



# Wisconsin Department of Transportation 2024-2028 Transportation Alternatives Program Guidelines

Updated June 2023





**Wisconsin Department of Transportation (WisDOT)  
Transportation Alternatives Program (TAP) Goals**

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- WisDOT and all partners in TAP project delivery will strive to deliver projects according to the budget and timeline as outlined in complete and accurate project applications.
- WisDOT will select and administer TAP projects in a manner that best reflects national performance goals as established by the Bipartisan Infrastructure Law (BIL) as well as performance measures established by the State of Wisconsin and WisDOT.
- WisDOT will select, administer, and report on TAP projects to best demonstrate the benefits of quality multi-modal projects.

# WisDOT 2024-2028 Local Program Guidelines

## Transportation Alternatives Program

June 2023

### Purpose and Description

These guidelines provide direction to applicants for funding in the WisDOT 2024-2028 TAP award cycle. TAP is the State of Wisconsin's program for what is now the federal Transportation Alternatives (TA) set-aside Program. On November 19, 2021, President Biden signed the Infrastructure Investments and Jobs Act (Pub. L. No. 117-58), also known as the Bipartisan Infrastructure Law (BIL)<sup>1</sup> into law. The BIL replaces the FAST Act-era TA set-aside guidelines with enhanced funding availability and programming guidelines. Federal TA set-aside funds include all projects and activities that were previously eligible under TAP, encompassing a variety of smaller-scale transportation projects such as pedestrian and bicycle facilities, recreational trails, safe routes to school projects, and community improvements such as historic preservation.

**All TAP projects require project sponsors to pay 100% of project costs up front and are reimbursed up to 80% of approved project costs after conducting project activity. Federal funding on TAP projects is capped at time of award. A TAP project may not be substituted for another project. TAP projects must commence within four years of the award date.**

### Federal and State TAP Funding

Under the BIL, federal funding in the TAP program has increased by more than 100% over FAST Act limits. Additionally, funding has been delineated by geographic population area and project location. For example, the table below reflects population areas and TA set-aside federal funding levels in the 2023 fiscal year.

Population Area	2023 Budgetary Limit
< 5,000	\$5,875,371
5,000 – 50,000	\$2,067,338
50,000 – 200,000	\$2,975,772
> 200,000	\$7,051,763

The BIL establishes federal funding levels through federal fiscal year 2026. Future federal program funding levels (i.e., 2027 and 2028) for the TA set-aside will be determined by Congressional action. After these levels are established, Wisconsin program funding levels for TAP and the authority to spend future federal dollars will be established through the state biennial budgeting process.

WisDOT is programming TAP projects for the 2024-2028 award cycle under the assumption that the State Legislature will fund TAP approximately at State Fiscal Year (SFY) 2023 levels throughout the duration of the award cycle. The department will adjust program budget and scheduling according to any future changes in the federal or state TAP funding.

The program requires Wisconsin or an MPO to obligate TAP funds using a competitive process. Transportation Management Areas (TMAs) are geographic areas greater than 200,000 in population. TMAs are managed by Metropolitan Planning Organizations (MPO) and are listed on page 8 of these guidelines. Eligible program applicants with project proposals located within a TMA are eligible to receive funding through MPO selection, while all other sponsors outside of TMA areas compete within their respective population category.

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<sup>1</sup> <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/>

WisDOT undertakes multi-year programming commitments to ensure that projects efficiently utilize Wisconsin's federal funding resources as funding is made available. Multi-year programming addresses the time necessary to select and approve projects, obtain local funding commitments, acquire real estate if applicable, and to design and construct infrastructure projects. State DOTs have flexibility to distribute TAP funding among all eligible categories. WisDOT is not required to distribute TAP funds to any one specific funding category such as Safe Routes to School (SRTS) or Transportation Enhancements (TE), however, committee review and discussion ultimately recommends program awards regardless of activity type.

State DOTs have flexibility to distribute TA-set aside funding. WisDOT is not required to distribute TAP funds to any one specific activity such as Safe Routes to School (SRTS) or Transportation Enhancements (TE), and committee review and discussion ultimately recommends program awards regardless of activity type.

## **TAP Eligibility**

### **Local Sponsor Eligibility for TAP Funding**

The following entities may sponsor TAP projects: <sup>2</sup>

- Local governments
- Regional transportation authorities
- Transit agencies
- Natural resource or public land agencies (see description below)
- School districts, local education agencies, or schools
- Tribal governments
- **\*New\*** Metropolitan Planning Organizations (MPOs) serving less than 200,000
- Nonprofit entities
- Any other local or regional governmental entity with responsibility for oversight of transportation or recreational trails (i.e., Regional Planning Commissions, Development Boards, etc.)
- **\*New\*** The State of Wisconsin, at the request of an eligible entity listed above

Applicants should note the following:

- **\*New\*** 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.
- **\*New\*** Metropolitan planning organizations with a population greater than 200,000 cannot sponsor TAP projects.
- Ineligible sponsors may partner with eligible sponsors to implement TAP projects.

Eligible sponsors must guarantee matching funds to carry out the proposed project. **TAP is a reimbursement program that requires sponsors to finance the project.** For most Federal TA Set-Aside (TAP) projects, the Federal share is generally 80 percent with a 20 percent State or local match, but States can use several flexibilities. Please see the [TA Set-Aside Implementation Guidance Federal](#) Share and Flexibilities section to explore opportunities to increase federal cost share.

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<sup>2</sup> Eligible Entities 23 USC 133 (h)(4)(B) - <https://www.law.cornell.edu/uscode/text/23/133>

Private entities may apply for funds indirectly through an eligible public sponsor. If a private entity is providing matching project funds, a public-private agreement attached to the TAP application outlines how the private group will transfer funds to the public sponsor. TAP sponsors must guarantee that the project will be maintained.

### **Project Eligibility**

Pursuant to federal requirements as maintained under the BIL, a proposed project must meet the following criteria to qualify for TAP funding:

- (1) The project must fit within one of the federal eligibility categories and must comply with any additional WisDOT TAP policies as outlined in these guidelines.
- (2) The project must relate to surface transportation.
- (3) The project must have an eligible sponsor.
- (4) The project must be selected through a competitive process.

