

NOTICE OF PROPOSED GUIDANCE DOCUMENT

DTIMBTLRRH2

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on DTIMBTLRRH2 Wisconsin Statute Chapter 85.245, a proposed guidance

PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION

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

1. Department's website: <https://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=DTIMBTLRRH2>

2. Mailing written comments to:

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

WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT

The final version of this guidance document will be posted at wisconsin.dot.gov to allow for ongoing comment.

AGENCY CONTACT

Kaleb Vander Wiele
DOTDTIMGuidanceDocs@DOT.WI.GOV



WisDOT 2020-2024 CMAQ Program Application

NOTE: This application is required for each proposed 2020-2024 program cycle CMAQ project. Please review and utilize CMAQ Program Application instructions when completing this application.

Project Applicant and Application Type

Name, Location of Public Sponsor and Sponsor Type:

Sponsor Name:

Sponsor Type: State County City Village Town Tribal Nation
(Check appropriate box)

Project Title:

Describe location, boundaries and length of the project:

County:

Street Address of Project (if located on a highway or road):

Note: Attach one black and white project location map on one sheet of paper, size 8½ X 11

Name of the MPO representing the project (check one):

- Southeastern Wisconsin Regional Planning Commission (SEWRPC)
- Bay-Lake Regional Planning Commission (BLRPC) – for Sheboygan Metropolitan Planning Area only
- Non-Metropolitan Planning Area

Project Representative Contact Person(s) Information:

Primary Public Sponsor Agency Contact Information:

Name: Title: Street Address: Phone: () -
Municipality: State: **WI** Zip:
E-mail:

Secondary Public Sponsor Agency or Private Organization Contact Information:

Organization / Agency Name:

Name: Title: Street Address: Phone: () -
Municipality: State: **WI** Zip:
E-mail:

Head of Government Contact Information:

Name: Title: Street Address: Phone: () -
Municipality: State: **WI** Zip:
E-mail:

Project Activity

CMAQ Category:

Indicate which ONE of THREE categories best identifies the proposed project:

- Project reduces the number of vehicle trips and/or vehicle miles traveled (VMT).
- Project reduces the per mile rate of vehicle emissions related to traffic congestion.
- Project reduces the per mile rate of vehicle emissions through improved vehicle and fuel technologies.

CMAQ Improvement Type:

Indicate the appropriate improvement type(s) by checking all of the boxes which apply to the proposed project:

- Public Transportation
- Bicycle/Pedestrian
- Car and Vanpooling
- Park & Ride Lot
- Traffic Flow Improvement (e.g. System Signalization)
- Diesel Retrofit
- PM2.5 Emissions Reduction
- Other If Other, Please Describe:

Project Summary (400 words or less). In 400 words or less, describe the project in the space provided. A project summary should describe the project well enough that the reader can make a value judgement without reading the rest of the application. Include in your summary how your project will contribute to lower emissions and mitigate traffic congestion. Prepare a project summary in a Word document, complete a spell check, and cut and paste the summary into the application form.

Existing Plan

Is your project consistent with the goals of a regional, county or municipal transportation plan? Yes No

Indicate and describe the plan and plan goal (describe in the space provided) that your project implements:

- Regional Long-Range Plan
 - County Comprehensive Plan
 - Municipal Comprehensive Plan
 - MPO Long-Range Plan
- Comment:

Existing Facilities & Projects

Rail Facilities:

Does a railroad facility exist within 1,000 feet of the project limits? Yes No

If yes, specify: **SELECT**

If yes, does the project physically cross a rail facility? Yes No

Is the proposed project location in an area with known safety issues? Yes No

If yes, specify: (consider applying for Highway Safety Improvement Program (HSIP) funds if applicable)

Is this project on or parallel to a local road or street? Yes No

If Yes, provide the name of the road or street:

Does this project cross a state or federal highway? Yes No

Does this project run parallel to a state or federal highway? Yes No

Is any part of this project on the National Highway System? Yes No

Will this project be constructed as part of another planned road project? Yes No

If Yes, specify if this is a state, county, or local project and when the road project is scheduled for construction:

Will any exceptions to standards be requested? Yes No

If Yes, provide a brief description of the exceptions that may be requested:

Non-Single Occupancy Vehicle Travel (Non-SOV Travel)

What is the percent of non-Single Occupancy Vehicle travel? Percentage: %

How was the Non-SOV travel percentage derived?

