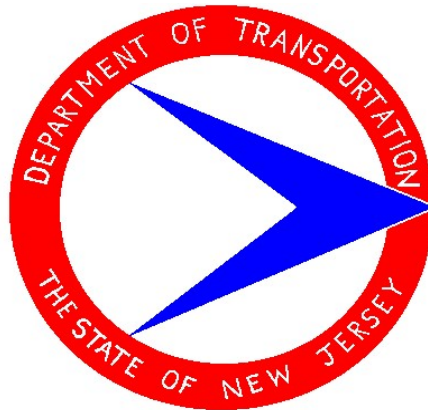


New Jersey Department of Transportation

**Division of Local Aid and
Economic Development**

Transportation Alternatives Set-Aside Program Handbook 2023



Philip D. Murphy
Governor

Diane Gutierrez-Scaccetti
Commissioner



**NEW JERSEY DEPARTMENT OF TRANSPORTATION
DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT
TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM 2023**

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A. INTRODUCTION

The Transportation Alternatives Set-Aside Program (TA Set-Aside) is being administered by the New Jersey Department of Transportation (NJDOT), in partnership with the North Jersey Transportation Planning Authority (NJTPA), the Delaware Valley Regional Planning Commission (DVRPC), and the South Jersey Transportation Planning Organization (SJTPO).

This handbook has been developed to provide guidance to applicants seeking to apply for the federally funded TA Set-Aside program administered in the State of New Jersey. The NJDOT has prepared this handbook in recognition of the considerable interest in this unique funding opportunity. This document contains information on the application process, project eligibility, and the selection process. The NJDOT's goal is to make this program and application process understandable to the applicants.

The TA Set-Aside program provides federal funds for community based “non-traditional” surface transportation projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation’s intermodal system. Surface transportation includes transportation both by land and water. Transportation by water encompasses features such as canals, docks, and piers connecting to ferry operations. The Transportation Alternatives Program (TAP) was established by Congress in 2012 under MAP-21. The FAST Act in 2015, replaced the TAP program with a set-aside of funds under the Surface Transportation Block Grant Program (STBG) funded through a proportional set-aside of the core Federal-aid Highway Program. This has been maintained under the new Bipartisan Infrastructure Law (BIL). Eligible activities include those funded previously by TAP and most activities historically funded as Transportation Enhancements. Projects may encompass a variety of smaller scale transportation projects such as pedestrian and bicycle facilities, community improvement, historic preservation and environmental mitigation related to stormwater and highway runoff, vegetation management, invasive species prevention and habitat connectivity.

TA Set-Aside funding is to be used to support “non-traditional” surface transportation projects developed at the local level to advance community-based needs and goals consistent with the broad program eligibility categories. A prominent feature is the wealth of opportunities for the public to contribute directly to enhancing the aesthetic and cultural qualities of the state, regional and local transportation systems. While nonprofit organizations are not eligible as direct grant sub-recipients for TA Set-Aside funds for this solicitation, nonprofit entities are eligible to partner with any eligible entity on an eligible project, if State or local requirements permit. The NJDOT has final authority to make a determination on the eligibility of an applicant

The basic requirements are that the projects be directly related to surface transportation, be accessible to the public and fit into one of the seven categories as outlined in Section C.

It is recommended that projects have a requested funding amount between \$350,000 and \$1.5 million. Exceptions may be made at the discretion of the Selection Committee.

Applicants should be aware of the following:

- All applicants are required to schedule and attend a one-on-one pre-application meeting.
- Funds are provided on a reimbursement basis.
- Costs incurred prior to the execution of the agreement by NJDOT are not eligible for reimbursement.
- Projects must be authorized for construction within 2 years of the grant notification.
- Projects must have formal community support.
- Prior to construction authorization, all permits (environmental, jurisdictional, highway occupancy, etc.) must be approved.
- A full-time employee of the Local Public Agency (LPA) must be in responsible charge of the project. Consultants cannot serve as the responsible charge.
- Full time construction inspection is required. Construction inspection is an eligible cost.
- Consulting Engineers providing design services are not eligible to provide construction inspection services for the same project.
- Utility facility relocation costs are not eligible for reimbursement.
- All projects must meet the requirements of the American with Disabilities Act.



The TA Set-Aside is a reimbursement program and only costs incurred after the execution of the project agreement are eligible for reimbursement. Based on the federal enabling legislation, no matching funds are required, but all federal regulations must be followed. This means that all projects must meet the requirements of Title 23 and 2 CFR Part 200 of the United States Code, the National Environmental Policy Act (NEPA), the National Historic Preservation Act (Section 106) and the Department of Transportation Act – Section 4(f). For projects that involve funding for design, the project sponsor must comply with the federal requirements for the procurement of professional services if consultants are being used: The Brooks Act and Federal Policy Guide 23 CFR 172A.

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

All terms and conditions including those listed above will be addressed in the Federal Aid Funding Agreement entered into by the LPA and NJDOT prior to the initiation of the project.