Federal law permits project sponsors to utilize TAP funds within the following categories:

- Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation.
- Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers.
- Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
- Construction of turnouts, overlooks, and viewing areas.
- Community improvement activities, including:
  - Inventory, control, or removal of outdoor advertising.
  - Historic preservation and rehabilitation of historic transportation facilities.
  - Vegetation management practices in transportation rights-of-way; and
  - Archaeological activities relating to impacts from implementation of a transportation project.
- environmental mitigation activity.
- recreational trails program.
- Safe Routes to School (SRTS) program (grades K-12); and
- Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

Please Note: Equipment and materials acquisition are allowable but may be considered construction-related because federal reimbursement will only occur after installation of the materials to ensure that the project is completed.

The following former Transportation Enhancement project categories are not eligible TAP projects:

- Provision of safety and educational activities for pedestrians and bicyclists, except SRTS activities.
- Establishment of transportation museums.
- Operation of historic transportation facilities.
- Preservation and rehabilitation of historic buildings, structures, or facilities that have no relation to transportation.
- Archaeological planning and research that is not related to impacts of a transportation project.
- Acquisition of scenic easements and scenic or historic sites; and
- Scenic or historic highway programs.

## **State and Federal Policies**

WisDOT has utilized the flexibility afforded to state DOTs pursuant to federal law to establish the following state policies regarding TAP project eligibility:

### **Bicycle-Pedestrian Facilities**

WisDOT policies place considerable emphasis on bicycle and pedestrian facilities that will serve at least some utilitarian trips—such as commuting to work or school—that might otherwise be made by automobile. Note that this category includes on-road and off-road facilities. For additional information, the Federal Highway Administration (FHWA) released updated information regarding the [Implementation Guidance Bicycle and Pedestrian Planning](#) priority for safe, comfortable, equitable, integrated multimodal infrastructure for all ages and ability.

### **Outdoor Advertising & Vegetation Management**

In the 2024-2028 TAP award cycle, WisDOT will not utilize TAP funds for outdoor advertising or stand-alone vegetation management projects.

### **Recreational Trails Program**

The Wisconsin Department of Natural Resources (WDNR) administers Recreational Trails Program (RTP) funding. The TA set-aside includes an approximately \$2 million annual allocation for RTP. The RTP program is an alternate option for applicants seeking funding for recreational trail facilities. Local entities interested applying for recreational trails are encouraged to visit the WisDNR website <https://dnr.wi.gov/Aid/RTP.html>. Motorized trail funding is discussed further below in the paragraph titled ‘Motorized Access: All-Terrain Vehicle (ATV) and Snowmobile’.

### **Historic Preservation Project Requirements**

Only preservation and rehabilitation are eligible activity. Operation is an ineligible expense. TAP eligibility is limited to historic transportation facilities as described in the bullet points below.

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

Applicants must utilize application materials to demonstrate a historic project’s relationship to surface transportation. Historic preservation and rehabilitation projects must involve a historic transportation facility.

WisDOT requires historic projects to meet the additional test of eligibility for the National or Wisconsin Register(s) of Historic places, or an official local historic register based on an adopted local landmarks ordinance. If a project does not already have register status, applicants may submit requisite documentation to the Wisconsin Historical Society to determine if the project would be deemed eligible for such status. The form for requesting determination is available at: <https://www.wisconsinhistory.org/Records/Article/CS2843>.

Historic projects must meet this register status requirement **at the time of application** for TAP funding. More specifically, properties should clearly show historical status in the property record database available at: [https://www.wisconsinhistory.org/Records?facets=CATEGORIES%3a\"National+or+State+Register+of+Historic+Places](https://www.wisconsinhistory.org/Records?facets=CATEGORIES%3a\).

Applicants interested in historic transportation projects should note the following MAP-21 eligibility changes:

- Historic tourist and welcome center facilities are not eligible TAP projects.
- Historic planning and research projects are ineligible for TAP funds.
- Eligible archaeological projects are limited to mitigation of impacts from a specific transportation project.

### **Motorized Access: All-Terrain Vehicle (ATV) and Snowmobile**

TAP funds are targeted toward daily, utilitarian transportation uses rather than purely recreational activities. Program applicants are encouraged to invest in projects that upgrade the condition of streets, highways, and bridges and make them safe for all users, while at the same time modernizing them so that the transportation network is accessible for all users, provides people with better choices across all modes, accommodates new and emerging technologies, is more sustainable and resilient to a changing climate, and is more equitable.

**\*New\*** Under the BIL, Transportation Alternatives Set-Aside (TA) and Surface Transportation Block Grant (STBG) Program funds may be used for motorized trail projects.

- Motorized or nonmotorized projects eligible under the Recreational Trails Program (RTP) are also eligible under the TA Set-Aside (23 U.S.C. 133(h)(3)(A)) and STBG (23 U.S.C. 133(b)(7)).
- Trails that previously used Transportation Enhancement, Transportation Alternatives Program, or Transportation Alternatives Set-Aside funds for a nonmotorized trail cannot be converted to allow motorized use, except as permitted under [23 U.S.C. 217\(h\)](#):
  - o Permitting motorized vehicles on an otherwise nonmotorized trail can be determined with the exception under the [Framework for Considering Motorized Use on Nonmotorized Trails and Pedestrian Walkways under 23 U.S.C. 217](#), which establishes a process for allowing motorized use where there are exceptional circumstances.
  - o STBG and TA Set-Aside funds cannot be used to add motorized use to previously nonmotorized trails. But the State could build a parallel motorized trail in the same corridor.

**Please Note: ATVs are not allowed on trails previously funded by WisDOT TAP funds.**

**Snowmobiles are allowed only by local ordinance.** Sponsors must decide whether to allow snowmobiles and factor this into the surface type chosen for the facility and its maintenance policies. Sponsors who are seeking funding for year-round motorized trails should contact WisDOT and WDNR contacts found on the following webpages to verify project scope and cost eligibility prior to the application deadline.

WisDOT (TAP) webpage: <https://wisconsin.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/tap.aspx>

WDNR RTP webpage: <https://dnr.wi.gov/Aid/RTP.html>.

