



2025 Transportation Alternatives (TA) Call for Projects Frequently Asked Questions during Project Sponsor Workshops

Below are frequently asked questions received during TxDOT's 2025 TA Call for Projects Project Sponsor Workshops which occurred between January 6 and January 27, 2025. The Code of Federal Regulations (CFR) and Texas Administrative Code (TAC) have been cited in response to several questions using only the abbreviations CFR and TAC.

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General Questions

- 1) Where can interested parties find out more information about TxDOT's 2025 Transportation Alternatives Call for Projects?

Answer:

All program call materials can be found at TxDOT's website

(<https://www.txdot.gov/content/txdotreimagine/us/en/home/business/grants-and-funding/bicycle-pedestrian-local-federal-funding-programs.html>). Additional materials or updates will be made

available periodically throughout the program call. When the Program Call opened, materials included Program Guide, Preliminary Application, Preliminary Application Instructions, and various supporting resources.

- 2) Is there a maximum or minimum award amount for the various TA project categories? Is there a target number of awards or maximum amount of funding that TxDOT is looking to fund for each of the project categories?

Answer:

- Community Based – Target project funding award amounts between \$250,000 and \$5 million per project.
- Large Scale – Target project funding award amounts between \$5 million and \$25 million per project.
- Network Enhancements – Local governments under 200,000 people, minimum target project funding award amount \$250,000; Local governments over 200,000 people, minimum target project funding award amount \$1 million.
- Non-Infrastructure – Target minimum project funding award amount \$100,000.
- Due to the need for obligating funds within the constraints of this federal program, TxDOT will maintain some flexibility in regard to total funding awarded in each project category. Project funding amounts listed are intended as targets. Depending on the number of applications received and amounts requested during the Call for Projects, TxDOT may award projects with costs that exceed these targets. Conversely, projects at or above maximum targets should be developed with phasing in mind, with options for scaling the project back if TxDOT is not able to award the total amount requested.
- TxDOT does not have a target number of awards. Table 3 in the Program Guide identifies target amounts for certain project categories. Depending on the number of applications received and amounts requested during the Call for Projects, total awards by project category may vary from these targets. TxDOT will only award a maximum of one TA award per project sponsor, per community.

3) How do I decide which category to apply for?

Answer:

Please refer to Figure 3 on page 13 of the Program Guide for a [decision tree](#) aiding Project Sponsor in selecting the appropriate Project Category. TxDOT may refer a project sponsor to a different project category after reviewing their preliminary application, prior to releasing the detailed application.

4) Is my project eligible and is my entity/organization eligible for funding?

Answer:

Please refer to Table 3 in the Program Guide for information about project sponsor eligibility, eligible project activities, and project examples. Feel free to email bikeped@txdot.gov with detailed inquiries.

5) Does TxDOT usually receive more TA applications for projects than they have funding for?

Answer:

Historically, TxDOT has received more project applications than the available funding. In the 2023 TxDOT TA Call for Projects, TxDOT received 319 detailed applications requested around \$1.3 Billion in bicycle and pedestrian infrastructure and planning activities.

6) Which population numbers should a project sponsor use to determine which funding area they are eligible for? For which jurisdiction should we use population data: county, city, census designated place?

Answer:

Project location population figures used for TxDOT's 2025 TA Call for Projects should be based on the US Census Bureau's 2020 Decennial Census. See <https://data.census.gov/cedsci/>.

The jurisdiction used to determine population will vary by project. For a project located in a city or unincorporated community, you would use the population area for the city or "Census Designated Place". For a rural project, then you would use the surrounding Census tracts.

- 7) What resources are available to local governments to aid them in complying with federal and state requirements?

Answer:

TxDOT and FHWA have many resources available to local governments. The resources listed below are some of the most commonly used resources (accessible via the internet):

TxDOT

- TxDOT Local Government Projects website: <https://www.txdot.gov/business/resources/lgp.html>
- Local Government Projects Online Toolkit: <https://www.txdot.gov/business/resources/lgp/toolkit.html>
- Training and Qualifications: <https://www.txdot.gov/business/resources/lgp/training-and-qualification.html>
- Forms and Publications: <https://www.txdot.gov/business/resources/lgp/publications.html>
- Local Government Standards and Special Provisions: <https://www.txdot.gov/business/resources/txdot-specifications/local-government.html>

FHWA

- FHWA website: <https://highways.dot.gov/>
- Federal-aid Essentials for Local Public Agencies: Federal-aid Essentials offers a central online library of informational videos and resources, designed specifically for local public agencies. Each video addresses a single topic-condensing the complex regulations and requirements of the Federal-aid Highway Program into easy-to-understand concepts with illustrated examples. Visit FHWA's website at: <https://highways.dot.gov/fed-aid-essentials/federal-aid-essentials-local-public-agencies>

Eligible Project Sponsors, Projects, and Reimbursable Activities

- 8) If a project is awarded, does the project sponsor need to pay for the construction of the project out of pocket and then get reimbursed? Or can the project be initially paid by the grant?

