



# Department of Transportation

## NEW YORK STATE DEPARTMENT OF TRANSPORTATION TRANSPORTATION ALTERNATIVES PROGRAM CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM NOTICE OF FUNDING AVAILABILITY

June 2021

### Background

The New York State Department of Transportation (NYSDOT) is making available up to \$110 million in funding over a two-year period to support bicycle, pedestrian, multi-use path and transportation-related projects and programs that support the goals of New York's nation-leading Climate Leadership and Community Protection Act (CLCPA). These funds, made available to the State through the Federal Highway Administration (FHWA) and administered by NYSDOT, are provided through the Transportation Alternatives Program (TAP) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ).

### Eligible Applicants

The following entities are eligible for funding:

- Local Governments (Counties, Towns, Cities, and Villages);
- Regional Transportation Authorities,
- Transit Agencies,
- Natural Resource or Public Land Agencies (NYS Department of Environmental Conservation, NYS Parks, Recreation and Historic Preservation, local fish and game or wildlife agencies)
- Tribal Governments,
- Local or Regional Governmental Transportation or Recreational Trail Entity; and the
- New York State Department of Transportation (for CMAQ only).

### Eligible Projects

#### Transportation Alternatives Program (TAP)

TAP funds a variety of transportation related projects which increase options for non-vehicular transportation including:

- Planning, Design and Construction of infrastructure related projects to improve non-driver safety and access to public transportation and enhanced mobility,
- Construction of turnouts, overlooks and viewing areas,

- Safe Routes to School (enables and encourages children to walk or bike to school);
- Planning, design and construction of on-road and off-road facilities for pedestrians, bicyclists and non-motorized transportation users,
- Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists and non-motorized transportation users;
- Planning, design, and construction of boulevards and other roadways largely in the right-of-way of former divided highways;
- Community Improvement Activities (landscaping and streetscape improvements, preserve historic transportation facilities, vegetation management practices, archeological activities); and
- Environmental Mitigation Activities.

## **Congestion Mitigation and Air Quality Improvement Program (CMAQ)**

CMAQ funds transportation-related projects which reduce vehicle emissions or traffic congestion in designated areas that do not meet, or previously did not attain National Ambient Air Quality Standards. Eligible activities include:

- Pedestrian and bicycle facility improvements,
- Travel demand management/rideshare programs,
- Congestion reduction and traffic flow improvements,
- Transit improvements, including limited operating support for new services,
- Freight intermodal operational improvements, and
- Development of alternative fuel infrastructure and clean vehicle deployment projects.

CMAQ funding in this solicitation is available only for these counties<sup>1</sup>:

Albany, Chautauqua, Dutchess, Erie, Genesee, Greene, Jefferson, Livingston, Monroe, Montgomery, Niagara, Onondaga, Ontario, Orleans, Rensselaer, Saratoga, Schenectady, Schoharie, and Wayne.

## **Funding Availability**

NYSDOT is soliciting candidate projects for TAP and CMAQ funding. A total of \$110 million is available for award:

- \$62.0 million in funding under TAP; and
- \$48.0 million in funding under CMAQ.

Project Sponsors must submit an application for proposed TAP-CMAQ projects detailing the scope, benefits, schedule and costs. A highly recommended Application Pre-Review process is available to Sponsors who choose to have NYSDOT review and provide feedback on their project application(s). All applicants **must** attend a current TAP-CMAQ Informational Workshop.

## **Maximum Award/Matching Funds/Eligibility**

The TAP-CMAQ project award shall be no less than \$500,000 and no greater than \$5.0 million for any single project. NYSDOT will provide up to 80 percent of the total eligible project costs with a minimum 20 percent match provided by the project Sponsor. Eligible project costs may include planning,

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<sup>1</sup> CMAQ project funding in the New York City metropolitan area and Orange County use a separate selection process.

design/engineering services, right-of-way acquisition, construction and construction inspection. CMAQ Transit Improvement projects requesting operating assistance for new transit services may be funded for up to five years, and CMAQ Travel Demand Management projects may include public outreach and education costs, but only if they are broken out as distinct line items. Any costs beyond an authorized project award shall be the sole responsibility of the project Sponsor.

## Project Review Process

TAP and CMAQ candidate projects will be evaluated on their ability to meet eligibility criteria and their rank in a data driven scoring process conducted by subject matter experts (NYSDOT and Non-NYSDOT). Recommendations will reflect the statutory geographic limitation of funds. Sponsors will be limited to a maximum of two project awards.

## Secondary Selection Factors

In addition to the formal evaluation criteria, project selection is permitted to incorporate into the final selection of eligible projects a secondary set of criteria which includes project type, eligible funding source, significance, cost-effectiveness, geographic balance, and benefits of overall investments to mitigate greenhouse gas emissions in Environmental Justice Communities.

## TAP Project Eligibility

- The project has an eligible Sponsor.
- The project fits into one of the eligible TAP funding categories.
- The project relates to surface transportation (not exclusively recreational).