Please note that project agreements for TAP projects within the SRTS eligibility category will require year-round facility maintenance due to SRTS program goals of providing means of transportation for students, including those with disabilities. WisDOT may reserve the right to require winter snowplowing for certain projects outside of the SRTS eligibility category where year-round bicycle and pedestrian use seems particularly warranted, such as an urban trail that is utilized for commuting purposes.

### **Equestrian Use Policy**

As a matter of policy, WisDOT discourages shared equestrian usage, though it is not forbidden by Federal Highway Administration (FHWA). In addition, WisDOT considers trail usage fees as a hindrance to use of a trail for daily transportation purposes. FHWA has determined that trail fees are permissible only if all fees are used to maintain the trail facility. Applications must clearly indicate whether sponsors intend to charge fees or allow shared equestrian usage on the proposed TAP project.

## **State and Federal Requirements**

WisDOT administers federal TA set-aside program funding based on regulatory requirements and in cooperation with FHWA. As such, all TAP project sponsors must comply with applicable federal and state laws and regulations for each project phase. The WisDOT region staff listed at the end of these guidelines may provide some technical assistance and documentation for applicable requirements. For example, bicycle-pedestrian projects must comply with the WisDOT's Bicycle Facilities Handbook and all TAP infrastructure projects must comply with the Americans with Disabilities Act (ADA). For a list of resource materials, see page 19 of these guidelines.

TAP project sponsors are responsible for ensuring that their staff or consultants have the expertise to complete the entire project in accordance with federal and state laws and regulations. If a project is sponsored on behalf of a private organization, the public sponsor will enter into a legal agreement with the private organization to ensure that the private party complies with the requirements and provides local match funding, but the public sponsor is ultimately responsible for the project.

To further ensure that local sponsors comply with applicable requirements, WisDOT and FHWA have a project oversight agreement that requires certification of local government units to handle Local Let Contracts. Local sponsors must agree to undergo certification training for approved projects. In addition, WisDOT must pre-approve local sponsors to undertake any Local Force Account (LFA) work. Further information regarding sponsor certification and the corresponding *WisDOT Sponsor's Guide to Non-Traditional Transportation Project Implementation* is available on the WisDOT TAP website at <http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/tap.aspx>.

## **MPOs & TMAs**

If a proposed project is in an area represented by an MPO, it must be ranked by the MPO. MPO ranking will be **due to WisDOT by October 13, 2023. MPOs with TMAs will select projects.**

### **TMAs**

WisDOT will distribute TAP funds consistent with federal and state legislative guidance. MPOs who oversee TMA areas will select projects based upon funding availability.

<b><u>Metropolitan Planning Organization</u></b>	<b><u>TMA or Urbanized Area</u></b>
<a href="#">East Central Wisconsin Regional Planning Commission</a>	Appleton
<a href="#">Green Bay MPO</a>	Green Bay
<a href="#">Madison Area MPO</a>	Madison
<a href="#">Southeastern Wisconsin Regional Planning Commission</a>	Milwaukee
<a href="#">Minneapolis-St. Paul Metropolitan Council</a>	Minneapolis-St. Paul
<a href="#">Southeastern Wisconsin Regional Planning Commission</a>	Round Lake Beach-McHenry-Grayslake

WisDOT will accept applications from any location within the State. WisDOT and MPO selection committees will consider TAP budgets when selecting projects

Additional MPO contact information is provided on page 21 of these guidelines and on the [WisDOT TAP website](#).



## **2024-2028 Solicitation and Selection Timeline**

Please Note: Project review and selection timeline is an anticipated schedule and is subject to change.

<b>ACTIVITY</b>	<b>DATE</b>
2024-2028 TAP Solicitation for Application is posted	16-June-2023
2024-2028 TAP Application Deadline	27-Oct.-2023
Eligible Applicants within TMAs move to the MPO Selection Process	27-Oct.-2023
Local Resolution due to WisDOT Local Program Manager	29-Dec.-2023
Statewide Applicant Selection Process Begins	8-Jan.-2024
MPO Project Ranking/Prioritization Deadline	26-Jan.-2024
Statewide Selection Committee meets and recommends 2024-2028 TAP Cycle projects	Feb. – Mar. 2024
WisDOT Secretary Award Notification of Solicitation Awards	By April 2024
Non-Traditional Project Delivery Certification Training	To Be Determined

## **TAP Application Guidelines**

As with the FY 2024-2028 TAP award cycle, WisDOT Division of Transportation Investment Management (DTIM) will administer project review & selection by first assessing the application for eligibility. Projects that are deemed eligible will then compete for funding by a selection committee of various stakeholders. Based on project location, selection will be conducted either by statewide or MPO committee if located within a TMA. WisDOT is soliciting projects in calendar year 2023 for SFY 2024-2028 projects.

## **TAP Funding Availability**

WisDOT will award TAP projects according to the available budget. Projects that have already gone through the selection process are listed on the WisDOT website. Projects currently programmed in each SFY reduce the total available budget left for project applications as part of the SFY 2024-2028 program.

## **Application Form and Instructions**

The TAP application form and instructions are available for download on the WisDOT TAP website at <http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/tap.aspx>.

Applications are available on the WisDOT TAP website as of June 16, 2023. By October 27, 2023, applicants must email complete applications to the appropriate WisDOT region provided at the end of these guidelines.

Sponsors must provide realistic and accurate project schedule dates and timeframes in TAP project applications. Local sponsors are responsible for project cost overruns, so it is important that TAP applications include an accurate project timeframe and cost estimate that takes into consideration foreseeable problems.

## **Project Type**

For TMAs or Areas  $\geq$  200,000, which include Appleton, Green Bay, Madison, Milwaukee, and Round Lake Beach, project selection must be made competitively, using a process set by the MPO. Projects not selected by the MPO may compete for funding made available statewide. WisDOT will accept applications from any location within the State. Applicants located within the jurisdiction of a TMA, will follow TAP project obligation limits and if a project moves to the statewide process, cooperation with the MPO managing the TMA is required.

