

# IOWA TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM GUIDANCE



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# 1 BACKGROUND

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## 1.1 PROGRAM PURPOSE

The Transportation Alternatives Set-Aside (TA Set-Aside) from the Surface Transportation Block Grant Program (23 U.S.C. 133(h)) was authorized by the Infrastructure Investment and Jobs Act (IIJA) that was enacted in November 2021. With this most recent iteration of the TA Set-Aside, Congress has made additional changes to the program. Most notably to Iowa, the program now allows for the suballocation of up to 100 percent of funds for competitive selection of projects beyond what was previously allowed.

In the published program guidance, the Federal Highway Administration (FHWA) has several aims for the program:

- To encourage the investment in projects that upgrade the condition of streets, highways and bridges and creates a modern transportation network safe for all users,
- To provide choice across all modes,
- To accommodate new and emerging technologies,
- To make the network sustainable and resilient, and
- To ensure the network is more equitable.

The FHWA encourages Iowa DOT and our partners to identify opportunities to use these resources for the repair, rehabilitation, reconstruction, replacement, and maintenance of existing transportation infrastructure, especially the incorporation of safety, accessibility, multi-modal, and resilience features. This includes projects that maximize the existing right-of-way for non-motorized modes and transit options and increase safety, accessibility, and/or connectivity. The FHWA also encourages the full consideration of the safety of all users in project development and use funds from the TA Set-Aside to address safety wherever possible. However, improvements to safety features, including traffic signs, pavement markings, and multi-modal accommodations that are routinely provided as part of a broader federal-aid highway project can and should be funded from the same source as the broader project as long as the use is eligible under that funding source rather than separating such improvements as a TA Set-Aside funded project.

Consideration should also be given to the use of TA Set-Aside funds for projects and inclusion of project elements that proactively address workforce development and economic development or removes barriers to opportunity such as automobile dependence. Funds from the TA Set-Aside that have been selected through a competitive process can be “flexed” to the Federal Transit Administration (FTA) to fund projects for transit agencies and used for transit projects in furtherance of the goal of providing an equitable and safe transportation network for travelers of all ages and abilities.

## 1.2 IMPLEMENTATION OF THE TA SET-ASIDE IN IOWA

Since passage of the Intermodal Surface Transportation Efficiency Act of 1991, Iowa DOT has worked with cities and counties to develop eighteen Regional Planning Affiliations (RPAs) with responsibilities similar to Iowa’s nine Metropolitan Planning Organizations (MPOs). These RPAs represent the non-metropolitan areas of the state not covered by MPOs. Over the last 30 years, the MPOs and RPAs have been successfully providing transportation planning functions including development of Transportation Planning Work Programs and Transportation Improvement Programs (TIPs). Iowa’s MPOs and RPAs have also been entrusted by the Iowa Transportation Commission with the responsibility for selecting

projects for the various iterations of the transportation enhancements or transportation alternatives programs. Faith in these processes continues through the implementation of the IJJA.

The funding level of the TA Set-Aside under the IJJA is increased over the previous version.

Consequently, the funding level of the Statewide TA Set-Aside funding program per federal fiscal year apportionment has been increased to \$5 million from \$1 million. All other TA Set-Aside program funds will be awarded to local project sponsors through Regional TA Set-Aside programs administered by the MPOs and RPAs.

### **1.3 ABOUT THIS DOCUMENT**

This document provides general information for all interested applicants about the TA Set-Aside program, guidance to MPOs and RPAs on how to administer their Regional TA Set-Aside programs, and specific guidance to project sponsors about how to apply to the Statewide TA Set-Aside program. The Statewide TA Set-Aside program described in Section 4 will receive applications for projects with a statewide and multi-regional impact, that will complete significant trail linkages, or that will assist safe routes to school efforts. The Regional TA Set-Aside programs administered by each local MPO or RPA are intended to focus on projects that are important locally or at a regional level and will each have their own procedures, deadlines, and priorities but must follow the general program outline described in Section 3. Applicants for both the Statewide and Regional TA Set-Aside programs will find general program information applicable to both programs in Section 2, the required application form and attachments in Section 5, and a general overview of federal requirements in Section 6.

## **2 TA SET-ASIDE PROGRAM BASICS**

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### **2.1 TREATMENT OF PROJECTS AS FEDERAL-AID HIGHWAY PROJECTS**

Projects funded by the TA Set-Aside program will be carried out under the same rules and procedures as a highway project on a federal-aid highway. This subjects all projects to, among other things, Davis-Bacon Act prevailing wage requirements and other federal-aid requirements applicable to projects on federal-aid highways (e.g., Build America, Buy America, planning, environmental review, letting, etc.). A project that may seem simple (like a simple local trail) will not necessarily be simple to complete if the project is funded through the TA Set-Aside program. Project sponsors should expect to devote considerable time and resources toward following the federal requirements necessary for their project to be successfully completed. See Section 6 of this document for more information about federal-aid highway project requirements.

### **2.2 ACTIVITIES ELIGIBLE FOR TA SET-ASIDE FUNDING**

A project proposed for TA Set-Aside funding must have a clear project scope that fits within one of the following categories. If a construction project, the project must be constructible as an independent project and identify a specific project location (including logical project termini where applicable). Award of funding toward a proposed project is still subject to review of project cost eligibility and allowability by Iowa DOT and does not absolve the project sponsor from its responsibility to follow all applicable local, state, and federal rules and laws. TA Set-Aside Program eligible activities are described in 23 U.S.C. 101(1)(29) or 23 U.S.C. 213, as in effect prior to the enactment of the Fixing America's Surface Transportation (FAST) Act. Those sections contained the following eligible activities:

1. Transportation Alternatives
  - A. Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq).
  - B. Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.
  - C. Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
  - D. Construction of turnouts, overlooks, and viewing areas.
  - E. Community improvement activities, which include but are not limited to:
    - I. Inventory, control, or removal of outdoor advertising.
    - II. Historic preservation and rehabilitation of historic transportation facilities.
    - III. Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control.
    - IV. Archaeological activities relating to impacts from implementation of a transportation project eligible under this title.
    - V. Streetscaping and corridor landscaping.
  - F. Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to:
    - I. Address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in Title 23 sections 133(b)(11), 328(a), and 329; or
    - II. Reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.
2. The Recreational Trails program (RTP) under 23 U.S.C. 206. (Any project eligible under the RTP also is eligible under the TA Set-Aside).
3. The Safe Routes to School program including:
  - Infrastructure-related projects eligible under 23 U.S.C. 208(g)(1), and
  - Non-infrastructure-related activities eligible under 23 U.S.C. 208(g)(2).
4. Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

### **2.3 ACTIVITIES INELIGIBLE FOR TA SET-ASIDE FUNDING**

- MPO administrative activities.
- Promotional activities, except as permitted within an eligible safe routes to school project.
- Routine maintenance and operations, except trail maintenance as permitted by the Recreational Trails Program (RTP).
- General recreation and park facilities, playground equipment, sports fields, campgrounds, picnic areas and pavilions, or other facilities that do not serve an eligible TA Set-Aside, RTP, or safe routes to school purpose.

