

NOTICE OF PROPOSED GUIDANCE DOCUMENT

DTIMBTLRRH4

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on DTIMBTLRRH4 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=DTIMBTLRRH4>

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

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WisDOT 2020-2024 CMAQ Program Application Instructions

NOTE: An application is required for each new potential 2020-2024 program cycle project. Please review and utilize instructions when completing a CMAQ application.

Project Eligibility

Eligible CMAQ projects must:

- Fall within one or more of three qualifying CMAQ categories;
- Cost-effectively improve air quality and reduce congestion in the state's air quality non-attainment or maintenance areas; and
- Be submitted by an eligible local sponsor.

Recommendations for Completing the Application

An application is required for each new potential 2020-2024 program cycle project. Please review and utilize instructions when completing a CMAQ application.

Direct questions regarding the application process to the appropriate Wisconsin Department of Transportation (WisDOT) regional contact listed below.

SE Region	Jacob Varnes	jacob.varnes@dot.wi.gov	(262) 548-8789
NE Region	Sandy Carpenter	sandra.carpenter@dot.wi.gov	(920) 492-5681

Additional project information is available on the following WisDOT web page:

<http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/cmaq.aspx>

Include the name of the local unit of government in the file name and email completed application(s) to the appropriate WisDOT Region email address. If applicable, email application(s) to the Metropolitan Planning Organization (MPO) contact as listed on page 16 of the CMAQ Local Program Guidelines:

SE Region	DOTDTSDETEBPFP@dot.wi.gov
NE Region	DOTDTSNETEBPFP@dot.wi.gov

Application Highlights & Tips

- Project sponsors must fund a portion of total project costs. CMAQ project costs are funded with maximum 80% federal and minimum 20% local funds.
- The final project scope, cost, and delivery schedule are the responsibility of the sponsor.
- Only one project sponsor is allowed per project.
- Print and use instructions to assist in completion of application(s).
- The Tab key can be used in the application to move to the next box or field.

Application Deadline

- **Project application deadline is no later than 5:00 pm on Thursday, August 1, 2019.** Submitting applications prior to the deadline will allow WisDOT to review applications and communicate with locals regarding outstanding questions. ***Late applications will not be accepted.***

Application Format

WisDOT accepts applications in Microsoft Word format. Handwritten signatures are not required. Sponsors should send any necessary attachments in Microsoft Word or Microsoft Excel if possible.

Project Description

Name, Location of Public Sponsor and Sponsor Type. Provide the name of sponsor. Indicate sponsor type by checking the appropriate box. State agencies may apply for CMAQ funds. Projects that are sponsored by a State Agency for projects on state-owned land will be administered by the Department of Administration (DOA) Division of Facilities Development. Since the DOA must co-sign the Project Agreement, contact DOA immediately to coordinate on the project.

Project Title. Provide a clear and descriptive project title.

Project Location. Describe the location, boundaries, and distance of the project. Provide the county name and street address if the project is located on a highway or road.

NOTE: Please attach a black and white, 8½ X 11 map showing the project location.

MPO Name. Refer to the WisDOT Web site for MPO contact information if your project takes place in an urbanized area (<http://wisconsindot.gov/Documents/doing-bus/local-gov/plning-orgs/map.pdf>). Select the name of the MPO your project is represented by, if applicable. **MPO review** applies **only** to projects within urbanized areas with a population of 50,000 or more.

NOTE: Projects located within Metropolitan Planning Areas (MPAs) must be included in the applicable MPO's Transportation Improvement Program (TIP) after approval. MPAs include the census-defined urbanized area plus contiguous areas expected to become urbanized within the 20-year forecast period of the MPO long-range transportation plan.

Project Representative Contact Person(s) Information. Provide contact information for the primary public sponsor agency. In cases where the public sponsor is acting on behalf of a private organization, also provide contact information for the secondary organization on the project application form.

Project Activity

CMAQ Category. Indicate the most pertinent category by checking the appropriate box.

CMAQ Improvement Type. Indicate the appropriate improvement type(s) by checking all of the boxes which apply to your project.

