



# OahuMPO Transportation Alternatives Program

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Guide for Sponsors and Applicants

Approved by the OahuMPO Policy Committee

**May 19, 2015**

This guide focuses upon the Transportation Alternatives Program (TAP) for the Oahu Metropolitan Planning Organization (OahuMPO) and, as such, applies only to TAP activities on the island of Oahu.

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## Introduction and Background

The Transportation Alternatives Program (TAP) is a competitive grant program that provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, and community improvement activities. The Federal government provides funding for TAP through its surface transportation legislation. It is a reimbursement program, meaning that all project costs must be paid for locally, and then appropriate documentation may be submitted for up to 80 percent Federal reimbursement of those costs.

TAP was authorized by the most recent Federal transportation enabling legislation, *Moving Ahead for Progress in the 21st Century* (MAP-21), which was signed into law by President Obama on July 6, 2012. The State of Hawaii receives the State's TAP funding. Fifty percent of TAP funds are distributed to areas based on population (sub-allocated). Each state and MPO for urbanized areas with more than 200,000 people must conduct a competitive application and award process. In Hawaii, the Oahu Metropolitan Planning Organization (OahuMPO) shall select projects, in consultation with the Hawaii Department of Transportation (HDOT), for use of the portion of the sub-allocated funds for areas with more than 200,000 people.

This guide describes and defines the following features of the OahuMPO TAP:

- OahuMPO's priorities for its TAP program, based upon the goals and objectives of the Oahu Regional Transportation Plan (ORTP);
- Eligibility requirements for a project to receive TAP funding;
- OahuMPO's process to solicit and select proposed TAP projects on Oahu;
- Responsibilities of the project Sponsor (hereinafter "Sponsor"); and
- Programming of TAP projects into the Transportation Improvement Program (TIP).

## Program Goals and Priorities

The OahuMPO TAP has identified the following goals as related to TAP objectives and scope:

- Support the regional priorities as defined in the ORTP;
- Support and enhance Complete Streets initiatives on Oahu;
- Support and encourage equity for all communities by providing multi-modal connections and transportation options, especially for Transit-Oriented Development neighborhoods and for those who are traditionally underserved; and
- Encourage and support the implementation of projects identified in existing State and County bicycle and pedestrian plans.

## Nature of the Program

TAP is a part of the United States Department of Transportation's Federal-aid Highway Program. Although the program is a "grant" program under Federal regulation, it is not an "up-front" grant program. Funds are available on a reimbursement basis. This means sponsors and/or applicants must finance the costs of the project when expenditures are incurred. The project sponsor must match the Federal TAP funds on an 80-20 Federal/non-Federal basis. Recipients of TAP funds may submit requests for reimbursement on a progress payment basis.

Only *after* a project has been approved by the OahuMPO can costs become eligible for reimbursement. Project costs incurred prior to approval and award of TAP funds are the sole responsibility of the project sponsor.

Any project for which TAP funds are being requested must have come from the most recently adopted ORTP or be consistent with the regional goals and objectives of the ORTP. It is the applicant's responsibility to demonstrate this consistency within the application.

All projects must also be consistent with the City & County of Honolulu's Complete Streets<sup>1</sup> policy. Complete Streets, in general, consists of the following objectives:

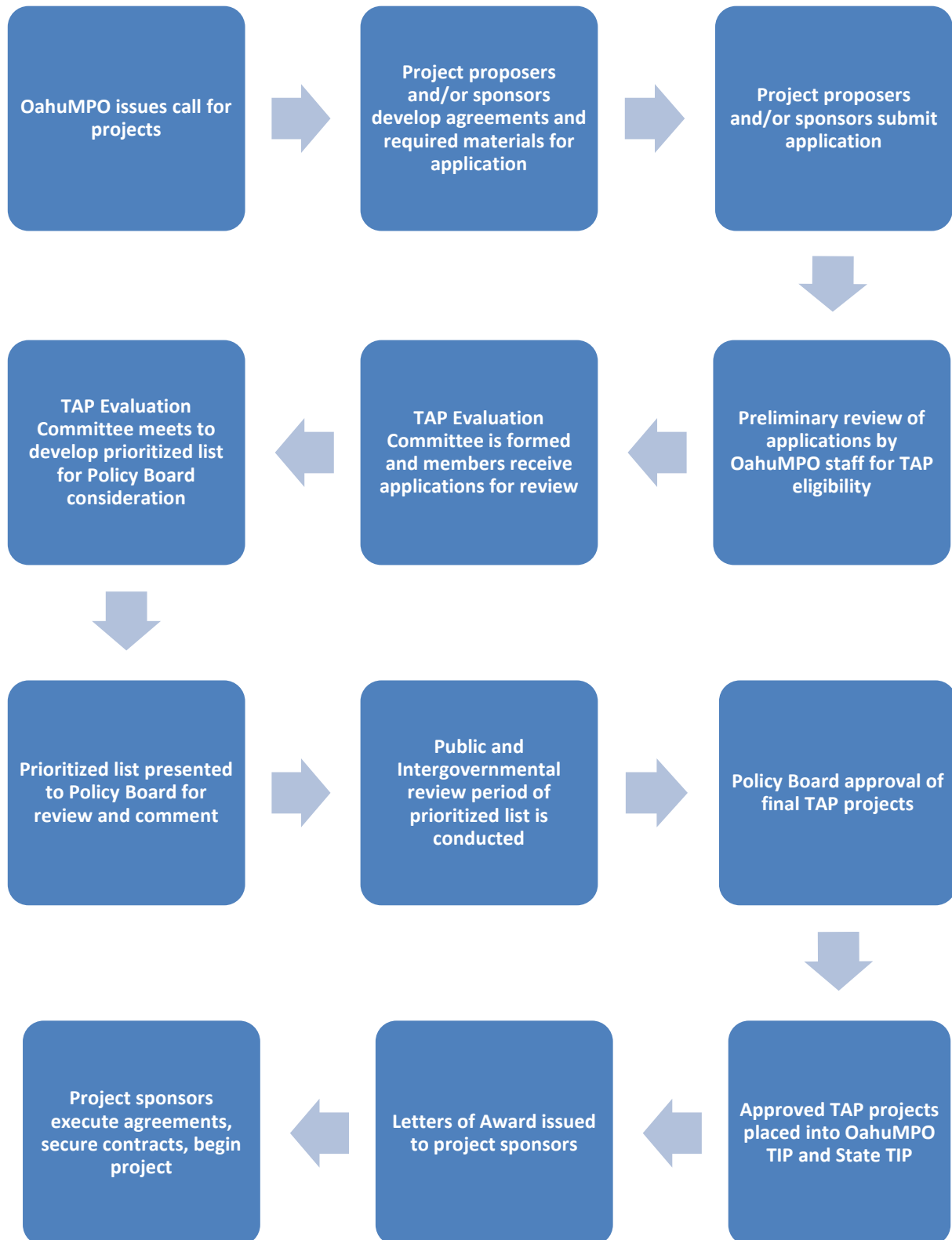
- Improve safety;
- Apply a context-sensitive solution process that integrates community context with its surrounding environment, including land use;
- Protect and promote accessibility and mobility for all;
- Balance the needs and comfort of all modes and users;
- Improve energy efficiency in travel and mitigate vehicle emissions by providing non-motorized transportation options;
- Encourage opportunities for physical activity.

