local entities eligible to receive and manage Federal transportation funds.

2. Competitive Evaluation and Selection Process.

The Laredo MPO Policy Committee seeks to prioritize investments in multi-modal transportation projects including facilities for pedestrians, bicyclists, and other non-drivers through the TA Set-Aside program.

Projects submitted under this Call for Projects will be evaluated to identify the projects or programs that represent the best use of available funds by implementing the priorities adopted by the MPO Policy Committee and the transportation needs of local communities and the region.

The Laredo MPO Staff will review each project to ensure that all of the requested documentation has been included. Nomination packages failing to include any of the requested documentation will be considered incomplete and will not be given further consideration. The Laredo MPO will coordinate Federal eligibility with TxDOT and FHWA.

The Laredo MPO will create a committee of Active transportation, Technical and MPO Staff members to evaluate eligible projects that are submitted by eligible entities through a competitive process for the Laredo MPO area. Recommended projects and specific funding allocations under the competitive process will be provided to the MPO Technical and Policy Committee.

The LWCAMPO Policy Committee will make final selection of projects and funding allocations.

The Laredo MPO will notify all selected project nominating entities. Consistent with other Federal-aid highway programs, TA Set-Aside Program funds are administered by TxDOT.

3. **Evaluation category and scoring criteria.** Project evaluations applications submitted for this Call for Projects will be based on evaluation criteria, scoring points, and other factors as approved by the Laredo MPO Policy Committee and listed on the following page.

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EVALUATION CATEGORY	SCORING (POINTS)	DESCRIPTION	FACTORS
Enhancing Network Connectivity	20	Improves connections between neighborhoods, and community facilities	Network connectivity (gap closures, extension of facilities). Facilities providing access to major destinations or bus stops, trails, sidewalks, on-street bicycle facilities. Connects to existing facility on active transportation network.
Implementing an Existing Plan	15	Improves ability to use walking and bicycling facilities for everyday activities including travel to work, school, and shopping. Proposed project or facility list is recommended in the LWCAMPO Active Transportation Plan or Metropolitan Transportation Plan	Implements a planned facility in any local ON-Street Bicycle Facility Plan, Pedestrian Facility Plan, SRTS Plan, or the related community Master Plan adopted by the City or County Government Body (i.e. Viva Laredo Comprehensive Plan, Active Transportation Plan, Metropolitan Transportation Plan)
Promoting Health	10	Improves access to physical fitness/wellness facilities, (e.g. bike/hike trails, medical plaza(s)/hospitals and/or clinics) Improves knowledge of facility locations, (e.g. wayfinding signs)	Promotes healthy activities Provides access to health facilities
Improving Safety	15	Provides safer and less intimidating facilities for pedestrians, bicyclists, and other non-drivers	Improving safety in areas with high numbers of crashes. Improving crossings, signalization, traffic calming. Provides separate facilities for various transportation modes.
Reducing Barriers	10	Improves access and/or provides safe crossings for pedestrians, bicyclists, and other non-drivers at an existing obstacle to travel.	Provides a grade-separated crossing under or over a barrier (e.g. water body, major roadways, railroads)
Creating Economic Development Opportunities	5	Provides access to major destinations, job centers, and large number of residents or employees	Proximity to employment districts, schools, households, and other special generators. Provides direct connections to transit (shared use paths, sidewalks, and on street bikeways). Provides access to job centers. Investment provides increased benefit to the community and the region through revitalization, redevelopment, and job creation
Providing Environmental Benefits	5	Helps reduce congestion and improves air quality	Congestion and air quality benefits. Benefits and impacts to the environment
Serving Disadvantaged (Environmental Justice) Areas	5	Provides access in underserved communities	Improves access for areas with greater percentages of minorities and low-income households compared to the planning area average
Project Readiness	15	Project readiness/ability to initiate construction	Associated with TxDOT proposed "off-system" roadways. Status of stakeholder/community feedback and support. Status of engineering/design. Community partnership/support.
TOTAL	100		

F. PROJECT IMPLEMENTATION

Projects must be developed as approved by the Laredo MPO Policy Committee and as included in the project agreement with TxDOT. Changes in items of work or project scope that occur without advance TxDOT approval will not be reimbursed. The construction contractor will, in all cases, be chosen through a competitive bidding process approved by TxDOT. The contract will be awarded to the lowest responsive bidder.

Entities applying must ensure that the project timeline reported is realistic. The MPO and/or TxDOT may request periodic project status reports. Semi-annual reports to the MPO Policy Committee may be required after an entity enters into a project agreement with TxDOT.

The BIL modified reporting requirements for the TA Set-Aside under 23 U.S.C. 133(h)(8). FHWA will issue new reporting instructions in the fall of 2022.

Please remember that the project may be eliminated from the program if:

- Implementation of the project would involve significant deviation from the activities as proposed in the nomination form;
- A construction contract has not been awarded or construction has not been initiated by the local entity within four years from the date of selection; or
- The project agreement is not executed with TxDOT within one (1) year after the project is selected by the Laredo MPO Policy Committee.

The Laredo MPO Policy Committee reserves the right to remove funding from a project for which the local sponsor is unable or unwilling to sign an agreement to implement the project or cannot provide the required minimum local match.