Information regarding NJDOT requirements for federal aid projects can be found in the NJDOT Federal Aid Handbook at:

<http://www.state.nj.us/transportation/business/localaid/documents/FederalAidHandbook.pdf>

The Federal Aid Handbook, TA Set-Aside application, and other relevant information about this and other funding programs is located on the NJDOT Local Aid's website at:

www.state.nj.us/transportation/business/localaid

NJDOT utilizes an online application system, SAGE (System for Administering Grants Electronically), to accept, review, approve, and manage project applications and grants. The TA Set-Aside application process is online and all applicants are required to submit their applications using SAGE. This system requires authorization for access. If you belong to a county or municipality you already have an Authorized Official registered with access to the NJ Department of Community Affairs SAGE.

The TA Set-Aside Design Assistance Program will be available to the 2023 TA Set-Aside grant recipients. This program makes available consultant engineering services to assist Local Public Agencies (LPA's) with the development of plans, specifications, and estimates (PS&E) for their TA Set-Aside projects. For more information, please visit Local Aid's website (shown above).

For more information on TA Set-Aside, please visit the following websites:

FHWA TA Set-Aside Guidance:

https://www.fhwa.dot.gov/environment/transportation_alternatives/guidance/guidance_2016.cfm

<http://www.fhwa.dot.gov/fastact/factsheets/transportationalternativesfs.cfm>

TA Set-Aside Data Exchange (TrADE):

<http://trade.railstotrails.org/index>

B. ELIGIBLE APPLICANTS AND FUNDING RECIPIENTS

Eligible Applicants

The eligible entities to receive TA Set-Aside funds are:

- Local governments
- Regional transportation authorities
- Transit agencies
- Natural resource or public land agencies
- Tribal governments
- Any other local or regional governmental entity with responsibility for oversight of transportation (other than a metropolitan planning organization or a State agency)
- Non-profit organizations



Under 23 U.S.C. 133(h)(4)(A), as amended by the BIL, 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 tribal government.**
6. **A metropolitan planning organization that serves an urbanized area with a population of 200,000 or fewer.** MPOs representing areas over 200,000 population are not eligible entities.
7. **A nonprofit entity.** The BIL removed the requirement that the nonprofit entity be responsible for the administration of local transportation safety programs.

State DOTs are not eligible entities as defined under 23 U.S.C. 133(h)(4)(A) unless requested by another eligible entity. (23 U.S.C. 133(h)(4)(A)(x)). MPOs representing urbanized areas over 200,000 population are not eligible entities. (23 U.S.C. 133(h)(4)(A)(ix)). State DOTs and MPOs may partner with an eligible entity project sponsor to carry out a project.

Nonprofit organizations are not eligible as direct grant sub-recipients for TA Set-Aside funds for this solicitation. Nonprofit entities are eligible to partner with any eligible entity on an eligible project, if State or local requirements permit. The NJDOT has final authority to make a determination on the eligibility of an applicant.

Regional projects (affecting more than one municipality) must receive the endorsement of the affected municipalities.

LPA Eligibility Assessment

LPAs receiving federal-aid funds are responsible for administering their projects and meeting all federal-aid requirements. The NJDOT, through its Stewardship Agreement with FHWA, is responsible for ensuring that each LPA receiving FHWA funds is adequately staffed and suitably equipped to undertake the federal-aid projects; to provide the supervision and inspection required to complete each project in conformance with the approved plans and specifications; and to ensure that all federal requirements are met. These requirements are set forth in Title 23 – Highways and 2 CFR Part 200.

Prospective LPAs should assess their capability to comply with state and federal requirements for procurement of materials and services, accounting practices, right-of-way and easement acquisitions, environmental regulations and applicable design standards. If the applicant is awarded a TA Set-Aside grant, then the LPA receiving the grant must have the financial capability to advance the project.

All public right-of-way and facilities are required to be accessible for all users regardless of funding source. Recipients of federal and state grants will be required to comply with the provisions of Title II of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973.

Additional information is available at: <http://www.state.nj.us/transportation/business/localaid/eligibility.shtm>



C. ELIGIBLE ACTIVITIES

TA Set-Aside funds are to be used only for projects with a direct transportation relationship that improve quality-of-life while reaching the greatest number of people. TA Set-Aside projects must relate to surface transportation. Surface transportation includes transport both by land and water. Transport by water encompasses features such as canals, docks, and piers connecting to ferry operations. TA Set-Aside activities are a means of more creatively and sensitively integrating transportation facilities into their surrounding communities. What distinguishes TA Set-Aside activities from other worthwhile quality-of-life and environmental activities is their potential to create a transportation experience beyond normal expectations. At the same time, they may protect the environment and provide a more aesthetic, pleasant and improved interface between the transportation system for the communities and people adjacent to transportation facilities.

For this solicitation, eligible TA Set-Aside projects must fall into one the following seven categories:

1. Design and construction of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, example elements may include sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques and lighting.
2. Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, and other non-motorized transportation users
3. Construction of scenic turnouts, overlooks, and viewing areas
4. Historic preservation and rehabilitation of historic transportation facilities both land and water such as building structures and canals
5. Community improvement activities, specifically: streetscaping and corridor landscaping
6. Environmental mitigation to address stormwater management, control, water pollution prevention or abatement related to highway construction or due to highway runoff, vegetation management and invasive species prevention.
7. Reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats

Proposals must be for a complete, identifiable and usable facility or activity. Funds are not available for partial projects that cannot function as a complete and useful activity (independent utility).