Answer:

The TA program is not a grant program, but a federal reimbursement program for eligible activities. Project sponsors awarded funding as part of TxDOT's TA program are reimbursed for eligible planning, design, and/or construction expenses (as applicable) after they are incurred. After the project sponsor incurs eligible expenses and pays its contractors, the project sponsor will submit a request for reimbursement to TxDOT according to the Advanced Funding Agreement, signed before work begins.

Expenses incurred prior to an Advance Funding Agreement, federal authorization of the project, and notice to proceed from TxDOT (including grant writing or development assistance) are not eligible for reimbursement.

- 9) Would proposed projects in larger cities in Transportation Management Areas (TMAs) such as Houston or Dallas be eligible project sponsors under this call for Projects?

Answer:

Yes. Proposed projects located in TMAs are eligible for TxDOT's 2025 TA Call for Projects. In areas with populations over 50,000 people, these project sponsors would be eligible to apply for the Large Scale,

Network Enhancements, and Non-Infrastructure project categories but would not be eligible to apply for the Community Based project category. NOTE: Smaller cities (under 50,000 people) inside TMAs and communities (of any size) outside of TMAs are eligible to apply for all project categories (Community Based, Large scale, Network Enhancements, and Non-Infrastructure).

- 10) Can an MPO be a project sponsor? If an MPO applies and is funded - how would "ownership" of a trail be transferred to a city(s)?

Answer:

In the 2025 TA Call for Projects, metropolitan planning organizations (MPOs) that serve an area with a population of 200,000 or less are eligible to apply for TA funds.

For infrastructure projects, TxDOT encourages MPOs to partner with the local entities on the application and implementation since the local jurisdiction would likely be the owner of the ROW and resulting project and likely responsible for maintaining the investment.

- 11) Is the purchase of property for a bikeway or pedestrian facility eligible for reimbursement under this program?

Answer:

The department's TA funds are available for right-of-way acquisition on a case-by-case basis as approved by TxDOT. ROW acquisition must facilitate project execution within TA Program obligation requirements and be supported by affected property owners to ensure property acquisition does not delay project implementation.

- 12) How does an eligible project sponsor submit a request for TxDOT to sponsor a project on their behalf?

Answer:

Project sponsors are encouraged to discuss sponsorship opportunities with TxDOT during the preliminary application phase and District review meetings. Sponsoring a project on behalf of another eligible project sponsor is at the TxDOT District's discretion. TxDOT's sponsorship would be formalized during Step 2 (Detailed Application) with documentation requesting TxDOT sponsorship for the local project sponsor, a letter of concurrence from the TxDOT District Engineer, and the TxDOT District Engineer and local project sponsor signatures on the Detailed Application.

- 13) If TxDOT is applying in collaboration with a local government, does that give that applicant an unfair advantage over those not getting assistance from TxDOT?

Answer:

Each project is competitively evaluated based on the same multidisciplinary criteria. Projects sponsored by TxDOT will not be prioritized over projects without TxDOT sponsorship.

Project sponsors interested in collaborating with their local TxDOT District staff on an application should contact their District TA Coordinator to discuss.

- 14) Are utility or water drainage costs eligible under any project category? Would water line relocation/replacement be eligible?

Answer:

Minor utility adjustments or stormwater and drainage work may be included in the budget if these activities are incidental to the bicycle or pedestrian project. Incidental costs, such as minor utility

adjustments or stormwater & drainage work, up to 30% of the total project construction cost would be eligible. Major utility relocations are not eligible.

- 15) Is a non-profit 501(c)3 an “eligible entity”? As a non-profit, does the application need to be submitted by the city?

Answer:

Non-profits are eligible entities for TA funding; however, non-profits need to provide documentation to determine eligibility. It may be advisable for non-profits to partner with entities that have experience using federal funds and building infrastructure. Furthermore, for infrastructure projects, TxDOT encourages nonprofits to partner with the local entities on the application and implementation since the local jurisdiction would likely be the owner of the ROW and resulting project and likely responsible for maintaining the investment.

- 16) Can a City within a county and County apply as separate sponsors?

Answer:

Yes. These two project sponsors must submit projects that are substantively different and have independent utility from each other.