## 2.4 ELIGIBLE APPLICANTS

### 2.4.1 Project Sponsor Responsibilities

Each application must identify an eligible project sponsor. The project sponsor is the entity that will assume all responsibility for implementing the project, guarantees the necessary funds are delivered to the project, and is accountable for the use of program funds. Projects involving more than one entity must identify a single project sponsor that will be required to enter into a project agreement with Iowa DOT and will ensure compliance with all local, state, and federal laws, regulations, policies, and procedures. The project sponsor will also designate a full-time employee to be the Person in Responsible Charge who will supervise all project administration duties, oversee the work performed by consultants and contractors, and coordinate the development of the project with Iowa DOT. The project sponsor must also register in the System for Award Management (SAM) and provide a Uniform Entity Identifier (UEI) to Iowa DOT.

All applications must be accompanied by an official endorsement from the project sponsor. For cities, counties, or other political subdivisions, this endorsement must be in the form of a fully executed resolution by the elected body or board, as applicable. It must provide written assurance the project sponsor will adequately maintain the completed project for its intended public use following project completion (for most construction projects, this will be a minimum of 20 years) and acknowledge the intent of the project sponsor to provide all funds required to complete the project beyond any TA Set-Aside award.

### 2.4.2 Eligible Project Sponsors

IJA included a comprehensive list of entities eligible to receive TA Set-Aside funds. Neither Iowa DOT nor the MPOs or RPAs may further reduce this list and deem any category of entities as broadly ineligible; however, inclusion on this list does not guarantee funding will be awarded. Under 23 U.S.C. 133(h)(4)(A), as amended by the IJA, the entities eligible to receive TA Set-Aside funds are:

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

7. ***A metropolitan planning organization that serves an urbanized area with a population of 200,000 or fewer.*** MPOs representing urbanized areas over 200,000 population are not eligible entities.
8. ***A nonprofit entity.*** The BIL removed the requirement that the nonprofit entity be responsible for the administration of local transportation safety programs.
9. ***Any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails*** (other than a metropolitan planning organization that serves an urbanized area with a population of over 200,000 or a State agency) that the State determines to be eligible, consistent with the goals of 23 U.S.C. 133(h).
10. ***A State, at the request of an eligible entity listed above.***

#### **2.4.3 Ineligible Project Sponsors**

MPOs representing urbanized areas over 200,000 population are not eligible entities (23 U.S.C. 133(h)(4)(A)(ix)). Iowa DOT is also not an eligible entity unless requested by another eligible entity to serve as the project sponsor (23 U.S.C. 133(h)(4)(A)(x)). Such requests may be made to the appropriate Iowa DOT District Office if the proposed project has a close association with other Iowa DOT construction work on a Primary Highway under Iowa DOT jurisdiction. Approval of such requests is not guaranteed and is separate from any consent letter provided by the Iowa DOT District Office for work to be placed in Primary Highway System right-of-way.

## **2.5 PROJECTS INVOLVING PRIMARY HIGHWAY SYSTEM RIGHT-OF-WAY**

Projects that will encroach on Primary Highway System right-of-way will require review of plans, submission of all applicable permit applications, and are subject to final approval by the applicable Iowa DOT District Office staff prior to being allowed to proceed to letting. To ensure advanced collaboration between the project sponsor and the Iowa DOT District Office, all applications (whether to one of the Regional TA Set-Aside programs administered by an MPO or RPA or to the Statewide TA Set-Aside program) require a letter from the Iowa DOT District Engineer offering consent for the application to be submitted (see Section 5.2.7). All requests for such a letter should be submitted at least one month prior to the application deadline to the applicable District Transportation Planner. Receipt of a letter does not absolve the applicant from continuing to work with Iowa DOT District Office staff through design of the project up to and including possible revisions to the project concept to meet Iowa DOT requirements. To determine the appropriate Iowa DOT District Office and contact for your project, visit the Iowa DOT website: [https://iowadot.gov/systems\\_planning/district-transportation-planners-area-of-responsibility](https://iowadot.gov/systems_planning/district-transportation-planners-area-of-responsibility).

## **2.6 COST REIMBURSEMENT UNDER THE TA SET-ASIDE PROGRAM**

Funds awarded through the TA Set-Aside program are provided to project sponsors on a reimbursement basis and are not provided as a lump sum or cash payment in advance of costs being incurred. All projects require project sponsors to pay 100 percent of project costs up front and are reimbursed up to 80 percent of approved project costs after conducting the eligible project activity. After a project has been awarded funds, a project sponsor will work with Iowa DOT to request Federal Highway Administration (FHWA) authorization of specific costs. This is also called obligation of funds. Although funds may be awarded or committed by Iowa DOT or an MPO or RPA, no costs can be incurred until after those specific costs have received FHWA authorization. Costs incurred prior to FHWA authorization are not eligible for reimbursement. Following FHWA authorization, the project sponsor will receive notice from Iowa DOT and then may begin approved project activities and incur costs. Any costs incurred prior to receipt of a notice to proceed from Iowa DOT are not eligible for reimbursement.

Project sponsors will request reimbursement from Iowa DOT at least every 6 months and must provide sufficient documentation to show that the project costs have already been paid.

Procedures for authorization of various eligible project costs are detailed in the Instructional Memorandums (IMs) referred to in Section 6 and available on the Iowa DOT website. Upon award, each project will be assigned an Iowa DOT contact person; however, it is the project sponsor's responsibility to ensure all appropriate procedures have been followed according to the executed project agreement.

## **2.7 NON-FEDERAL MATCH REQUIRED**

TA Set-Aside program funds may reimburse for up to 80 percent of eligible project costs or up to the approved grant maximum, whichever is less. A non-federal match is required to pay for a minimum of 20 percent of the remaining project costs; however, the project sponsor is ultimately responsible for all costs beyond any TA Set-Aside funds awarded to the project and for 100 percent of all costs determined to be ineligible for TA Set-Aside reimbursement. Federal funds cannot be used as matching funds, unless expressly permitted by law. Matching funds may include grants from other state agencies or programs if their laws and rules allow. Services, materials, or real property may be donated to the project sponsor for incorporation into the TA Set-Aside project by a third-party subject to Iowa DOT and FHWA approval and in accordance with the applicable IM referred to in Section 6.