For Areas  $<$  5,000, 5,000-50,000, and 50,000-200,000, selection will be administered by WisDOT through a statewide competitive process. The Statewide process will involve ranking all eligible projects regardless of area size, then parsing them into their requisite categories, which is conducted by a statewide selection committee. This will ensure a fair way to assess region-wide projects.

## **TAP STARS**

The Safe Transportation Alternatives for Rural Schools (STARS) initiative is a new TAP program component created to enhance the application and delivery processes. It focuses on Safe Routes to School (SRTS) programming, planning studies, and small infrastructure improvements in rural communities. All eligible TAP sponsors are encouraged to apply. To find out if you are eligible to apply for TAP STARS, click the following link: <https://wisdot.maps.arcgis.com/apps/webappviewer/index.html?id=381e0ea4576f48c3bd302e60cf291384>

## **Project Cost Guidelines**

TAP projects receive a capped amount of federal funding, and applicants should note that TAP sponsors are responsible for all project costs that exceed the approved federal project amount. Local project sponsors are responsible for costs overruns regardless of the cause for excess project costs, including inaccurate project costs and/or impacts to timelines or unforeseen issues.

### 1. Minimum / Maximum Project Funding Amounts

WisDOT suggests the below-listed minimum TAP project costs to ensure efficient utilization of local and state administrative resources and to promote projects with significant impacts. These cost minimums are recommended and apply to all proposed TAP projects regardless of the applicable eligibility category.

<b>Infrastructure projects</b>	Minimum project cost of \$300,000, including any design work. \$100,000 minimum for any federally funded real estate costs.
<b>Non-Infrastructure projects</b>	Minimum project cost of \$50,000
<b>TAP STARS Non-infrastructure</b>	Minimum project cost of \$20,000 <i>Specific to projects supporting rural schools</i>

There is no maximum project cost threshold. WisDOT is limited in its ability to fund projects requesting \$1 million or more. However, projects greater than \$1 million that do provide a statewide benefit will be considered for funding.

These project cost policies apply to Locally Let and State Let projects. WisDOT assumes that TAP projects will be Locally Let unless the local sponsor and WisDOT region agree to undertake the project as a State Let.

### 2. Non-Infrastructure Projects

Applicants may apply for non-infrastructure or planning projects with a project minimum of \$50,000. Eligible non-infrastructure projects still include SRTS planning and bicycle-pedestrian plans such as County or City-wide planning that doesn't relate to a specific project.

SRTS non-infrastructure project eligibility was enhanced under the BIL to include high school (grades 9-12) participation. Please refer to the following webpages for more information and for specific examples of eligible non-infrastructure SRTS projects.

FHWA SRTS webpage: [http://www.fhwa.dot.gov/environment/safe\\_routes\\_to\\_school/](http://www.fhwa.dot.gov/environment/safe_routes_to_school/)

WisDOT TAP webpage: <https://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/tap.aspx>

Please note that WisDOT will not award multi-modal projects that propose stand-alone preliminary engineering work such as developing project-specific design or environmental documents.

### 3. Project Costs and Timeline Recommendations

If an applicant proposes project construction in phases throughout multiple years, applications should list and schedule the project costs as appropriate and describe costs in the narrative project description. Applicants may check with appropriate WisDOT region staff to determine if commitments to previous years' projects permit scheduling as proposed in TAP applications. Finally, applicants must attach a detailed breakdown of proposed project costs as part of the additional allowed attachments.

## **Application Tips**

- Utilize narrative aspects of the application to demonstrate local political and financial support to provide the 20% local project match. All potential project sponsors and other involved parties should agree to the project scope, local match shares, roles and responsibilities, and other project details well in advance of submitting the application.
- Applicants should submit a separate application and budget for each project or stand-alone project segment. For example, potential sponsors should apply for each bike trail segment that could function as a separate facility.
- Applicants should develop an accurate project cost estimate with assistance from professional staff or contracted expert(s), if necessary. However, consultants who develop a TAP application are generally not able to compete for design work if that sponsor is ultimately awarded for the same TAP project. However, a sponsor could start their qualification-based selection (QBS) consultant selection process early enough and make the application part of a scope of service.
- Bicycle-pedestrian project cost estimates must consider ADA Public Right of Way requirement and design standards, including WisDOT's Bicycle Facilities Handbook as well as the Facilities Development Manual facility standards. Links to these resources are provided on page 19 of these guidelines. Again, local sponsors are responsible for cost overruns, so it is important that TAP applications include an accurate project timeframe and cost estimate that takes into consideration foreseeable problems.
- Common sources of project delay include the presence of protected historical, natural resource or archeological resources, contaminated soils, and circumstances that require the purchase or use of railroad right-of-way (ROW), including railroad crossings. Sponsors should resolve such issues prior to application submission, or at the very least demonstrate thorough consideration of these issues in TAP project applications. WisDOT may deem ineligible any applications that do not address such issues, precluding applications from further consideration for funding.
- If a proposed project involves a state or federal highway, either crossing, within or parallel to the ROW, WisDOT region staff must review the proposal. The local sponsor must obtain any necessary permits and determine compliance with all applicable standards.
- TAP applications should indicate if a state project with Context Sensitive Solutions funding is already partially funding the proposed project. Indicate the project ID number and amount if available.
- Projects that are sponsored by the DNR on state-owned land should work with the Department of Administration (DOA) Division of Facilities Development. Since the DOA must co-sign the Project Agreement, contact DOA immediately to coordinate on the project.

## **Project Application Review Process and Schedule**

TAP is subject to two requirements that affect how WisDOT selects TAP projects and distributes TAP funding:

- 1) All state DOTs must distribute TAP funding to MPOs who oversee TMAs Transportation Management Area (TMAs). TMAs are listed on page 8 of these guidelines.
- 2) MPOs who oversee TMAs must independently rate, rank and select projects submitted within their jurisdiction. All applicants must complete WisDOT application documentation as WisDOT ultimately administers all approved TAP projects, regardless of geographic location, and as such the department must obtain certain information from all project applicants.

## **Application Review Process**

The sponsor must submit their applications to the appropriate WisDOT region email address listed on the application form. The WisDOT region will determine the eligibility of the project.