A—American Community Survey ; B—local survey ; C—system use measurement

Environmental/Cultural Issues

- | | | | |
|---|------------------------------|-----------------------------|---|
| Agriculture | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Archaeological sites | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Historical sites | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Designated Main Street area | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Lakes, waterways, floodplains | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Wetland | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Stormwater management | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Hazardous materials sites | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Hazardous materials on existing structure | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Upland habitat | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Endangered/threatened/migratory species | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Section 4(f) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Section 6(f) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |
| Through/adjacent to tribal land | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Investigated |
| Comments: | | | |

Miscellaneous Issues

Construction Schedule Restrictions (trout, migratory bird, local events):

Real Estate: Was any real estate acquired or transferred in anticipation of this project? Yes No

If yes, please explain.

Right of Way (ROW) (NOTE: It is recommended that local funds be used to acquire right of way) Is the project on an existing right of way? Yes No If Yes, have you obtained a permit from the WisDOT Regional Office Maintenance Section to conduct work on the right of way? Yes No

Check all boxes that apply to ROW acquisition for this project:

- None Less than ½ acre More than ½ acre
 Parklands Large parcels Temporary interests

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

If yes, please indicate all of the other funding sources that are anticipated, have been requested or approved with the associated project ID(s):

- | | | | | |
|--|--------------------------------------|------------------------------------|-----------------------------------|-----|
| Highway Safety Improvement Program (HSIP) | <input type="checkbox"/> Anticipated | <input type="checkbox"/> Requested | <input type="checkbox"/> Approved | ID: |
| Local Roads Improvement Program (LRIP) | <input type="checkbox"/> Anticipated | <input type="checkbox"/> Requested | <input type="checkbox"/> Approved | ID: |
| Railroad Programs | <input type="checkbox"/> Anticipated | <input type="checkbox"/> Requested | <input type="checkbox"/> Approved | ID: |
| Surface Transportation Program - Rural | <input type="checkbox"/> Anticipated | <input type="checkbox"/> Requested | <input type="checkbox"/> Approved | ID: |
| Surface Transportation Program - Urban | <input type="checkbox"/> Anticipated | <input type="checkbox"/> Requested | <input type="checkbox"/> Approved | ID: |
| Transportation Alternatives Program | <input type="checkbox"/> Anticipated | | | |
| Transportation Enhancements Program | | | <input type="checkbox"/> Approved | ID: |
| Bicycle & Pedestrian Facilities Program | | | <input type="checkbox"/> Approved | ID: |
| Safe Routes to School | | | <input type="checkbox"/> Approved | ID: |
| Transportation Economic Assistance Program | <input type="checkbox"/> Anticipated | <input type="checkbox"/> Requested | <input type="checkbox"/> Approved | ID: |
| Flood Damage Aids | <input type="checkbox"/> Anticipated | <input type="checkbox"/> Requested | <input type="checkbox"/> Approved | ID: |
| Other: | <input type="checkbox"/> Anticipated | <input type="checkbox"/> Requested | <input type="checkbox"/> Approved | ID: |

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

CONFIDENTIAL INFORMATION

Project Costs and Dates

Project Costs Complete the table below for the appropriate fiscal years of the application/project cycle (2020-2024). If a sponsor proposes to construct a project in phases throughout multiple years, schedule the project costs as appropriate and provide further details in the project description. You must attach a **detailed breakdown of project costs in Microsoft Excel spreadsheet**. This detailed breakdown must clarify assumptions made in creating the budget such that a third-party reviewer would be able to substantiate the assumptions. *This will not count against the 3-page narrative report text limit.*

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

Applicants may work with the WisDOT Local Program Manager within their region for assistance to more accurately estimate costs.