## **2.8 PROJECT TERMINATION OR REPAYMENT OF FUNDS**

If a project, in full or in part, is determined to be ineligible or if required processes weren't followed, all or part of award may be cancelled at any time or may be required to be repaid according to the executed project funding agreement.

At any time from award until the project is closed, Iowa DOT retains the right to terminate a project for any of the following reasons:

1. The project, in whole or in part, is deemed not to be an activity eligible for reimbursement of TA Set-Aside funds,
2. The project sponsor does not develop the project according to program requirements and as programmed in the TIP/STIP,
3. The federal government, legislature or governor fail to appropriate funds to Iowa DOT sufficient to meet the obligations of the award, or
4. If any funds or revenues are de-appropriated, reduced, not allocated, or delayed, for any reason.

## **3 REGIONAL TA SET-ASIDE PROGRAMS ADMINISTERED BY RPAs AND MPOs**

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Each MPO and RPA will administer a Regional TA Set-Aside competitive application program. The Regional TA Set-Aside programs are intended to provide access to funding for eligible projects that are important locally or at a regional level. This section provides guidance to MPOs and RPAs in how their Regional TA Set-Aside programs must be administered. The Statewide TA Set-Aside program described in Section 4 is intended for projects that are anticipated to have a statewide and multi-regional impact, that will complete significant trail linkages, or that will assist safe routes to school efforts.

### 3.1 SUBALLOCATION

The IIJA authorizes states to suballocate additional TA Set-Aside funds (23 U.S.C. 133(h)(2)(B)) if the state submits a plan for approval. Iowa DOT's request to suballocate was approved by FHWA on March 9, 2023. Aside from the \$5 million retained from each federal fiscal year apportionment for the Statewide TA Set-Aside program, all other TA Set-Aside funds will be suballocated to the MPOs and RPAs for award to projects of regional priority. MPOs with populations over 200,000 receive a direct suballocation via federal statute. The request to suballocate addressed the following points:

**How funds will be allocated.** Programming targets are provided to the MPOs and RPAs annually on a per capita basis to be used toward development of their TIPs and this information will also be used to administer a Regional TA Set-Aside program. Past performance has shown awards are then made by the MPOs and RPAs to a wide variety of communities to satisfy the required population suballocations included in the IIJA for areas under 5,000; 5,000 to 49,999; 50,000 to 200,000; and over 200,000.

**How the entities will carry out a competitive process to select projects for funding.** The MPOs and RPAs are required to carry out a competitive selection process as described in their TIPs. The MPOs and RPAs will also be required to provide technical assistance to applicants, provide sufficient time for preparation of applications, and include 'high need' (as defined by Iowa DOT) in their project prioritization.

**The legal, financial, and technical capacity of the entities.** Each MPO and RPA maintains professional staff, has a FHWA/FTA approved work program, and annually executes a Planning Joint Participation Agreement with Iowa DOT. Each agency will continue to abide by the legal, financial, and technical requirements of these agreements, maintain certification (as applicable,) and participate in regular planning reviews.

**How the State will comply with the TA reporting requirements.** Iowa DOT will continue to comply with annual reporting requirements because all MPOs and RPAs are required to provide details of their selection processes with every funding cycle to Iowa DOT. This process provides all of the information required for the annual TA Set-Aside report.

### 3.2 COMPETITIVE PROJECT SELECTION REQUIREMENTS

All TA Set-Aside funds must be awarded through a competitive project selection process. A competitive project selection process includes:

- Providing technical assistance to eligible entities needing some help understanding how to apply
- Providing sufficient time from solicitation to deadline so that entities have time to prepare full and complete applications for funding
- Providing clear selection criteria, weighting, scoring or qualitative selection methods so that applicants fully understand how applications will be prioritized for funding
- Increasing transparency and openness so that unfunded applicants understand why their project was not selected

Iowa DOT is directly responsible to ensure a competitive project selection process is carried out. Each MPO and RPA must include a description of their Regional TA Set-Aside competitive project selection process meeting the above requirements in their TIP. Because IIJA requires that they receive a direct suballocation of funds, MPOs with populations over 200,000 are also directly responsible for a competitive project selection process in consultation with the state.

All MPOs and RPAs are also required to provide notice to the Iowa DOT Systems Planning Bureau TA Set-Aside Program Manager prior to announcing a solicitation for applications. The planning agencies are also required to provide technical assistance to potential applicants, provide sufficient time for

preparation of applications, and consider 'high need' (as defined below) in their project selection process.

Iowa DOT will review and approve the competitive process for every MPO and RPA to ensure they meet these requirements. Iowa DOT retains oversight of the Regional TA Set-Aside competitive selection processes as well as final approval authority of all awards through a review of project eligibility and inclusion of these projects in the STIP prior to development. Additional review of these competitive processes would take place during periodic MPO and RPA planning reviews jointly led by the FHWA Iowa Division Office, FTA Region VII, and Iowa DOT.

### **3.3 PRIORITIZATION OF HIGH-NEED AREAS**

The IJA requires that the competitive project selection process for the TA Set-Aside program include prioritization of project location and impact in high-need areas as defined by the state. Iowa DOT has determined that the competitive project selection process administered by each MPO or RPA must include a criteria to prioritize projects located in or impacting high-need areas such as low-income, transit-dependent, rural, or other areas deemed as high-need in the region. Each MPO or RPA may apply this prioritization as applicable to each region but must include it as a criterion in all solicitations awarding TA Set-Aside funds.

### **3.4 DEVELOPING A REGIONAL TA SET-ASIDE PROGRAM**

An MPO or RPA may develop a regionally administered TA Set-Aside program specifically suited to meet the needs of the region.

#### **3.4.1 Eligible Activities and Costs**

The MPO or RPA may allow all eligible activities described in Section 2 or define a subset of activities eligible for award in its program. Iowa DOT has also placed no limitations on the types of costs that may be eligible for reimbursement beyond those included in the federal TA Set-Aside program guidance and federal-aid project development process; however, reimbursing for any costs besides construction does further complicate the development process for a project sponsor.