Eligible projects will then be forwarded either to the applicable MPO or to the Statewide Selection Committee. The MPOs and the Statewide Selection Committee will review, and rank projects based on criteria or guidelines provided by WisDOT, the quality of responses to the major application questions, and local priorities. Each application advanced to the Statewide Selection Committee will be scored based upon a single set of criteria. Overall rank will be based on the sum of scores using those criteria.

The Statewide Selection Committee's and MPOs' recommendations for TAP funding are sent to the WisDOT Secretary. The Secretary issues final approval of TAP projects, which are announced to locals via letter.

## **Local Priorities**

Before some projects are submitted to WisDOT they must be ranked locally if that project sponsor is submitting more than one application or if the project falls within a MPO area. WisDOT will factor rankings into the overall project scoring process.

All local sponsors who intend to submit more than one TAP application must review and prioritize proposed projects using appropriate fields provided in the WisDOT TAP application form. The sponsor will rank each project in priority order, e.g., 1 (highest) to 5 (lowest).

Additionally, if a project is in an urbanized area, the sponsors must also submit their applications to the appropriate MPO staff for ranking. MPO staff will rank each project in priority order, e.g., 1 (highest) to 5 (lowest). See pages 20-21 for WisDOT region and MPO contact information.

## **Evaluation Guidelines or Criteria**

### **Stage 1- Eligibility**

To proceed to the second stage of project selection, a project must be eligible. Eligibility will be based on three main criteria: 1) sponsorship, 2) activity, and 3) ability of the project to timely commence. Each of these criteria will be assessed in two ways in that 1) the application provides enough information to discern whether the criteria can be met and 2) from the information given the criteria can be met.

#### **Sponsorship:**

Applicant is an eligible sponsor as defined on page 4 of the 2024-2028 Transportation Alternatives Program Guidelines.

#### **Activity:**

- 1.) Applicant provides a clear connection to surface transportation as defined on page 5 of the 2024-2028 TAP Guidelines.
- 2.) Applicant is proposing an eligible activity as defined on page 5 of the 2024-2028 Transportation Alternatives Program Guidelines.
- 3.) If there is land acquisition and/or right of way (ROW), it meets all FHWA requirements.

## **Ability to Timely Commence:**

[Wis. STAT. § 85.021\(2\)\(b\)](#) states that “a planning project is commenced when a planning study is begun, and an infrastructure project is commenced when construction is begun.” The timeline for commencement is measured from the date of the award letter.

For the purposes of the eligibility, WisDOT will presume that:

- A planning study is ‘begun’ on the execution date of the planning contract between the local and their planning vendor.
  - Construction of an infrastructure project is ‘begun’ on the execution date of the construction contract between the local and their construction vendor; and
  - Non-infrastructure projects that do not fall within either of the above categories commence on the date that the project sponsor submits the first reimbursement request to WisDOT, as noted on form [DT1713](#) in the “Date Received” field Reimbursement Request Programs using Local Let Contract (LLC) Process).
- 1.) Applicant defines a scope of work, studies and information on land acquisition or construction such that it is evident that general issues and costs associated with the project can be known. Details in the application are sufficient to evaluate eligibility and ability to commence.
  - 2.) Timeline establishes commencement requirement can be met given available funding and schedule.
  - 3.) Applicant does not face delays because of ROW, Rail Coordination, or Environmental factors that make it unlikely that the applicant would meet commencement.
  - 4.) The applicant's scope of work is reflected accurately in the budget.
  - 5.) Applicant demonstrates availability of matching funds throughout the funding period.
  - 6.) There is no other reason this project will not timely commence.

## **Stage 2 –Ranking**

The selection committee will assess the following criteria:

### **Project Planning & Preparation**

- 1.) Sponsor has planned for project prior to application by including the improvement in bicycle-pedestrian or similar municipal planning process.
- 2.) Sponsor has prepared for project by resolving any potential obstacles (real estate, etc.) to project execution, or the project would not cause any such obstacles.
- 3.) Sponsor is prepared for project as evidenced by application that demonstrates community support and/or regional collaboration with respect to proposed project.

### **Project Utility & Connectivity**

The project serves utilitarian rather than recreational purposes.

- 1.) The project connects existing multi-modal transportation networks.
- 2.) The project is within proximity to a school and/or commercial center
- 3.) Application includes data demonstrating that project would go beyond community enhancement to address a specific community need
  - “Communities of concern”
  - Economics
  - Safety, supported by crash statistics

### **Project Benefit – Environmental, Livability, Economic Justice, Public Health, Historic Preservation, & Safety**

- 1.) Project increases likelihood of modal shift to biking, walking or transit from utilitarian car travel.
- 2.) Project increases access and connection to the natural environment.
- 3.) Project would have a demonstrable impact upon public health of community.
- 4.) Project would go beyond enhancement to address a specific “communities of concern,” including elderly, disabled, minority, and low-income population.
- 5.) Project addresses a specific safety concern.
- 6.) Project would have strong historical or preservation benefit.

### **History of Sponsor Success**

- 1.) Sponsor has previously received WisDOT multi-modal transportation improvement funding and has demonstrated the capacity to utilize such funding in a timely and compliant manner.
- 2.) Project sponsor is a new applicant to TAP but has demonstrated throughout the application an understanding of program rules and capacity to carry out the project
- 3.) Project Innovation

### **Project Issues and Post-Approval Process**

After WisDOT announces a group of approved TAP projects, local sponsors will receive and sign a state-municipal project agreement from WisDOT. WisDOT region staff will notify sponsors of approved projects when a project phase is authorized for expenditure of federal funding. Local project sponsors will not receive reimbursement for any expenses incurred prior to receipt of notification that the relevant approved project phase is authorized for charges by FHWA.

WisDOT will invite sponsors of approved TAP projects to mandatory certification training on the *WisDOT Sponsor’s Guide to Non-Traditional Transportation Project Implementation*. Infrastructure project applicants must complete this certification training prior to receipt of a project state-municipal agreement.

For project sponsors wishing to pay for design using 100% local funds, the Project sponsors must fully fund the necessary state oversight and review of any 100% locally funded design work. Although locally funded design projects are not subject to the availability of federal funds for design and may begin right away, local design work must meet all applicable federal and state requirements and standards.