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<sup>1</sup> The City and County of Honolulu Complete Streets Manual is currently being developed and will serve as a guide for the implementation of the Complete Streets Ordinance that became law in 2012.

## Program Process

Figure 1: Transportation Alternatives Program Process



## Program Structure

### Funding

The State's TAP funding is determined by dividing the national total among the States based on each State's proportionate share of Fiscal Year 2009 Transportation Enhancements funding.

First, there is a sub-apportionment for the Recreational Trails Program to the Department of Land and Natural Resources Na Ala Hele Trails Program, which is taken off the top of the State's total TAP funding. Of the remaining balance, 50 percent is sub-allocated to areas based on population, while the other 50 percent may be obligated to any area of the State. Of the 50 percent sub-allocated based on population, the amount attributable to large urbanized areas (over 200,000 people) will be administered by OahuMPO in consultation with HDOT. The divisions for the population-based sub-allocation are:

1. In urbanized areas of the State with an urbanized area population of over 200,000, also known as a Transportation Management Area; this, for Oahu, is determined to be the entire island;
2. In areas of the State other than urban areas with a population greater than 5,000; and
3. In areas of the State with a population less than 5,000.

TAP is funded by contract authority from the Highway Account of the Highway Trust Fund. TAP funds are subject to the annual obligation limitation imposed on the Federal-aid highway program.

### Eligible Activities

The following activities, as authorized in MAP-21 for TAP funding, are considered eligible activities for OahuMPO's program. Eligible projects must relate to surface transportation, be located within the planning area of the MPO (Oahu), be located on publicly-accessible lands, and consist of one of the following:

1. 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.
2. Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes<sup>2</sup> for non-drivers – including children, older adults, and individuals with disabilities – to access daily needs.
3. Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.

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<sup>2</sup> Safe Routes to School projects are eligible for TAP funding. Safe Routes to School funds available before MAP-21, are administered by HDOT under their SRTS program: <http://hidot.hawaii.gov/highways/srts/>



TAP funds cannot be used for:

- State or MPO administrative purposes, except for SRTS administration.
- Promotional activities, except as permitted under the SRTS,
- General recreation and park facilities, playground equipment, pavilions, etc., and
- Routine maintenance and operations.
- Right-of-Way (ROW) acquisition

### **Eligible Applicants**

The following entities are eligible to apply for OahuMPO's Transportation Alternatives Program Funding:

- Local Governments (e.g., Department of Transportation Services, Department of Planning and Permitting)
- Regional Transportation Authorities (e.g., Honolulu Authority for Rapid Transportation)
- Transit Agencies (e.g., Department of Transportation Services)

### **Sponsor Agencies**

Not-for-profit organizations may only apply for OahuMPO's TAP funding when partnered with Local Governments (e.g., Department of Transportation Services, Department of Planning and Permitting)

### **Eligible Costs**

Only certain costs are eligible for reimbursement through the OahuMPO TAP. An obligation occurs when a project is approved and a project agreement is executed between the project sponsor and OahuMPO. Although considerable time and money may have already been spent developing a project, an obligation marks the beginning of project costs which are eligible for reimbursement. Any design, project development, engineering, and environmental work conducted following receipt of a Notice of Award and obligation of funds are eligible.

Neither acquisition of property rights nor acquisition of ROW is an eligible expense. Any costs associated with maintenance or general planning studies are also ineligible. The term "construction" means the supervising, inspecting, actual building, and incurring of all costs incidental to the construction in performing Federal-aid project-related audits that directly benefit the Federal-aid highway program. For example, costs associated with construction management or environmental mitigation to address inadvertent findings would be eligible for reimbursement.

## Local Match

The Federal government will pay for up to 80 percent of eligible project costs for a TAP project. A local match is required to pay for 20 percent or more of the remaining project costs. Noncash or in-kind contributions as a local match will not be accepted. There is neither a minimum nor a maximum amount of funding that may be requested in a project submittal. Project budgets may include a reasonable contingency amount. However, TAP grants are a not-to-exceed amount, so any project cost overruns above and beyond the project budget are solely the responsibility of the sponsor agency. The limited TAP funds available to OahuMPO will constrain the number of eligible projects receiving awards.