The TA Set-Aside is designed to fund transportation related projects that are over and above what is considered routine construction and maintenance. The 7 eligible categories are described in some detail on the following pages in this handbook.

1. Design and construction of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation

Eligible TA Set-Aside projects in this category include providing bicycle and pedestrian facilities for safe accommodations either through construction of new facilities or improvements to existing facilities. The facilities **must** be surface transportation-oriented, and not solely for recreational purposes. However, if a recreation experience is gained as a result of the bicycle or pedestrian facility, this would not exclude the project from consideration. Bicycle and pedestrian facilities should connect community or regional activity centers such as businesses, schools, libraries, shopping and recreation areas.

Bicycle and pedestrian facilities can be located within or outside of the highway ROW, and can include riding or walking surfaces, appurtenances, and related amenities.

Facilities for pedestrians and bicycles - Eligible Activities
<ol style="list-style-type: none"> 1. New or reconstructed sidewalks, walkways, or curb ramps; 2. Bike lane striping; 3. Wide paved shoulders; 4. Bike parking and bus racks; 5. New or reconstructed off-road trails; 6. Bike and pedestrian bridges and underpasses.



2. Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, and other non-motorized transportation users

Activities include acquisition, rehabilitation and development of abandoned railway corridors for public uses, including bicycle and pedestrian use without charge. The railway corridor must be authorized for abandonment or have abandonment proceedings pending before the Surface Transportation Board (STB).

<p>Conversion of abandoned railway corridors - Eligible Activities</p> <ol style="list-style-type: none"> 1. Designing and constructing multi-use trails along a railroad right-of-way; 2. Major reconstructions of multi-use trails along a railroad right-of-way; 3. Developing rail-with-trail projects; 4. Bike parking and bus racks; 5. Purchasing unused railroad property for reuse.
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3. Construction of scenic turnouts, overlooks, and viewing areas

Eligible projects in this category include improvements to protect and enhance existing state or federally designated scenic or historic highways. The construction of turnouts and overlooks projects in this activity makes the travel experience educational and attract tourists to local roads. Professionals qualified in the field of scenic, historic, cultural, natural and archaeological preservation should develop projects under this category. NJDOT has completed a historic roadway study and design guidelines which may provide guidance for this category of projects. It can be found at:

<http://www.state.nj.us/transportation/works/environment/historicroadways.shtm>

TA Set-Aside funds may not be used for the construction of visitor centers.

<p>Construction of scenic turnouts and overlooks - Eligible Activities</p> <ol style="list-style-type: none"> 1. Construction of scenic turnouts and overlooks.

4. Historic preservation and rehabilitation of historic transportation facilities both land and water such as building structures and canals

Funds may be used for acquisition, protection, rehabilitation, interpretation, restoration and stabilization of a historic district, site, building, structure, landscape, or object included in or eligible for the National Register of Historic Places or contributing to a National Register Historic District that is directly surface transportation related. Activities normally required to mitigate adverse impacts in the course of constructing roads or other transportation improvements are not eligible. The New Jersey Office of Historic Preservation must be consulted about all proposed historic preservation work on an approved historic preservation project, as per Section 106 of the National Historic Preservation Act of 1966. Additional consultation to comply with state preservation laws (N.J. Register of Historic Places Act) may also be required.

Buildings, structures and facilities include tunnels, bridges, trestles, railroads, and canals are eligible. Facilities must be listed in or be eligible for listing in the National Register of Historic Places. TA Set-Aside funds may not be used for the sole purpose of replicating a historic building.

<p>Historic preservation - Eligible Activities</p> <ol style="list-style-type: none"> 1. Historic preservation of a transportation-related historic or archeological district, site, building, structure, landscape, or object; 2. Costs associated with identification, evaluation, documentation, acquisition, protection, rehabilitation, interpretation, restoration, and stabilization of any historic or archeological district, site, building, structure, landscape or object; 3. Costs associated with actual stabilization and restoration of the historic elements of the structure, both interior and exterior; 4. Costs of contemporary upgrades of water, electric, heating, air conditioning, etc., when appropriate, to make building viable for continued public use.



Rehabilitation of historic transportation facilities both land and water - Eligible Activities

1. Restoration and reuse of historic buildings with strong link to transportation history;
2. Restoration and reuse of historic buildings for transportation related purposes;
3. Interpretive displays at historic sites;
4. Access improvements to historic sites and buildings;
5. Restoration of railroad depots, bus stations, and lighthouses;
6. Rehabilitation of rail trestles, tunnels, bridges, and canals.

5. Community improvement activities

Community improvement activities, specifically: streetscaping and corridor landscaping. Activities included in this category enhance the aesthetic and environmental qualities of a transportation facility.

The most common activity within this category is the restoring or creating downtown centers by using urban design criteria that recognize the appropriate ambiance for the local community. Information in such applications should address the types of activity, the history of the area, and scale of the project compared to the surrounding regional transportation system and environment.