Approved TAP infrastructure projects will involve one or more of the following project phases, each phase with specific applicable requirements and processes. Applicants should reference the WisDOT 2017 Cost Estimate Table at <http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/highway/tools.aspx> for assistance and information regarding estimating accurate project costs for the below project phases.

#### **Preliminary Engineering and Design**

Sponsors of TAP infrastructure projects may use qualified staff or staff from other government units to prepare the project Plans, Specifications and Estimates (PS&E). Alternatively, sponsors may contract with a qualified private consultant who is familiar with state and federal laws, regulations, and procedures.

Local project sponsors must follow federal Qualifications Based Selection (QBS) procedures when contracting with private consultant(s) and expecting federal reimbursement for consultant costs. Sponsors are not permitted simply to contract with a local engineer and/or architectural firm with whom the sponsor is familiar. WisDOT region staff are the first point of contact for sponsors with questions about federal and state preliminary project requirements, such as filling out the appropriate environmental documents.

## **Real Estate**

TAP project sponsors must locally fund any real estate costs under \$100,000. Compliance with state and federal real estate laws is less complicated when a local sponsor owns the land for the proposed project. Applicants and sponsors should consult with the Local Public Agency (LPA) coordinator in the appropriate WisDOT region to ensure compliance with all requirements of the real estate acquisition process, especially when a project involves private property owned by third parties. Failure to follow proper real estate procedures will jeopardize reimbursement of eligible project costs. TAP applicants for projects that involve real estate should thoroughly address project cost and timeline implications in the appropriate fields within the WisDOT TAP application. WisDOT Real Estate contacts are listed at the end of these guidelines.

WisDOT recommends sponsors and applicants review of the real estate webpage at: <https://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/lpa-re-info.aspx>.

## **Railroad Crossing**

TAP projects that cross or are near a rail line will necessitate separate project procedures to address construction-related work involving railroad tracks and right-of-way (ROW). Sponsors proposing project(s) that involve railroad facilities should coordinate with WisDOT region staff utilizing the contact information on page 21 of these guidelines. Based upon federal and state rules, a project need not physically cross an active rail line for railroad requirements to apply to a project.

## **Construction**

Most TAP projects will be locally let to the lowest cost qualified bidder. Applicants and sponsors should consult appropriate WisDOT region staff listed on page 21 of these guidelines for more information regarding construction rules and regulations, including but not limited to: advertising; disadvantaged business enterprise (DBE) goals; federal and state wage rates; and awarding bids.

Projects located in federal highway right-of-way must comply with federal Davis-Bacon wage rate requirements that require paying prevailing union wage rates for labor. For projects where Davis-Bacon wage rates do not apply, project sponsors should be cognizant of all other wage requirements which may impact their projects.

WisDOT may administer a TAP project as a state let when the project may be completed more efficiently as part of a larger state highway project, such as installing a local bicycle or pedestrian facility in conjunction with a state highway project. For large projects estimated at \$1M or more, or for complex projects, WisDOT may require state letting.

Local project sponsors who wish to perform construction work with their own forces must obtain approval from WisDOT region staff through a federal cost effectiveness finding that demonstrates that the sponsor can carry out the project for less cost and demonstrates that it is in the public interest to have local forces do the construction work at issue. As stated above, FHWA policy requires that local sponsors be certified as adequately staffed and suitably equipped to handle local force account (LFA) work. Furthermore, applicants should note that WisDOT is restricted in its ability to enter LFA agreements impacting WisDOT's ability to allow sponsors to use LFA work on TAP projects.

Delivery and oversight are funded as any other project costs, typically 80% federal and 20% local or according to the percentage split requested by the sponsor funding more than 20% of project costs.

Local sponsors are expected to keep accurate records and reports, such as payroll documents and material specifications pertaining to construction activities, in case of audit. Federal law generally requires record



retention for seven years from the date a project Sponsor requests final reimbursement, with exceptions in the instance of project audit, negotiation, or litigation.

Once the project is in a sponsor's budget and approved in the Statewide Transportation Improvement Program and, if applicable, a local MPO's Transportation Improvement Program (TIP), the sponsor must enter into a Project Agreement with WisDOT. WisDOT Region Staff initiates paperwork to authorize infrastructure projects for federal charges, whereas WisDOT DTIM generates and executes non-infrastructure contracts. The federal government will not reimburse for costs incurred prior to authorization of a project. Sponsors will be responsible for any costs incurred prior to federal authorization and notification by WisDOT that a project phase is authorized to incur charges. Please note that receipt of the Governor's letter announcing the project award does not carry with it the authority to begin work on the project.

### **Financial Procedures for Approved Projects**

TAP sponsors must pay for project costs and then submit reimbursement requests, along with sufficient supporting documentation, to WisDOT for payment of the federal share of 80% project costs, to the limit of the federal funding amount. Sponsors must submit requests to WisDOT on a periodic basis—no less than once every six months—to receive reimbursement for the federal share of funds the sponsor has spent to date. Generally, submission of monthly reimbursement requests to WisDOT is preferable. WisDOT ensures consistency with federal requirements by following a reimbursement process that requires the sponsor to pay the full amount of the contractor's interim billing as a project progresses.

### **Matching Requirements**

TAP is operated as a reimbursement program – it is not a traditional grant program. Project sponsors must pay for project costs prior to requesting reimbursement and must commit 20% of the project's cost through the appropriate local budget process. Because TAP projects receive a capped amount of federal funding, any project costs more than the approved project amount will be funded entirely by the local sponsor.

In keeping with historical WisDOT multi-modal program requirements, project sponsors cannot utilize a 'soft match' (i.e., anticipated donations or volunteer hours, etc.) to fund the requisite 20% local match. However, sponsors are encouraged to defer local costs with fundraising and soft match donations if sponsors can ultimately translate these efforts into a cash match to pay for 20% of TAP project costs.