## Project Sponsor Responsibilities

The project sponsor must assure that 100 percent of the project funding is available.

**IMPORTANT: TAP is a reimbursement program – meaning that 100 percent of the project costs must be paid for locally. A request is then sent to OahuMPO for reimbursement of up to 80 percent of those costs.**

The sponsor is responsible for the development and implementation of the project, including paying in full for qualified project expenses prior to applying for reimbursement of the Federal-aid eligible share. The sponsor must appoint a knowledgeable and qualified project manager who will see the project through to completion. This manager will maintain regular contact with the OahuMPO TAP Coordinator throughout the life of the project, and will provide quarterly updates as the project progresses through milestone activities. The project sponsor must provide assurances that an agency will maintain the proposed improvement at its sole cost and expense.

The project sponsor shall provide statement of certification showing experience with Federal-aid grant oversight.

The allocation of TAP funds is a “not-to-exceed” amount. Project cost overruns are solely the responsibility of the project sponsor. Project sponsors may apply for additional funding in future years, but additional allocation of TAP funds is not guaranteed. Reasonable and necessary contingency funds should be included in the total amount of funding requested.

TAP funds are Federal funds; therefore, all projects must comply with all required provisions of Title 23 United States Code<sup>3</sup> – such as project agreements, authorization to proceed prior to incurring costs, prevailing wage rates (Davis-Bacon), competitive bidding, and other contracting requirements. It is the project sponsor’s responsibility to know and fully comply with all Federal, State, and City and County of Honolulu requirements as they relate to the TAP project.

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<sup>3</sup> [Title 23 United States Code](#)

The following list includes key Federal requirements for which the project sponsor is responsible (Note: this list is not necessarily comprehensive and additional Federal requirements may also apply. It is the responsibility of the project sponsor to know and understand the Federal requirements that must be met):

- Projects must conform to the NEPA requirements and Section 106 of the National Historic Preservation Act (NHPA) of 1966. To comply with these laws, projects will need a Federal environmental review and may need a State environmental review, depending upon the project. Work involving historic structures or archaeological sites must conform to the U.S. Secretary of the Interior’s standards and guidelines for archeological and historic preservation.
- Any right-of-way acquisition must conform to the Uniform Relocation Assistance and Real Property Acquisition Act.
- All designs must conform to the current regulations from the Americans with Disabilities Act (ADA).
- Section 4(f) of the U.S. Department of Transportation Act states that the Federal Highway Administration (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.
- NHPA requires Federal agencies to consider the potential effects of a project on a property that is listed in or eligible to be listed in the National Register of Historic Places.
- The Brooks Act requires federally-assisted consultant contracts for engineering and design services to use qualification-based selection procedures, which disallow price as a factor in the selection process.
- Competitive Bidding requires that construction projects be advertised and awarded to the lowest responsible and responsive bidder through open competitive bidding.
- Predetermined Minimum Wage (Davis-Bacon) Act requires that 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.
- Buy America requires that construction projects provide for:
  - a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in any project funded under Title 23
  - alternate bid provisions
  - minimal use criteria for non-domestic products
  - a waiver process based on public interest or the availability of domestic products.

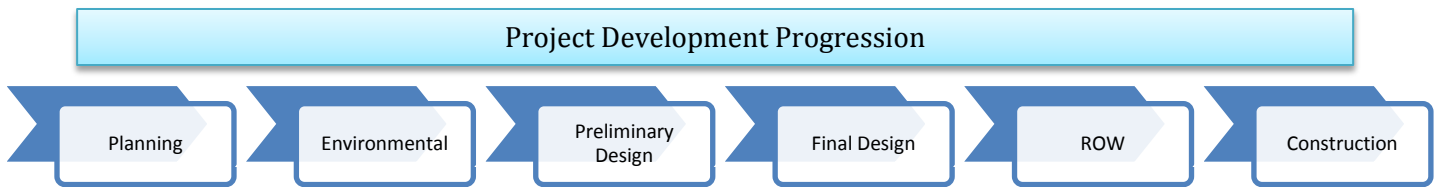
## Applicants, Sponsors, and OahuMPO Roles and Responsibilities

Roles and Responsibilities		Sponsor Agency	Applicant (if other than Sponsor )	OahuMPO
Agreements	Memorandum of Agreement and project management plan	X	X	
Funding	Assurance of availability of funds	X		
Pre-application activities	Project development, cost estimation, Federal and State environmental review or CE, ROW acquisition, etc.	X		
Application to OahuMPO	Ensure the application is complete (including all required documents), comprehensive, and timely	X	X	
Procurement process	Compliance with State and County procurement regulations	X		
Application evaluation, ranking, and approval	Convene the TAPEC, public and governmental review of the prioritized proposals, and final approval by the Policy Board			X
Notice of award	Letter of award to sponsor agency and applicant (if different)			X
Project schedule	Submit schedule within 12 months of award letter	X	X	
Construction oversight	Ensure satisfaction of all contract obligations	X	X	
Progress reports	Quarterly progress reports to OahuMPO	X	X	
Reimbursement requests	Invoices with required documentation provided to OahuMPO with status updates on a progress payment basis.	X		
Construction closeout	Acceptance of construction, final payment request, certifications, summaries, reports, etc. upon close-out	X		

## Application Process

### Cycle

OahuMPO will hold an annual call for projects. Eligible project sponsors or not-for-profit organizations in partnership with an eligible sponsor may submit the *OahuMPO Transportation Alternatives Program Application* (Appendix B) in response to the call for projects with all required documents defined below. Applications will be evaluated as submitted. However, OahuMPO may request additional information for clarity purposes.