- 17) Can each precinct in a county be a separate sponsor to submit the application, or are all precincts within a county considered as one sponsor?

Answer:

County precincts under the jurisdiction of a single County Commissioners Court are considered to be a single entity and are, therefore, subject to the County government’s two application limit.

- 18) Planning activities are stated to include PS&E up to 30%. Can we propose 100% PS&E in Preliminary Engineering so we can identify all possible risks?

Answer:

This depends on the project category.

- For a non-infrastructure planning project, PS&E is limited to 30% final design and anything above would be ineligible.
- For network enhancement projects, PS&E reimbursement should not be requested as this category is intended to fund quick turn-around projects featuring little to no design activities.
- For community based and large scale infrastructure projects, if a project has advanced past 30% PS&E final design it may receive a higher score for project readiness/feasibility, so the project will not be eligible for Preliminary Engineering reimbursement due to the likely delay in progress as a result of reprourement. However, if the project has less than 30% PS&E complete, then 100% PS&E is an eligible activity.

- 19) Would initial design (i.e., up to 30%) for a Large Scale project be a fit for non-infrastructure?Answer:

Yes, as long as the design is a product of the planning document. For example, a project to create an active transportation plan for a community could include some conceptual schematic work for implementation of projects identified/recommended in that plan. Another example would be a planning study to determine routing, evaluate alternatives, and assess feasibility of a long-distance route which could include schematic of the selected route. However, this would not apply to standalone projects that are already identified separately from the plan.

Application and Evaluation Processes

- 20) There is a limit of two applications. Does this limit apply to preliminary applications (Step 1), or can a project sponsor submit more than two preliminary applications and then narrow the number of applications to three for the detailed application (Step 2)?

Answer:

Project sponsors may submit up to two preliminary applications to TxDOT's 2025 TA Call for Projects, regardless of project category. Only projects found eligible based on the preliminary application can be submitted for Step 2, the detailed application phase.

- 21) Will applications submitted during previous TA Calls for Projects that were not awarded funding be considered in the current program call without re-application?

Answer:

No, projects submitted during previous TxDOT TA Calls for Projects that were not awarded must be resubmitted using the 2025 preliminary and detailed applications to be considered for funding under TxDOT's 2025 TA Call for Projects.

- 22) Is there a benefit to/preference for proposing a project in TxDOT ROW?

Answer:

Projects that are on or adjacent to the TxDOT maintained roadway network will not receive a higher rank simply because the project is on-system. TxDOT's priority with this program call is to fund quality bicycle and pedestrian projects leveraging as much TA funding as possible. In addition, TxDOT reserves the right to use other federal and/or state resources to implement a project submitted under this program call that is located within TxDOT right-of-way and advances the department's ADA/pedestrian accessibility, safety, or mobility goals. Refer to pg. 4 of the Program Guide for more information about alternative funding sources.

- 23) Does the program have a preference between project types (i.e., sidewalks, multi-use paths, etc.)?

Answer:

All eligible project types are welcome. Review Section C of the Program Guide for information about project evaluation and selection criteria to assist in identifying competitive projects.

- 24) Do all project elements have to connect? For example, is making sidewalk improvements at different locations considered one project or do the improvements need to connect?

Answer:

A project that fills in gaps in a non-motorized transportation network may be eligible, if the detailed application demonstrates how the proposed elements contribute to a single, interconnected project or network. Project sponsors may be asked to split a larger project into smaller segments if each element of the project makes more sense as a standalone project.

- 25) Our city is having trouble finding a single project to meet the \$5 million minimum for the Large Scale project category. Can a project sponsor propose multiple projects under a single application to reach this minimum threshold?

Answer:

Projects may be composed of multiple elements that are not contiguous but work together to create a single project. The project sponsor should demonstrate how the elements contribute to a connected project. Projects that are not logically connected would be considered separate projects.

26) Are projects crossing RR ROW less likely to be recommended for the detailed application?

Answer:

No, projects that cross RR ROW are not less likely to be recommended for Step 2 (detailed applications). However, it is important to identify project complexities early in the project development process so that these complexities can be addressed to avoid delays in project implementation if the project is awarded funding. Advanced railroad coordination is strongly recommended and may be essential for funding consideration. Obtaining railroad approval can take several years in some instances. The detailed application should document coordination to date with the affected railroad regarding the proposed project.

27) Does "project readiness" mean you need to have engineering complete and PS&E documents ready to go?