Sponsors have very limited ability to use other federal funds to pay the local portion of project costs. Successful applicants receive 80% federal funding to the cap of the project award. Only MPOs with TMAs may choose to fund TAP projects as low as 50% federal share to the limit of the award. Please see the FHWA TA set-aside implementation guidance for more information on matching requirements: [https://www.fhwa.dot.gov/environment/transportation\\_alternatives/guidance/ta\\_guidance\\_2022.pdf](https://www.fhwa.dot.gov/environment/transportation_alternatives/guidance/ta_guidance_2022.pdf)

### **Commencement- 2027**

There is a statutory requirement that TAP project commencement occurs within four years from the date of project award.<sup>3</sup> It states that "a planning project is commenced when a planning study is begun, and an infrastructure project is commenced when construction is begun."<sup>4</sup> Applicants should note that WisDOT is not afforded any statutory flexibility with respect to this provision and cannot grant exceptions to the commencement requirements. State Municipal Agreements (SMA) for approved TAP projects will memorialize a sponsor's commitment to commencing a project in compliance with state budget requirements. The commencement deadline for projects in this cycle will likely be sometime in July or August of 2027.

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<sup>3</sup> Wis. STAT. § 85.021(2)(b).

<sup>4</sup> Id.

### **Sunset/ All Work Complete Date – Rolling Deadline per Revised Sunset Policy**

In accordance with WisDOT policy, project sunsets are memorialized within the SMA. The sunset date is the FHWA mandated anticipated all work complete date. Sunset mandates project completion within six SFYs. Completion is defined as submission of a project completion certificate form provided by WisDOT. WisDOT may grant an extension for extenuating circumstances on a case-by-case basis, and only with FHWA concurrence. Per the Federal Highway Administration (FHWA) implementation guidance, a period of performance is now required for all federal-aid highway projects, and costs incurred after the project end date will not be eligible for federal reimbursement.

### **Schedule and Scope Changes**

WisDOT may consider project scope change requests from sponsors who wish to change the project scope as outlined in an approved TAP application. Submission and approval procedures for extension and scope change requests are outlined in the *WisDOT Sponsor's Guide to Non-Traditional Transportation Project Implementation*, the most current version of which is maintained on the [WisDOT TAP website](#).

Similarly, WisDOT may consider changes to project schedules. WisDOT permission is required in most instances of a change to schedule. Changes will be granted if there are sufficient funds available for the newly requested time and wherein commencement and sunset requirements will not be violated.

### **Maintenance**

Sponsors are required to maintain their project to allow year-round facility access.

Failure to maintain the facility, or sale of the assets improved with FHWA funds will subject the sponsor to partial repayment of federal funds or additional stipulations protecting the public interest in the project.

## **Resources**

**ADA Standards for Streets & Sidewalks (Public Rights-of-Way Accessibility Guidelines and Shared-Use Paths)**  
<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks>

**FHWA Transportation Alternatives Guidance**  
[https://www.fhwa.dot.gov/environment/transportation\\_alternatives/](https://www.fhwa.dot.gov/environment/transportation_alternatives/)

**US Code, Title 23 – Highways**  
<http://frwebgate.access.gpo.gov/cgi-bin/usc.cgi?ACTION=BROWSE&title=23usc>

**WisDNR Recreational Trails Program**  
<http://dnr.wi.gov/Aid/RTP.html>

**WisDOT Facilities Development Manual (FDM)**  
<http://wisconsindot.gov/Pages/doing-bus/eng-consultants/cnslt-rsrces/rdwy/fdm.aspx>

**WisDOT Bicycle Facility Design Handbook**  
<http://wisconsindot.gov/Documents/projects/multimodal/bike/facility.pdf>

**WisDOT Bicycle Planning Guide for Metropolitan Planning Organizations & Communities**  
<http://wisconsindot.gov/Documents/projects/multimodal/bike/guidance.pdf>

**WisDOT Guide to Pedestrian Best Practices**  
<http://wisconsindot.gov/Documents/projects/multimodal/ped/guide-chap5.pdf>

**WisDOT Rural Bicycle Planning Guide**  
<https://wisconsindot.gov/Documents/projects/multimodal/bike/rural-guide.pdf>

**WisDOT Sponsor’s Guide to Non-Traditional Transportation Project Implementation**  
Current version of the Sponsor’s Guide maintained on the WisDOT TAP website at  
<http://wisconsindot.gov/Documents/doing-bus/local-gov/astnce-pgms/aid/sponsors.pdf>

## **WisDOT Region Contacts**

**WisDOT Region Email Addresses for Submission of Completed TAP Applications**

<b>WisDOT Region</b>	<b>Email</b>
SE Region	<a href="mailto:DOTDTSDETEBPPF@dot.wi.gov">DOTDTSDETEBPPF@dot.wi.gov</a>
SW Region	<a href="mailto:DOTDTSWSWTEBPPF@dot.wi.gov">DOTDTSWSWTEBPPF@dot.wi.gov</a>
NW Region	<a href="mailto:DOTDTSNWTBPPF@dot.wi.gov">DOTDTSNWTBPPF@dot.wi.gov</a>
NC Region	<a href="mailto:DOTDTSNCTBPPF@dot.wi.gov">DOTDTSNCTBPPF@dot.wi.gov</a>
NE Region	<a href="mailto:DOTDTSNETAP@dot.wi.gov">DOTDTSNETAP@dot.wi.gov</a>

**WisDOT Region Contact List:** to determine which region should receive your application, consult the WisDOT region map available at <http://wisconsin.gov/Pages/about-wisdot/who-we-are/dtsd/dtsd-region-offices.aspx>

WisDOT Region	Contact	Phone	Email
SE Region	Jacob Varnes	(262) 548-8789	<a href="mailto:jacob.varnes@dot.wi.gov">jacob.varnes@dot.wi.gov</a>
SW Region	Rob Winterton	(608) 246-3869	<a href="mailto:thomas.koprowski@dot.wi.gov">thomas.koprowski@dot.wi.gov</a>
NW Region	Randy Kirk	(715) 635-5014	<a href="mailto:william.zimmer@dot.wi.gov">william.zimmer@dot.wi.gov</a>
NC Region	Jordan Kelbley	(715) 365-5705	<a href="mailto:michael.grage@dot.wi.gov">michael.grage@dot.wi.gov</a>
NE Region	Kelsey Lorenz	(920) 492-5681	<a href="mailto:sandra.carpenter@dot.wi.gov">sandra.carpenter@dot.wi.gov</a>