## Required Documents

Required documents must be submitted to the OahuMPO in both electronic files and hard copies (3 copies). See the Applicant Checklist (Appendix A) for additional guidance.

- *OahuMPO Transportation Alternatives Program Application*;
- A project map that clearly identifies the location and termini of the project to include latitude and longitude information as required for Federal-aid projects;
- Utility and access easements;
- ROW information, as applicable;
- Letter of commitment from sponsor agency (if applicant is a not-for-profit organization);
- Documentation of commitment of up-front cash for completion of the project by the project sponsor;
- Project sponsor statement of certification demonstrating experience with Federal-aid grant oversight; and
- Identification of the amount of TAP funds requested along with documentation supporting the requested amount. Documentation must identify the amounts associated with all proposed project activities.

Additional documents for submittal, if available:

- Project cost estimates and project schedule, showing critical milestones and dates of completion, prepared by a design professional licensed in the State of Hawaii with experience managing similar Federal-aid projects;
- Certification from the licensed design professional (e.g., landscape architect or civil engineer) indicating that the project design meets or exceeds applicable public health, safety, and welfare standards;

Applications that are incomplete or received after the submittal deadline will be deemed ineligible and not subject to further evaluation.

## Project Evaluation and Ranking

### Evaluation Criteria

OahuMPO staff will conduct a preliminary review of all applications received to determine compliance and completeness. Those applications determined compliant and complete will then be distributed to members of the OahuMPO TAP Evaluation Committee (TAPEC) –

consisting of OahuMPO staff, representatives from its partner agencies, and members from its Technical and Citizen Advisory Committees – for evaluation and ranking of all eligible and complete applications. TAPEC composition will be adjusted based upon the applications received. Any sponsor agency with an active project application being considered may serve on the TAPEC, but will not participate in the evaluation and ranking of the projects for which they are a sponsor agency.

A project that is better developed (e.g., has completed required planning and NEPA steps -- we anticipate the majority of the projects can be completed with programmatic categorical exclusion<sup>4</sup> -- and applicable permit/approval requirements; has obtained ROW and/or easements, and permits; and is ready to proceed to construction) will receive higher ranking against less-well developed project proposals. All applicant projects will be evaluated against the following criteria (using the corresponding weights assigned to each):

***Transportation and Mobility*** (20 points)

- Project increases pedestrian and/or bicycle activity
- Project promotes ridesharing or transit ridership
- Project provides facilities and services for persons with disabilities
- Project encourages public/private partnerships to provide services or facilities

***Intermodal Connection*** (20 points)

- Project supports a multi-modal transport system
- Project is a rail access project designated by an eligible sponsor agency
- Project provides connections for users desiring to move about by bicycle, pedestrian facility, and intermodal connectors

***Readiness and Likelihood of Success*** (20 points)

- Project is developed and complete, increasing the probability of success
- Project applicant demonstrates the ability to complete the project, shows experience with Federal and State requirements, and has the resources and experience to keep project on schedule
- Project application demonstrates broad-based community support and encouragement by interested parties likely to be affected by the project

***Legal Obligation*** (20 points)

- Project is required due to legal obligation, such as a court order.

***Safety*** (20 points)

- Project increases the safety of users of bicycle and pedestrian facilities
- Project reduces transportation-related injuries and fatalities
- Project enhances the safety and security of transit users

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<sup>4</sup> 23 CFR 771.111 & 23 CFR 771.117

**Equity** (15 points)

- Project maintains and improves the transportation system in a manner that supports community-wide values relating to civil rights
- Project enhances access to affordable and reliable transportation options for underserved communities and economically vulnerable populations

**Financial Factors** (15 points)

- Project expectations and costs are realistic
- Project funding request does not exceed the TAP funding amount available

**Human Environment and Quality of Life** (10 points)

- Project maintains and improves the transportation system in a manner that sustains environmental quality
- Project maintains and improves the transportation system in a manner that supports community-wide values related to health, safety, and culture

**Viability** (5 points)

- Project application is accurate, comprehensive, and complete
- Project application demonstrates community need and support

**Inclusion in existing plan** (5 points)

- Project is currently identified in the Statewide Pedestrian Master Plan, the Hawaii State Bike Plan, the Hawaii Strategic Highway Safety Plan, the Oahu Bike Plan, or in a future rail transit access connectivity plan.

TRANSPORTATION ALTERNATIVES PROGRAM				
Project Evaluation and Ranking <b>Guidance</b>				
Criteria	Points			
	20	15	10	5
<b>Transportation and Mobility (20 points)</b>	Project addresses four of the criteria listed below.	Project addresses three of the criteria listed below.	Project addresses two of the criteria listed below.	Project addresses one of the criteria listed below.
<b>Intermodal Connection (20 points)</b>	20	15	10	0
	Project addresses three of the criteria listed below.	Project addresses two of the criteria listed below.	Project addresses one of the criteria listed below.	Project does not promote or encourage intermodal connection.
<b>Readiness and Likelihood of Success (20 points)</b>	20	15	10	5
	Project is completely developed, is 100% shovel-ready, and has broad-based community support; applicant has resources available with experience meeting project requirements.	Project is completely developed; applicant has resources available with experience meeting project requirements, yet community support is unclear.	Project is well-developed and has broad-based community support; applicant has resources available with experience meeting project requirements.	Project is not completely developed; applicant has resources available with experience meeting project requirements, yet community support is unclear.
<b>Legal Obligation (20 points)</b>	20	n/a	n/a	0
	Project is required due to legal obligation.			There is no legal obligation for project.