Answer:

No. Project readiness is dependent on a number of factors listed in Table 4 in the Program Guide and using information provided in the Detailed Application (Step 2). Shovel-ready projects demonstrate excellent project readiness; however, projects with few constructability concerns that are not shovel ready are still very competitive in TxDOT's calls for projects for TA funds.

28) Does the preliminary application need to be completed by an engineer?

Answer:

No. The preliminary application does not need to be completed by an engineer. The cost estimate in the preliminary application is intended to be a high level, general estimate. It provides TxDOT staff an idea of project scale and scope. The itemized budget estimate in the detailed application needs to be reflective of conceptual or planning-level estimated costs anticipated for the project.

29) Are local government costs toward preparing the detailed application package eligible for reimbursement?

Answer:

No. Any costs incurred prior to the project being selected for funding, being identified in the local Transportation Improvement Program (TIP) and Statewide TIP (if individually listed), execution of the Advance Funding Agreement, federal authorization of the project, and authorization from TxDOT to proceed are not eligible for reimbursement.

30) If a proposed project includes a project sponsor overmatch (project sponsor proposes to contribute a cash match greater than 20% of the total construction cost), does this make a project more competitive?

Answer:

The presence of a project sponsor overmatch is not an evaluation criterion. However, an overmatch is an indication of strong local/community support which is an evaluation criterion.

31) Can the cost estimate and scope change between the preliminary application and detailed application?

Answer:

Yes, the cost estimate and scope of the project can be adjusted between the preliminary application and detailed application as long as the original project concept and intent is maintained. The cost estimate provided for the preliminary application is a high level, general estimate. In the detailed application, the itemized budget estimate determines the amount of federal funds that will be awarded.

32) What type of right-of-way (ROW) / property ownership documentation is required?

Answer:

Project sponsors will be requested to attach ROW ownership documentation to the detailed application which may include ROW maps and/or deed records to the detailed application. If ROW acquisition is necessary for the project but has not been completed at the time of the detailed application submittal, please include a commitment letter by the current property owner indicating the property owner's willingness to transfer property in accordance with federal law.

33) Is a resolution from the project sponsor's governing body required for the preliminary application?

Answer:

No. Project sponsors will only be expected to have a signed project sponsor resolution attached to the detailed application.

34) Can you submit a preliminary application before the project sponsor has a qualified person (someone who has taken LGP101)?

Answer:

Yes. The Qualified Person only has to be identified and certified prior to the Advanced Funding Agreement (AFA) after the project has been awarded funding.

Non-Infrastructure Project Category: Preliminary Applications

35) When applying for Non-Infrastructure (Planning) TA funding, how do we respond to questions which seem to only apply to infrastructure projects?

Answers:

Project location:

The first page of the Preliminary Application requests identification of a project in relationship to a roadway. Planning documents will likely not have specific project locations identified. Please select "Not within the right-of-way of any roadway".

Google Map link:

The first page of the Preliminary Application requests a google map link (made shareable). Project sponsors seeking Non-Infrastructure TA funding can put any of the following in this form field:

- A google map link featuring the geographic extent of assumed planning document study area,
- A google map link of the jurisdiction boundaries if the planning document study area is coterminous with the entity boundaries, or
- The name of the city or census designated place if the planning document study area is coterminous with the entity boundaries.

NOTE: Project sponsors seeking Non-Infrastructure TA funding do not need "Start" and "End" points in their maps.

Project complexity:

The final page of the Preliminary Application requests project sponsors to acknowledge elements of complexity with their project location. Planning documents will likely not have specific project locations identified. Please select “No” for any elements of Project complexity that do not apply to your project.

- 36) Are the only planning projects that will be funded in the non-infrastructure category system-wide plans? Or are project-specific plans eligible?

Answer:

Funding for project-specific plans (preliminary engineering) should be part of a construction project and can be requested through the Community Based or Large Scale project categories. The non-infrastructure category is for planning studies with wider scope than individual projects.

MPOs, TMAs, and Jurisdictional Questions

- 37) If a TA project was not awarded funding following an MPO Call for Projects, can the project sponsor submit the project to TxDOT?

Answer:

Yes. The same project already submitted to the MPO’s Call for Projects can be submitted to TxDOT’s Call for Projects as long as the project is not submitted to MPO and TxDOT calls for projects concurrently. The project sponsor must fill out TxDOT’s TA applications to be considered for award. A project is being considered for award after the detailed application deadline of June 20th.

- 38) If part of our jurisdiction is in a TMA and part is outside, are we eligible to submit a project located in our jurisdiction but outside of the TMA boundary?

