

# FREQUENTLY ASKED TRANSPORTATION ENHANCEMENT (TE) PROGRAM QUESTIONS

## **Program Requirements:**

### **What is the matching requirement?**

The federal government reimburses 80% of eligible construction related expenditures. The local agency must pick up the remaining 20% and all preliminary engineering and right-of-way expenses.

### **What constitutes the local agency's 20% match?**

Only hard cash can be used to match TE funding.

### **Can TE funds be used as a match for other federal-aid funding?**

No, there is no legislation that allows TE funds to be used as a match for other federal funds except where explicitly stated in law.

### **Are TE funds allowed to be used for traditional highway projects?**

No, TE funds can only be used for the non-traditional projects listed in the eligible categories and related to surface transportation.

### **Can TE funds be used to develop parks and recreational areas?**

No, these activities are recreational in nature and not related to surface transportation.

### **Can TE funds be used for planning documents?**

With the exception of archeological planning and research, planning documents and/or master plans are not considered an eligible expenditure.

### **May a local agency charge a user fee?**

Generally, fees should not be charged for access to activities or projects developed with TE funds.

### **If a bicycle/pedestrian facility is funded with TE funds, can All Terrain Vehicles (ATV's) utilize the facility?**

No, motorized vehicles are not permitted on such facilities unless they are an approved mobility device or maintenance vehicle.

### **Can a TE funded project be created solely for recreational purposes?**

No, all TE projects must be primarily for transportation purposes with the understanding that some mixed-use is appropriate.

**Can TE funds be used for maintenance of the project after completion?**

No, the local agency is responsible for all future project maintenance and upkeep.

**Are there any requirements for meeting the needs of the handicapped on TE projects?**

Yes, you must follow all current ADA guidelines as referenced in <http://www.access-board.gov/ada/index.htm>

**Is the local agency required to attend any type of training prior to beginning work on an awarded enhancement project?**

Yes, the local agency must attend the *Local Government Guidelines and Right-Of-Way* training course (see <http://ctr.utk.edu/ttap/training/index.html>) and a TDOT Enhancement Project Workshop.

**Application Process:**

**Who can apply for TE funding?**

Only state, county and city governmental agencies may apply.

**Is there a minimum or maximum project dollar amount?**

No, currently there are no minimum or maximum award amounts. However, the average TE project award is approximately \$350,000.00.

**Can a local agency submit more than one application?**

Yes, but the local agency must submit a priority list with each application.

**Can a local agency submit an application if they have another TE project currently under development?**

Yes.

**If a TE project is canceled or withdrawn can the local agency re-apply at a later date?**

Yes, there is no penalty for canceling a previously awarded project.

**Will applications not selected for funding be automatically rolled-over to the next funding cycle?**

No, the local agency must update the application and re-submit in the next funding cycle.

## **Contracts and Funding:**

### **Does the local agency receive the money up-front?**

No, this is a reimbursable grant program. Project sponsors must pay all costs up-front and request reimbursement for only the eligible construction expenditures.

### **What aspects of project development are reimbursable with TE funding?**

Only construction eligible expenditures may be submitted for reimbursement. All preliminary engineering and right-of-way expenses are the full responsibility of the local agency.

### **Is there a timeline for project development?**

Yes, the project must obtain construction authorization from TDOT within three (3) years of the award date and it must be completed within five (5) years of the award date.

### **Can TE funds be used for maintenance of the project after completion?**

No, the local agency is responsible for all future project maintenance and upkeep.

### **After being awarded funding, can the local agency amend the project scope?**

Only minor scope changes necessary to complete the original intent of the application will be considered. All scope changes must be reviewed and approved by the TDOT Enhancement Office.

### **Can a local agency transfer awarded funding to another local agency?**

No, funding awarded is for the completion of only the specific project application. All returned funding will revert to TDOT for redistribution in the next funding cycle.

### **What happens when a local agency is not awarded the entire amount of enhancement funding that was requested?**

If enhancement funding is less than the amount requested in the application, the local agency has four options: 1) the local agency can seek additional funds from other public or private sources; 2) the project can be reduced to fit within the funding provided; 3) the local agency can stage the project into logical phases and seek additional enhancement funding during a subsequent cycle; or 4) the local agency can return the funding to TDOT.

### **How does a local agency submit a reimbursement request to TDOT?**

Reimbursements must be submitted electronically to TDOT through [LPD.Invoices@tn.gov](mailto:LPD.Invoices@tn.gov). All invoices must include the appropriate TDOT Invoice form located at <http://www.tdot.state.tn.us/local/> under the reimbursements tab in the left hand tree. The local agency must submit copies of invoices and proof of payment with the TDOT Invoice form.

## **Implementation:**

### **Will TDOT design and construct my TE project?**

No, all TE funded projects are to be locally managed and competitively bid.

### **Can a local agency use its own forces (employees) to construct the TE project?**

No, all TE funded projects must be competitively bid and awarded to the lowest responsive bidder.

### **Can the local agency simply award the construction contract to a local contractor?**

No, the TE project must be competitively bid and awarded to the lowest responsive TDOT pre-qualified bidder.

### **Is there a timeline for project development?**

Yes, the project must obtain construction authorization from TDOT within three (3) years of the award date and it must be completed within five (5) years of the award date.

### **How does the local agency deal with cost overruns?**

The local agency is responsible for all costs in excess of the awarded federal funding amount in order to complete the project scope as outlined in the contract.

### **If construction bids come in below the funding award, can the local agency add items to the project?**

No, the local agency can only build what is bid. Any funding remaining after project completion will revert back to TDOT for re-distribution.

### **Can the local agency bid the project with add alternates or deductions?**

No, TDOT will not approve any bid specifications with add alternates or deductions.

### **Does there need to be a public involvement?**

Yes, every phase of project development, including the application stage, must be made include public involvement

### **What steps are involved in implementing an awarded TE project?**

All TE projects, regardless of complexity or funding, must follow the state and federal regulations outlined in the *Local Government Guidelines Manual*

<http://www.tdot.state.tn.us/local/projectinfo.htm>

### **If the local agency already owns the right-of-way for the project, do they still have to go through the right-of-way certification process?**

Yes, the local agency must prove to TDOT that they own the right-of-way and complete a Local Public Agency form with the appropriate Regional Right-of-Way Office.

**Where does a local agency find a list of minority newspapers?**

The local agency will need to contact TDOT's Small Business Development Office at 615-741-3681 for a current listing of these papers.

**How does a local agency calculate their DBE goal?**

TDOT's Small Business Development Office has developed a tutorial for the local agency in calculating an appropriate DBE goal. This tutorial can be found at <http://www.tdot.state.tn.us/civil-rights/smallbusiness/>

**Where does a local agency get a listing of TDOT certified DBE's?**

This list can be found at <http://www.tdot.state.tn.us/civil-rights/smallbusiness/>

**When can the local agency begin work on any particular phase of project development?**

No work can be performed by the local agency until the appropriate Notice to Proceed has been issued by the TDOT Enhancement Office.

**When do federal-aid prevailing wage rates apply?**

The local agency must include both state and federal wage rates in their bid specifications and the contractor must pay the higher of the two per classification.

**Other:**

**If a local agency has additional questions concerning the Enhancement Program where can they send those questions?**

The local agency should send their questions to the Enhancement e-mail account via [TDOT.Enhancements@tn.gov](mailto:TDOT.Enhancements@tn.gov)