Community improvement activities - Eligible Activities

1. Lighting;
2. Historic sidewalk paving;
3. Benches;
4. Planting containers;
5. Decorative walls;
6. Walkways.

6. Environmental mitigation to address stormwater management, control, water pollution prevention or abatement related to highway construction or due to highway runoff, vegetation management and invasive species prevention

Funds may be used for innovative facilities and programs reducing pollution from stormwater runoff from transportation facilities that are in addition to current requirements and procedures for such mitigation. Environmental mitigation projects to address stormwater management should include landscaping that helps with stormwater management.

Environmental Mitigation - Eligible Activities

1. Detention and sediment basins;
2. Stream channel stabilization;
3. Storm drain stenciling and river clean-ups;
4. Vegetation management;
5. Invasive species prevention.

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

Funds may also be used to improve safety for wildlife by connecting large habitat areas where transportation facilities have bisected animal habitat, causing incidents of wildlife losses, especially loses of endangered species.

Wildlife Management - Eligible Activities

1. Wetlands acquisition and restoration;
2. Stream channel stabilization;
3. Wildlife underpasses or overpasses which may include bridge extensions to provide or improve wildlife passage and wildlife habitat connectivity;
4. Monitoring and data collection on habitat fragmentation and vehicle-caused wildlife mortality.



D. ELIGIBLE COSTS

Project costs eligible for funding include design, right-of-way acquisition and construction. Applicants are encouraged to utilize local funds to pay for pre-construction activities such as preliminary design, final design, right of way and environmental documentation. A detailed cost estimate of each phase including the materials and tasks needed to accomplish the project for which TA Set-Aside funds are being sought, must be presented as an attachment to the application. Costs for Construction Inspection Services should be identified separately if funds are desired for this activity. The following costs are not eligible for participation:

- Administrative costs
- Miscellaneous “contingencies”
- Utility facility relocation costs
- Uniformed traffic directors unless required by design

The federal funds for TA Set-Aside projects are provided to the project LPA on a reimbursement basis only. Costs incurred prior to FHWA project approval and execution of the agreement by NJDOT are not eligible for reimbursement. LPAs must have the financial capability to advance project costs for materials and contractors. Before applying, prospective LPAs should assess their capability to comply with state and federal requirements for procurement of materials and services, accounting practices, right-of-way and easement acquisitions, environmental regulations and applicable design standards.

E. PROJECT SELECTION CRITERIA

Each application will be reviewed on-site by NJDOT staff and the TA Set-Aside Selection Committee and evaluated using an established program criterion and a 25-point rating system. Each project will be assessed based solely on the content of the application and attachments.

1. Does the project and application meet the program requirements?
 - a. Includes a board approved resolution of support from the applicant.
 - b. Includes a letter or a signed resolution of support from the owner of the public right-of-way.
 - c. Includes a signed letter of support or board approved resolution from the party responsible for maintenance of the project.
 - d. The applicant provides the name, title, and employer of the LPA employee in responsible charge of the project (cannot be a consultant).
 - e. Project must relate to surface transportation.
 - f. Project fits into one of the seven eligible activities.
2. Will the project affect user mode choice?
 - a. Has the applicant explained the predicted usage and the extent which the project promotes the use of other, non-automotive forms of transportation?
 - b. Will safety be improved?
 - c. Does the project connect community or regional activity centers?
 - d. Does the project utilize existing infrastructure to promote the use of non-automotive modes through the improvements of existing facilities?
3. Does the project provide regional or community benefits?
 - a. Does the project demonstrate the benefit to quality of life, community, and environment?
 - b. Does the project demonstrate the extent to which a project links other transportation modes and increases access to community centers (schools, employment sites, recreation and shopping), and its visibility or impact on surrounding locations?
4. Does this project provide safety and public health benefits?
 - a. Does the project address a safety need?
 - b. Does this project increase active transportation opportunities?
 - c. Does this project provide other public health benefits?



5. Is this project part of a state, regional, municipal transportation, land use, economic development or larger plan? If so, have the relevant pages to the plan been attached?
6. Is this project located in one or more of the following designated areas: Complete Streets, Transit Villages, Targeted Urban Municipalities (TUMS) and/or Opportunity Zones?
7. How well does the proposed project meet the intent of the TA Set-Aside Categories identified?
8. Is this project ready to build or install?
 - a. Does the schedule reflect the necessary and accurate milestones?
 - b. Can the project progress in time to receive federal authorization within 2 years?
9. How well does the scope and cost estimate associated with the proposed improvement meet the defined problem?
10. Does this project have local support, including Community Based Groups, Businesses and/or Residents?
11. Has the applicant authorized previous Federal grants within the allotted timeframe?
12. Will the project enhance an environmentally sensitive parcel?
 - a. preserve/rehabilitate an historic property (listed in or eligible for listing in the National and/or NJ Registers of Historic Places),
 - b. involve vegetation management,
 - c. prevention of invasive species,
 - d. erosion control,
 - e. storm water mitigation (pollution prevention and abatement),
 - f. wildlife management (reduction of mortality, a habitat connectivity, etc.)?
13. Will there be any ROW taking/easements from environmentally sensitive parcels?
14. Does the project schedule provide adequately for NEPA compliance?
 - a. Permits/approvals from NJDEP or other regulatory agencies (including Pinelands, Meadowlands, or Highlands)?
15. Does the project have supplemental funds?
16. Has the applicant scheduled and attended a required one-on-one pre-application meeting?