#### **3.4.2 Eligible Project Sponsors**

MPOs and RPAs may not disallow categories of eligible applicants or project sponsors. All entities listed as eligible project sponsors in Section 2 must be allowed to submit an application. Competitive project selection criteria may include the consideration of an entity's previous experience administering a federal-aid highway project and should consider the likelihood of success in determining an application's appropriateness for award. MPOs and RPAs should consider each potential application for risk of noncompliance with federal statutes, regulations, and the requirements associated with the TA Set-Aside program. Steps should be taken to ensure that a project sponsor has prior experience with federal-aid, adequate staff, and appropriate financial procedures in place or has demonstrated a thorough understanding of program requirements and capacity to complete the project successfully before making an award. In addition, MPOs and RPAs should continue to consider the need to obligate funding across a diverse population range corresponding with federal requirements in making award decisions.

#### **3.4.3 Award Amounts**

There is no state-defined minimum or maximum grant award amount; however, MPOs and RPAs are encouraged to consider the efficient use of federal funds and the time and resources that will need to be expended by both the project sponsor and Iowa DOT in making an award. Small dollar awards for

small projects and underfunded projects awarded less than the maximum allowed federal share of 80 percent of total eligible costs are often difficult for project sponsors to administer efficiently. This is especially true for smaller project sponsors and entities that do not regularly receive federal funds and are not familiar with the requirements.

#### **3.4.4 Education and Technical Assistance**

MPOs and RPAs should be prepared to assist applicants in understanding the Regional TA Set-Aside program and its requirements. This is particularly important if an applicant has not had significant federal-aid highway project development experience. If an MPO or RPA intends to make small awards of TA Set-Aside funds or allow federal participation in costs other than construction, the MPO or RPA should also be prepared to provide educational resources to prospective applicants well in advance of an application being submitted and provide assistance, as needed, to help ensure the project's success.

### **3.5 APPLICATION PROCESS**

Each MPO and RPA will develop its own application procedures, deadlines, and priorities and will determine how applicants will be notified of funding availability, what region-specific information is required as part of the application, and how applications will be evaluated and selected for funding.

#### **3.5.1 Call for Applications**

The MPO or RPA will announce submittal deadlines to eligible project sponsors within their area. At a minimum, the announcement must include clear selection criteria, weighting, scoring or qualitative project selection methods to be used and allow sufficient time for the preparation of full and complete applications. This notice must also be provided to Iowa DOT for posting on the Iowa DOT website.

#### **3.5.2 Application Requirements**

Each MPO and RPA must require applicants to submit the Iowa DOT *Application for Transportation Alternatives Set-Aside (TA Set-Aside) Program Funds* and all required attachments as described in Section 5. MPOs and RPAs may require additional information be included as an addendum in addition to the required application if additional information is needed to assess the regionally defined competitive project selection criteria. MPOs with populations greater than 200,000 may use an application form of their own creation, but they are encouraged to use or mirror the Iowa DOT application and its requirements. Iowa DOT will still be reviewing these project applications for eligibility prior to the initiation of project development and will still require formal resolutions from the jurisdiction. Upon receipt, each MPO and RPA will verify that submitted applications are complete before proceeding with their selection process and forwarding all applications received to Iowa DOT for review of eligibility. All eligible applications received must be considered for funding.

#### **3.5.3 Iowa DOT Review of Applications**

Iowa DOT will review each application upon receipt from the MPOs and RPAs and confirm that the application is eligible to receive TA Set-Aside program funding according to the program guidance. Iowa DOT will return confirmation of eligibility and provide comments on the applications back to the MPOs and RPAs. Each MPO and RPA will review each application received, consider the comments received by Iowa DOT, and assess each project for consistency with local/regional plans and priorities.

#### **3.5.4 Award of Funds**

Following completion of the award cycle, each MPO and RPA is required to provide an award letter to successful applicants stating, at a minimum, the project scope awarded, dollar amount awarded, any limitations placed on the award by the MPO or RPA, and the TIP program year when the funds shall be

available. The MPO or RPA will then work with the project sponsor to ensure the project is appropriately programmed in the TIP.

### **3.6 REPORTING REQUIREMENTS**

Iowa DOT is required to compile annual statistics regarding project selection for submission to the FHWA per 23 U.S.C. 133(h)(7). Each MPO and RPA is required to provide the following information to the TA Set-Aside Program Manager for each application cycle it administers:

1. Call for Applications. The submittal to Iowa DOT must be provided prior to publication and identify the date information is to be made public. The call for applications must clearly identify how to apply and when applications are due. Every effort should be made to be transparent about the award process and identify all criteria, weighting, scoring or qualitative selection method to be applied in the review of applications and selection of projects.
2. All applications received. Upon the close of the application deadline, all applications must be submitted to Iowa DOT for archiving and review of eligibility. Comments will be provided. Awards should not be made until comments from Iowa DOT have been received. All eligible applications received must be considered for funding.
3. Award Summary and Award Letters. Following the award of projects, a summary shall be provided to Iowa DOT indicating applications awarded (and not awarded), dollar amounts awarded, and in which federal fiscal year the funds will be programmed in the TIP. Award letters (or emails) must be provided to applicants receiving an award stating, at a minimum, the project scope awarded, dollar amount awarded, any limitations on funding placed on the award by the MPO or RPA, and when the funds will be programmed to serve as an official notice of action. The Iowa DOT TA Set-Aside Program Manager must be carbon copied on this communication to the project sponsor.

### **3.7 AWARD OF ADDITIONAL FUNDS**

All award of funding will be made following the completion of a competitive project selection process. From time to time, additional funds may become available between regularly scheduled project selection cycles due to project cancellations or underruns. When this occurs, these funds shall not be awarded to any new project outside of a competitive project selection process open to all applicants. Funds may be added to a project that was previously awarded TA Set-Aside funds by the MPO or RPA and is already programmed, but only if the MPO or RPA can document that the original award intended the addition of funds if they became available at a later date. No added funds will be included in the development of any TA Set-Aside project if such documentation cannot be provided. The project sponsor and MPO or RPA will provide this documentation prior to any funds being added to an existing project in the TIP.

### **3.8 BORROWING AHEAD AND UNOBLIGATED BALANCES**

As mentioned in Section 3.1, MPOs and RPAs are provided TA Set-Aside funding targets four years in advance. If they choose, the MPOs and RPAs may borrow ahead from those four years in making their awards. It is important that good choices are made in selecting projects because each agency's TA Set-Aside unobligated balance accrual will be tracked quarterly. Each MPO and RPA will be limited to the accrual of a maximum of four years' worth of funding. This means if the unobligated balance exceeds a total of four years of funding, it is possible that funds may be removed and reallocated to another MPO or RPA to ensure the timely obligation of funds program wide.

### 3.9 CONTACTS

Applicants with an eligible project that would be important locally or at a regional level should contact their local MPO or RPA for the procedures and deadlines specific to their local Regional TA Set-Aside program. Contact information for local MPOs and RPAs can also be found on the Iowa DOT website at: [https://iowadot.gov/systems\\_planning/Grant-Programs/Transportation-Alternatives](https://iowadot.gov/systems_planning/Grant-Programs/Transportation-Alternatives).