Answer:

Yes, TA funding eligibility is determined by project location. If the project is located inside of the TMA and has a population larger than 50,000, it is not eligible for Community Based TA funding. If the project is located inside of the TMA and has a population less than 50,000, it is eligible for Community Based TA funding. Please see Table 3 and Figure 3 to determine for which project category a proposed project may be eligible. If a project crosses a TMA boundary and is therefore located both inside and outside the TMA, please contact TxDOT PTN (bikeped@txdot.gov) for additional discussion.

- 39) Does the local government have to outright own ROW or can an Interlocal Agreement be reached for indefinite use, for example railroad ROW?

Answer:

The project sponsor does not have to own the ROW for the project but must have consent from the ROW owner. Proposed improvements may be located on state-maintained roadway ROW (“on-system”) or on property owned by the project sponsor or a third party (“off-system”). Projects may be constructed on private property if the proper easement is obtained, and the easement allows public access. Projects that include state-maintained ROW or have a direct effect on an existing state-maintained roadway must have a recent letter of consent, addressed to the project sponsor, and signed by the current TxDOT District Engineer of the TxDOT District in which the project is located. This consent cannot be delegated.

A railroad agreement may be necessary for projects that cross a railroad. Coordination with a railroad is required for all projects that are within 50 feet of railroad right-of-way (including grade-separated crossings) and/or all projects that begin or end within 500 feet from an at-grade highway-rail crossing to ensure traffic control and construction do not interfere with an active crossing. Obtaining railroad approval can take several months and in some instances several years. More information will be provided in the Detailed Application instructions.

Transportation Development Credits (TDC), Economically Disadvantaged Counties Program (EDCP), and local match requirements

40) Which projects are eligible under provisions of the Transportation Development Credits (TDCs)?

Answer:

Under TxDOT's 2025 TA Call for Projects, eligibility for TDCs is as follows:

1. The project is located in an economically disadvantaged county certified by the Commission for FY 2025, or
2. The project is located in a city/Census Designated Place (CDP) that meets all of the following criteria:
 - Population less than 200,000¹
 - Below state average per capita taxable property value²
 - Below state average per capita income³, and
 - Above state average unemployment⁴

The Program Guide identifies cities and CDPs that are eligible for TDCs in a table format. For a map of cities and CDPs eligible to use TDCs for local match please use this link:

<https://txdot.maps.arcgis.com/apps/instant/sidebar/index.html?appid=4f51dc8c26594005b7e09a7be703d4ad>).

For rural projects located outside jurisdictional boundaries or CDPs not identified on the map, contact TxDOT-PTN for guidance.

41) If a proposed project location extends across the county boundary between two counties where one county is eligible for TDCs and one county is not, how does TxDOT determine TDC eligibility?

Answer:

TDC eligibility is based on the location of the project. In the case where the project location straddles a TDC-eligible area and an ineligible area, reach out to TxDOT for a determination (bikeped@txdot.gov). It will likely be a determination on where the majority of the project is located. *NOTE: These are rare situations and will be handled on a case-by-case basis. If a project sponsor believes this situation applies, please notify TxDOT-PTN at BikePed@txdot.gov for assistance in accommodating these reductions on the submitted detailed application.*

42) If my community is eligible for TDCs, is there a limit to the amount of credit or is it automatically no cash match?

Answer:

TDCs allow for 100% federal TA funds to be applied to the project in lieu of a local match, so eligible projects will require no cash match.

43) If the project sponsor has used MPO TDCs for a previous project, can the project sponsor still qualify to use TxDOT TDCs for this call for projects?

Answer:

¹ U.S. Census Bureau; 2020 Decennial Census, Total Population

² Texas Comptroller of Public Accounts; 2022 City Rates and Levies, Total Property Market Value and U.S. Census Bureau; 2022 [Population and Housing Estimate Tables](#)

³ U.S. Census Bureau; 2022 5-Year Community Survey, Table DP03, Per Capita Income

⁴ U.S. Census Bureau; 2022 5-Year Community Survey, Table DP03, Civilian Unemployment Rate

Previous usage of TDCs does not impact a project sponsor's eligibility for TDC during the TxDOT 2025 Call for Projects. TDC eligibility criteria for TxDOT's 2025 Call for Projects can be found in the Program Guide (pages 15 and 16). Additionally, project sponsors can investigate eligibility using TxDOT's TDC eligibility map

(<https://txdot.maps.arcgis.com/apps/instant/sidebar/index.html?appid=4f51dc8c26594005b7e09a7be703d4ad>). TDCs granted by an MPO may not be used as match for TxDOT's TA funds.

- 44) MPOs are now eligible project sponsors for TxDOT's TA Call for Projects. Will MPOs be required to provide a 20% local match?