F. PROJECT SELECTION PROCESS

The selection process for TA Set-Aside projects includes the participation of a TA Set-Aside Selection Committee charged with applying the selection criteria as discussed in this handbook and preparing the recommended “shortlist” of projects for consideration by the Commissioner of Transportation.

The TA Set-Aside Selection Committee is comprised of representatives from the following organizations:

- New Jersey Department of Transportation
 - Division of Local Aid and Economic Development
 - Division of Environmental Resources
- Federal Highway Administration
- North Jersey Transportation Planning Authority
- Delaware Valley Regional Planning Commission
- South Jersey Transportation Planning Organization
- New Jersey Transit

Other organizations or individuals may be added to the Committee at the discretion of the Commissioner of Transportation. NJ Transit provides a cursory review of applications. The FHWA – New Jersey Division Office observes and monitors the selection process.



The Selection Committee evaluates the ratings and information provided by the individual raters. As noted earlier, NJDOT staff may visit each site and prepare ratings and comments for use by the Selection Committee.

Projects are evaluated against each other within the appropriate category using the criteria presented in Section E - PROJECT SELECTION CRITERIA.

Projects are reviewed by the Selection Committee to establish technical feasibility (timeframe, design standards, permits, environmental constraints, etc.), to confirm accuracy of project costs and to ensure that the recommended projects meets the program goals. However, the recommended project shortlist is developed with consideration given to geographic distribution. The final selections are approved by the Commissioner of Transportation along with the respective MPO.

All TA Set-Aside grants are awarded based on the detailed scope of work included in the application. The applicant must indicate actual items that will be used on the project. No optional items should be included in the cost estimates. Grants are not transferrable to other projects or locations. Minor scope of work modifications are subject to approval by NJDOT and must be consistent with the original intent of the selected project and contiguous to the original project limits.

If your application is chosen, you will be required to attend a project kick-off meeting with NJDOT staff to learn more about the Implementation and Authorization Process. All selected projects are required receive federal authorization within two years of the date that the applicant is notified of project selection. If the project is not authorized within two years of the notification, the grant will be in jeopardy of being rescinded and the applicant may have to reapply.

G. APPLICATION GUIDANCE

The application submission deadline is stated in the letter sent out by the NJDOT to all perspective applicants and shall be posted on the NJDOT website. All TA Set-Aside applications are to be submitted online through NJDOT SAGE (System for Administering Grants Electronically) which can be accessed from the NJDOT website:

www.state.nj.us/transportation/business/localaid/sage.shtm.

Applicants should read and follow the instructions on each page of the online application. For NJDOT SAGE site technical assistance, please contact your Local Aid District Office Representative. A contact list is provided in Section J.

The following guidance is provided to assist you in the completion of your application and corresponds with the categories as they appear within the SAGE application:

1. Acknowledgement Page

Prior to initiating a new application, all LPAs must acknowledge that they have read the statements contained therein.

2. Program Requirements

If any of the Program Requirements are not met, the project is ineligible for funding and the application will not be considered. Applications must satisfy the following requirements:

- (a) Letters/Resolutions of Support: Each application must include, as attachments, a board approved resolution of support from the governing body of the Local Public Agency (LPA) and a letter or resolution of support from the owner of the public right-of-way in which the project is to be located.

Letters or resolutions of support are required as they demonstrate compliance with federal regulations allowing an opportunity for public participation and community input. The resolutions further demonstrate there is formal local stakeholder support of the proposed improvements.

Letters/Resolutions of Support

- Must be dated within one year of the NJDOT application solicitation letter date.
- Must refer to the project for which the funds are being sought.



- Resolutions of Support must provide evidence of adoption by board action and include a signature and date of the action.
- Unsigned letters or resolutions of support will not be accepted.

For projects on a state highway, there will be no resolution of support from the NJDOT. The LPA must coordinate with the appropriate regional NJDOT office to receive the necessary highway occupancy permit approvals prior to federal authorization of construction.

In addition, if the agency with ownership of the public right-of-way where the project is proposed (the municipality or county) is different than the applicant LPA, they must show support for the project in the form of an approved letter or resolution of support from the owner of the public right-of-way. Letters must be signed by the Mayor, County Freeholder or Executive Director of the organization.

- b) **Maintenance Commitments:** The applicant must indicate and certify the continual ownership and maintenance for the useful life of the project. If the applicant does not have jurisdiction over the right-of-way where the project is proposed, then a signed letter or a board approved resolution must be provided by the party having maintenance jurisdiction.

- Maintenance Commitments**
- Must be dated within one year of the NJDOT application solicitation letter date.
 - Must refer to the project for which the funds are being sought.
 - Resolutions of Support must provide evidence of adoption by board action and include a signature and date of the action.
 - Unsigned letters or resolutions of support will not be accepted.

- c) **Responsible Charge:** The responsible charge is defined in 23 CFR 635.105 (a) (4). Federal regulations require LPAs to provide a full-time employee to be in responsible charge of Federal-aid construction projects. The person in responsible charge of LPA administered projects does not need to be an engineer, but they must be a full-time employee of the LPA. The name, title, and employer of the person who will be in responsible charge of the project is required.