## TAP Project Evaluation Criteria

Category	Evaluation Criteria	Available Points
<b>Project Benefits</b>	<ul style="list-style-type: none"> <li>• Project benefits and proposed solutions</li> <li>• Innovation and creativity</li> <li>• Improves safety</li> </ul>	<b>20</b>
<b>Project Alignment</b>	<ul style="list-style-type: none"> <li>• Alignment with TAP program and other surface transportation plans, projects and systems</li> </ul>	<b>20</b>
<b>Essential Project Management Elements</b>	<ul style="list-style-type: none"> <li>• Schedule</li> <li>• Budget</li> <li>• Right-of-Way assurance</li> <li>• Match Assurance and ability to deliver the project</li> </ul>	<b>60</b>
<b>Total Points:</b>		<b>100</b>
<b>Sponsor Submitted Application for Pre-review</b>	<b>Bonus Points:</b>	<b>5</b>
<b>Project Reviewed by a NYS Professional Engineer</b>	<b>Bonus Points:</b>	<b>5</b>

## CMAQ Project Eligibility

- The project has an eligible Sponsor.
- The project is in one of the 19 eligible counties. (Albany, Chautauqua, Dutchess, Erie, Genesee, Greene, Jefferson, Livingston, Monroe, Montgomery, Niagara, Onondaga, Ontario, Orleans, Rensselaer, Saratoga, Schenectady, Schoharie, Wayne)
- The project fits into one of the eligible CMAQ funding categories.
- The project relates to surface transportation (not exclusively recreational).
- The project submission includes data for calculating the estimated emission benefits for targeted pollutants: carbon monoxide (CO), ozone precursors - nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC), fine particulate matter (PM<sub>2.5</sub>), and particulate matter (PM<sub>10</sub>).
- The project provides demonstrable greenhouse gas emission mitigation benefits in Environmental Justice Communities.

## CMAQ Project Evaluation Criteria

Category	Evaluation Criteria	Available Points
<b>Project Benefits</b>	<ul style="list-style-type: none"><li>• Project benefits and proposed solutions</li><li>• Innovation and creativity</li><li>• Improves safety</li></ul>	<b>15</b>
<b>Project Alignment and Technical Benefits</b>	<ul style="list-style-type: none"><li>• Alignment with CMAQ program and other surface transportation plans, projects and systems</li></ul> <p><b><u>Congestion Mitigation:</u></b></p> <ul style="list-style-type: none"><li>• How well the project reduces volume</li><li>• How well the project improves travel time</li></ul> <p><b><u>Emission Reduction:</u></b></p> <ul style="list-style-type: none"><li>• Reductions in targeted pollutants</li><li>• Cost Effectiveness</li></ul>	<b>25</b>
<b>Essential Project Management Elements</b>	<ul style="list-style-type: none"><li>• Schedule</li><li>• Budget</li><li>• Right of Way assurance</li><li>• Match Assurance and ability to deliver the project</li></ul>	<b>60</b>
<b>Total Points:</b>		<b>100</b>
<b>Sponsor submitted application for Pre-review</b>	<b>Bonus Points:</b>	<b>5</b>
<b>Project reviewed by a NYS Professional Engineer</b>	<b>Bonus Points:</b>	<b>5</b>

## Important Requirements and Information

- For full consideration, all projects must:
  - Conform to all Federal and State requirements, design specifications and construction standards.
  - Meet appropriate service life requirements for implemented project or service, and for infrastructure projects, provide full and year-round public access. If access is restricted, **any** restrictions to public access must be explained, reasonable and allowable under federal aid funding regulations.
  - Begin construction within 24 months from the execution of the State Local Agreement.
  - Have an eligible Sponsor who is registered in New York State's Grants Gateway <http://grantsreform.ny.gov/> and has a New York State Statewide Financial System (SFS) vendor ID which may be obtained at: <http://www.osc.state.ny.us/vendors/>.
  - Have a complete application, submitted by the deadline, with all application attachments and supporting documentation included.
  - Have documented community support.
  - Have documented match assurance.
  - Identify any property rights to be acquired for the proposed project in the application. The Sponsor is responsible for and must certify that it will undertake the acquisition of these property rights and must be reflected in the project schedule. Failure to identify needed property rights or to properly acquire them in a timely manner may void the TAP-CMAQ award.
- Eligible Sponsors must attend a current TAP-CMAQ Informational Workshop. Workshop schedules and other related information are listed on NYSDOT's website at: <https://www.dot.ny.gov/TAP-CMAQ>
- Other project considerations that will benefit TAP and CMAQ applications:
  - Sponsor requests a project pre-review. Application Pre-Reviews - must be submitted via email to [TAP-CMAQ@dot.ny.gov](mailto:TAP-CMAQ@dot.ny.gov) by the date specified in the Key Program Dates Schedule document on the TAP-CMAQ Website.
  - Sponsor has the project reviewed by a NYS Professional Engineer (PE) and a signed letter is included in the application stating a New York State PE reviewed the application.
- Project Sponsors must submit final applications through NYS [Grants Gateway](#) Portal (Opportunity ID: DOT01-TCMAQ-2020). See Key Program Dates Schedule document.
- TAP-CMAQ program schedule, application guidance, instructions, information on the federal-aid process and other program resources for this solicitation are available on NYSDOT's web site at: <https://www.dot.ny.gov/TAP-CMAQ>
- Once project selections are made, applicants will be notified whether their application(s) have been selected or not selected for award.
- Comments and questions regarding this TAP-CMAQ solicitation may be submitted via email to [TAP-CMAQ@dot.ny.gov](mailto:TAP-CMAQ@dot.ny.gov).
- NYSDOT will post a Frequently Asked Questions (FAQs) page to its web site addressing commonly asked questions and update any Other Asked Questions page weekly as questions are submitted during this solicitation offering.
- If the project does not begin implementation/construction within 24 months of the State Local Agreement execution, NYSDOT may rescind the award and repayment of Federal-Aid funds may be required, unless otherwise approved by NYSDOT.
- Any activities or purchases which occur prior to federal authorization are not eligible for reimbursement.