Applicants interested in seeking funding for a project with a statewide or multi-regional impact, that will complete a significant trail linkage, or that will assist safe routes to school efforts should refer to Section 4 to determine whether an application to the Statewide TA Set-Aside program may be competitive for funding.

## 4 STATEWIDE TA SET-ASIDE PROGRAM ADMINISTERED BY IOWA DOT

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The Statewide TA Set-Aside program is primarily intended for projects that are anticipated to have a statewide or multi-regional impact. This section provides guidance to applicants about the program priorities, application process, and project selection criteria. The Regional TA Set-Aside program described in Section 3 is intended to provide access to funding for eligible projects that are important locally or at a regional level. Only applications for projects with a scope that is statewide or multi-regional in nature or a safe routes to school project may be considered for funding through the Statewide TA Set-Aside Program. Applications for projects such as community trails that could be considered primarily local impact projects will not be competitive in the Statewide TA Set-Aside program.

### 4.1 STATEWIDE APPLICATION PROGRAM PURPOSE

The intent of the Statewide TA Set-Aside competitive application program is to make a big impact with the limited funds available and to provide access to funding for applications from certain other activities that are not likely to be competitive in the Regional TA Set-Aside programs, but which Iowa DOT seeks to encourage. Projects likely to be competitive in the Statewide TA Set-Aside program will have an impact that extends beyond the local or regional scale. The expansion of the multi-modal trail network through the completion of trail linkages is emphasized. Trail maintenance and feasibility and planning studies are not likely to be competitive. Safe routes to school projects may apply, but there are limitations on funding for these projects. Projects that are identified in an adopted Iowa Byways Corridor Management Plan are also encouraged to apply. These emphasis areas are discussed in more detail below.

#### 4.1.1 Statewide and Multi-Regional Projects

Projects that will have statewide and multi-regional impact are not likely to be funded by a single MPO or RPA because their scope extends beyond the boundaries of a single region. Applications for projects such as community or county trails or other limited improvements are not considered projects with the potential to have statewide and multi-regional impact. An assessment of the relative statewide or multi-regional impact of a project may be made by considering the following:

- The project scope includes activities that will take place statewide or in multiple regions,
- The project will significantly expand the state's multi-modal transportation system,
- The project will have significant tourism benefits that will be realized at a statewide level or in multiple regions, and
- The project has required some degree of statewide or multi-regional planning to implement which may include implementation (in whole or in part) of a state program.

#### **4.1.2 Projects Expanding Trail Connectivity**

Applications for projects that will expand the statewide multi-modal trail network are encouraged; however, the most competitive applications will have a significant impact and will not be local trail connections. An area of emphasis will be placed on applications that seek to complete the connection between two major segments of trail. The Statewide TA Set-Aside program is specifically intended for the expansion of the trail network and not for maintenance. Applications seeking to fund the repair, rehabilitation, or resurfacing of existing trails are not considered an expansion of the multi-modal trail network.

#### **4.1.3 Safe Routes to School Projects**

A safe routes to school project is a project eligible under 23 U.S.C. 208. Any sidewalk project is not automatically considered a safe routes to school project. In order to be considered for funding under the Statewide TA Set-Aside program as a safe routes to school project, an application must include the safe routes to school information as described in Section 5.1.5. A safe routes to school construction project must be located within two miles of one or more schools serving grades K-12 and address an identified hazard to safe walking or bicycling for students in the neighborhood served by the school(s).

#### **4.1.4 Projects Related to Iowa Byways**

An Iowa Byways project is a project located immediately adjacent to a state-designated Iowa Byway that has received the endorsement of the local byway organization. These projects should be identified in the adopted Corridor Management Plan for the byway or otherwise deemed to be consistent with the goals and objectives of the plan. Documentation is required to be submitted as part of the application as described in Section 5.2.6.

### **4.2 ELIGIBLE ACTIVITIES AND COSTS**

All activities eligible under the TA Set-Aside program are eligible to apply for funding through the Statewide TA Set-Aside program; however, all project types will not be equally competitive for funding. Applicants are encouraged to read the program purpose and scoring criteria closely to determine if this program is a good fit for their project. Iowa DOT is not restricting type of costs or phases of work (such as engineering, right-of-way acquisition, etc.) from being an eligible cost under the Statewide TA Set-Aside program if those costs meet all requirements of the TA Set-Aside program and will comply with the federal-aid project development process. However, in most cases, the use of funds toward construction costs only will be the most efficient use of program funds. All eligible project sponsors listed in Section 2 are eligible to apply. Applications for the same project are generally not considered for award by more than one of the following in any given year: Statewide TA Set-Aside, Federal Recreational Trails Program, and State Recreational Trails program.

### **4.3 AWARD LIMITATIONS**

There are no absolute minimum or maximum award amounts. With funding limited to \$5 million per apportionment year it is likely that it may be difficult to fund projects requesting \$1 million or more. SRTS projects are limited to \$1 million in aggregate (all awarded projects added together) awards per year.

### **4.4 NOTICE OF FUNDING OPPORTUNITY**

A notice of funding availability will be published when Iowa DOT opens an application window. The deadline for submissions will be stated in the notice of funding available. A complete submission must

include the completed Iowa DOT *Application for Transportation Alternatives Set-Aside (TA Set-Aside) Program Funds*, and all required attachments as described in Section 5.

Complete applications are due by email before 5:00 pm CST on the stated deadline. Applications received after the deadline will be deemed ineligible and will not be reviewed. Incomplete applications may be disqualified from consideration. Iowa DOT is not responsible for any errors or delays caused by technical difficulties resulting from the emailing of applications. Applicants may withdraw or amend and resubmit project applications at any time before the deadline. The amended proposal or application withdrawal must be in writing, signed by the applicant, and received by the stated deadline.

## **4.5 REVIEW OF APPLICATIONS**

Complete applications will be evaluated and assessed based on the following criteria.

### **4.5.1 Statewide or Multi-Regional Impact**

How does the proposed project meet the intent of the Statewide TA Set-Aside program to make a statewide or multi-regional impact? Upon completion, will the proposed project contribute to the quality of life, utility of the transportation system, or tourism appeal at the state or multi-regional level versus a local level? What degree of statewide or multi-regional planning has been implemented to complete the project?

### **4.5.2 Connectivity and Completion of Trail Linkages**

To what degree will completion of the proposed project provide connectivity to existing facilities or develop a trail linkage? How does the proposed project tie into existing sidewalk or trail facilities? How does the proposed project contribute toward connecting residents, activity centers, cities, and regions?