Consultant Engineers providing engineering services or functioning as the local agency engineer of record are not eligible to serve as the responsible charge.

The LPA responsible charge is accountable for the project and expected to perform the following duties and functions:

- Administers inherently Government project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and the scope of Federal-aid projects.
- Maintains familiarity of day-to-day project operations, including project safety issues.
- Makes or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements.
- Visits and reviews the project on a frequency that is commensurate with the magnitude and complexity of the project.
- Reviews financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse; and
- Directs project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation.
- Is aware of the qualifications, assignments, and on-the-job performance of the agency and consultant staff at all stages of the project.



Federal regulations do not preclude the sharing of these duties and functions among a number of LPA employees, nor do the regulations preclude one employee from having responsible charge of several projects and directing project managers assigned to specific projects.

- d) Surface Transportation: The project must relate to surface transportation. Surface transportation includes transport both by land and water. Transport by water encompasses features such as canals, docks and piers connecting to ferry operations.
- e) Eligible Activities: The project must fall into one of the seven categories. Refer to Section C: Eligible Activities.

One-On-One Pre-Application Meeting

In addition to the program requirements listed above, LPA's are required to schedule and attend a one-on-one pre-application meeting. Additional information on scheduling and the requirements can be found at the NJDOT Local Aid Resource Center website.

<https://njdotlocalaidrc.com/transportation-alternatives-set-aside-application-resources.php>

3. Type of Improvement

Select the category that is most appropriate for the project(s) for which you are seeking funds.

4. Project Information

Provide the name of the project and select the County and Municipality in which the project is to be constructed. You may select more than one County or Municipality.

5. Local Public Agency Information

Select your Vendor Number, and public agency information.

6. Project Proposal

- a) Project description: It is strongly encouraged that applicants emphasize information which supports the selection criteria. Projects with the strongest documentation are given greater consideration for funding.
- b) Project location: Attach a location map of the project area and the proposed improvements, plans and up to ten photographs of the project location.
- c) Project limits: List the Limits of the Project such as mileposts or corresponding street names. Consideration should be given to establishing rational end points. Guidance regarding logical Termini may be found here:
https://www.environment.fhwa.dot.gov/legislation/nepa/guidance_project_termini.aspx
- d) Modes of Transportation: The applicant should address the following:
 - The project connects community or regional activity centers such as businesses, schools, employment, libraries, shopping and recreation areas.
 - Project utilizes existing infrastructure to promote the use of non-automotive modes through the improvements of existing facilities (this is not meant to generate a maintenance project).
- e) Regional or community benefits: The application should support the following:
 - Project must provide regional or community benefits.
 - Project demonstrates the benefit to quality of life, community, and environment.
 - Project demonstrates the extent to which the project links other transportation modes and increases access to community centers (schools, employment sites, recreation and shopping), and its visibility or impact on surrounding locations.
- f) Safety and public health benefits: Consideration will be given to projects that address safety needs and provide public health benefits.



- g) Element of a larger plan: Projects that are part of a state, regional or municipal transportation, land use or economic development plan will receive additional consideration in this category. Attach the relevant pages from the plan.
- h) Designated Areas: Extra consideration will be given to projects located the following designated areas: [Complete Streets](#), [Transit Village](#), [TUMS](#) (*TUMS list and Methodology may be found under the LIHTC Resources and FAQs heading*) and [Opportunity Zones](#).
- i) Environmental Mitigation or Enhancement: Describe how the project will enhance an environmentally sensitive parcel, involve vegetation management, involve invasive species prevention, address wildlife management issues, provide stormwater mitigation, or preserve/rehabilitate an historic property (listed in or eligible for listing in the National and / or NJ Registers of Historic Places).
- j) ROW taking/easements: describe whether there are takings from wetlands, parks, historic properties, contaminated sites, etc.
- k) Environmental permits: provide a project environmental schedule which includes NEPA Compliance and permits/approvals from NJDEP or other regulatory agencies (including Pinelands, Meadowlands, or Highlands).
- l) Supplemental Funds: The sources and amounts of other committed or dedicated funding from other governmental agencies and organizations shall be explained. TA Set-Aside and other identified or dedicated funding sources must result in a completed and fully funded project. While there is no requirement for matching funds, the availability of other funds is viewed as an indication, or measure, of the projects potential to succeed.

7. Schedule

Projects must be ready for construction or implementation within two years of the date that the LPA is notified of the project selection. This includes demonstration that the necessary permits, approvals and environmental clearances also can be obtained within that time period.

Provide a project schedule from start to finish in a table or list format. Indicate progress milestones (such as easement, ROW acquisitions, permits, utility relocation, if needed, environmental and historical preservation approvals, bid, advertise, award, and start of construction) by the number of months from written authorization to proceed to project completion and evaluation of results.

Provide other information as requested on the other potential project impacts (including utility relocation, permit requirements, Right-of-Way requirements, and involvement with other facilities, such as traffic signals, railroads, or highway ramps). If there are impacts, provide an explanation in the application.