	<b>20</b>	<b>15</b>	<b>10</b>	<b>0</b>
<b>Safety (20 points)</b>	Project increases the safety of all users and reduces transportation-related injuries and fatalities in the vicinity of motor vehicle crashes as identified in Oahu Crash Maps 2007-2011 <sup>5</sup> .	Project increases safety of all users and reduces transportation-related injuries and fatalities in the vicinity of an area of concern as identified in the Statewide Pedestrian Master Plan <sup>6</sup> .	Project increases the safety of all users and reduces transportation-related injuries.	Project neither increases the safety of all users, nor reduces transportation-related injuries and fatalities.
	<b>15</b>	<b>10</b>	<b>5</b>	<b>0</b>
<b>Equity (15 points)</b>	Project demonstrates significant benefits to underserved/ vulnerable communities <sup>7</sup> .	Project demonstrates some benefits to underserved/ vulnerable communities <sup>3</sup> .	Project offers little benefit to underserved / vulnerable communities <sup>3</sup> .	Project offers no benefit to underserved / vulnerable communities <sup>3</sup> .
	<b>15</b>	<b>10</b>	<b>n/a</b>	<b>0</b>
<b>Financial Factors (15 points)</b>	Project expectations and costs are realistic and can be funded by available TAP funds.	Project expectations and costs are realistic, but may require an additional grant for completion.		Project expectations and costs are unrealistic and require an additional grant application for completion.
	<b>10</b>	<b>7</b>	<b>4</b>	<b>0</b>
<b>Human Environment and Quality of Life (10 points)</b>	Project improves a system while supporting the health, safety, and culture of the community, and promotes environmental sustainability.	Project improves a system while supporting three of the following: health, safety, culture of the community, and promotion of environmental sustainability.	Project improves a system while supporting two of the following: health, safety, culture of the community, and promotion of environmental sustainability.	Project neither supports the health, safety, and culture of the community, nor promotes environmental sustainability.
	<b>5</b>	<b>4</b>	<b>3</b>	<b>1</b>
<b>Viability (5 points)</b>	Project application is accurate, complete, comprehensive, and demonstrates need.	Project application is accurate, complete, and comprehensive.	Project application is accurate, complete, and demonstrates need.	Project application is accurate and complete.
	<b>5</b>	<b>n/a</b>	<b>n/a</b>	<b>1</b>
<b>Inclusion in existing plan (5 points)</b>	Project is currently identified in one or more of the plans listed.			Project is in or consistent with the current ORTP.

<sup>5</sup> Crash occurrences are identified in the Hawaii Department of Health *Oahu Crash Maps 2007-2011*: [http://www.oahumpo.org/wp-content/uploads/2013/02/ems\\_mvc\\_mapbook0711b.pdf](http://www.oahumpo.org/wp-content/uploads/2013/02/ems_mvc_mapbook0711b.pdf)

<sup>6</sup> Areas of concern are identified in the *Statewide Pedestrian Master Plan* and can be found here: <http://hidot.hawaii.gov/highways/files/2013/07/Pedest-Plan-PedMP.pdf>

<sup>7</sup> Underserved and vulnerable communities may be referenced in the *Environmental Justice in the OMPO Planning Process* found here: [http://www.oahumpo.org/wp-content/uploads/2013/02/T6-EJ\\_OahuMPO.pdf](http://www.oahumpo.org/wp-content/uploads/2013/02/T6-EJ_OahuMPO.pdf)



## **Project Approval**

The TAPEC will use a quantitative ranking and prioritization method based upon the evaluation criteria to ensure a consistent, fair, equitable, and transparent process is undertaken. The awarded numerical score for each eligible application will determine the prioritized list of potential TAP projects.

The prioritized list will undergo review by the OahuMPO Policy Board, and Technical Advisory and Citizen Advisory Committees, governmental agencies, and the public.

The final prioritized project list, as developed by the TAPEC, and comments received on its list will then be considered by the OahuMPO Policy Board for approval and subsequent award(s). OahuMPO's Transportation Alternatives funds are limited and may not be sufficient to fund all proposed activities.

## **Project Approval, Notification, and Programming**

Based upon the amount of funding available, the Policy Board will determine the top priority project(s) that will receive a TAP award(s). A Letter(s) of Award will be sent to the project sponsor(s) from the Policy Board.

Once a project sponsor has received a Letter of Award, the sponsor must execute all necessary agreements, hire a contractor through a competitive bidding process (if applicable), and begin work within the following 12-month period. The project sponsor shall provide OahuMPO with hard copies of any executed contract and Notice to Proceed within this time period. Failure to complete this requirement within the 12-month period will result in the revocation of the Award.

If the project sponsor has completed some or all of these steps prior to the receipt of a Letter of Award, the project sponsor must provide documentation detailing the process by which these steps were accomplished and all executed agreements as a result of this process. Prior completion of these tasks does not disqualify the project from eligibility for TAP funding.

All projects approved by the Policy Board for TAP funding will be programmed into the Transportation Improvement Program (TIP). Once the TIP (or a Revision of the TIP) is approved by the Policy Board and the Governor, all projects will then be incorporated into the Statewide TIP.

## **Project Implementation and Delivery**

All OahuMPO TAP projects are subject to FHWA's project implementation and delivery requirements for Federal-aid funded projects.

- The project sponsor may be required to submit a project management plan.
- The project sponsor may be required to sign a Memorandum of Agreement (MOA) between the eligible project sponsor, the not-for-profit organization, and OahuMPO. This MOA would define roles and responsibilities for project implementation and delivery.

Every project selected through TAP should progress through development and implementation in a reasonable timeframe as Federal funding will be set aside expressly for each approved project. Long delays effectively tie up funding and prevent expected benefits from being realized.