Answer:

Yes, MPOs who are not eligible for TDCs will be required to provide a 20% local match while federal funds will cover 80% of the project. MPOs may wish to partner with a local government(s) to provide the 20% local match.

- 45) A potential project sponsor has secured funding for the engineering design phase and a portion of the construction phase, can this potential project sponsor use this funding as their local match for TxDOT TA funds?

Answer:

The Transportation Alternatives program no longer accepts in-kind contributions in lieu of local cash matches. Additionally, in most cases, other federal funding cannot be used for local match. Funds from other federal funding programs may be used as a local funding match only when specifically authorized by federal law or regulation.

- 46) If a project is selected for funding by the Texas Transportation Commission as part of TxDOT's 2025 TA Call for Projects, when will project sponsors (with funded projects) be required to pay their local match?

Answer:

If TxDOT implements a project on behalf of the project sponsor, then the project sponsor would be responsible for paying its entire local match for each phase of work prior to initiation of that phase.

The local funding match for the preliminary engineering phase, including TxDOT's direct state cost for review of project plans and environmental documentation, would be due to TxDOT within 30 days of the local government receiving the fully executed Advance Funding Agreement (AFA). The AFA should be executed between 6 months and one year after the date that the commission selected the project for funding. If a project is state let, the remaining local match for construction and direct state costs for construction oversight would be due to TxDOT 60 days prior to TxDOT's construction letting of the project.

If the project sponsor is responsible for developing preliminary engineering documents for federal participation and/or a local letting is authorized, the local government would remit the local match for TxDOT's direct state costs at the beginning of each phase of work. The project sponsor would then pay its contractors up front and be reimbursed for 80% of the eligible construction costs, plus any local match adjustment.

Procurement/Hiring Consultants

- 47) Can the project sponsor hire a consultant to help with its application?

Answer:

Yes. Project sponsors should be aware that any work done prior to the state's letter of authority is not reimbursable with TA funds. Work to develop the application is not reimbursable with TA program funds.

- 48) Once the project sponsor incurs federally reimbursable costs, how long will it take for project sponsors to receive reimbursement from TxDOT?

Answer:

Following District review and acceptance of a complete invoice, TxDOT is required to provide reimbursement to the project sponsor within 30 days.

- 49) When hiring a consultant, when is a local government required to meet Federal Procurement Requirements?

Answer:

Federal Procurement Requirements must be followed when the Local Government is reimbursed with federal dollars. When procuring professional services, the local government must submit federally compliant procurement procedures to TxDOT for review and approval or adopt TxDOT's procurement process. In addition, contracts between the local government and consultants must include applicable federal requirements, and be submitted to TxDOT for review and approval, prior to execution. Federal Procurement Requirements apply regardless of whether the project is let for construction by TxDOT or by the local government.

The Federal Highway Administration's federal-aid essentials for local public agencies video library includes a video entitled *Hiring a Consultant using Competitive Negotiation Procedures* that provides an overview of the hiring process. Here is the video link: <https://highways.dot.gov/fed-aid-essentials/videos>.

For additional guidance on Procurement, Management, and Administration of Engineering and Design Related Services - Questions and Answers visit:

<https://www.fhwa.dot.gov/programadmin/consultant.cfm>

- 50) If the project sponsor is not seeking reimbursement for design and environmental documentation, then does the project sponsor need to follow federal rules?

Answer:

If the project sponsor does not intend to seek reimbursement for design and environmental documentation, the project sponsor does not need to comply with Federal Procurement Requirements. Project sponsors must still follow other state requirements for project development.

- 51) If an engineering firm completed the project application and project receives an award, is that engineering firm eligible to complete preliminary engineering and/or environmental documentation the work?

Answer:

There is nothing in the Local Government (LG) program or FHWA guidance that would preclude them from participating. However, the LG and the engineering firm may want to review the Texas Engineering Code (Section 663.4 - Conflicts of Interests) and apply the code on the specifics of the project activities.

LGs need to insure however that while a consultant can aid in preparation of the application and still be eligible to prepare the PS&E etc., no consultant involved in preparing any relevant procurement documents is eligible to be considered for that procurement [2 CFR 200.319(b)].

- 52) If the City has a contract inspector, are those allowable/reimbursable expenses? Would an on-staff inspector be a reimbursable expense?

Answer:

Both a contracted inspector and a LG employee inspector conducting construction inspections are eligible for reimbursement under the program.

- 53) Can project administration of the construction phase be contracted out? Can project administration for construction be procured at the same time as PS&E?