The project must receive federal authorization within two years of the date that the applicant is notified of project selection. If the project is not authorized within two years of the notification, the grant will be in jeopardy of being rescinded and the applicant may have to reapply.

8. Cost Estimate

Project costs eligible for funding include design, right-of-way acquisition and construction. Applicants are encouraged to utilize local funds to pay for pre-construction activities such as preliminary design, final design, right of way and environmental documentation. A detailed cost estimate of each phase including the materials and tasks needed to accomplish the project for which TA Set-Aside funds are being sought, must be presented as an attachment to the application. An effort should be made to develop estimates as accurately and comprehensively as is practical. To assist with the preparation of the cost estimate, a Typical Design Treatment Cost guidance document has been developed and may be found here: <https://www.saferoutesnj.org/transportation-alternatives-set-aside-program/> (*Click the large, green Additional TA Set-Aside Grants Resources button near the middle of the page.*)

The federal funds for TA Set-Aside projects are provided to the project LPA on a reimbursement basis only.



9. Partnership and Public Outreach

Letters of support from community organizations, citizens, all levels of government and elected officials (other than the applicant), and any and all interested parties will be considered. This should include neighborhood or business associations, historical groups (if applicable) and local residents. All letters of support must be attached to the application. In order to be eligible, letters must be dated within one year of the NJDOT application solicitation letter date. These letters of support must be sent to the applicant of the project and not NJDOT.

10. Equity Considerations

Applications will be reviewed for deliberate and actionable considerations of equity in underserved communities. Consideration will be given to applications that provide additional benefits to a community or communities identified in the following categories: Title VI, Environmental Justice, Limited English Proficiency, and individuals with disabilities. Census tract data for these categories will be used to determine if a project meets the equity criteria.

USDOT FHWA Environmental Justice and NEPA guidance. Specific references below:

- **Executive Order (EO) 12898, Federal Actions to Address Environmental Justice (EJ) in Minority and Low-Income Populations** <https://www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf> (last accessed June 13, 2019).
- **Executive Order (EO) 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government** https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/?utm_source=link (Issued January 20, 2021)
- **DOT's Final EJ Strategy**
<https://www.transportation.gov/transportation-policy/environmental-justice/environmental-justice-strategy> (last accessed June 13, 2019).
- **DOT's EJ Order 5610.2**
https://www.fhwa.dot.gov/environment/environmental_justice/ej_at_dot/orders/order_56102a/index.cfm (last accessed June 13, 2019).
- **FHWA's EJ Order 6640.23**
<https://www.fhwa.dot.gov/legisregs/directives/orders/664023a.cfm> (last accessed June 13, 2019).

Census data will be used to determine if a project meets the equity criteria. Demographic EPA data sets include:

1. **Percent Low-Income:**
 - The percent of a Census Tract's population in households where the household income is less than or equal to twice the federal "poverty level."
 - DOT and FHWA use the Department of Health and Human Services poverty guidelines. The guidelines are updated annually and available online at <https://aspe.hhs.gov/poverty-guidelines>.
2. **Percent Minority:**
 - Black or African American, Hispanic, Asian American, American Indian/Alaskan Native, and Native Hawaiian or Pacific Islander.
 - The percent of individuals in a Census Tract who list their racial status as a race other than white alone and/or list their ethnicity as Hispanic or Latino. That is, all people other than non-Hispanic white-alone individuals. The word "alone" in this case indicates that the person is of a single race, not multiracial.
3. **Less than high school education:**
 - Percent of people age 25 or older in a Census Tract whose education is short of a high school diploma.
4. **Linguistic isolation:**
 - Percent of people in a Census Tract living in linguistically isolated households. A household in which all members age 14 years and over speak a non-English language and also speak English less than "very well" (have difficulty with English) is linguistically isolated.
5. **Individuals under age 5**
 - Percent of people in a Census Tract under the age of 5.



6. Individuals over age 64:

- Percent of people in a block group over the age of 64.

Source: US Census, USDOT, EPA's [EJScreen Mapping Tool](#)

Additional program data considerations include:

1. Individuals under age 18

- Percent of people in a Census Tract under the age of 18.

2. Individuals with Disabilities:

- Percent of people in a Census Tract defined as having a disability by the Census Bureau - long-lasting sensory, physical, mental, or emotional condition or conditions that make it difficult for a person to do functional or participatory activities such as seeing, hearing, walking, climbing stairs, learning, remembering, concentrating, dressing, bathing, going outside the home, or working at a job.

Source: US Census

11. TA Set-Aside Design Assistance Program

The TA Set-Aside Design Assistance Program will be available to the 2023 TA Set-Aside grant recipients. This pilot program makes available consultant engineering services to assist Local Public Agencies (LPA's) with the development of plans, specifications, and estimates (PS&E) for their TA Set-Aside projects. The program was developed by NJDOT as part of the FHWA's Every Day Counts initiative and is intended to shorten time, reduce costs, and improve quality in the delivery of NJDOT TA Set-Aside projects. For more information, please visit NJDOT Local Aid's website (shown above).

NJDOT will establish a pool of engineering design consultants through a quality based selection process. This purpose of this consultant pool will be to aid LPAs in the project delivery process by reducing the time required to procure professional services, ensure the consultant selection process is compliant with federal Brooks Act requirements. The pool will provide the LPA with NJDOT prequalified, cost basis approved designers to aid in the development of PS&E submissions for their eligible TA Set-Aside project.