For this reason, the implementation expectations are:

- The project applicant must have completed the contracting process within one year of receipt of the Letter of Award from the Policy Board. Applicant must furnish proof of compliance with the requirements of HRS 103D-310(c).
- The project must be completed and final construction inspection accepted within five years of funding approval.
- Project Close-out should be initiated within three months of Final Construction Inspection acceptance.

### **Project Schedule**

The project sponsor must submit a final schedule for approval to the OahuMPO within 12 months of the Letter of Award and prior to the start of construction.

### **Reimbursement and Project Closure**

Reimbursement for eligible expenses incurred will be on a progress payment basis. Invoices with required documentation shall be provided to OahuMPO, along with status updates, on a progress payment basis.

Final inspection of the project is performed by the project sponsor in cooperation with OahuMPO. When construction is complete, the project sponsor is responsible for:

- Formally accepting construction of the project; and
- Notifying OahuMPO of project acceptance.

To close out the project, the project sponsor must submit the following documentation to OahuMPO:

- A final reimbursement request
- A Certification of Construction Inspection
- A Certification of Construction Acceptance
- A Project Financial Summary
- A final Disadvantaged Business Enterprise (DBE) Utilization Report
- A final Prime Contractor Report of Contract Payments
- A final Equal Employment Opportunity (EEO) Use Report
- A final Certification of Vendor Compliance (HCE)

Upon receipt of the above-mentioned documentation, OahuMPO will make final reimbursement to the project sponsor and will close the State/Sponsor project agreement. The project must be completed and final construction inspection must be accepted within five years of funding approval; and close-out should be initiated within three months of Final Construction.

## **Federal Requirements and Standards**

A federally-funded facility must be operated and maintained for its useful life. In the event that a federally-funded facility does not perform as intended for its useful life, the project sponsor will be asked to pay back the prorated portion of project funds. Federal funds cannot be used for routine maintenance.

## **Appendices**

Appendix A – Applicant Checklist

Appendix B - OahuMPO Transportation Alternatives Program Application

Appendix C - Sponsorship Agreement

Appendix D - Disposition of Comments on draft *OahuMPO Transportation Alternatives Program*

**Appendix A**  
**Applicant Checklist**

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## Applicant Checklist

This list is intended to assist with development of an application and is neither an exclusive nor exhaustive list for a complete application process.

APPLICATION	YES	NO
Is the project title descriptive and brief?	<input type="checkbox"/>	<input type="checkbox"/>
Does the project have a qualified sponsor agency?	<input type="checkbox"/>	<input type="checkbox"/>
Has the name and contact information of the applicant been supplied?	<input type="checkbox"/>	<input type="checkbox"/>
Is a location map (8.5" x 11") with identifiable boundaries and termini supplied?	<input type="checkbox"/>	<input type="checkbox"/>
Is a brief and concise project description supplied?	<input type="checkbox"/>	<input type="checkbox"/>
Are letters of support from public and community groups included?	<input type="checkbox"/>	<input type="checkbox"/>
Are letters of support from private sources included?	<input type="checkbox"/>	<input type="checkbox"/>
Have ownership and maintenance responsibilities been assigned following completion?	<input type="checkbox"/>	<input type="checkbox"/>
Has a detailed cost estimate, listed by activity, been supplied?	<input type="checkbox"/>	<input type="checkbox"/>
Have permits, clearances, and proof of compliance with NEPA requirements been supplied?	<input type="checkbox"/>	<input type="checkbox"/>
Has certification by a licensed design professional been attached?	<input type="checkbox"/>	<input type="checkbox"/>
Has the total funding request, including contributions by all sources, been supplied?	<input type="checkbox"/>	<input type="checkbox"/>
AGREEMENTS		
Are sponsor/applicant agreements in place and attached?	<input type="checkbox"/>	<input type="checkbox"/>
Is sponsor documentation of funding commitment in place and attached?	<input type="checkbox"/>	<input type="checkbox"/>
Is sponsor statement of certification attached?	<input type="checkbox"/>	<input type="checkbox"/>
OAHUMPO TAP REQUIREMENTS		
Does the proposed project meet OahuMPO TAP eligibility requirements?	<input type="checkbox"/>	<input type="checkbox"/>
Does the project relate to surface transportation?	<input type="checkbox"/>	<input type="checkbox"/>
Is the project located within the planning area of OahuMPO?	<input type="checkbox"/>	<input type="checkbox"/>
Is the project located on publicly-accessible lands?	<input type="checkbox"/>	<input type="checkbox"/>
Is the project planning, design, or construction of facilities for pedestrians, bicyclists, and other non-motorized forms of transportation?	<input type="checkbox"/>	<input type="checkbox"/>

Is the project planning, design, or construction of infrastructure-related projects and systems that will provide safe routes for non-drivers?	<input type="checkbox"/>	<input type="checkbox"/>
Is the project a conversion of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users?	<input type="checkbox"/>	<input type="checkbox"/>
Is the project consistent with City and County of Honolulu's Complete Streets policy?	<input type="checkbox"/>	<input type="checkbox"/>
Has ROW ownership been identified and verified that it is in public use?	<input type="checkbox"/>	<input type="checkbox"/>
If ROW is not in public ownership, has proof of long-term agreement been supplied?	<input type="checkbox"/>	<input type="checkbox"/>
If acquisition of ROW is needed, has proof of completion been supplied?	<input type="checkbox"/>	<input type="checkbox"/>
Have required permits been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Has documentation of outreach to affected communities been supplied?	<input type="checkbox"/>	<input type="checkbox"/>
Is project consistent with local land use and transportation plans?	<input type="checkbox"/>	<input type="checkbox"/>

