



## **Transportation Alternatives Set-Aside Program 2023 Frequently Asked Questions**

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**Q1: Who can apply for the Transportation Alternatives Set-Aside Program (TA Set-Aside)?**

- 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. **Go to Top**

**Q2: Is a one-on-one pre-application meeting required to apply?**

**A:** Yes. All applicants 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>

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**Q3: Can nonprofits apply for TA Set-Aside?**

**A:** Nonprofit organizations are not eligible as direct grant sub-recipients for TA Set-Aside funds. 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.

State DOTs and MPOs are not eligible entities as defined under 23 U.S.C. 133(h)(4)(B) and therefore are not eligible project sponsors for TA Set-Aside funds. However, State DOTs and MPOs may partner with an eligible entity project sponsor to carry out a project. **Go to Top**

**Q4. Are Design, ROW, and Construction costs eligible under TA Set-Aside?**

**A:** Yes. All three costs are eligible under TA Set-Aside. **Go to Top**

**Q5: Are construction inspection costs eligible in TA Set-Aside?**

**A:** Yes. Construction inspection costs are eligible if included in the total requested amount and detailed cost estimate. Consultant services for construction inspection must be procured and administered in accordance with the federal requirements including the Brooks Act, 40 U.S.C. **Go to Top**



**Q6: Is additional funding available for TA Set-Aside projects beyond the grant award amount in the event project costs increase?**

**A:** Not during the solicitation process. Once recipients awarded a grant, if during the development of plans cost increase, the grant recipient may reach out to the Department to request additional funding. As this is a competitive process, additional funding requests will be reviewed on a case-by-case basis. Based on eligible costs, the Department reserves the right to make a final determination. Applicants are encouraged to develop a detailed cost estimate and provide it with the application for the solicitation. **Go to Top**

**Q7: Are resolutions of support accepted after the deadline?**

**A:** No. Resolutions must be included as an attachment as part of the online application. No resolutions will be accepted after the closing date of this solicitation. **Go to Top**

**Q8: What type of documentation is required for the maintenance commitment?**

**A:** The applicant must indicate and certify the continual ownership and maintenance for the useful life of the project. The useful life will vary depending on the type of project. A signed letter or a board approved resolution by the party having maintenance jurisdiction must be attached to the application. This certification of ownership and maintenance may be included in the resolution of support provided by the applicant as described above. **Go to Top**

**Q9: Can an applicant apply for more than one project?**

**A:** No. Only one application is allowed per eligible applicant. **Go to Top**

**Q10: What documentation is required if the proposed project is located on a State highway?**

**A:** The LPA must coordinate with the appropriate regional NJDOT office to receive the necessary highway occupancy permit approvals prior to federal authorization of construction. **Go to Top**

**Q11: Who is responsible for preparing the National Environmental Policy Act (NEPA) documents?**

**A:** The NJDOT Bureau of the Environmental Program Resources will produce the NEPA documents. The funding recipient is responsible for providing all necessary documents and location maps in support of the NEPA document. **Go to Top**

**Q12: Is the name of the “responsible charge” required?**

**A:** Yes. Applications will not be accepted without the name of the responsible charge. Federal regulations (23 CFR 635.105(a) (4)) require Local Public Agencies (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 must be a full-time employee of the LPA. The name, title and employer of the person in responsible charge of the project is required.

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**Q13: Should all the questions in the application be answered?**

**A:** Yes. The program is a competitive grant program. Applicants are encouraged to provide as much information as is relevant to the question asked. NJDOT is seeking projects with a high likelihood of success; well-planned projects that are construction ready and meet the overall goals of the TA Set-Aside program. Applicants should attach photographs, maps, surveys, studies and reports to assist the reviewer in his or her assessment of the project.

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**Q14: How does my municipality get a Complete Street policy passed?**

**A:** By adopting a Complete Streets policy, communities direct their transportation planners, engineers and public works departments to routinely design and operate the entire street right-of-way to enable safe access for all users, regardless of age, ability, or mode of transportation. Information on Complete Streets policies can be found here:

<http://njbikeped.org/services/what-is-a-complete-streets-policy/>

As of January 2018, Complete Streets policies have been adopted by resolution in 141 towns and 8 counties in New Jersey. A list of Complete Street communities can be found at: <http://njbikeped.org/complete-streets-2/>

The NJ Bicycle and Pedestrian Resource Center (NJBPRC) located at Voorhees Transportation Center - Rutgers University provides resources to localities that wish to develop a Complete Streets policy or seek assistance with implementation through the NJ Ambassadors in Motion (NJAIM) Program. To date, NJAIM has been instrumental with helping ten municipalities and three county governments draft and adopt Complete Streets policies.

If you are interested in learning more about Complete Streets or seek technical assistance, please contact NJAIM at [bikeped@ejb.rutgers.edu](mailto:bikeped@ejb.rutgers.edu).

While not required for consideration, extra points are given to applicants with certified Complete Streets policies.

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**Q15: Can creative designs and art be incorporated into a project?**

**A:** Yes. Creative designs for transportation facilities that are aesthetically pleasing and enhance the transportation experience are eligible. Examples include:

- Appropriate and reasonable landscaping for pedestrian projects to improve streetscapes and bicycle projects (appropriate for the climate, using native, noninvasive species, reasonable street trees).



- Nice looking, pedestrian-scale lighting (does not need to look utilitarian).
- Artistically shaped and functional bike racks.
- Well-designed pedestrian and bicycle bridges that incorporate creative designs into the structure. (look up Grasshopper Bridge Phoenix for a trail bridge, Ridgeview Railroad Bridge Olathe KS for artistic designs showing people on the Santa Fe Trail)

TA Set-Aside funds cannot, however, be used for focal public art. Public art that does not provide any transportation benefit (monuments, statues, clock towers or art for the sake of art) is not considered an eligible element of a project under the TA Set-Aside.

It should be noted that the proposed art/creative designs must meet all applicable design criteria including MUTCD and AASHTO. There may be the need for approval of a public interest finding (PIF) due to the specificity of the decorative items or their potential to be proprietary.

Any creative designs included within a project must have undergone a public involvement process.

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**Q16: Are contingency costs allowed in the estimate?**

**A:** No. Contingencies will not be considered in the grant award amount. The cost estimate needs to be detailed and developed for the year of anticipated expenditures. **Go to Top**

**Q17: Where can I get additional information on how to apply?**

**A:** In addition to the NJDOT and MPO websites, information about the program can be found here:

- <http://www.nj.gov/transportation/business/localaid/alternatives.shtm>
- <https://njdotlocalaidrc.com/>
- <https://www.njtpa.org/home>
- <http://www.dvrpc.org/TAP/NJ/>
- <http://sjtpo.org/tap/>

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**Q18: Are utility relocation costs eligible under TA Set-Aside?**

**A:** As per State statute, NJTDOT cannot fund utility relocation for locally administered projects.

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**Q19: Would a bike share program (equipment and installation) be eligible for funding under TA Set-Aside funding?**

**A:** Capital costs for bike share systems would be eligible. However, operating costs would not be eligible.

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