### **4.5.3 Alignment with Local, Regional, or Statewide Planning Documents**

What is the relationship of the proposed project to a local, regional, or statewide plan? For example, how does the proposed project align with the Iowa Bicycle and Pedestrian Long-Range Plan and any applicable adopted regional, county, or municipal trail plan?

### **4.5.4 Federal-aid Highway Project Development Process, Understanding and Capacity**

What previous experience does existing project sponsor staff have with the federal-aid highway project development process? Has past performance resulted in successful projects that delivered the projects in a timely and compliant manner? Does existing staff have the capacity to administer the proposed project? Has the project sponsor demonstrated an understanding of the program rules? What strategies will be implemented to deliver the proposed project successfully?

### **4.5.5 Contribution Toward Safety for All Transportation Modes**

How would the proposed project address the safety of all users such as those who walk, bike, drive, ride transit, or travel by other modes? To what degree will the proposed project address any existing safety needs or concerns?

### **4.5.6 Enhancement of Statewide Tourism Benefits**

How will the proposed project enhance tourism in Iowa by attracting visitors from out-of-state? What are the economic benefits of the proposed project to the state?

### **4.5.7 Leverage of Non-Federal Funding Sources**

Has all funding been secured? To what degree is the project leveraging non-federal and non-state funds? Why is this project not a candidate for full funding at the Regional TA Set-Aside program level?

#### **4.5.8 Need for the Proposed Project**

Why is the project needed in the area and what population will it serve? How will the proposed project satisfy that need?

#### **4.5.9 Addresses High-Need Areas**

How does the project impact a high need area such as low-income, transit-dependent, rural, or other areas? How will the proposed project improve the overall mobility of these areas and how has this population been engaged in the planning for the proposed project?

#### **4.5.10 Improve Accessibility**

What efforts have been made to go beyond compliance with the Americans with Disabilities Act (ADA) of 1990 to ensure the proposed project will be accessible and usable by individuals with disabilities?

#### **4.5.11 Long-Term Maintenance Plan**

What arrangements have been made to continue operation and maintenance of the proposed project after the project is complete? Has a maintenance fund or an endowment been established?

#### **4.5.12 Project Readiness**

How has the project sponsor demonstrated the project is ready for development? How has the project sponsor prepared for the proposed project by resolving any potential obstacles? Will the project proceed without delay upon award of funding?

### **4.6 AWARD OF FUNDS**

Projects recommended for funding will be presented to the Iowa Transportation Commission for approval. Following Commission action, project sponsors will be notified of their award, and details concerning initiating project development will be provided.

### **4.7 DISQUALIFICATION OF APPLICATIONS**

Iowa DOT will review all Statewide TA Set-Aside applications for eligibility and completeness. An application that fails to include any of the required items listed in this guidance or required by the Iowa DOT *Application for Transportation Alternatives Set-Aside (TA Set-Aside) Program Funds* will be considered incomplete and will not be considered for funding. Iowa DOT reserves the right to contact an applicant after the submission of an application for the purpose of clarifying the application to ensure mutual understanding; however, Iowa DOT will not consider information received if the information materially alters the content of the application or alters the type of project the applicant has proposed. Failure to comply with requests for additional information may result in rejection of the application as non-compliant.

Iowa DOT may reject outright and may not evaluate applications for any one of the following reasons:

- The applicant fails to deliver the application by the due date and time.
- The applicant acknowledges that a requirement of the application cannot be met.
- The application materially changes a requirement of this guidance or the application is not compliant with the requirements of this guidance.
- The applicant fails to timely respond to Iowa DOT's request for additional information, documents, or references.
- The applicant presents the information requested by this guidance in a format inconsistent with the instructions of the guidance or otherwise fails to comply with the requirements of the guidance.

- The applicant provides misleading or inaccurate responses.
- There are significant errors or project misrepresentations in the cost estimates
- There is insufficient evidence (including evidence submitted by the applicant and evidence obtained by Iowa DOT from other sources) to satisfy Iowa DOT that the applicant is properly qualified to satisfy the requirements of the guidance or application.
- The proposed project is not in compliance with applicable state and federal statutes and rules.

#### **4.8 IOWA DOT AND IOWA TRANSPORTATION COMMISSION DISCRETION**

All awards of the Statewide TA Set-Aside program are made by the Iowa Transportation Commission upon recommendation by Iowa DOT. Iowa DOT is not obligated to recommend funding be awarded to an application from an applicant that has demonstrated marginal or unsatisfactory performance on previous grants or contracts with Iowa DOT or other state agencies. Iowa DOT reserves the right to verify information contained in the application including utilizing publicly available information and other outside sources to evaluate the applicant’s performance under other contracts. Iowa DOT may select part of an application be recommended for funding and/or may recommend funding less than the dollar amount requested in an application.

The Iowa Transportation Commission is solely responsible for all awards of Statewide TA Set-Aside funds and shall determine the projects to be funded. The Iowa Transportation Commission may approve, modify, or deny an application; may fund all or part of a project; or may make funding conditional. The Iowa Transportation Commission need not commit all funds available during an application cycle and may reserve unexpended or repaid funds for the next application cycle.

Iowa DOT reserves the right to reject any or all applications, in whole or in part, any time prior to the award of funding by the Iowa Transportation Commission.

#### **4.9 CONTACT**

Applicants interested in applying to the Statewide TA Set-Aside program for funding to assist a project with a statewide and multi-regional impact, that will complete significant trail linkages, or that will assist safe routes to school efforts should review the Iowa DOT website or contact Iowa DOT for additional information:

Susan Hollenkamp  
 Transportation Alternatives Program Manager  
 Iowa Department of Transportation  
 Systems Planning Bureau  
 515-239-1810  
[Susan.Hollenkamp@iowadot.us](mailto:Susan.Hollenkamp@iowadot.us)

Applicants with an eligible project that would be important locally or at a regional level and not likely to have a statewide or multi-regional impact or to assist with a safe routes to school effort should contact their local MPO or RPA for funding through the Regional TA Set-Aside program described in Section 3. A list of these organizations and their contact information is available on the Iowa DOT website at [https://iowadot.gov/systems\\_planning/Grant-Programs/Transportation-Alternatives](https://iowadot.gov/systems_planning/Grant-Programs/Transportation-Alternatives).

## 5 TA SET-ASIDE APPLICATION REQUIREMENTS

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Submission of the Iowa DOT *Application for Transportation Alternatives Set-Aside (TA Set-Aside) Program Funds* is required for all TA Set-Aside applications. In addition to the requirements listed in the Iowa DOT application, applications to a Regional TA Set-Aside program may be required to submit additional information if required by the MPO or RPA. Applicants are encouraged to review Section 3 and contact their local MPO or RPA for additional application requirements in their area.

The application consists of several parts. Below are some helpful tips to review before completing each item required for your application submittal. Remember, an incomplete application submittal may be disqualified from consideration for funding.

### 5.1 APPLICATION FORM

The application form has 6 parts, Part A through Part F. Following are some additional notes and instruction for some of the information required.

#### 5.1.1 Part A – Project Sponsor Information

All project sponsors are required to provide their Unique Entity Identifier (UEI). A UEI is the official identifier for doing business with the federal government including via pass-through agencies like Iowa DOT. The federal government has transitioned from using the former DUNS number to the UEI created in the federal System for Award Management (SAM) at <https://sam.gov>. A project sponsor will need to go to SAM to register and receive a UEI or view an existing registration to find the UEI that has already been assigned to it. The entity name associated with the UEI must match the entity listed in the application as the project sponsor.

#### 5.1.2 Part B – Project Information

Part B includes two questions that directly relate to emphasis areas of the Statewide TA Set-Aside program: safe routes to school and Iowa Byways.

Indicating that an application is intended to be considered for funding as a safe routes to school project will result in an application being considered for the dedicated safe routes to school funding that is part of the Statewide TA Set-Aside program described in Section 4.3.

Indicating that an application is adjacent to a state-designated Iowa Byway and providing the required documentation relates to the scoring of an application by ensuring it is clear when an applicant is requesting that a Statewide TA Set-Aside program application be considered as a byways related project. These types of projects are an emphasis area for the program.

#### 5.1.3 Part C – Project Costs and Matching Funds

There are a couple of important points to note about completion of Part C. The information listed here should tie back directly to the required itemized cost breakdown described in Section 5.2.4. It is important to develop the estimate of costs based on the anticipated costs in the year the project will be executed. For example, if the project is expected to be let in 2025, effort should be made to adjust current costs an appropriate amount such as by multiplying by an inflation factor.

Some Regional TA Set-Aside programs may limit the types of costs that may be reimbursed with TA Set-Aside funds such as limiting reimbursement to construction costs only. However, other costs such as design, right-of-way acquisition, etc. are still costs that must be borne by the project sponsor. It is important to fully understand how all parts of a project budget are being funded to ensure funding will be available to complete the project. Part C aims for transparency of how a project is being funded so that informed decisions can be made in the award of funds.

#### **5.1.4 Part D – Project Development Milestones**

This section will give reviewers an understanding of how a project sponsor believes their project will proceed. Most projects will follow the standard milestones provided for a construction project. When those milestones do not apply, project sponsors should provide all of the major steps they expect to achieve toward completion of their project.

Funding agreements between the Iowa DOT and the project sponsors require a project to be let (in the case of construction) within two years of funds first being programmed in the TIP/STIP in an attempt to ensure that the state's funds are obligated and disbursed in a timely manner meeting federal requirements. The information provided in Part D contributes to an assessment of project readiness, but it also provides some insight into how well the federal-aid project development process (and all of its steps and procedures) are understood by the project sponsor. A timeline that is more aggressive than procedures would allow will show a lack of understanding of the processes while a timeline that appears to show completion far in the future may not be ready to fund ahead of some other projects closer to proceeding.

#### **5.1.5 Part E – Safe Routes to School Project Information (if applicable)**

A safe routes to school project requires coordination with the school(s), knowledge about current student travel, and a commitment to follow-up on the project's success. Resources are available at <http://saferoutesdata.org>. Completion of this section is only required if the application is for safe routes to school project funding through the Statewide TA Set-Aside program. In order to qualify for consideration as a safe routes to school project, this information must be provided.

#### **5.1.6 Part F – Narrative Questions**

There are a series of question prompts aimed at assisting project sponsors to craft responses that will address the concerns of reviewers. Project sponsors should read each prompt completely and attempt to provide complete yet concise answers. A lengthy response is not always the way to get the highest score. Applicants should aim for complete and concise answers.

## **5.2 REQUIRED ATTACHMENTS**

In addition to the completed application form and all its parts, there are a number of additional information items that are required to be submitted as part of a complete application. The below is a list of attachments required to be submitted as part of a complete application for all TA Set-Aside programs; however, applicants applying to a Regional TA Set-Aside program are encouraged to contact their local MPO or RPA for any additional requirements of their Regional Set-Aside program. It is preferred that these additional items be submitted as pdf files and may be combined into one file for submission.

### **5.2.1 Detailed Map**

A detailed map identifying the location of the project is required. The project scope should be clear and the map may also include other important information referred to in the narrative such as important transportation linkages, clearly marked completed or future project phases, etc. If the project is a safe routes to school project, the map shall indicate the K-12 school(s) to be served by the project, show a 2-mile radius of the school, identify neighborhoods served by the school and hazards for children to walk or bike to school. More than one map may be submitted if the scope of the project is such that the desired detail is not feasible to be included on just one map. Limit map sizes to no larger than 8.5-by-11-inches.

### 5.2.2 Sketch Plan

If the application is for a construction project, a sketch plan (including cross section for bicycle or pedestrian facilities) is required. If the cross section of your facility varies across the project (width, number of lanes, etc.) include a cross section for each situation and identify its location.

### 5.2.3 Digital Photographs

A maximum of five digital photographs that will help to explain the existing site conditions of the proposed facility are required. It is not necessary to include photographs of all aspects or the entire route of a project. The photos submitted as part of the application should be representative of the project as a whole or should support any particularly compelling or complex description that has been included in the narrative responses in the application form.

### 5.2.4 Itemized Breakdown of Project Costs

Beyond the cost table provided in the application form, an itemized breakdown of the total project costs is required. This itemized breakdown does not need to be a detailed or formal engineer's opinion of probable cost though that is preferred. It is the responsibility of the applicant to explain the rationale and source of the assumptions used to develop the cost breakdown to allow a reviewer to have confidence in their accuracy. The cost breakdown must accomplish two objectives: 1) it must show the method by which the cost estimate was prepared; and 2) it must enable a reviewer to determine if the cost estimate is reasonable. The way these objectives are achieved may vary widely depending on the type, scope, and complexity of the project. Some general guidelines for alternate methods of estimating each type of project cost include:

- Construction costs: May be based on historical costs seen for projects of similar size and scope such as cost per mile of trail; cost per square foot of bridge deck; cost per linear foot of sidewalk.
- Engineering consultant costs: May be estimated based on typical percentages for types of work (see Section 6.2 and reference Instructional Memorandum 3.310) such as 8-10% of the estimated cost of construction for design activities and 12-25% for construction engineering. These estimates percentages fluctuate with the complexity of the project.
- Right-of-way acquisition costs: May be estimated based on historical costs seen for projects of similar impacts such as cost per square foot for permanent and/or temporary easements or other fee title acquisitions of similar property.