## **Appendix B**

### **OahuMPO Transportation Alternatives Program Application**



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# OahuMPO Transportation Alternatives Program Application



## Instructions

Complete application in the space provided. Submit completed application and attachments electronically to [oahumpo@oahumpo.org](mailto:oahumpo@oahumpo.org) and mail three hard copies of application and attachments to:

Oahu Metropolitan Planning Organization  
707 Richards Street, Suite 200  
Honolulu, Hawaii 96813

## General Information

Project Title: \_\_\_\_\_

Project Location, street, zip code, and facility name: \_\_\_\_\_

\_\_\_\_\_

Project Length (miles) and location/termini: \_\_\_\_\_

Applicant: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Project Sponsor Agency (if different): \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

## Project Screening Criteria

*Check all that apply*

- Project is consistent with the regional goals and objectives of the ORTP
- Project is consistent with the City and County of Honolulu's Complete Streets Policy
- Project is one of the three eligible activities for OahuMPO's TA program
- Project is directly related to the surface transportation system
- Project is within the planning area of the MPO and is open to public access

## Budget Summary

*Budget example*

Project Phase	Overall Budget Totals			
	Total Project Cost	Federal Funds		Local Match
		TAP	Other	
Planning	\$1,000	\$800	\$0	\$200
Engineering	\$2,000	\$1,400	\$200	\$400
Design	\$3,000	\$2,400	\$0	\$600
Construction	\$5,000	\$4,000		\$1,000
<b>Total</b>	<b>\$11,000</b>	<b>\$8,600</b>	<b>\$200</b>	<b>\$2,200</b>
<b>Overall Match Ratio</b>				<b>20%</b>

Please provide project budget using the example format.

## Project Type

*Check all that apply*

- On-road and off-road bicycle or pedestrian facilities
- Safe routes for non-drivers
- Conversion and use of abandoned railroad corridors for bicycles or pedestrians

## Project Information

1. Project Description

2. Describe how the project will improve the public travel experience, travel options, and benefit the community.

3. Describe how the project provides a connection between modes, improves the transportation choices, or connects to land use services (such as job locations, a civic center, library, market, medical office, school, etc.). Include modes and list of specific land uses connected within ½ mile of the project.



6. Identify the safety issues addressed by the project (collision data, lack of adequate safe crossing or access, lack of separated facility, high speed, high volume, etc.)

7. Describe how the project addresses the issues identified.

8. Describe how the project meets the criteria identified in the OahuMPO TAP Guide.

9. Readiness and likelihood of success:

*Check all that apply*

- Design at 70% or higher
- Right-of-way acquisition complete or not needed
- Environmental permits approved
- Widespread community support demonstrated

10. Describe how the local community and other agencies have been involved in the planning process for the project. List any opposition to the project and how it was addressed.

11. Describe how the project improves public health and increases physical activity.

12. Describe how the project includes design elements that are context-sensitive and contribute to the quality of life.

## Other Information

You may use this space to provide additional project information considered pertinent.



## Required Submittals

Required documents (.pdf files and three hard copies) must be submitted to the OahuMPO:

	OahuMPO Transportation Alternatives Program Application
	Project map
	Certification from the licensed design professional
	Permits, clearances, proof of NEPA and SEPA compliance, if available
	Utility and access easements
	ROW information, as applicable
	Project cost estimates and project schedule
	Letter of commitment from sponsor agency
	Documentation of commitment of up-front cash by the project sponsor
	Sponsor statement showing experience with Federal-aid grant oversight
	Memorandum of Agreement
	Project Management Plan

**Appendix C**  
**Sponsorship Agreement**

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## OahuMPO TAP Sponsorship Agreement

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(Must be submitted with each application filed by any organization that is not an eligible recipient as defined on page 7 of the OahuMPO Transportation Alternatives Program Guide: Local Governments, Regional Transportation Authorities, or Transit Agencies)

Eligible Applicant or Sponsor Agency affirms its responsibility for the development and implementation of the project, including paying in full for qualified project expenses prior to applying for reimbursement of the Federal-aid eligible share. The Eligible Applicant or Sponsor Agency affirms that it will appoint a knowledgeable and qualified project manager who will see the project through to completion. The Eligible Applicant or Sponsor Agency affirms that it is willing and able to provide project oversight and maintenance of the proposed improvement at its sole cost and expense. Eligible Applicant or Sponsor Agency shall provide a statement of certification showing experience with Federal-aid grant oversight.

**Project:** \_\_\_\_\_

**Eligible Applicant or Sponsor:** \_\_\_\_\_

### **Signature of Eligible Applicant**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

### **Signature of Not-for-Profit Organization Partnered with Eligible Applicant**

Organization: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

**Applications from not-for-profit organizations must include this completed agreement with both required signatures at the time of application submittal.**