Project Summary

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

Does the proposed project adhere to a local transportation plan? Check *Yes* or *No*, then check the plan type: Regional, County, Municipal, or MPO and then briefly describe the plan and plan goal.

Existing Facilities and Projects

Does a railroad facility exist within 1000 feet of the project limits? Check *Yes* or *No*. **If yes, specify** by selecting: *At-grade Crossing, Roadway Underpass/Overpass, Longitudinal Encroachment, or Parallel.*

Does the project physically cross an existing railroad facility? Check *Yes* or *No*.

To ensure compliance with both state and federal law and policy, all projects with any of the following conditions must be evaluated for rail issues:

- A railroad crossing located within the project limits or within 1,000 feet of the project location and/or on the designated detour route.
- Grade separations between a highway and a railroad.
- Projects that parallel a railroad on adjacent right of way.
- Projects that use railroad properties.
- Projects that involve adjustments to railroad facilities.
- Projects that will impact a corridor reserved under an applicable recreational trails program.

Evaluation may require coordination with the railroad company at an early stage (sometimes even prior to submitting the project application). The WisDOT Railroad and Harbors Section and the Region Railroad Coordinator are available to assist with coordination.

Known safety issues? Check *Yes* or *No*. **If yes, specify**, and consider applying for Highway Safety Improvement Program (HSIP) funding, which will not count against local entitlement and is funded 90% federal and 10% local. Please refer to the following link for additional information on HSIP:

<http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/highway/hsip.aspx>

Is this project on or parallel to a local road or street? Check *Yes* or *No*. **If Yes, provide the name of the road or street.**

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

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

Is any part of this project on either the Interstate or Non-Interstate National Highway System (NHS)? Check *Yes* or *No*. Please refer to the following link for maps of the current NHS:

<http://wisconsindot.gov/Projects/data-plan/plan-res/nhs.aspx>

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

Will any exceptions to standards be requested? Check *Yes* or *No*. **If Yes, provide a brief description.**

What is the percent of non-Single Occupancy Vehicle travel within your community? Write the percentage of Non-SOV travel for the entire local unit of government (*county, town, village, city, school district*). **Non-SOV travel** is defined as any travel mode other than driving alone in a motorized vehicle (i.e., single occupancy vehicle or SOV travel), including travel avoided by telecommuting. To determine Non-SOV travel there are three acceptable methods by which the data may be derived.

How was the Non-SOV travel percentage derived?

A—American Community Survey. Populations by predominant travel to commute to work may be identified from **Table DP03** of the most current American Community Survey 5-Year Estimates (2013 – 2017) using the totals by geographic area and transportation mode listed within the “Commuting to Work” subject heading under the “Estimate” column of the table:

https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/DP03/0400000US55/0500000US55079/0600000US550795300

Add or Remove geographies to select your particular community

Subject	Wisconsin		
	Estimate	Margin of Error	Percent
EMPLOYMENT STATUS			
Population 16 years and over	4,593,931	+/-1,262	4,593,931
In labor force	3,070,667	+/-5,410	67.2%
Civilian labor force	3,077,153	+/-5,368	67.1%
Employed	2,883,390	+/-8,149	62.9%
Unemployed	193,763	+/-2,783	4.2%
Armed Forces	2,504	+/-315	0.1%
Not in labor force	1,504,274	+/-5,479	32.8%
Civilian labor force	3,077,153	+/-5,368	3,077,153
Unemployment Rate	(X)	(X)	6.3%
Females 16 years and over			
In labor force	2,325,371	+/-1,023	2,325,371
Civilian labor force	1,476,928	+/-	
Employed	1,476,007	+/-	
Unemployed	1,393,723	+/-	
Own children of the householder under 6 years	404,537	+/-	
All parents in family in labor force	296,044	+/-	
Own children of the householder 6 to 17 years	651,168	+/-2,080	651,168
All parents in family in labor force	656,495	+/-3,887	77.4%
COMMUTING TO WORK			
Workers 16 years and over	2,835,551	+/-8,138	2,835,551
Car, truck, or van – drove alone	2,284,292	+/-6,720	80.6%
Car, truck, or van – carpooled	239,117	+/-2,529	8.4%
Public transportation (excluding taxicab)	63,876	+/-1,562	1.9%
Walked	94,202	+/-1,930	3.3%
Other means	48,269	+/-1,417	1.7%
Worked at home	115,795	+/-1,968	4.1%

100% - 80.6% = 19.4%

B—local survey. The Percent of Non-SOV Travel may be estimated from a local survey focused on either work travel or household travel for the area and conducted within the last 2 years.