### **Other WisDOT Contacts**

**WisDOT Region Railroad Coordinators (see link below)**

<https://wisconsin.gov/Documents/doing-bus/real-estate/permits/contact-rrc.pdf>

### **WisDOT LPA Real Estate Coordinators**

WisDOT/Real Estate staff		
North Central (NC)	<a href="#">E. Jay Viste</a>	(920) 360-1672
Southwest (SW)	<a href="#">Angie Kneip</a>	(608) 245-2623
Northwest (NW)	<a href="#">Angie Kneip</a>	(608) 245-2623
Southeast (SE)	<a href="#">MeriKate Bock</a>	(414) 750-0679
Northeast (NE)	<a href="#">E. Jay Viste</a>	(920) 360-1672
Statewide	<a href="#">Abby Ringel</a>	(920) 883-8324 (Cell) (920) 492-7708 (Office)

## **MPO Contacts**

<b>MPO Name</b>	<b>Contact</b>	<b>Email</b>
Bay Lake RPC (Sheboygan)	Jeff Agee-Aguayo	<a href="mailto:jagee@baylake.org">jagee@baylake.org</a>
Brown County Planning Commission (Green Bay)	Lisa Conard	<a href="mailto:Conard_LJ@co.brown.wi.us">Conard_LJ@co.brown.wi.us</a>
Capital Area RPC (Dane Co)	Steve Steinhoff	<a href="mailto:steves@capitalarearpc.org">steves@capitalarearpc.org</a>
Chippewa-Eau Claire MPO (WCWRPC – Eau Claire)	Eric Anderson	<a href="mailto:eanderson@wcrpc.org">eanderson@wcrpc.org</a>
Dubuque Metropolitan Area Planning Study	Chandra Ravada	<a href="mailto:cravada@ecia.org">cravada@ecia.org</a>
Duluth/Superior Metropolitan Interstate Committee (Superior)	Ron Chicka	<a href="mailto:rchicka@ardc.org">rchicka@ardc.org</a>
East Central Wisconsin RPC (Appleton, Oshkosh)	Melissa Kraemer Badtke	<a href="mailto:mbadtke@eastcentralrpc.org">mbadtke@eastcentralrpc.org</a>
Fond du Lac MPO (Fond du Lac)	Melissa Kraemer Badtke	<a href="mailto:mbadtke@eastcentralrpc.org">mbadtke@eastcentralrpc.org</a>
Janesville MPO (Janesville)	David Salmon	<a href="mailto:salmond@ci.janesville.wi.us">salmond@ci.janesville.wi.us</a>
La Crosse Area Planning Committee	Jackie Eastwood	<a href="mailto:jeastwood@lacrossecounty.org">jeastwood@lacrossecounty.org</a>
Madison Area MPO (Madison)	Renee Callaway	<a href="mailto:recallaway@cityofmadison.com">recallaway@cityofmadison.com</a>
Marathon County MPO (Wausau)	Dave Mack	<a href="mailto:dave.mack@co.marathon.wi.us">dave.mack@co.marathon.wi.us</a>
Southeastern Wisconsin RPC (SEWRPC - Waukesha)	Ryan Hoel	<a href="mailto:rhoel@sewrpc.org">rhoel@sewrpc.org</a>
Stateline Area Transportation Study (Beloit)	T.J. Nee	<a href="mailto:neet@beloitwi.gov">neet@beloitwi.gov</a>

Applicants should utilize this map to determine if a proposed project is in an MPO area:

<http://wisconsin.gov/Documents/doing-bus/local-gov/plning-orgs/map.pdf>

## **WisDOT Statewide TAP Contact**

Travis Houle, Statewide Multi-Modal Programs Manager

Phone: (608) 266-9656 / E-mail: [travis.houle@dot.wi.gov](mailto:travis.houle@dot.wi.gov)

## Acronym Database

<b>ATV</b>	All-Terrain Vehicle
<b>BFPF</b>	Bicycle & Pedestrian Facilities Program
<b>DTIM</b>	WisDOT Division of Transportation Investment Management
<b>FAST</b>	Fixing America’s Surface Transportation (FAST) Act
<b>FHWA</b>	Federal Highway Administration
<b>LFA</b>	Local Force Account
<b>LPA</b>	Local Public Agency, also known as local project sponsor or project sponsor
<b>MAP-21</b>	The Moving Ahead for Progress in the 21 <sup>st</sup> Century Act
<b>MPO</b>	Metropolitan Planning Organization
<b>NTAC</b>	National Transportation Alternatives Clearinghouse
<b>RPC</b>	Regional Planning Commission
<b>SFY</b>	State Fiscal Year
<b>SMA</b>	State Municipal Agreement
<b>SRTS</b>	Safe Routes to School
<b>TAP</b>	Transportation Alternatives Program
<b>TE</b>	Transportation Enhancements
<b>TMA</b>	Transportation Management Area
<b>WisDNR</b>	Wisconsin Department of Natural Resources
<b>WisDOT</b>	Wisconsin Department of Transportation

## Definition of State Fiscal Years

<b>State Fiscal Year</b>	<b>Timeframe</b>
2024	July 1 <sup>st</sup> , 2023, to June 30 <sup>th</sup> , 2024
2025	July 1 <sup>st</sup> , 2024, to June 30 <sup>th</sup> , 2025
2026	July 1 <sup>st</sup> , 2025, to June 30 <sup>th</sup> , 2026
2027	July 1 <sup>st</sup> , 2026, to June 30 <sup>th</sup> , 2027
2028	July 1 <sup>st</sup> , 2027, to June 30 <sup>th</sup> , 2028



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Photo: Fox River Trail in Green Bay, WI. Source: Matt Clark, *National Transportation Alternatives Clearinghouse* / [www.ta-clearinghouse.info](http://www.ta-clearinghouse.info).



**Wisconsin Department of Transportation  
2024-2028 Transportation Alternatives Program Guidelines**

**Updated June 2023**