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## **Appendix D**

### **Disposition of Comments on draft *OahuMPO Transportation Alternatives Program***

**(As of April 21, 2015)**

Reference	Comment	Response
Eligible Activities	Agency suggests that the "shovel-ready" requirement be deleted and that planning and design functions be included as primary fundable elements.	OahuMPO agrees, but will not be making that change at this time. OahuMPO fully intends that this program will quickly be able to expand and fund those elements. OahuMPO feels that the number of projects that will be eligible under the requirements as drafted in this current plan will utilize the funding available immediately. This will get shovels in the ground and allow projects that are simply waiting for funding to proceed. OahuMPO anticipates the relaxation of activities eligible for funding to occur soon after the program successfully gets past its initial phase.
	Comment stated that certain elements of the program may limit project proposals and ultimately lead to low utilization of TAP funds. Comment suggests the eligibility of planning and design work, the removal of the "shovel-ready" requirement.	OahuMPO agrees and fully intends that this program will quickly be able to expand and fund additional activities with less-restrictive criteria. OahuMPO feels that the number of projects that will be eligible under the requirements as drafted in this current plan will utilize the funding available immediately. This will get shovels in the ground and allow projects that are simply waiting for funding to proceed. OahuMPO anticipates the relaxation of activities eligible for funding to occur soon after the program successfully gets past its initial phase.
General	Comment states concern that all TAP funds be used for the purpose of improving bicycle and pedestrian infrastructure.	OahuMPO strongly supports that emphasis as demonstrated in its Program Goals and Priorities.
	Comment suggests that OahuMPO TAP funds be treated as additive to whatever other Federal funding levels might be set for eligible recipients.	OahuMPO appreciates the comment; it is not a decision within the MPO's authority.
Local Match	Comment suggests that the program allow non-cash and in-kind contributions as local match.	In response to Finding No. 0621B-06 of the FY 2013 Financial Audit of the OahuMPO and the subsequent Audit Findings Action Plan, OahuMPO discourages the use of in-kind contributions for local match. OahuMPO is currently tasked with the development of policy regarding in-kind commitment of local match that will ensure sufficient local share. At this time, in-kind contributions will not be considered.
	Comment suggests that OahuMPO explore options to reduce the local match requirements.	OahuMPO will explore this request.
N/A	Agency suggests a flowchart for visualization of the process.	OahuMPO has added a flowchart.
Program Goals and Priorities	Agency suggests combining the third and fifth bullets to read, "Support and encourage equity for all communities by providing multi-modal connections and transportation options, especially for Transit-Oriented Development neighborhoods and for those who are traditionally underserved".	OahuMPO agrees and has made that change.

Reference	Comment	Response
Project Approval, Notification, and Programming	Agency suggests clarifying TAP eligibility for projects that are underway or have completed significant steps prior to a Letter of Award.	OahuMPO has added the following statement, "If the project sponsor has completed some or all of these steps prior to the receipt of a Letter of Award, the project sponsor must provide documentation detailing the process by which these steps were accomplished and all executed agreements as a result of this process. Prior completion of these tasks does not disqualify the project from eligibility for TAP funding".
Project Evaluation and Ranking	Agency recommends that the evaluation criteria guidelines include a rail access project designated by HART, DTS, or other agencies.	OahuMPO agrees and has added that specific wording to Intermodal Connection criteria.
	Agency suggests that the existing plans listed in the evaluation criteria refer to Rail Transit Access Connectivity.	OahuMPO has added that reference.
	Agency suggests that sponsor agencies be allowed to participate on the TAPEC, and recuse themselves from deliberation for their agencies' application(s).	OahuMPO agrees and has changed the language to state, "Any sponsor agency with an active project application being considered may serve on the TAPEC, but will not participate in the evaluation and ranking of the projects for which they are a sponsor agency."
HDOT	Suggests removing the language that is confusing regarding shovel-ready projects.	Removed "ready to proceed construction or bid will be evaluated more favorably".
	Noted error with reference to Appendix A as a Sample Project Agreement.	Corrected reference to Appendix A to reflect an Applicant Checklist.
	Recommends explaining obligation and responsibilities for advertisement, bids, and contract awards.	OahuMPO feels that the Sponsor's certification of knowledge of Federal aid requirements makes that level of explanation unnecessary.
	Suggests that FHWA confirm that a project has met all required federal approvals by a direct FHWA approval.	Per FHWA, this is LPA's and HDOT's duty as implementing agencies. FHWA only does projects of division or national interest. TAP projects not likely or wise to rise to these levels.
	Recommends a checklist be developed in coordination with a Sponsor agency and FHWA to help to ensure a project is ready-to-go.	OahuMPO will seek to do this.
	Questions if oversight by the sponsor agency is fundable.	DTS, as sponsor agency, has the ability to request reimbursement from OahuMPO.
	Suggests adding language to the Sponsor Agreement to affirm that the Sponsor is willing and has resources for project oversight and maintenance.	That language has been added.
	Questions TAP reimbursement request process.	Language is highlighted on page 17.



Reference	Comment	Response
TAC	Change language to include other professionals - by licensed professional (engineer, landscape architect) as approved by the State.	Language has been incorporated on pg. 9.
	Safety should be higher priority equal to the others 20 points	Safety ranking points increased to 20 points – see pgs. 10-12.
	Eligible activities should be clarified	Restated on pg. 6 and in Appendix A checklist
	Shovel-ready should be clarified and re-stated: <ul style="list-style-type: none"> <li>• Federal requirements must be met to qualify for funds</li> <li>• Shovel-ready definition clarified and prioritized in the document</li> </ul>	Clarified and re-stated on pg. 6
	Show graphic of project process and where TAP funding might come into play	Graphic added on pg. 11
	Oversight by MPO for funds and construction management	Roles and Responsibilities defined on pg. 10
	Project sponsor should provide statement of certification showing experience with Federal-aid grant oversight	Added to pgs. 8 and 11 and Sponsor Agreement
	Requirement of progress reports to MPO	Stated in table on pg. 10
	Provide ranking standards for numeric awards in ranking	Added table on pgs. 13-14
	Project sponsor might consider building in contingency for budget overruns – necessary and reasonableness clause	Stated on pgs. 7 and 8
	Add back-end compliance requirements / closeout activities	Stated in table on pg. 10 and on pg. 16
	Clarify applicant / sponsor / and MPO responsibilities	Table added to pg. 11
	Reference the City and County Complete Streets Manual	Added footnote to page 4
	Add language to clarify Safe Routes to School projects	Added footnote to page 6
	Add legal obligation as an evaluation criteria	Added legal obligation as evaluation criteria