C—system use measurement. The volume of travel using surface modes of transportation may be estimated from measurements of actual use of each transportation mode. Sample or continuous measurements may be used to count the number of travelers using different surface modes of transportation. The method needs to include sufficient information to calculate the amount of non-SOV travel occurring in the area as a percentage of all surface transportation travel.

Environmental/Cultural Issues

Check *Yes*, *No* or *Not Investigated* for each environmental/cultural issue. If *Yes* is checked, provide a brief description of the issue in the *Comments* box.

Section 4(f) refers to the use of publicly owned park and recreational lands, wildlife and waterfowl refuges and significant historical or archeological sites in transportation project development.

Section 6(f) of the Land and Water Conservation Fund (LWCF) Act refers to the conversion to other use of lands or facilities acquired with LWCF Act funds and requires replacement of used land with lands of equal value and use.

Miscellaneous Issues

Construction Schedule Restrictions (trout, migratory bird, local events). Provide information and details concerning any natural or manmade events that may restrict when or how the project is constructed.

Has there been any real estate acquired or transferred in anticipation of this project? Check *Yes* or *No*. **If yes, please explain.**

Right of Way. Check *None*, *Less than ½ acre*, *More than ½ acre*, *Parklands*, *Large parcels*, *Strips*, or *Temporary Interests* as they apply to the project. **NOTE: It is recommended that local funds be used to acquire right of way.**

Please refer to the Local Public Agency (LPA) Manual for Right of Way Acquisition for further information. This manual is publically available through the WisDOT extranet site. Please contact the appropriate WisDOT Region office for additional information.

Maintenance: Check *Yes* or *No* for each maintenance issue. If *Yes* is checked, provide a brief explanation in the *Comments* box.

Other Funding Sources: Has the municipality anticipated, requested or been approved for other federal or state funding from WisDOT for the improvement? Check *Yes* or *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).** Check *Anticipated*, *Requested* or *Approved* for all funding sources that apply (e.g., Highway Safety Improvement Program, Local Roads Improvement Program, etc.). Include a project ID if the funding has been approved.

Railroad Programs include the Rail-Highway Crossing Safety Program and the Freight Railroad Preservation Program (FRPP).

Transportation Alternatives Program is authorized under MAP-21 to provide funding for programs and projects such as on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation, recreational trail program projects and safe routes to school projects. Please also indicate any approved pre-MAP-21 Transportation Enhancements, Bicycle and Pedestrian Facilities Program, and Safe Routes to School funding sources.

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

Project Costs and Dates

Application Project Costs Guidelines

Applicants must demonstrate an ability to provide at least 20% in matching funds and finance the entire project until the Federal Highway Administration (FHWA) reimburses the federal share of up to 80% of project costs. Higher local match levels may be appropriate for projects involving private sector participation. Applicants should clearly indicate any proposal that differs from the typical 80% federal, 20 % local project cost share. Total dollar amounts must correlate to percentage totals.

Private sector grantees will receive reimbursement through their public sponsor. Most projects are reimbursed quarterly on the basis of progress invoices. Projects for public transit services are funded as transfers to the Federal Transit Administration (FTA) as part of the annual transit capital and operating assistance grant administered by WisDOT.