Answer:

Yes, administration of the project during construction can be contracted out and can be procured at the same time as the contract for development of the plans, specification & estimate (PS&E) and environmental documentation. The local government would need to ensure that the PS&E procurement document includes construction phase administration in the contract's scope of work. If the local government is seeking federal reimbursement, then the procurement process must meet federal procurement requirements. If a local government is not seeking federal reimbursement for construction administration, then the local government needs to follow state and local government procurement rules. If a local government contracts administration of construction, the local government will still need to designate a Responsible Person in Charge (RPIC) who is a full-time employee of the local government and remains engaged in the project, maintains familiarity with day-to-day project operations, makes or participate in decisions about change orders, reviews financial processes, transactions and documentation, and directs project staff (agency or consultant) at all stages of the project. The local government's RPIC will be TxDOT's main point of contact for the project.

- 54) Does TxDOT approve a project sponsor's professional procurement process at the kick-off meeting after the AFA is signed? If so, then can the consultant help with the application?

Answer:

TxDOT can approve project sponsor procurement process during the AFA development process. City procured consultants can help with the application, but those activities are not reimbursable.

Project Design and Environmental Documentation

- 55) Can a project that is just engineering design & environmental be competitive?

Answer:

Project applications submitted for one of the infrastructure categories must include a request for construction funding. During project evaluation, TxDOT may identify potential constructability concerns (e.g., drainage issues, limited ROW, substantially inadequate budget, etc.). In this situation, TxDOT may recommend a project be phased and advanced for preliminary engineering (i.e., PS&E, and environmental documentation) only. If a project is awarded preliminary engineering funding only, the project must be resubmitted in a future call for projects to be considered for construction funding.

For project sponsors submitting non-infrastructure projects, see questions 18 and 19 above for a discussion of eligible design elements.

- 56) If our sidewalk is connecting to a sidewalk along school property, do we need to make sure that sidewalk is brought up standards?

Answer:

There is no requirement to upgrade sidewalks that your project connects to. However, the project may be more effective, overall, if improvements are made to the connecting facility, such as improvements to comply with the Americans with Disabilities Act (ADA). Note that sidewalks within school property for

internal circulation only would not be eligible for TxDOT's TA funds. Publicly accessible sidewalks along school property that serve the greater pedestrian or bicycle transportation network would be eligible.

57) Must trails/sidewalks meet any AASHTO standards such as lighting and/or call boxes?

Answer:

The need for lighting and call boxes is context dependent and should be considered where appropriate to enhance visibility and user safety. All bicycle/pedestrian infrastructure design must comply with the Americans with Disabilities Act (ADA) and meet or exceed the minimum design requirements identified in the latest edition of TxDOT's *Roadway Design Manual*. Pedestrian facilities must conform to the *Public Right of Way Accessibility Guidelines* (latest edition) as published by the Texas Accessibility Standards and US Access Board or the 2010 ADA Standards, as applicable. All design criteria for on-road and off-road bicycle facilities must comply with TxDOT's *Roadway Design Manual* and the *Guide for the Development of Bicycle Facilities* (latest edition) as published by the American Association of State Highway and Transportation Officials (AASHTO). See Section H of the Program Guide for more information. In addition, further design guidelines will be provided in the Detailed Application instructions, which will be available to eligible project sponsors in Spring 2025.

58) Does public involvement have to take place before the detailed application is submitted?

Answer:

The project sponsor should demonstrate public awareness and support for the project in the detailed application. Additionally, any required public outreach can occur during the environmental phase of the project development process. See Section I of the 2025 TA Program Guide for more information. In accordance with 43 TAC 2.107, projects that include the addition of new bike lanes will require a public hearing. Public hearings held specifically to meet this requirement may be held any time during project development. Please refer to the Environmental Handbook for Public Involvement, Section 6, for information about the public hearing process.

<https://www.txdot.gov/content/dam/docs/environmental/toolkit/760-01-gui.pdf>

59) Should "federal and state requirements must be met for all activities with federal participation" be interpreted to mean that projects must be designed to TxDOT standards? Does this apply to the design standards found in the most recent Roadway Design Manual (November 2024)?

Answer:

Yes. Design criteria that do not meet the RDM may require an approved design exception or waiver. Also, any other applicable requirements (ADA, PROWAG, etc.) would need to be met or would require an approved exception.

60) What is the primary distinction between a typical sidewalk improvement and 'shared use' improvement project?