3. Discussion on Category 7 funding availability and establishing a policy and strategy to allocate future Category 7 funds.



MPO POLICY COMMITTEE MEETING

www.laredompo.org

Meeting Date & Time: August 17th, 2022 at 1:30 p.m.

Meeting Location: City of Laredo Council Chambers, 1110 Houston St., Laredo, Texas 78040

Meeting Link: <http://laredotx.swagit.com/live>

Laredo TV: Spectrum TV channel 1300

AGENDA:

- I. CHAIRPERSON TO CALL MEETING TO ORDER
- II. CHAIRPERSON TO CALL ROLL
- III. CITIZEN COMMENTS

Speakers are required to fill out witness cards, which must be submitted to MPO Staff no later than 1:45 p.m. the day of the meeting. Speakers shall identify themselves at the microphone. Comments are limited to three (3) minutes per speaker. No more than three (3) persons will be allowed to speak on any side of an issue. Should there be more than three (3) people who wish to speak on a specific issue, they should select not more than three (3) representatives to speak on their behalf. The presiding officer may further limit public on the interest of order or time. Speakers may not transfer their minutes to any other speaker. Comments should be relevant to MPO business and delivered in a professional manner. No derogatory remarks shall be permitted.

IV. ITEMS REQUIRING POLICY COMMITTEE ACTION:

- A. Approval of the minutes for the meeting held on July 20th, 2022.
- B. Discussion with possible action on the Hachar-Reuthinger Road project.

V. REPORT(S) AND PRESENTATIONS (No action required).

- A. Presentation on Planning and Environmental Linkages (PEL) by Federal Highway Administration (FHWA) representative, Kirk D. Fauver.

MPO POLICY COMMITTEE MEETING AGENDA

- B. Presentation by TxDOT on the status of ongoing projects.
- C. Status report by the Regional Mobility Authority (RMA).

VI. DIRECTOR'S COMMENTS

VII. ADJOURNMENT

NOTICE INFORMATION:

Notice of this meeting was posted at the municipal government offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted 72 hours before the meeting date and time. The agenda and meeting information was also posted online at <http://www.laredompo.org/agendas-minutes/>.

All meetings of the MPO Committee are open to the public. Persons who plan to attend this meeting and who may need auxiliary aid or services such as: interpreters for persons who are deaf or hearing impaired, readers of large print or Braille, or a translator for the Spanish language are requested to contact MPO Staff at 956-794-1613, or via email at aquijano@ci.laredo.tx.us at least two working days prior to the meeting so that appropriate arrangements can be made. Materials in Spanish may also be provided upon request.

Disability Access Statement: This meeting is wheelchair accessible. The accessible ramps are located at 1110 Victoria and 910 Flores. Accessible parking spaces are located at City Hall, 1110 Victoria.

Ayuda o Servicios Auxiliares: Todas las reuniones del Comité del MPO están abiertas al público. Personas que planean asistir a esta reunión y que pueden necesitar ayuda o servicios auxiliares como: interpretes para personas con discapacidad auditiva, lectores de letra grande o en Braille, o un traductor para el idioma español deben comunicarse con el personal del MPO al 956-794-1613 o por correo electrónico aquijano@ci.laredo.tx.us por lo menos dos días laborales antes de la reunión para que se puedan hacer los arreglos apropiados. Material en español está disponible mediante una petición.

Declaración de Acceso a la Discapacidad: Esta reunión permite el acceso a personas en silla de ruedas. Las rampas de acceso están ubicadas en 1110 Victoria y 900 Flores. Los espacios de estacionamiento para discapacitados se encuentran por la calle Victoria.

Información en español: Si usted desea esta información en español o si desea explicación sobre el contenido, por favor llámenos al teléfono (956) 794-1613 o comunicarse con nosotros mediante correo electrónico a aquijano@ci.laredo.tx.us.

MPO POLICY COMMITTEE MEETING AGENDA

POLICY COMMITTEE MEMBERSHIP:

City of Laredo Representatives:

Honorable Pete Saenz, Mayor and LWCAMPO Chairperson
Honorable Ruben Gutierrez, Jr., City Councilmember, District V
Honorable Dr. Marte Martinez, City Councilmember, District VI

County of Webb Representatives:

Honorable Tano E. Tijerina, Webb County Judge and LWCAMPO Vice-Chairperson
Honorable Jesse Gonzalez, Webb County Commissioner, Pct. 1
Honorable John Galo, Webb County Commissioner, Pct. 3

Laredo Mass Transit Board Representative:

Honorable Vanessa Perez, City Councilmember, District VII

State Representative:

Mr. David M. Salazar, Jr. P.E., TxDOT District Engineer

Private Sector Representative (Member at Large):

Mr. Humberto "Tito" Gonzalez, Jr., P.E.

Ex-Officio Representatives:

Honorable Judith Zaffirini, State Senator, District 21
Honorable Richard Raymond, State Representative, District 42
Honorable Tracy O. King, State Representative, District 80

AGENDA REVIEWED:

Juan S. Mendive,
LWCAMPO Interim Director

Jose A. Valdez, Jr.
Laredo City Secretary

5. Discussion of old or new business.
6. Adjournment