Minimum Project Funding Amounts: To ensure efficient utilization of local and state administrative resources and promote projects with significant impacts, WisDOT established the following minimum project funding amounts for CMAQ projects:

- **A Construction Projects must cost \$200,000 total or more**, including any design work. WisDOT has not set maximum funding amounts, but WisDOT’s ability to fund projects requesting \$1 million or more is very limited. These guidelines apply to both Locally Let and State Let projects. It is assumed projects will be Locally Let, unless the local sponsor and WisDOT Region agree to undertake the project as a State Let. Equipment and materials acquisition are allowable but may be considered construction-related because federal reimbursement will only occur after installation of the materials to ensure that the project is completed. Because of the major time and effort needed to comply with FHWA real estate requirements, sponsors should plan on covering real estate costs under \$100,000 with 100% local funds.
- **A Planning Project, such as system-wide bicycle planning activities, must cost \$50,000 total or more.** Projects below \$50,000 will only be considered if reviewed and approved by WisDOT region or MPO staff before the application is submitted.

Project Timeline

WisDOT is programming the 2020-2024 award cycle under the assumption that the Wisconsin Legislature will continue to fund the CMAQ Program at the previous state budget level of approximately \$10.7 million annually. The Department makes multi-year programming commitments to ensure that projects are able to utilize federal funding immediately as it becomes available. WisDOT also establishes multi-year programming commitments to reflect the necessary timeline for selection and approval of projects.

For this five year cycle, WisDOT is programming projects primarily for state fiscal years (SFYs) 2023 and 2024, although the Department will consider requests for funding in an earlier fiscal year on a case-by-case basis. Once awards are made, there will be the opportunity to work with WisDOT’s Local Programs and Finance (LPF) Section, the WisDOT region Local Program Managers, and the Regional Planning Commissions (RPC) to balance and/or move existing and new projects within the cycle's five year period to maximize the opportunity to advance higher priority projects and to allow designs to begin earlier where possible.

Project Costs

You must attach a detailed breakdown of project costs in Microsoft Excel or another 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. If you are funding design 100% locally, do not include any design project costs in the project cost table in the application. Instead include these in the detailed cost breakdown attachment. Some important things to remember when completing both the project costs table and detailed cost breakdown attachment are to:

- Check with Region for oversight/ review costs;
- Check that inflation is accounted for in the construction estimate;
- Check your math more than once;
- Check that your project costs are accurate and realistic; and
- Check that your cost estimate detail attachment totals match your project cost table totals.

NOTE: Enter your project costs based on what you think they will cost in the year you would like it scheduled.

Project Priority. Priority for each project phase shall be relative to your entire 2020-2024 program cycle submittal. Enter priority numerically.

Check each phase of the project (e.g., construction, design) for which you are requesting federal funds. There can be no standalone design projects. If funding is requested for design there must be a request for construction.

Construction

Basis for Construction Estimate. Indicate the method used for estimating the construction cost of the project by checking the appropriate box for *Itemized Costs*, *Cost per Mile*, *Past Projects Cost*, or if *Other*, *specify*. Please submit construction cost estimate documentation.

Schedule Preference. Check the state fiscal year in which you request the phase be scheduled (i.e., FY 2021 is July 1, 2020 – June 30, 2021). Please note that WisDOT has final authority to select the year in which the project is scheduled.

Construction (minimum \$200,000). Enter the Federal Share of the Participating Construction Cost (80%), the Local Share of the Participating Construction Cost (20%), and the Non-Participating Construction Cost (100% Local) for the Roadway category.

NOTE: Temporary traffic/pedestrian control items should be included in the construction estimate.

A. Subtotal Construction Costs. Sum lines A and B of the Construction section.

B. State Review for Construction. Coordinate with your WisDOT Regional Local Program representatives to determine the State review Cost Estimate Range.

Construction with State Review Cost Estimate Sum lines A and B of the Construction section.

Design

Check box to indicate if design will be 100% locally funded or 80% federally funded.

NOTE: Federally funded “state review only” projects are not allowed.

NOTE: 100% locally-funded design projects must meet all applicable federal design standards.

Schedule Preference. Check the state fiscal year in which you request the phase be scheduled (i.e., FY 2021 is July 1, 2020 – June 30, 2021). Please note that WisDOT has final authority to select the year in which the project is scheduled.

A. Plan Development: Use the Subtotal Construction Costs (line A in the Construction section above) to determine the Construction Cost Estimate and apply the Plan Development (Design) percentage to calculate an estimated dollar amount. Enter both the percentage and the dollar amount in the application.