The itemized breakdown should reflect costs in the planned project execution year estimated in your time schedule provided in Part F of the application form. Do not submit today's costs for a project that will not be constructed for two or more years. If an inflation factor has been applied please be transparent in that calculation. Any contingencies included in the estimate should be identified and reasonable.

### 5.2.5 Official Endorsement (Resolution)

An official endorsement of the project from the project sponsor confirming responsibility for the project's maintenance and operation is required. For cities, counties, or other political subdivisions, this should be in the form of a fully executed resolution by the elected body or board, as applicable. The project sponsor must provide written assurance it will adequately maintain the completed project for its intended public use following project completion. For most construction projects, this will be a minimum of 20 years. The endorsement must also acknowledge the intent of the project sponsor to provide the match funds required for the project.

### **5.2.6 Byway Organization Letter of Support (if applicable)**

If the project is adjacent to a state-designated Iowa Byway, a letter of support of the project from the local byway organization is required. Projects relating to the Iowa Byways program are an emphasis area of the Statewide TA Set-Aside program as described in Section 4.1.4. The letter should endorse the project, address the project's relationship to the byway's intrinsic qualities, and tie the project to the byway's adopted Corridor Management Plan.

### **5.2.7 Iowa DOT Letter of Consent to Submit (if applicable)**

If the project will encroach on Primary highway System right-of-way, a letter of consent to submit the application from the Iowa DOT District Engineer is required. See Section 2.5 of this guidance for more information.

## **5.3 PART G – CHECKLIST AND CERTIFICATION**

The checklist and certification is a separate item from the application form because it is intended to be signed by an authorized representative of the project sponsor and then submitted as a pdf. This checklist has been provided to assist with compiling complete applications, but the certification should be reviewed in detail prior to signature.

## **5.4 FORM 105101 MINORITY IMPACT STATEMENT**

This form is required for all applications received and should be submitted as a pdf.

# **6 FEDERAL REQUIREMENTS**

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Because the TA Set-Aside program is a part of the federal-aid highway program, awarded projects are subject to certain federal laws, regulations, and procedures. Resources are provided on the Iowa DOT website. Those interested in applying to this program are encouraged to read these resources thoroughly.

## **6.1 FEDERAL-AID PROJECT DEVELOPMENT GUIDE FOR LOCAL PUBLIC AGENCIES**

The Project Development Guide provides a condensed overview of the federal-aid project development process with links to more detailed information by topic. All applicants should read and understand the content of this document and are encouraged to ask any questions ahead of submitting their application.

[https://iowadot.gov/local\\_systems/publications/im/federal-aid-guide.pdf](https://iowadot.gov/local_systems/publications/im/federal-aid-guide.pdf)

## **6.2 INSTRUCTIONAL MEMORANDUMS TO LOCAL PUBLIC AGENCIES**

Instructional Memorandums (IMs) are organized by topic and provide detailed background and instruction for project sponsors. Once awarded, the project sponsor will work directly with their Iowa DOT contact to move through the processes described in the IMs and complete their federal-aid project. The applicability of an individual IM may be briefly described in the IM title and more explicitly in the contents section at the beginning of each IM.

[https://www.iowadot.gov/local\\_systems/publications/im/imtoc.pdf](https://www.iowadot.gov/local_systems/publications/im/imtoc.pdf)

### 6.3 GENERAL REQUIREMENTS

Applicable federal laws and regulations may include but are not limited to:

1. Public Involvement. Involvement of the public, including the adjacent property owners, in the development of the project.
2. The Uniform Act. Compliance with the Uniform Relocation Property Assistance and Real Property Acquisition Policies Act (the Uniform Act) for the acquisition of easements or the purchase of land in fee simple. This includes fair treatment practices and may include the completion of an appraisal on parcels to be acquired. This requirement applies whether or not federal funds will be used for the acquisition costs.
3. National Environmental Policy Act (NEPA). The National Environmental Policy Act (NEPA) requires verification the project is not harmful to the environment including considering the following areas:
  - a) Noise (before and after construction)
  - b) Air Quality
  - c) Cultural Resources (disturbance to resources of archaeological or historical significance)
  - d) Threatened and Endangered Species
  - e) Water Quality
  - f) Wetlands
  - g) Floodplains
  - h) Farmland Protection
  - i) Hazardous Waste Sites
4. Americans with Disabilities Act (ADA). Projects must comply with the Americans with Disabilities Act which allows for reasonable access to the project for persons with disabilities.
5. Disadvantaged Business Enterprises (DBE) and Minority Business Enterprises (MBE). Verification must be received that efforts have been made to solicit bids from disadvantaged and minority business enterprises.
6. Davis-Bacon Wage Requirements. Projects must comply with Davis-Bacon wage requirements, which state that contractors will conform to federal minimum wage requirements.
7. Competitive bidding requirements. Construction projects are required to be let through Iowa DOT or according to procedures for a public letting as per Sections 26.3 through 26.13 of the Code of Iowa.
8. Build America, Buy America Act (BABA). Part of the IJJA, this legislation requires that iron, steel, manufactured products, and construction materials used in a federal-aid project are produced in the United States.
9. Title VI of the Civil Rights Act of 1964 (Title VI). This legislation forms the basis for a wide array of other laws and regulations that prohibit discrimination on the basis of race, color, national origin, disability, gender, and age. It prohibits discrimination in all programs or activities of any LPA that is a recipient of any federal-aid financial assistance; even those programs or activities that do not directly benefit from such assistance.
10. Accounting Procedures. A project sponsor shall establish and maintain for the project either a separate set of accounts or accounts within the framework of an established accounting system, in a manner consistent with 2 C.F.R. §§200.302, 200.303, and 200.305. All costs charged to the project, including any approved services contributed by the project sponsor or others, shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers describing in detail the nature and propriety of the charges. The project sponsor shall ensure that all checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents pertaining in whole or in part to the project are clearly identified with a grant agreement

number, readily accessible, and to the extent feasible, kept separate from the documents not pertaining to the project.

11. Permits or Other Approvals. It is the project owner/sponsor's responsibility to obtain all local, state, or federal permits or other approvals that may be required as a result of the activities proposed as part of the project.