All estimates will be reviewed by WisDOT Region staff for consistency with current practices and approaches. WisDOT Region staff may revise estimates in these categories due to the complexity of the project or other

factors. WisDOT will notify the sponsor of any changes to estimates within the application and determine whether the sponsor wishes to continue with the application with the revised estimate.

Project Prioritization

Priority for each project shall be relative to all your 2020-2024 program cycle project submittals. Enter priority numerically. WisDOT CMAQ selection committee will use the local ranking as a guide during application review.

Project Priority:

Construction:
Basis for Construction Estimate: Itemized Per Square Foot Past Projects
 Other, please specify:

Schedule Preference: FY 2021 FY 2022 FY 2023 FY 2024

Construction (minimum \$200,000):

Federal Share of the Participating Construction Cost (80%)	\$
Local Share of the Participating Construction Cost (20%)	\$
Non-Participating Construction Cost (100% Local)	\$
A. Subtotal Construction Costs	\$
B. State Review for Construction (Contact WisDOT Region)	\$
Construction with State Review Cost Estimate (sum lines A and B)	\$

Design:
 100% Locally Funded (state review is required to be included as 100% locally funded) **OR**
 80% Federally Funded (“state review only” projects are not allowed)

Schedule Preference: FY 2021 FY 2022 FY 2023 FY 2024

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

A. Plan Development (Contact WisDOT Region)	Percentage:	%	\$
B. State Review for Design (Contact WisDOT Region)	Percentage:	%	\$
Design with State Review Cost Estimate (sum lines A and B)			\$

Real Estate: (Recommend funding with local funds.)

Schedule Preference: FY 2021 FY 2022 FY 2023 FY 2024

Total Real Estate Cost (round to next \$1,000) **\$**

Other: (Transit Capital Purchase and Operations, Planning Studies, Public Education and Outreach Programming):

Schedule Preference: FY 2021 FY 2022 FY 2023 FY 2024

Total Other Cost (round to next \$1,000) **\$**

Utility: (Compensable utility costs must be \$50,000 minimum per utility. Recommend funding with local funds.)

Schedule Preference: FY 2021 FY 2022 FY 2023 FY 2024

Total Utility Cost (round to next \$1,000) **\$**

NOTE: WisDOT Utility Policy link: <https://wisconsindot.gov/dtsdManuals/utility/chapter17.pdf>

Additional Confidential Information

FOR WISDOT USE ONLY – enter the following information at application review

WisDOT Region Comments on Application:

FOR WISDOT USE ONLY – enter the following information after project approval

Approved Federal Funding Amount: Construction: \$ Design: \$ Real Estate: \$
 Utility: \$ Other\$

Narrative Response/Attachment 1

Provide a narrative response attachment answering questions 1 through 6, making sure to provide information in response to each sub-question. Please limit the response to **three double-spaced** pages, using a **minimum 11-point font size**. Answers will be used to calculate emissions estimates.

1. For Projects Affecting the Road Network:

- How many miles of arterial, highway or local road (segment) will the project affect?
- How many daily vehicle miles are currently traveled (VMT) on this segment?
- What are traffic counts for the affected segment?

2. For Transit, Rideshare, Bicycle and Pedestrian Projects:

- How many new or replacement trips are expected and from which modes i.e. biking or walking?
- How much of the new or replacement use is for work or other utilitarian trips?
- How many SOV auto trips will be eliminated?
- What is the average SOV trip distance of auto trips that will be eliminated?

3. For Applied Research or Demonstration Projects:

- For what applied research or demonstration area will the results have application?
- How will project/program activities directly reduce emissions?

4. For Alternative/Clean Fuel, Engine Idling Reduction and Diesel Retrofit Development Projects:

- How many vehicles or engines will be affected?
- What is the total number of miles driven per year for each vehicle type?
- What is the quantity of fuel pumped or used per day?
- What is the certification standard (and/or fuel type) expected for each vehicle or engine type?
- What time of day will idling reduction operations occur?
- Will the project replace existing vehicles or enlarge a fleet?