Answer:

Intended users. Shared use paths are intended to accommodate pedestrians, bicyclists, and perhaps micromobility vehicles (Electric bicycles are usually permitted on facilities designed and constructed for bicycles, like shared use paths. Any exceptions would depend on local ordinances). Sidewalks often have narrower widths and are intended to accommodate only pedestrians. For more information on pedestrian, bicycle, and micromobility infrastructure, see Section L of the 2025 TA Program Guide.

61) Is the project sponsor responsible for environmental mitigation/remediation? Should this cost be included into the estimated construction cost budget?

Answer:

It depends. Reimbursement of extensive remediation costs associated with mitigating environmental issues won't be eligible under the 2025 TA Program Call. However, incidental (minor) environmental mitigation/remediation may be an eligible activity and must be documented in the itemized budget in the detailed application.

Project Estimating, Letting and Construction

- 62) Is there a standard amount or percentage TxDOT charges for TxDOT administration costs to the applicant?

Answer:

For TxDOT's TA Program, the detailed application will automatically calculate an estimated amount for TxDOT's oversight of project development and construction (known as "direct state costs" or an administrative fee). For purposes of TxDOT's TA Program, direct state costs are calculated up to 15% of the total construction cost. The direct state costs are reimbursable with federal funds at the same rate as the rest of the project, including any eligible local match reduction.

- 63) It was stated that projects have a 3-year letting window or TxDOT risks losing funds. When does the 3-year clock start? Is it when funds are awarded?

Answer:

TxDOT's executive director may eliminate a project or a portion of a project from participation in the TA program if a construction contract has not been awarded or construction has not been initiated within three years after the date that the commission selected the project. TxDOT PTN programs projects based on project complexity, the proposed project timeline in the detailed application, and project readiness, as well as coordination between the local government and the District. To ensure that TA funds are utilized in a timely manner, simpler projects are programmed to let sooner, while more challenging ones are programmed to let later. It is critical that projects are advanced as expeditiously as possible once awarded, so that TxDOT can manage TA funding allocations and ensure that statewide TA funds are not eliminated from the program. Soon after project award a let date will be established for each project.

- 64) If a project sponsor has limited financial and staff resources to oversee a project, will TxDOT take on project administration directly or will the applicant need to create a budget and procure services as part of the award?

Answer:

The decision as to who will let a project (TxDOT or the local project sponsor) will be determined through coordination between the TxDOT District Office who will manage the project and the local project sponsor. Some small local entities procure a consultant to assist with project management and oversight for a locally let project. If a project sponsor is interested in TxDOT administering a project, then the project sponsor should discuss this request with the District during the review meeting after completing the preliminary application. Some Districts have established policies regarding managing or not managing local project sponsor-involved projects. Others evaluate project sponsor interest and abilities when negotiating this aspect of the advanced funding agreement.

- 65) Is there a max cost percentage of construction for "Incidental" items?

Answer:

Incidental items, such as landscape replacement, minor drainage improvements, minor environmental mitigation, and minor utility adjustments may not exceed 30% of the project's total itemized construction

budget. Additionally, bicycle/pedestrian-related amenities, such as drought-tolerant shade trees, street furniture (e.g., benches, trash receptacles), wayfinding signage, and decorative lighting, should comprise no more than 5% to 10% of the total itemized construction budget, depending on the size and context of the project. In order to be reimbursed by federal funds, incidental items and amenities should be included in the Itemized Construction Cost Estimate in the detailed application.

- 66) How can project sponsors input their assumed inflation and contingency costs in the detailed application budget section?

Answer:

Changes in materials and labor costs due to inflation are difficult to predict. TxDOT will provide clear guidance on what contingency percentages are allowed and acceptable annual inflation rates in the detailed application instructions.

- 67) For TxDOT Transportation Alternatives project awards, is it possible to transfer these Federal Highway Administration (FHWA) funds to the Federal Transit Administration (FTA) for administration?

Answer:

Yes, for an entity who is also an FTA grantee, TxDOT is planning to allow TA funds to be transferred to FTA if both TxDOT and project sponsor agree. Projects must also meet the requirements of the receiving FTA grant program and must have a transit nexus (pedestrian project within ½ mile of a transit stop or bike project within 3 miles of transit stop).

- 68) For the preliminary application a budget estimate must be included. If a smaller community doesn't have the resources to create a budget estimate, does TxDOT have technical assistance available?

Answer:

TxDOT has created a “Construction Cost Estimate Assistance Tool” to help project sponsors achieve a high-level estimate for the preliminary application. Once a project is determined eligible, the project sponsor can discuss opportunities for moving the project forward with their local TxDOT District during the District Review Meeting. Some options may be to partner with another entity with additional resources, use technical assistance in preparing your application, or other approaches depending on your community's specific circumstances.