B. State Review for Design: Use the Subtotal Construction Costs (line A in the Construction section above) to determine the Construction Cost Estimate Range and apply the State Review for Design percentage to calculate an estimated dollar amount. Enter both the percentage and the dollar amount in the application.

Note: Work with your WisDOT Regional Local Program staff for percentages for Plan Development and State Review for

Design. Design with State Review Cost Estimate Sum lines A and B of the Design section.

Real Estate

Schedule Preference. Check the state fiscal year in which you request the phase be scheduled (i.e., FY 2021 is July 1, 2020 – June 30, 2021). Please note that WisDOT has final authority to select the year in which the project is scheduled.

Total Real Estate Cost. Provide a total cost for the real estate project.

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

Check the state fiscal year in which you request the phase be scheduled (i.e., FY 2021 is July 1, 2020 – June 30, 2021). Please note that WisDOT has final authority to select the year in which the project is scheduled.

Total Other Cost. Provide total cost for the planning, administration, or other non- infrastructure project.

Utility

Check the state fiscal year in which you request the phase be scheduled (i.e., FY 2021 is July 1, 2020 – June 30, 2021). Please note that WisDOT has final authority to select the year in which the project is scheduled. **NOTE: Compensable utility costs must be a minimum of \$50,000 per utility.** Link to WisDOT Utility Policy: <https://wisconsindot.gov/dtsdManuals/utility/chapter17.pdf>

Total Utility Cost. Provide total cost for the utility project.

Narrative Response/Attachment 1

Provide up to **three** pages of **double-spaced** narrative (**minimum 11 point font size**) describing the proposed project. **Respond to questions 1-7 as the questions relate to the proposed project.**

Proposals for CMAQ funding must include a precise description of the project, providing a thorough description of project scope, specific location and limits, and timetable for implementation. In addition to the information in the enclosed application, all applications must include information to enable the evaluating agencies to prepare emissions reduction estimates. Applicants should attach up to three narrative pages addressing questions 1-7. This will help with calculating an emissions estimate in an urbanized area by the MPO, or if in a non-metropolitan planning area by WisDOT. In addition, it will provide the information the selection committee needs to review your project application.

REMINDER: Attach an 8 ½ X 11 map showing the project location.

Key Program Requirements Confirmation

Confirm understanding of project conditions by typing name, title, and initials in the boxes at the bottom of the page. The individual providing initials and signature on the application (i.e., Head of Government or Designee, not a consultant) must have fiscal authority for the project sponsor.

Note that *Item O* regarding special assessments is provided for informational purposes only. WisDOT is not recommending a specific course of action but is alerting applicants to potential legal risks associated with special assessments for transportation construction projects using federal funds.

Fiscal Authorization and Signature

Application prepared by a consultant? Check *Yes* or *No*.

If *Yes*, please provide the **Consultant Company Name** and **Company Location (City, State)**, **Consultant Signature**, and signature **Date**. An electronic typed signature is all that is required to submit an application. A handwritten signature in PDF format is NOT necessary.

Note: On Local Program projects, consultants are not permitted to fill out an application for a municipality and then be selected to do the design work on a project. See FDM 8-5-3.4 for additional information: <https://wisconsindot.gov/rdwy/fdm/fd-08-05.pdf>

Sponsor Agency responsible for completing application. The Sponsor Agency is the local unit of government that is financially responsible for the federal-aid improvement.

Contact Person. Must be a Head of Government or Designee (e.g., County Highway Commissioner).

Title of the Contact Person.

Address of the Contact Person.

Telephone number of the Contact Person.

Email address of the Contact Person.

Head of Government/Designee Signature. A local official, not a consultant, must sign the application. An electronic typed signature is all that is required to submit an application. A handwritten signature in PDF format is NOT necessary.

Date the application was signed.

Attachments - Refer to application form for details. Check the appropriate boxes to indicate that attachments are annexed to the application.

WisDOT Information – Shaded area to be completed by WisDOT staff only WisDOT staff will enter the information in the top portion at application review and enter the project ID(s) after project approval.