5. For Area-wide Voluntary Trip Reduction and TMA Activities:

- How many employers and employees will participate or be affected?
- What is the organization’s average passenger occupancy (APO)?
- What are the estimated length and frequency of affected trips?
- What are the estimated trip times for peak vs. non-peak trip hours?

6. For all projects, to the extent not already addressed in answers to the questions above, describe project benefits by answering the following questions:

- Why is the proposed project necessary to address non-attainment levels of fine particulate matter and/or ozone in the county or counties in which the proposed project will occur?
- How will the project sponsor ensure that the project is timely implemented in accordance with the Project Costs and Dates section of this application?
- What obstacles or problems must be overcome to implement this project?

- What will make this project a success, especially as compared to other proposed projects of the same or similar type? How will the project sponsor measure project success in the form of congestion and/or emissions reductions?
- How, if at all, does the proposed project add connectivity to the state's multi-modal transportation network, including bicycle, pedestrian and transit facilities?
- Briefly describe the manner in which the proposed project would provide a cost-effective benefit to the public.

7. Reference project Costs and Dates on this application form and provide detail if applicable or appropriate.

Key Program Requirements Confirmation

Please confirm your understanding of the following project conditions by **typing your name, title and initials** at the bottom of this section. **A Head of Government/Designee with fiscal authority for the project sponsor must initial this section and sign this application. Sponsor consultant(s) should not initial or sign project applications.**

- a. Private organizations proposing projects generally must have a public sponsor such as a local government unit or transit operator.
- b. The project sponsor or private partner must provide matching dollar funding of at least 20% of project costs.
- c. This is a reimbursement program. The project sponsor must finance the project until federal reimbursement funds are available.
- d. The project sponsor will pay to the state all costs incurred by the state in connection with the improvement that exceed federal financing commitments or other costs that are ineligible for federal reimbursement. In order to guarantee the project sponsor's foregoing agreements to pay the state, the project sponsor, through its duly executed officers or officials, agrees and authorized the state to set off and withhold the required reimbursement amount as determined by the state from any monies otherwise due and payable by the state to the municipality.
- e. The project sponsor must not incur costs for any phase of the project until that phase has been authorized for federal charges and the WisDOT Region has notified the sponsor that it can begin incurring costs. Otherwise, the sponsor risks incurring costs that will not be eligible for federal funding.
- f. The project sponsor will follow the applicable federal and state regulations required for each phase of the project. Some of these are described in the Guidelines. The requirements include, but are not limited to, the following: a Qualifications Based Selection (QBS) process for design and engineering services (Brooks Act); real estate acquisition requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and amendments; competitive procurement of construction services; Davis-Bacon wage rates on federal highway right-of-way projects; WisDOT FDM & Bicycle Facilities Handbook; ADA regarding accessibility for the disabled; MUTCD regarding signage; U.S. Department of the Interior standards for historic buildings. Each WisDOT Region can provide copies of the current *Sponsor's Guide to Non-Traditional Transportation Project Implementation*, and references for sections of the Facilities Development Manual (FDM) and other documents necessary to comply with federal and state regulations. **Applicants who plan to implement their projects as Local Let Contracts using the Sponsor's Guide must become certified that they are capable of undertaking these projects.**
- g. If applying for a bicycle facility, it is understood that All Terrain Vehicles (ATVs) are not allowed. Snowmobile use is only allowable by local ordinance. Trail fees may only be charged on a facility if the fees are used solely to maintain the trail. WisDOT reserves the right to require that facilities be snowplowed as part of a maintenance agreement where year-round use by bicyclists and pedestrians is expected.