H. DESIGN GUIDELINES

The LPA shall prepare or have prepared, environmental documents, engineering documents, plans, specifications, and estimates for the project. A Professional Engineer licensed to practice in New Jersey must prepare the plans and specifications. All design work shall conform to:

- American Association of State Highway and Transportation Officials (AASHTO) design criteria AASHTO "A Policy on Geometric Design of Highways and Streets (current edition)
- "Manual on Uniform Traffic Control Devices" (current edition and addenda)
- New Jersey Department of Transportation Bicycle Compatible Roadway and Bikeway Planning and Design Guideline
- New Jersey Department of Transportation Pedestrian Compatible Planning and Design Guideline
- New Jersey Department of Transportation Roadway Design Manual (for the design of traffic barriers and drainage systems)
- NJDOT Standard Specifications for Road and Bridge Construction (current edition and addenda)
- NJDOT "Supplementary Specifications for Federal Aid Projects" (current edition)
- The American with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973
- Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Building, state and local building codes

I. SUBMISSION INSTRUCTIONS

The NJDOT utilizes the System for Administering Grants Electronically (SAGE), an online grant management system, to accept, review, approve and manage grants. The TA Set-Aside Program application process is online and all applicants are required to submit their applications using SAGE. This system requires authorization for access. If you belong to a county or municipality you already have an Authorized Official



registered with access to NJ Department of Community Affairs SAGE. If you belong to any other type of organization, you may request access as an Authorized Official directly through the NJDOT SAGE, found on the NJDOT website: www.state.nj.us/transportation/business/localaid/sage.shtm.

J. ADDITIONAL RESOURCES

- <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813079>
- <https://www.transportation.gov/safety-for-all-users-report>
- https://safety.fhwa.dot.gov/ped_bike/step/
- https://www.fhwa.dot.gov/planning/processes/pedestrian_bicycle/publications/mpo_handbook/fhwahep17037.pdf
- https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/small_towns/fhwahep17024_lg.pdf
- https://www.fhwa.dot.gov/environment/bicycle_pedestrian/resources/equity_paper/
- https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/resurfacing/
- https://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/misconceptions.cfm
- https://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/guidance_2019.cfm#bp11
- https://safety.fhwa.dot.gov/ped_bike/tools_solve/docs/fhwasa18077.pdf
- https://www.fhwa.dot.gov/planning/processes/pedestrian_bicycle/publications/mpo_handbook/index.cfm
- https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/multimodal_networks/
- https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/separated_bikelane_pdg/page00.cfm
- <http://www.pedbikesafe.org/PEDSAFE/>
- https://www.fhwa.dot.gov/planning/publications/briefing_book/index.cfm
- <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title23-section217&num=0&edition=prelim#:text=%22%20%281%29%20In%20general.-In%20implementing%20section%20217%20%28g%29,various%20approaches%20to%20accommodating%20bicycles%20and%20pedestrian%20travel>
- https://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/misconceptions.cfm
- <https://www.fhwa.dot.gov/programadmin/pedestrians.cfm>
- https://www.environment.fhwa.dot.gov/legislation/nepa/guidance_project_termini.aspx

K. CONTACT INFORMATION

Throughout this handbook, we provide direction to help you through the application process. For further assistance you can contact the NJDOT Division of Local Aid and Economic Development District Office or the Local Metropolitan Planning Organization in your area.

District 1

Roxbury Corporate Center
200 Stierli Court
Mount Arlington, NJ 07856
Phone: (973) 810-9120
Fax: (973) 601-6709
Morris, Passaic, Sussex and Warren Counties

District 2

153 Halsey Street -5th floor
Newark, NJ 07102
Phone: (862) 350-5730
Fax: (973) 648-4547
Bergen, Essex, Hudson and Union Counties

District 3

New Jersey Department of Transportation
District 3 Bureau of Local Aid
P.O. Box 600
Trenton, NJ 08625
Phone: (609) 963-2020
Fax: (609) 530-8044
Hunterdon, Mercer, Middlesex, Monmouth, Ocean and Somerset Counties

District 4

1 Executive Campus
Route 70 West, 3rd Floor
Cherry Hill, NJ 08054
Phone: (856) 414-8414
Fax: (856) 486-6771
Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties



Metropolitan Planning Organizations

North Jersey Transportation Planning Authority (NJTPA)

One Newark Center

17th floor

Newark, NJ 07102

Phone: (973) 639-8400

Fax: (973) 639-1953

Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren Counties, and the Cities of Jersey City and Newark

Delaware Valley Regional Planning Commission (DVRPC)

190 North Independence Mall West

Philadelphia, PA 19106

Phone: (215) 592-1800

Fax: (215) 592-9125

Burlington, Camden, Gloucester, and Mercer Counties

South Jersey Transportation Planning Organization (SJTPO)

782 South Brewster Road, Unit B6

Vineland, NJ 08360

Phone: (856) 794-1941

Fax: (856) 794-2549

Atlantic, Cape May, Cumberland, and Salem Counties