- h. The project sponsor agrees to maintain the project. Failure to maintain the facility, or sale of the assets improved with FHWA funds, will subject the sponsor to repayment of federal funds or additional stipulations protecting the public interest in the project.
- i. If the project sponsor should withdraw the project, it will reimburse the state for any costs incurred by the state on behalf of the project.
- j. The project sponsor agrees to state delivery and oversight costs by WisDOT staff. These costs include review of Design and Construction documents for compliance with federal and state requirements, appropriate design standards, and other related review. These costs will vary with the size and complexity of the project. The sponsor agrees to add these costs to the project under the same match requirements 80% / 20% match requirements.
- k. Projects that are fully or partially federally funded must be designed in accordance with all applicable federal design standards, even if design of the project was 100% locally funded.
- l. As the project progresses, the state will bill the project sponsor for work completed that is ineligible for federal reimbursement. Upon project completion, a final audit will determine the final division of costs as between the state and the project sponsor. If reviews or audits reveal any project costs that are ineligible for federal funding, the project sponsor will be responsible for any withdrawn costs associated with the ineligible work.
- m. For 100% locally-funded design projects, costs for design plan development and state review for design are 100% the responsibility of the local project sponsor. Project sponsors may not seek federal funding only for state review of design projects.
- n. The project sponsor acknowledges that the requisite project completion timeline for approved CMAQ projects will be memorialized in a state-municipal agreement, and failure to comply with the applicable project timeline can jeopardize federal funding.
- o. Federally-funded transportation construction projects, with the exception of sidewalks, are likely improvements that benefit the public at large. Improvements of this type cannot generally be the basis of levying a special assessment pursuant to Wis. Stat. § 66.0703. Municipalities who wish to obtain project funding via special assessment levied against particular parcels should seek advice of legal counsel. See Hildebrand v. Menasha, 2011 WI App. 83.

I confirm that I have read and understand project conditions (a) through (o) above:

Name: _____ Title: _____

Accepted (please initial here): _____

Fiscal Authorization and Signature

Application prepared by a consultant? Yes No

If yes, consultant information and signature required below.

Consultant Company Name: _____ Company Location (City, State): _____

Consultant Signature (electronic only): _____

Date: _____

NOTE: On Local Program projects, it is not permissible for a consultant to fill out applications gratis (or for a small fee) for a municipality and then be selected to do the design work on a project. A municipality could start their consultant selection process early enough and make the application part of the scope of services with the understanding that all costs incurred prior to authorization will be the responsibility of the local municipality. See FDM 8-5-3 for additional information:

<https://wisconsindot.gov/rdwy/fdm/fd-08-05.pdf>

Sponsor Agency:

Contact Person: (Note: must be Head of Government or Designee)

Title:

Address:

Telephone:

Email:

Only one project sponsor is allowed per project. As a representative of the project sponsor, the individual that signs below confirms that the information in this project application is accurate. A local official, not a consultant, must sign the application. I understand that completion of this application does not guarantee project approval for federal funding.

Head of Government/Designee Signature (electronic only):

Date:

Application and Attachments

Submit applications and attachments utilizing the contact information contained in the corresponding CMAQ Program Application Instructions. Eligible applications must be **postmarked on or before August 1, 2019**, and must include the following documents:

- A completed application **in Microsoft Word format**
 - Narrative Response: limited to three double-spaced pages of minimum 11-point font size and in Microsoft Word format.
 - Cost Estimate Detail as required in the Project Costs and Dates section of this application **in Microsoft Excel format**
 - Project map: printed in black & white, on one sheet of paper size 8½ X 11
 - Optional attachment(s): no more than six pages of project description, additional photos, and maps**
- WisDOT Information – Shaded area to be completed by WisDOT staff only.**

FOR WISDOT USE ONLY – enter the following information at application review	
NOTE: Please add any WisDOT application comments in the comments section on the Confidential page A-5.	
Subprogram:	Project Improvement Type:
Anticipated Environmental Document Type (e.g., programmatic, ER, EA, EIS):	
Region Reviewer’s Name:	
Reviewer’s Title:	
Date Received:	
WisDOT Region Reviewer’s Signature:	Date: