

TABLE OF CONTENTS

TABLE OF CONTENTS.....	I
LIST OF TABLES	III
LIST OF FIGURES	III
LIST OF ACRONYMS & ABBREVIATIONS	IV
I. PROGRAM OVERVIEW	I-1
II. TRANSPORTATION ENHANCEMENT PROGRAM (TEP) ELIGIBILITY	II-1
Project Sponsors	II-1
TEP PROJECT ELIGIBILITY CRITERIA	II-1
Relationship to Surface Transportation.....	II-2
Qualifying TEP Categories.....	II-3
1) Provision of facilities for pedestrians and bicycles.....	II-3
2) Provision of safety and educational activities for pedestrians and bicyclists.....	II-4
3) Acquisition of scenic easements and scenic or historic sites, including historic battlefields.....	II-5
4) Scenic or historic highway programs, including the provision of tourist and welcome center facilities	II-5
5) Landscaping and other scenic beautification.....	II-7
6) Historic preservation.....	II-8
7) Rehabilitation and operation of historic transportation building, structures, or facilities, including historic railroad facilities and canals.....	II-9
8) Preservation of abandoned railway corridors, including the conversion and use of the corridors for pedestrian or bicycle trails.....	II-10
9) Inventory, control, and removal of outdoor advertising.....	II-10
10) Archeological planning and research	II-11
11) Environmental mitigation to address water pollution due to highway runoff or to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity	II-11
12) Establishment of transportation museums.....	II-12
ACTIVITIES INELIGIBLE FOR FUNDING.....	II-14
PROJECT SPONSOR RESPONSIBILITIES	II-14
SHA ASSISTANCE FOR PROJECT SPONSORS.....	II-15
PUBLIC EVENTS.....	II-16
III. FUNDING FUNDAMENTALS	III-1
REIMBURSABLE REQUESTS	III-1
MATCHING REQUIREMENTS	III-2
FUNDING AMOUNT CHANGES	III-4
IV. TEP APPLICATION PROCESS.....	IV-1
ACTIVITIES REQUIRED PRIOR TO APPLICATION PREPARATION	IV-1
APPLICATION INSTRUCTIONS.....	IV-3
Section 1 – Applicant Information.....	IV-3
Section 2 – General Project Information	IV-4

Section 3 – Transportation Enhancement Eligibility	IV-4
Section 4 – Detailed Project Description	IV-4
Section 5 – Project Effects	IV-11
Section 6 – Project Design Status.....	IV-11
Section 7 – Project Right-of-Way Status	IV-14
Section 8 – Project Schedule	IV-15
Section 9 – Project Costs.....	IV-19
Section 10 – Project Support.....	IV-20
Section 11 – Attachments/Appendices	IV-21
APPLICATION CHECKLIST.....	IV-21
SUBMITTING AN APPLICATION	IV-23
V. TRANSPORTATION ENHANCEMENT PROGRAM PROJECT PROCESS	V-1
Step 1 – Project Selection.....	V-3
Step 2 – Kickoff Meeting.....	V-4
Step 3 – Preparation for Advertisement	V-4
MEMORANDUM OF UNDERSTANDING (MOU) PROCESS	V-5
NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) AND ENVIRONMENTAL REQUIREMENTS.....	V-6
RIGHT-OF-WAY ACQUISITION PROCESS	V-10
DESIGN REQUIREMENTS.....	V-15
Bridge or Structure Review.....	V-17
State Historic Preservation Office (SHPO) Review	V-18
Design Build.....	V-18
Utility Relocations	V-19
Traffic Control Plan.....	V-19
Additional Approvals and Concurrences	V-19
Specifications Book.....	V-20
PUBLICATION REQUIREMENTS	V-20
Step 4 – Final Review Meeting.....	V-21
Step 5 – Advertisement.....	V-21
APPROVAL TO ADVERTISE AND BID PACKET.....	V-21
ADVERTISEMENT.....	V-23
BID OPENING GUIDELINES	V-24
CONCURRENCE IN AWARD (CIA)	V-24
NOTICE TO PROCEED (NTP)	V-26
Step 6 – Construction	V-26
PRECONSTRUCTION AND CONSTRUCTION MEETINGS.....	V-26
CONSTRUCTION MANAGEMENT, INSPECTION AND MATERIALS TESTING	V-27
CHANGE ORDERS.....	V-27
VI. FUNDING REIMBURSEMENT AND PROJECT CLOSEOUT	VI-1
Reimbursement Example	VI-2
Project Closeout.....	VI-4
GLOSSARY.....	G-1

APPENDICES

- APPENDIX A – Transportation Enhancement Program Application and Checklist
- APPENDIX B – Online References to Guidelines, Policies, and Manuals
- APPENDIX C – Transportation Enhancement Program Contact Information
- APPENDIX D – Maryland’s Transportation Enhancement Program Policies
- APPENDIX E – Transportation Enhancement Program Forms
- APPENDIX F – National Environmental Policy Act Documents and Sample Letters
- APPENDIX G – Plans, Specifications, and Estimates Packet Checklist
- APPENDIX H – Concurrence in Award Documents
- APPENDIX I – Historic Battlefield Management Plan Outline

LIST OF TABLES

Table 1 – TEP Funding Summary.....	III-4
Table 2 – 30 Percent Design Plan Guidelines for Mitigation Projects	IV-13
Table 3 – 30 Percent Design Plan Guidelines for Construction Projects	IV-14
Table 4 – TEP Construction Projects Milestones.....	IV-16
Table 5 – TEP Right-of-Way Projects Milestones.....	IV-17
Table 6 – TEP Non-Construction Projects Milestones	IV-18
Table 7 – Environmental Impacts.....	V-9
Table 8 – Funding Reimbursement Example.....	VI-3

LIST OF FIGURES

Figure 1 – General TEP Process for Construction Projects	V-1
Figure 2 – General TEP Process for Right-of-Way Projects	V-2
Figure 3 – General TEP Process for Non-Construction Projects.....	V-2

LIST OF ACRONYMS & ABBREVIATIONS

AASHTO	American Association of State and Highway Transportation Officials
ADA	Americans with Disabilities Act
ADAAG	Americans with Disabilities Act Accessibility Guidelines
APE	Area of Potential Effect
BPW	Maryland Board of Public Works
CAC	Critical Area Commission
CE	Categorical Exclusion
CFR	Code of Federal Regulations
CIA	Concurrence in Award
DNR	Maryland Department of Natural Resources
EA	Environmental Assessment
EIS	Environmental Impact Statement
FHWA	Federal Highway Administration
MBE	Minority Business Enterprise
MDE	Maryland Department of the Environment
MDOT	Maryland Department of Transportation
MHT	Maryland Historical Trust
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MPR	Monthly Progress Report
MTA	Maryland Transit Administration
NEPA	National Environmental Policy Act
NPS	National Park Service
NTP	Notice to Proceed
OBD	Office of Bridge Development (SHA)
OOC	Office of Construction (SHA)
ORE	Office of Real Estate (SHA)
PCE	Programmatic Categorical Exclusion
PS&E	Plans, Specifications, and Estimates
RTE	Rare, Threatened, & Endangered Species
SAFETEA-LU	Safe, Accountable, Flexible, Transportation Equity Act: A Legacy for Users
Section 106	National Historic Preservation Act – Section 106
Section 404	Clean Water Act – Section 404
Section 4(f)	United States Department of Transportation Act – Section 4(f)
Section 7	Endangered Species Act – Section 7
SHA	Maryland State Highway Administration
SHPO	State Historic Preservation Office
STP	Surface Transportation Program
TCP	Traffic Control Plan
TEP	Transportation Enhancement Program
TS&L	Type, Size, & Location
USACE	United States Army Corps of Engineers
USDOT	United States Department of Transportation
USFWS	United States Fish & Wildlife Service



Program Overview

What is the **Transportation Enhancement Program**?

As part of the Federal Highway Administration (FHWA) Surface Transportation Program (STP), the Transportation Enhancement Program (TEP) is a reimbursable, federal-aid funding program for transportation-related, community projects designed to strengthen the intermodal transportation system. The TEP supports communities in developing projects that improve the quality of life for their citizens and enhance the travel experience for people traveling by all modes. It fosters more choices for travel by providing funding for projects that enhance the cultural, aesthetic, historic, and environmental aspects of the intermodal transportation system. The program can assist in funding projects that create bicycle facilities, restore historic buildings, preserve abandoned railway corridors for pedestrian trails, mitigate highway runoff, acquire scenic viewsheds, create transportation museums, preserve scenic or historic highways, and other transportation related enhancements.

Funds provided by TEP are on a cost reimbursement basis. The TEP is **NOT** a grant program.

The reauthorization of the surface transportation legislation – the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), enacted in August 2005 – extended the federal government’s commitment to funding these non-traditional transportation-related projects. Because TEP funds are STP funds, projects must conform to all applicable federal STP requirements including United States Code Title 23 Code of Federal Regulations (CFR), the National Environmental Policy Act (NEPA), the National Historic Preservation Act, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the Americans with Disabilities Act (ADA). Statewide and metropolitan planning rules, Minority Business Enterprise (MBE) requirements, and all Maryland policies and procurement rules and regulations also apply.

Maryland State Highway Administration (SHA), a modal administration of the Maryland Department of Transportation (MDOT), supports and administers the TEP for Maryland as a service to its customers. SHA encourages and promotes the development of TEP projects, as well as provides some project support services. SHA will not design, manage, construct, implement, or request permits for TEP projects led by other project sponsors.

What is the
purpose of this
manual?

This manual is intended to help potential project sponsors understand the TEP and determine its appropriateness for their project. Current project sponsors should use this manual not only in completing an application for TEP funding consideration, but also as a guide or reference throughout the life of the project. This manual reflects Maryland's TEP, which in some cases is more restrictive than the federal program and varies from other states' programs. This manual provides general information on the program, including eligibility criteria, funding requirements, the application process, the project selection process, and the project development and implementation processes. SHA will coordinate with project sponsors details specific to their project.

Please NOTE – Project sponsors are responsible for adhering to all program requirements. If a section is unclear or there is an activity not covered, please contact SHA for clarification or additional information. Questions and comments will be addresses as quickly as possible. SHA may update or modify this document at any time. These refinements will be posted on the TEP website.

II.

Transportation Enhancement Program (TEP) Eligibility

Project Sponsors

All potential TEP projects require a sponsor responsible for funding at least half of the project costs. The project sponsor also assumes the maintenance and legal liability for the duration of the project's useful life.

Project sponsors may include:

Who can
sponsor a
TEP project?

- State agencies,
- Municipal or county governments,
- Private organizations,
- Non-profit organizations,
- Community groups, and
- Private individuals.

Any project sponsored by a non-government agency, organization, or individual must have a government agency as a co-sponsor. In these cases, SHA holds the government agency accountable for all aspects of the project, even if the non-government agency will be executing the majority of the project sponsor's responsibilities.

All potential projects in the City of Baltimore must be submitted by the Baltimore City Department of Planning.

TEP PROJECT ELIGIBILITY CRITERIA

To be eligible for TEP funding, a project must first meet two essential requirements.

What projects
are eligible for
TEP funding?

- It must **relate to surface transportation**, and
- It must meet the criteria for one of the **12 Qualifying TEP Categories** listed in the federal legislation.

Additionally, TEP projects in Maryland must meet the following criteria. Projects must:

- Benefit Marylanders and allow free, public use to a broad segment of the public, not just members of a specific club, community, or town.

- Maintain a reasonable duration of the intended public use, which will be determined by SHA.
- Be independent projects unrelated to planned or existing highway projects or routine highway improvements. Projects may not be requirements of or mitigation for a planned or existing highway project. TEP projects may be enhancements to larger federal-aid highway projects.
- Be located on publicly-owned right-of-way or on right-of-way encumbered with a permanent easement held by a state agency or the government agency sponsoring or co-sponsoring the project.
- Comply with the ADA, NEPA, and all other applicable state and federal regulations. For example, pedestrian and bicycle facilities must meet state and federal standards for width, grade, signing, and materials.

What is **Surface Transportation**?

Relationship to Surface Transportation

All TEP projects must have a relationship to surface transportation. Surface transportation means all elements of Maryland’s intermodal transportation system, including water and water-related features, like canals, lighthouses, etc. It does not include airports or anything aviation-related. Some factors that can help establish this relationship include the project’s proximity to an existing or planned roadway or a pedestrian/bicycle corridor; the project’s enhancement of the aesthetic, cultural, or historical aspects of the travel experience; or the project’s current or past transportation purpose. Generally, projects relate to surface transportation because of function, impact, and/or proximity, as described below.

- **Function** – The facility was, is, or will be a part of or closely related to Maryland’s intermodal transportation system. Examples: (1) a project restoring an historic railroad depot because the building has a past transportation function; (2) a new addition on an existing welcome center because the building/center has a current transportation function; and (3) the construction of a new pedestrian path that links a metro station with an existing pedestrian path because the path will have a future transportation use.
- **Impact** – The facility will positively affect users of Maryland’s intermodal transportation system. Examples include: (1) acquiring a scenic historic site along a highway will have an aesthetic impact on travelers; (2) the creation of a wetland to aid in managing stormwater runoff will have an environmental impact; and (3) the construction of a tourist and welcome center that directs travelers to historic sites will have a cultural impact.

- **Proximity** – The facility is close to Maryland’s intermodal transportation system and can be enjoyed by its users. In some cases, proximity to a transportation facility alone is not sufficient to establish a relationship to surface transportation. For example, if an historic site or landscaping project were adjacent to a roadway, it would not automatically be considered eligible. However, visibility to a traveler in a way that substantially enhances the traveling experience could help establish its relationship to surface transportation. An environmental mitigation project to address water pollution due to highway runoff is an example of a project that relates to surface transportation solely because of its proximity.

NOTE: If a project combines various elements, only eligible TEP activities will be considered for funding.

Qualifying TEP Categories

A proposed TEP project must clearly fit within one of the 12 qualifying categories listed in the federal legislation. This section identifies each of the categories, provides a checklist of eligibility criteria for each category, and identifies the type of projects that may fall within the category. This section also provides examples of activities that the TEP would fund for each qualifying category. These examples are not inclusive of all eligible project types. Potential project sponsors should contact SHA about project types not mentioned.

- 1) Provision of facilities for pedestrians and bicycles** – Eligible projects in this category include the construction or rehabilitation of pedestrian and bicycle facilities.
 - ✓ Facilities may include off-road trails; trailheads; bike parking; bike lane striping that is part of an off-road system; bike and pedestrian bridges; and underpasses.
 - ✓ Facilities must be a supporting link in the regional intermodal transportation system, not exclusively for recreational use.
 - ✓ Trail projects must provide connections to a regional system or link significant land uses; they cannot be internal paths in a neighborhood, park, campus, or zoo.
 - ✓ Amenities related to an eligible project may be eligible for funding. Amenities include safety lighting, bike lockers, small parking lots, safety fencing, and restrooms.
 - ✓ Trailheads should be constructed at the same time as a new trail system, but trailheads for existing regional pedestrian and bicycle trails are also eligible. All trailhead facilities must comply with SHA’s policy on trailheads, found in Appendix D – Maryland Transportation Enhancement Program Policies.
 - ✓ TEP funds cannot be used for marketing, staffing, maintenance, or operating costs.
 - ✓ Facilities must adhere to the American Association of State and Highway Transportation Officials (AASHTO) *Guide for Development of New Bicycle Facilities*, which provides information on the development of new bicycle facilities, including planning considerations, design and construction guidelines, and operation and maintenance recommendations. See Appendix B – Online References to Guidelines, Policies, and Manuals.

Typical Activities Eligible for TEP Funding

- Construction of off-road trails with logical termini, like residential neighborhoods, park & ride lots, schools, businesses, parks, etc.
- Amenities that enhance the usability of off-road trails
- Major resurfacing of an existing pedestrian trail
- Construction of trailheads and related pedestrian and bicycle amenities
- Construction of bike and pedestrian bridges or underpasses
- Bike lane striping and bicycle lockers
- Replacing existing pedestrian signals with LED and audible countdown signals

Typical Activities Ineligible for TEP Funding

- Construction of a closed loop running track or bike trail
- Construction of new sidewalks or sidewalk repair or maintenance
- Installation of amenities for non-transportation use including gazebos, sculptures, playground equipment, flagpoles, streetlights, monuments, picnic facilities, etc.
- Construction of portions of an eligible trailhead building that will be used for commercial activities
- Construction of general parking or parking lots for a future use
- Marketing, staffing, maintenance, or operations costs of a trailhead facility

- 2) Provision of safety and educational activities for pedestrians and bicyclists** – Eligible projects in this category include the development and implementation of safety-related activities or programs designed to promote pedestrian and bicycle safety.
- ✓ Programs must be designed to inform or encourage travelers about walking and bicycling by providing potential users with education and safety instruction through classes, maps, pamphlets, videotapes, signage, training aids, and/or other promotional media.
 - ✓ TEP will only fund short-term projects, not continuing programs or activities.
 - ✓ All project activities must be done in conjunction with Maryland’s Bicycle Program. For the program’s contact information, see Appendix C – Transportation Enhancement Program Contact Information.

Typical Activities Eligible for TEP Funding

- Development of brochures, signs, maps, or other promotional items that support pedestrian and bicycle safety efforts
- Pedestrian and bicycle safety training classes
- Leasing of facilities and facilitator’s salaries for pedestrian and bicycle safety training classes
- Provision of pedestrian and bicycle safety instruction at schools, institutions, or other group settings

Typical Activities Ineligible for TEP Funding

- Cost of sending people to an established pedestrian and bicycle safety training class
- Salaries and facility leasing for training staff for an undefined period of time
- Development of promotional materials without accompanying educational or safety components

- 3) Acquisition of scenic easements and scenic or historic sites, including historic battlefields** – Eligible projects in this category should acquire right-of-way that will preserve and protect scenic views and scenic or historic sites on, adjacent to, or in clear view of a publicly-owned roadway, preferably from a federally classified roadway.
- ✓ Acquisitions should preserve a site eligible for or listed on the National Register of Historic Places, although other significant transportation-related sites or structures will be considered.
 - ✓ Acquisitions must preserve the natural environment and/or protect historic landmarks to enhance the travel experience.
 - ✓ Sites acquired with the intent to develop or subdivide, and sites acquired for recreational use are not eligible.
 - ✓ For Historic sites, documentation from the State Historic Preservation Office (SHPO), which is the Maryland Historical Trust (MHT), or other appropriate agency with evidence of the historic nature of the site must be provided with the TEP application. The SHPO’s contact information can be found in Appendix C – Transportation Enhancement Program Contact Information.
 - ✓ Projects in this category that involve historic battlefields must develop, adapt, and utilize acceptable Management Plans, which will require review and approval from FHWA, Maryland Department of Natural Resources (DNR), and MHT.

Please Note:

- ✓ All property acquisitions must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 once a TEP application is submitted. See Appendix B – Online References to Guidelines, Policies, and Manuals.
- ✓ All proposed projects must have a completed title search prior to application submission.
- ✓ Price negotiations must not be underway or completed prior to application submission.

Typical Activities Eligible for TEP Funding

- Acquisition of fee simple or permanent easements on properties that possess significant aesthetic, natural, cultural, and/or open space values to preserve a scenic viewshed from a state or federal roadway
- Acquisition of historic bridges, transportation terminals, or historic buildings to preserve historic cultural landscapes, battlefields, or scenic vistas
- Planning and transaction costs including appraisals, survey, and legal fees, as related to the acquisition of TEP-eligible scenic or historic sites

Typical Activities Ineligible for TEP Funding

- Acquisition of property not in clear view from a publicly-owned roadway
- Acquisition of property slated for recreational use
- Acquisition of property to subdivide or develop

- 4) Scenic or historic highway programs, including the provision of tourist and welcome center facilities** – Eligible projects in this category fall under two sub-categories.

First, projects that would protect and/or improve designated scenic byways, designated historic highways, or highways eligible for historic designation are eligible.

- ✓ Projects must protect, enhance, or promote the scenic, historic, cultural, and natural integrity of an existing highway or an adjacent area.
- ✓ Improvements may include scenic overlooks, restoration of historic features, or roadway enhancements.
- ✓ TEP funds cannot be used for any statewide program.
- ✓ Documentation from the SHPO or other appropriate agency with evidence of the historic nature of the site must be provided with the TEP application. For the SHPO's contact information, see Appendix C – Transportation Enhancement Program Contact Information.

Second, projects that would modify, rehabilitate, or build tourist and welcome centers with a clear link to scenic or historic routes or sites are eligible.

- ✓ All tourist or welcome centers must comply with SHA's policy for Visitors Center, found in Appendix D – Maryland Transportation Enhancement Program Policies.
- ✓ The tourist or welcome center does not have to be on a designated scenic or historic highway, but there must be a clear link to scenic or historical sites or highways. The intent of this qualifying category is NOT to simply repair and restore rest areas or visitor centers. The intent is to fund centers with a clear link to scenic or historic routes or sites that serve the traveling public. Facilities can direct travelers to historic or scenic sites; enhance or interpret historic or scenic sites; or provide activities for the protection and enhancement of historic or scenic sites, as long as a relationship to transportation also exists.
- ✓ The TEP will not fund expenses for areas used for private businesses or leased space within tourist and welcome centers. Any raised funds must be used primarily for maintenance and improvements to the facility.
- ✓ TEP funds cannot be used to purchase racks for general advertising, brochures for businesses, conference centers or any more than minimal office space.
- ✓ TEP funds cannot be used for marketing, staffing, maintenance or operating costs.
- ✓ All visitor and welcome centers must be intended to serve the traveling public.
- ✓ Documentation from the SHPO or other appropriate agency with evidence of the historic nature of the site must be provided with the application. For the SHPO's contact information, see Appendix C – Transportation Enhancement Program Contact Information.

Note: Trailheads would be categorized under the Provision of Pedestrian and Bicycle Facilities eligibility category.

Typical Activities Eligible for TEP Funding

- Installation of amenities on scenic and/or historic highways including interpretive plaques, aesthetic guardrails, and aesthetic bridge rails along scenic or historic highways
- Restoration of historic highway-related features including lighting, sidewalks, retaining walls, and historic markers
- Development of scenic turnouts or overlooks on scenic byways

- Construction of a new tourist and welcome facility related to scenic or historic sites, including interior fixtures, restrooms, and items that support or interpret a scenic or historic highway program like brochure racks, audio video equipment, maps, and kiosks
- Major rehabilitation or reconstruction of existing tourist and welcome centers with a link to historic or scenic sites or routes serving the traveling public

Typical Activities Ineligible for TEP Funding

- Staffing, operating, maintenance and marketing costs of a tourist and welcome center
- Construction or rehabilitation of commercial areas or items to support commercial activities in a tourist and welcome center
- Construction or rehabilitation of tourist and welcome centers without a clear link to scenic or historic sites or routes
- Construction or rehabilitation of tourist and welcome centers not primarily intended to serve the traveling public
- Interior fixtures or amenities to support advertising for businesses
- Construction or rehabilitation of areas of an eligible tourist or welcome center that would not serve the primary function of the center like excessive office space or conference centers
- Construction or rehabilitation of highway rest areas

- 5) Landscaping and other scenic beautification** – Eligible projects in this category include construction projects that enhance the aesthetics or visual character of a site, corridor, or community along state or federal roadways.
- ✓ Projects may include vegetation management, scenic overlooks along roads, historic landscapes restoration, gateway signage, and other sustainable projects compatible with their surroundings.
 - ✓ Gateway signing projects must be located either at a Maryland entrance or on an interstate route between Maryland counties. Signs for municipalities, neighborhood identification, way-finding, or the promotion of historic sites are not eligible.
 - ✓ Gateway signage locations must be approved by SHA’s Office of Traffic and Safety prior to application submittal. For contact information, see Appendix C – Transportation Enhancement Program Contact Information.
 - ✓ Landscaping improvements may include street furniture, minor lighting, specialized paving surfaces, and vegetative materials. Artistic items such as statues, murals, fountains, and flagpoles are not eligible for funding.
 - ✓ Projects that fall within a historic district require a review by the SHPO and official, local historic preservation groups. For the SHPO’s contact information, see Appendix C – Transportation Enhancement Program Contact Information.

Note: All projects involving signage must comply with SHA’s policy for signage, found in Appendix D – Maryland Transportation Enhancement Program Policies

Typical Activities Eligible for TEP Funding

- Landscaping along a highway and at highway interchanges
- Construction of a scenic overlook
- Reintroduction of native or endangered plants or trees along a highway

- Landscape improvements like plantings, street furniture, specialized paving, or minor lighting
- Restoration of historic landscapes
- Removal of invasive species
- Installation of gateway signage at Maryland entrances or on state-classified primary routes between Maryland counties

Typical Activities Ineligible for TEP Funding

- Maintenance activities such as mowing, tree pruning or removal, erosion control, etc.
- Landscaping associated with an existing reforestation project
- Construction of noise barriers
- Annual plantings
- Installation of artistic items or gateway signage for municipalities, neighborhood identification, way-finding, or site promotion

6) Historic preservation – Eligible projects in this category include the preservation of a historic transportation-related facility on or eligible for the National Register of Historic Places.

- ✓ Projects must improve or preserve a historic transportation site, by documentation, recording, restoration, rehabilitation, stabilization, or other means to protect the site. The site could have had a significant transportation-related function in the past, currently serves a transportation related function, or will serve as a transportation function after the project is completed.
- ✓ Eligible sites and transportation-related objects include railroad depots, bridges, visitor centers, transportation museums, lighthouses, and railcars.
- ✓ Acquisitions of historic artifact collections or exhibits are not eligible activities.
- ✓ The project should enable a transportation related use of the historic property or result in a publication that documents the facility.
- ✓ Documentation to preserve a historic transportation site can be accomplished by book, scholarly document, film, or CD/DVD production.
- ✓ All relevant work must comply with the *Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation*. See Appendix B – Online References to Guidelines, Policies, and Manuals.
- ✓ Documentation from the SHPO or other appropriate agency with evidence of the historic nature of the site must be provided with the TEP application. For the SHPO’s contact information, see Appendix C – Transportation Enhancement Program Contact Information.
- ✓ Proposed improvements must not jeopardize the site’s status of eligibility as a historic site. All improvements are subject to approval by the SHPO.

Typical Activities Eligible for TEP Funding

- Construction associated with the historic preservation of a transportation-related historic site, district, structure, or object for public use
- Preservation of historic building facades
- Tasks associated with identification, restoration, documentation, interpretation, rehabilitation, or stabilization of a historic or archeological site, district, or structure

- Restoration of an historic lighthouse, boat, railcar, or other transportation-related object
- Creation of surface transportation history archive
- Document production to preserve a historic transportation site

Typical Activities Ineligible for TEP Funding

- Historic preservation of a structure that does not have a relationship to transportation like a barn, post office, museum, house, etc.
- Replication or duplication of an historic site, object, or structure
- Any work that would risk the historic status of a structure, site, or object

7) Rehabilitation and operation of historic transportation building, structures, or facilities, including historic railroad facilities and canals – Eligible projects in this category include the rehabilitation of historic transportation buildings, structures, or facilities that are part of the intermodal transportation system and are listed on or eligible for the National Register of Historic Places.

- ✓ Rehabilitation and restoration can be accomplished by returning the property to a condition that makes a contemporary use possible, while preserving the significant historic features of the property
- ✓ Eligible structures include railroad depots, bus stations, lighthouses, tunnels, and bridges.
- ✓ Projects must comply with the *Secretary of the Interior’s Standards for Rehabilitation of Historic Properties*. See Appendix B – Online References to Guidelines, Policies, and Manuals.
- ✓ All proposed rehabilitation must be consistent with the historic character of the site and restores the historic site to a condition that will permit or enhance public use.
- ✓ Only improvements intended to serve a transportation-related use are eligible for funding.
- ✓ All facilities must be non-profit; any funds raised must be used primarily for maintenance and improvement of the facility.
- ✓ TEP funds cannot be used for marketing, staffing, maintenance, or operating costs.
- ✓ Documentation from the SHPO or other appropriate agency with evidence of the historic nature of the site must be provided with the application. For the SHPO’s contact information, see Appendix C – Transportation Enhancement Program Contact Information. All improvements are subject to approval by the SHPO.

Typical Activities Eligible for TEP Funding

- Construction associated with the restoration or rehabilitation of railway depots, bridges, trestles, railways, lighthouses, tunnels, canal viaducts, bus stations, ferry terminals, etc. that are listed on or eligible for the National Register of Historic Places and will be operable and serve a transportation-related use after construction

Typical Activities Ineligible for TEP Funding

- Construction associated with the restoration or rehabilitation of a transportation-related structure not listed on or eligible for the National Register of Historic Places
- Construction of improvements to a historic transportation related structure intended to serve a non-transportation use
- Any work that would risk the historic status of a structure, site, or object

- Staffing, maintenance, or operation costs of an eligible transportation facility

8) Preservation of abandoned railway corridors, including the conversion and use of the corridors for pedestrian or bicycle trails – Eligible projects in this category include the preservation of abandoned railway corridors for an off-road pedestrian or bicycle trail, or canal facility.

- ✓ Eligible railway corridors must be officially abandoned, have abandonment proceedings pending, or are available for purchase from the legal owner of the property.
- ✓ Trails must be transportation-oriented and not exclusively for recreational usage.
- ✓ Trails must provide connections to Maryland’s intermodal transportation system or link significant land uses.
- ✓ Preference will be given to projects on publicly owned right-of-way.
- ✓ Bicycle facilities must adhere to the AASHTO *Guide for Development of New Bicycle Facilities*, which provides information on the development of new bicycle facilities, including planning considerations, design and construction guidelines, and operation and maintenance recommendations. See Appendix B – Online References to Guidelines, Policies, and Manuals.

Note: All pedestrian trail provisions associated with Category 1 – Provision of Facilities for Pedestrians and Bicycles – apply to pedestrian trails associated with this category.

Typical Activities Eligible for TEP Funding

- Construction of pedestrian or bicycle trail adjacent to abandoned railroad corridors
- Installation of pedestrian and bicycle amenities at intermodal nodes or trailheads

9) Inventory, control, and removal of outdoor advertising – Eligible projects in this category include the inventory, control, and removal of existing billboards, illegal signs, and other nonconforming outdoor advertising along roadways.

- ✓ Projects must be consistent with the Outdoor Advertising Control requirements found in 23 CFR 750 Subpart G and should contribute to the viewshed of the traveling public. See Appendix B – Online References to Guidelines, Policies, and Manuals.
- ✓ Preference will be given to projects that include the removal of billboards.
- ✓ Costs associated with the removal of billboards or other outdoor advertising must be based on an equitable estimate.
- ✓ Inventory control may include data collection; acquisition and maintenance of digital aerial photography; video logging; scanning and imaging of data; and developing and maintaining an inventory and control database of outdoor advertising.

Typical Activities Eligible for TEP Funding

- Activities associated with billboard inventory control measures
- Removal of billboards that are not in compliance with existing zoning ordinances
- Transaction costs associated with the removal of billboards

Typical Activities Ineligible for TEP Funding

- Removal of billboards on private property without property owner approval

10) Archeological planning and research – Eligible projects in this category must include archeological research, interpretation, and documentation of transportation-related sites for the benefit of transportation.

- ✓ Projects may involve transportation-related archeological site preservation and interpretation, or planning to improve identification, evaluation, treatment of sites, data recovery, or research on archeological sites.
- ✓ The analysis and synthesis of data derived from transportation-related archeology projects are eligible project activities, as well as using the project data to develop a guide for related future studies, data recovery, and synthetic research.
- ✓ All relevant work must comply with the *Secretary of Interior's Standards and Guidelines for Archeology and Historic Preservation* (See Appendix B – Online References to Guidelines, Policies, and Manuals) and must be reviewed by the SHPO. For contact information, see Appendix C – Transportation Enhancement Program Contact Information.
- ✓ Documentation from the SHPO or other appropriate agency with evidence of the historic nature of the site must be provided with the TEP application.
- ✓ Additional coordination with the SHPO may be required.

Typical Activities Eligible for TEP Funding

- Research, preservation planning, and interpretation of transportation related archeological research
- Preparation and cataloguing of artifacts related to transportation or transportation projects for exhibition
- Development of a project guide that documents the rationale, methods, and results of the current study to be used for future use

Typical Activities Ineligible for TEP Funding

- Archeological research or studies unrelated to surface transportation
- Archeological research, planning, or data recovery associated with or required by an existing or planned transportation project

11) Environmental mitigation to address water pollution due to highway runoff or to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity –

Eligible projects in this category must be environmental mitigation projects that minimize, correct, or collect stormwater runoff from roadways, as well as projects that reduce wildlife mortality caused by vehicle incidents on roadways without disconnecting wildlife habitat.

- ✓ Eligible mitigation activities include wetland creation, stream channel improvements, erosion control measures, drainage facility restoration, and permanent filtering systems such as the addition of vegetated ditches or detention basins.
- ✓ Projects must rectify current or prior impacts from transportation facilities.
- ✓ Projects cannot be a compulsory mitigation, avoidance, or minimization requirement of an existing or planned roadway project.
- ✓ Projects intended to reduce wildlife mortality resulting from vehicles must be at documented wildlife mortality sites or documented wildlife crossing sites near new roads.

- ✓ Projects could include the installation of fencing in wildlife crossing locations; the construction of wildlife overpasses, underpasses, or culverts; native vegetation plantings as sight buffers or grazing deterrents; or monitoring and data collection on habitat fragmentation and vehicle-related wildlife mortality.
- ✓ This category is not limited to rare, threatened, or endangered (RTE) species, but includes any wildlife mortality directly caused by vehicles. Funding preference will be given for species that are identified as RTE by the federal or state government.

Typical Activities Eligible for TEP Funding

- Restoration and creation of wetlands; improvements to stream channels; installation of erosion control measures; and other methods to address water pollution linked to highway runoff
- Creation of vegetative ditches, detention basins, or other filtering system for highway runoff
- Installation of or improvements to drainage facilities degraded by highway construction
- Installation and/or construction costs of fencing, overpasses, culverts, underpasses for wildlife passage
- Monitoring and data collection on habitat fragmentation and vehicle-caused wildlife mortality

Typical Activities Ineligible for TEP Funding

- Avoidance, minimization, or mitigation activities associated with an current or planned transportation improvement project
- Mitigation not associated with water pollution linked to highway runoff
- Installation and construction of wildlife passage along roadways with no documented evidence of wildlife crossing with high vehicular mortality rates

12) Establishment of transportation museums – Eligible projects in this category must establish or rehabilitate a transportation museum for the display of historical transportation artifacts and the description and interpretation of transportation history.

- ✓ Projects may include the construction of new transportation museums, additions to existing museums, or the conversion of railroad stations or historic properties to museums with transportation themes.
- ✓ The museum must fulfill the following criteria:
 - ✓ Be a legally organized not-for-profit institution or part of a not-for-profit institution or government-entity;
 - ✓ Be essentially educational in nature;
 - ✓ Have a formally stated mission;
 - ✓ Have at least one full-time paid professional staff member who has museum knowledge and experience and is delegated authority and allocated financial resources sufficient to operate the museum;
 - ✓ Present regularly scheduled programs and exhibits that use and interpret transportation objects for the public according to accepted standards;
 - ✓ Have a formal and appropriate program of documentation, care, and use of collections and/or tangible objects; and
 - ✓ Have a formal and appropriate program of presentations and maintenance exhibits.

- ✓ TEP funds can be used the purchase of artifacts or exhibits related to transportation for a newly established museum
- ✓ TEP funds cannot be used for displays, segments of buildings, or objects not directly related to transportation, nor to rehabilitate or refurbish existing museums.
- ✓ Displays or exhibits must be primarily surface transportation oriented and comply with ADA guidelines.
- ✓ TEP funds cannot be used for marketing or operating costs.
- ✓ Any raised funds must be used primarily for maintenance and improvement of the facility.

Typical Activities Eligible for TEP Funding

- Construction or rehabilitation associated with a new transportation museum or an addition to an existing museum including the acquisition of artifacts necessary for the operation of the facility
- Construction associated with the conversion of a railroad station or historic property to a transportation museum including the acquisition of artifacts necessary for the operation of the facility
- Construction of parking lots needed for the operation of the transportation museum
- Capital improvements associated with existing transportation museums
- Purchase of artifacts or exhibits for the museum being created or rehabilitated

Typical Activities Ineligible for TEP Funding

- Restoration or acquisition of any object not directly related to transportation, including segments of buildings not used for the transportation museum
- Rehabilitation or refurbishment of existing museums that do not have a transportation function
- Purchase of artifacts or exhibits for an existing museum
- The marketing, operating, or maintenance costs of an eligible transportation museum

ACTIVITIES INELIGIBLE FOR FUNDING

The following activities are **NOT** eligible for TEP funding, regardless of the qualifying category:

Routine, non-major **maintenance** of trails, buildings, bridges, or other structures of eligible TEP projects, as well as any **maintenance equipment** are NOT eligible for funding.

- **Capital Improvements**, including sidewalk retrofits, roadway construction, roadway lighting, roadway paving, undergrounding of utilities, and drainage or sewer improvements;
- **Streetscape Projects**;
- Directional, way finding, and neighborhood identification **Signage** not directly related to an approved project to promote historic or cultural areas;
- **Parks or recreation areas or facilities**;
- **Loop Trails**, within a park or around a facility, especially one without a connection to a regional pedestrian/bicycle facility network;
- **Parking Garages**;
- **Parking Lots** that are not an integral part of an eligible TEP project (i.e., a trailhead or access point), or which includes parking in excess of that which would be reasonably provided for the project;
- Improvements to or acquisition of **Commercial Properties** or properties intended for **Commercial Use**;
- **Noise Barriers**;
- **Artwork or artistic enhancements**, including monuments, sculptures, statues, and murals;
- **Historical Reproductions**;
- **Mitigation** that is a requirement of an existing transportation project;
- **Archeology** that is a requirement of an existing transportation project;
- Activities on **Private Property or Property Unencumbered with an Easement Held by a Government Agency** that may otherwise be eligible for TEP funding; and
- **Operating Costs** of eligible TEP projects.

PROJECT SPONSOR RESPONSIBILITIES

Project sponsors are responsible for the timely completion of each phase of a TEP project. Each phase is discussed within this manual, and the project sponsor's responsibilities will be outlined in a Memorandum of Understanding (MOU) between the sponsoring agency and SHA. Generally, the project sponsor's responsibilities include, but are not limited to:

- ✓ Preparing and submitting a complete application package to SHA
- ✓ Keeping written documentation of all actual project costs and making them available upon request
- ✓ Providing project management
- ✓ Ensuring funding is available to complete the project
- ✓ Obtaining public support
- ✓ Acquiring right-of-way
- ✓ Completing engineering design
- ✓ Promoting or marketing the project
- ✓ Obtaining environmental surveys, including wetland delineations, hazardous materials survey, and archeological surveys
- ✓ Completing and submitting all necessary NEPA documentation to SHA
- ✓ Coordinating with the SHPO on all projects involving facilities on or eligible for the National Register of Historic Places
- ✓ Obtaining necessary permits
- ✓ Advertising for construction or other services
- ✓ Constructing, developing, and/or implementing the project
- ✓ Producing a publication of research findings, if appropriate
- ✓ Sending monthly progress reports (MPR) to SHA
- ✓ Accepting the responsibility for cost increases
- ✓ Accepting the responsibility for maintenance of the project before, during, and after construction
- ✓ Timely submission of request for reimbursement

Project Sponsors are encouraged to call the **TEP Liaison** at SHA before submitting an application for TEP funding for assistance in determining eligibility, answering preliminary questions, and additional guidance related to specific projects.

SHA ASSISTANCE FOR PROJECT SPONSORS

SHA will assist project sponsors in meeting the TEP requirements throughout the life of a project. Some of SHA's responsibilities include:

- ✓ Holding a kickoff meeting to orient sponsors to the program
- ✓ Preparing an MOU
- ✓ Reviewing letters to environmental agencies
- ✓ Submitting NEPA documentation for FHWA approval
- ✓ Reviewing structural plans and specifications
- ✓ Reviewing construction plan, specifications, and estimates (PS&E)

- ✓ Seeking federal funding approval
- ✓ Providing approval to advertise
- ✓ Reviewing complete bid packages
- ✓ Providing Concurrence in Award (CIA)
- ✓ General monitoring of construction work and record keeping
- ✓ Providing inspections and materials testing, for a fee
- ✓ Processing requests for reimbursement

PUBLIC EVENTS

All project-related promotional materials including press releases, public event materials, and informational signage, must include funding credit for MDOT and FHWA. Additionally, project sponsors must notify SHA at least six weeks prior to scheduling any public event. Failure to do so may jeopardize future funding considerations.



Funding Fundamentals

How do eligible projects receive TEP funding?

This section gives an overview of Maryland’s TEP funding procedures. Please note that the TEP is a **federal reimbursement funding program**, not a grant program.

Project sponsors must first establish if the proposed project would be eligible for TEP funding by determining its qualifying category and its relationship to surface transportation. If the project is eligible, the project sponsor should prepare and submit a TEP application. The estimated costs as presented in the “Project Costs” section of the TEP application will serve as the official request for funding. Potential project sponsors should not assume that there will be additional TEP funding available if the initial funding request is inadequate. Therefore, it is important to understand all the TEP funding criteria prior to completing the application.

REIMBURSABLE REQUESTS

In Maryland, TEP funding can be requested for **up to half** of a project’s total estimated cost, as presented in the application. Funding can be requested for a maximum of 80% of a project’s **reimbursable** costs, provided it does not exceed half of the project’s total estimated costs. In other words, **the TEP will not fund more than half of a project’s total costs or more than 80 percent of its reimbursable costs**. The project sponsor is required to fund the balance, which is called the match. Because the TEP is a reimbursable program, **the project sponsor must pay for project costs before submitting a request for reimbursement of eligible activities**.

For all TEP projects involving construction, projects sponsors can only be reimbursed for project expenses spent for construction or construction-related aspects of a project. Any associated design, right-of-way acquisitions, or project planning costs will not be reimbursed. Some examples of reimbursable construction project costs are:

- Construction management
- Soil disturbances (clearing, grubbing, excavation, etc.)
- Foundations
- Construction building materials (installed)
- Inspection and materials testing
- Construction stakeout
- Maintenance of traffic and traffic management

- Utilities relocation
- Erosion and sediment control
- Fencing and guardrails
- Paving
- Electrical
- Painting
- Landscaping
- Interior hardware
- Labor
- Contingency fees on construction-related items

Only construction expenses that **directly relate** to eligible TEP activities are eligible for TEP funding. For example, if the general scope of a project is a major rehabilitation of a visitor’s center, the cost of constructing restrooms in the visitor’s center would directly relate to the project. The cost of a required stormwater management pond would also be related. However, the cost of constructing an area to be used for a coffee shop would not.

Several categories of TEP projects would not require construction. Therefore, project sponsors will be reimbursed for project activities specific to the category. For example, projects in the “Provision of Safety and Educational Activities for Pedestrians and Bicycles” category would be eligible for reimbursement for the development of programs or promotional materials, rental fees for equipment or locations, and staffing needs. Projects in the “Acquisition of Scenic Easements and Scenic or Historic Sites” category would be eligible for reimbursement for right-of-way acquisition costs. Likewise, costs associated with archeological research and billboard removal will be considered for reimbursement depending on the qualifying category of the project.

Project sponsors should use the descriptions in the “Qualifying TEP Categories” section in Chapter II – Transportation Enhancement Program Eligibility of this manual as a guide to determine the activities associated with each category that are eligible for TEP funding. **SHA will make the final determination of what activities are reimbursable.** For questions concerning project eligibility or reimbursable activities, project sponsors should contact the TEP Liaison (see Appendix C – Transportation Enhancement Program Contact Information).

MATCHING REQUIREMENTS

How much match is required?

Project sponsors must provide a match of at least 50 percent of a project’s total costs. The project sponsor’s match must include a non-federal, cash match of at least 20 percent, which only applies to

the costs of reimbursable activities. Both of these criteria must be met for a project to be eligible for reimbursement. For construction projects, the project sponsor's 50 percent match may include the costs of project development, design, and right-of-way acquisition, as well as the required 20 percent non-federal, cash match for construction costs. For projects that do not involve construction, the cash match would apply to the costs of the appropriate activities eligible for funding reimbursement.

SHA refers to construction, or reimbursable, costs as hard costs and other TEP project related costs as soft costs. Therefore, the project sponsor's payment for project development, design, and other non-reimbursable activities is the soft match. The match for construction, or reimbursable, costs is referred to as both hard costs and cash match.

All match activities must be directly related to the proposed TEP project. Costs of adjacent, past, or future project activities will not be considered as match, nor will costs from a similar project or another phase of the project.

SHA allows funding from local, state, and federal agencies and accepts private, in-kind donations as contributions to the match. Donated materials or services can be used as cash match. Donated services are valued at a rate equivalent to the rate ordinarily paid for the type of work, and donated materials are valued at the market rate of the materials or supplies at the time of donation.

NOTE:
Other funding from USDOT **cannot be used as cash match** for TEP projects.

The cost of right-of way acquired for the project **within two years** prior to the TEP application submission can be considered soft match. Donated right-of-way is valued at the fair market value at the time donated.

Many construction projects have components that are not eligible for TEP reimbursement. The costs of these non-eligible components may or may not be able to use towards the project sponsor's match requirements. Typically, items that provide a useful enhancement to the project can be used as match, and things that are considered non-essential cannot. For example, costs associated with placing artistic displays along a pedestrian trail cannot be used as cash or soft match. However, the cost of adding benches along the trail may be used towards the match. This distinction is solely determined by SHA. An MOU between the project sponsor and SHA will outline the reimbursable project costs, the costs that can be used as match, and the project costs that are neither reimbursable nor considered match.

Project sponsors are responsible for all costs that exceed the estimated costs presented in the application.

Below is a summary of the proposed costs of a typical project eligible for TEP funding. The Total Project Costs for the project is \$1,350,000.

TABLE 1 – TEP FUNDING SUMMARY

Sample Project #1	
Project Development	\$50,000
Design Costs	\$100,000
Right-of-Way Acquisition Costs	\$200,000
Construction (Hard) Costs	\$1,000,000
Total Project Costs (Planning+Design+Property+Construction costs)	\$1,350,000
Maximum TEP Request** (not to exceed 50% of total Project Costs, nor 80% of the Construction Costs,)	\$675,000
Minimum Project Cash Match (20% of total Construction Costs)	\$200,000

FUNDING AMOUNT CHANGES

Once a project is approved for funding, TEP award amounts are based on the estimated project costs presented in the application. Therefore, accurate cost estimates in the application are extremely important. **If the final, actual cost of the project is more than the amount presented in the application, the award will not automatically be increased.** All cost increases are the responsibility of the project sponsor.

Will the TEP funding increase if actual project costs exceed cost estimates?

Project sponsors may **request additional TEP funding** after the original TEP award is given and **before the project is awarded to a contractor.** SHA will consider increases up to an additional 10 percent above the original award amount. Requests for amount increases over 10 percent will require TEP Technical and Executive Committee approval. The project sponsor must present a written, clear, and reasonable justification for additional funding. Funding increases are discouraged. SHA will not consider award changes for costs increases that occur after the start of construction.

Although the amount of the TEP award does not increase if the construction costs increase, the amount of cash match must adjust accordingly. The project sponsor must provide a cash match of at least 20 percent of the actual construction costs, regardless of the cash match identified in the original TEP application and the MOU.

If the actual final cost of the TEP project is less than the estimated project costs outlined in the application, the TEP award amount will decrease proportionally. For example, the project in Table 1 – TEP Funding Summary showed the total project costs as \$1,350,000 and the maximum TEP request and award was \$675,000. However, if the actual project costs turned out to be \$1,080,000, which is 80 percent of the project costs presented in the application. The final TEP award amount would be reduced to \$540,000, which is 80 percent of the original award.

Please Note: After a proposed project is approved for TEP funding, significant project schedule changes or scope changes are strongly discouraged as they may result in project funds being withdrawn. If withdrawal is determined appropriate, the project sponsor can resubmit an application during a subsequent program cycle.

After a TEP project is accepted and approved, **SHA will work with all project sponsors** to ensure that they receive the **full amount of funding awarded!**

IV. TEP Application Process

How do project sponsors apply for TEP funding?

To request TEP funding for eligible projects, project sponsors must submit the Maryland Department of Transportation (MDOT) **Transportation Enhancement Program (TEP) Application** to SHA for consideration. The **completed** TEP Application will serve as the primary source of information used in the consideration for funding and should clearly convey the most pertinent information about the project. Applications **must** provide enough detail in the project description, budget, and schedule for all reviewers or readers to easily and clearly establish eligibility and to fully understand the project scope. SHA staff and the TEP Technical Committee evaluate applications based on the eligibility and merits of individual projects. Eligible projects then compete for available funding.

The contents of the application are very important because if a project is selected for funding, the application will provide the scope of the project. This scope, that includes the description, budget, and schedule, will be the benchmark against which any subsequent changes are measured and evaluated. At the completion of a project, activities that are not in compliance with the scope will jeopardize funding reimbursement.

The official TEP Application can be downloaded in Microsoft Word format from www.marylandroads.com in the Improving Our Communities → Transportation Enhancement Program section. If any difficulties occur while downloading the file, project sponsors are encouraged to contact SHA's TEP Assistant Liaison for an electronic or paper copy, which can also be found in Appendix A – Transportation Enhancement Program Application and Checklist. Contact information can be found in Appendix C – Transportation Enhancement Program Contact Information.

This section should be used to facilitate the completion of the application. It provides the applicant with supplemental information and clarification needed to complete the application. Each section of the application will be discussed in this chapter.

NOTE:
The annual **deadline** for TEP applications is **March 1st**.

ACTIVITIES REQUIRED PRIOR TO APPLICATION PREPARATION

Prior to submitting the TEP application, the following activities must be completed:

- ✓ **Select project name**

- It will be the official project title, which must be used throughout the life of the project.
- It should be as short as possible, yet descriptive enough to properly identify the unique character of the project.
- ✓ **Determine the right-of-way status of the project site**
 - All TEP project activities must be on publicly-owned right-of-way or right-of-way encumbered with a permanent easement to a public agency.
 - Right-of-way negotiations and/or purchases can start before submitting an application; however, **once the TEP application for project funding is submitted, all right-of-way negotiations must follow the Federal Uniform Assistance and Real Property Acquisition Policies Act** (See Appendix B – Online References to Guidelines, Policies, and Manuals).
 - SHA encourages the sponsoring agency to secure right-of-way prior to application submission because right-of-way acquisitions can lead to significant schedule delays.
 - Projects that are categorized within the Acquisition of Scenic Easements or Historic Sites category must have a completed title search.
- ✓ **Identify and secure funding sources and commitments**
 - All project costs are the responsibility of the project sponsor; any approved TEP funding will be reimbursed for actual expenses incurred during construction.
- ✓ **Begin construction design plans, if applicable**
 - Project design must be at least 30 percent completed prior to submitting an application, and they must be included in the application package.
 - All projects must be designed in compliance with ADA and other applicable design guidelines.
 - See the Design Requirements section of this manual, located in Chapter 5 – Transportation Enhancement Project Process to help determine some of the applicable design specifications.
- ✓ **Prepare a project budget**
 - The budget must be based on the 30 percent design plans, if applicable.
 - All costs used in the budget should be current; do not use costs over 3 months old.
 - Include appropriate contingency costs to account for inflation and rising material costs.
 - An engineering estimate must be included in the application package, if applicable.
- ✓ **Review schedule of remaining project elements**
 - Approved projects must be prepared to advertise within 24 months of being awarded funding or may risk losing its funding.

NOTE:

When more than one project is submitted from a jurisdiction, the chief elected official **must prioritize** the projects.

- Projects that will take longer than 24 months to proceed with advertisement should not be submitted until they are more fully developed.
- Projects that can reasonably demonstrate the readiness to advertise within 12 months will be given preference.
- ✓ **Attain community input and a consensus on a concept**
 - Evidence of public involvement should be included in the application package.
- ✓ **Obtain official letters of support**
 - Letters from local, state, and/or federal elected officials must be included in the application package.
 - **Letters of support should NOT be sent directly to SHA or state officials.** These letters should be sent to the project sponsor, collected, and submitted to SHA as part of the application package.
 - A letter from the Chief Elected Official of the jurisdiction prioritizing potential TEP projects must be included in the application package.
- ✓ **Inform the Metropolitan Planning Organization (MPO) representative of the project**
 - If the project activities are within a MPO area, the project must be supported by the MPO. For contact information for each MPO in Maryland, see Appendix C – Transportation Enhancement Program Contact Information.

APPLICATION INSTRUCTIONS

Section 1 – Applicant Information

NOTE: Large projects that will be accomplished in separate segments that have independent utility must submit separate applications for each segment. However, the overall project must be described in the application.

Applications for each segment will be required to compete against other projects on an equal basis, even if the first segment is awarded funding.

In this section of the application, the applicant must provide the requested contact information for the person who will be the primary project contact person. This person should be the most familiar with the project details and be able to answer questions or provide additional information for the project upon request. If the primary project contact person represents a non-profit or private agency, the contact information of the representative employee for the government agency co-sponsoring the project must also be provided. This person will be the secondary contact person and should be familiar with most project details.

The government agency sponsoring or co-sponsoring the project will be responsible for the funding, development, and completion of the project, as well as the continued maintenance and legal liability. This is a requirement to receive TEP funding.

If the project is located within a county whose planning process is governed by an MPO, the corresponding MPO should be selected.

Section 2 – General Project Information

In this section of the application, project sponsors must provide general project information including the title of the project and location. The project title on the application will be the official project title and cannot be changed throughout the life of a project. Project limits should consist of street addresses, road names, highway markers, or references to nearby public facilities, whenever possible. If the project sponsor is not sure of the Maryland legislative district, the following website can be used to make a determination:
<http://www.mdarchives.state.md.us/msa/mdmanual/07leg/map/html/map.html>

Section 3 – Transportation Enhancement Eligibility

In this section of the application, project sponsors must select one qualifying category for the proposed project and identify its relationship to surface transportation. Chapter II – Transportation Enhancement Program Eligibility can help to determine the project's eligibility status. It is important to make sure that the proposed project meets the criteria for one of the 12 eligibility categories, as well as have a direct relationship to surface transportation to satisfy the basic requirements. If the proposed project does not clearly meet the criteria, it may not be eligible for funding. In these cases, applicants are encouraged to discuss their projects with SHA's TEP Liaison prior to preparing an application. For contact information, see Appendix C – Transportation Enhancement Program Contact Information.

After determining and choosing an eligibility category, the project's relationship to surface transportation must be described. Surface transportation includes all elements of Maryland's intermodal transportation system, except airport-related features. Generally, the proposed project will relate to surface transportation because of function, proximity, or impact, as discussed in Chapter II – Transportation Enhancement Program Eligibility. Proximity to a highway or transportation facility alone may not be sufficient to establish a relationship to surface transportation.

Section 4 – Detailed Project Description

In this section of the application, project sponsors must provide a detailed description of all aspects of the project. The detailed project description should describe **all work** necessary by addressing each item listed in the application that is relevant to the proposed project. The majority of items on the list will apply to all types of projects. There are also targeted questions that relate to each TEP eligibility category. The next section should be used to address each of the relevant

qualifying category-specific questions. These questions are listed at the end of this section. Collectively, the information in this section will be used to determine the project's eligibility.

Following the detailed description, there are questions related to professional services, economic life, and maintenance needs of the project. Professional services may include any engineers, lawyers, historic preservation specialists, right-of-way appraisers, or other specialists necessary to design, develop, or review the proposed project. The economic or useful life of the project refers to how long the project will operate or serve its intended function, as described in the detailed description. As previously stated, the TEP will not fund the maintenance of any facility, which also applies to projects constructed, rehabilitated, or preserved with TEP funds. Continued project maintenance is the responsibility of the project sponsor, and the maintenance plan must be described in the application.

NOTE: This section is the core of each application, and the project sponsor should put a significant amount of effort into developing this section as completely and accurately as possible.

Project applications must include an 8 ½" x 11" project location map. The map should have a north arrow, scale, and title of the project. If possible, it should clearly show the project location, property lines, public facilities, state roads, and any other relevant information. The map **MUST** be placed directly after Section 4 of the application; it should not be placed in an appendix.

Please Note: Below are the additional questions and information required for the project description for each category of projects. Project sponsors should locate the set of questions for their qualifying category, and address each item that applies to the proposed project. If an item does not apply or has been previously addressed, it may be skipped.

1) Provision of facilities for pedestrian and bicycles

- a) What type of facility is being proposed?
- b) Will the facility be used principally for transportation, rather than recreational purposes?
- c) What will be the trail connections or destinations at either end of the facility? (examples include: rail station, public transportation stop, ferry landing, water taxi landing, schools, businesses, residential areas, and existing pedestrian and bicycle trails that are part of a connecting regional network)
- d) What is the predicted demand for the pedestrian and bicycle facility (modeling data is not required)?
- e) What will be the length and width of the facility? If the project will have varying widths, please specify (8' – 10' wide is the recommended minimum).
- f) What type of surface is proposed for this facility? If the project will have more than one surface type, please specify.
- g) Describe the proposed route of the trail in detail.
- h) Describe any boardwalk, bridges, retaining walls, or other proposed structures.
- i) Will the project include a trailhead?

- j) What amenities are being proposed for the trailhead?
- k) Describe any parking, restroom , or other facilities at the proposed trailhead. How will the sizes of the parking and restroom facilities be proportionate to the number of users served by the trail?
- l) What will be the operational details (i.e., staffing, operating hours, operation equipment, and commercial activities) of the trailhead facilities?
- m) What, if any, portions of the project site, building, or facility will be restricted to private or commercial use?
- n) How will the traveling public be informed about the pedestrian and bicycle facility?

2) Provision of safety and educational activities for pedestrians and bicyclist

- a) What type of safety and educational activity or program is proposed?
- b) What promotional and educational products will be developed?
- c) Who will administer the activities or program?
- d) What audience will be reached? What are their safety needs?
- e) How will the activities or program be marketed?
- f) How long will the project last?
- g) What long-term benefits are expected from the project?
- h) Will this project enhance, supplement, or coordinate with any existing programs or events?
- i) What evaluation methods will help determine if the activities are successful?
- j) Will the activity be done in conjunction with Maryland’s Bicycle Program (For program information, see Appendix C – Transportation Enhancement Program Contacts)?

3) Acquisition of scenic easements and scenic or historic sites, including historic battlefields

- a) What is the scenic or historic authenticity and integrity of the site?
- b) Is the historic site on or eligible for the National or Maryland Register of Historic Places?
- c) What state road(s) has the site as a scenic or historic viewshed? Is the state road a designated scenic byway?
- d) How visible are the scenic or historic attributes from the roadway or other surface transportation facility?
- e) Is the site or scenic area facing development pressure? Is it in danger of being lost if it is not acquired? Explain how.
- f) How has surface transportation affected the location and use of the scenic or historic site? How has the scenic or historic site been affected surface transportation?
- g) What public agency will hold the easement? Will they take responsibility for enforcing the easement requirements or conditions?
- h) How will the value or quality of the scenic or historic sites be preserved and protected?
- i) What, if any, construction activities will be necessary to preserve the site?
- j) Will the project contribute to or serve as a catalyst for additional preservation, conservation, or recreation projects? How?
- k) What, if any, provisions will this project include for child lots?
- l) Is this project supported by the MHT? (For contact information, see Appendix C – Transportation Enhancement Program Contact Information)

- m) How will the traveling public be informed about the project?

NOTE: For battlefield acquisition projects, attach a copy of the required Management Plan (draft form is acceptable).

4) Scenic or historic highway programs, including the provision of tourist and welcome centers facilities

- Will the project involve a scenic or historic highway program?
 - a) Are the proposed highways or sites designated scenic or historic?
 - b) Will the program protect resources on a designated scenic or historic highway? How?
 - c) What is the historical significance of the highway? How will the scenic or historic qualities be preserved and protected?
 - d) Will the project enhance or promote greater awareness and appreciation of the state's scenic attributes or history? Describe the program's scope, purpose, and goals.
 - e) How will the scenic or historic highway program be compatible with the natural, historic, or cultural qualities of the route?
 - f) How will the scenic or historic highway program be marketed?
 - g) How will the traveling public be informed about the project or the scenic or historic highway program?

- Will the project involve tourist and welcome center facilities?
 - a) What state roadway will the facility be on or adjacent to?
 - b) Will the tourist and welcome center have a connection to a scenic or historic site or highway? Explain.
 - c) How will the tourist and welcome center enhance the traveling public's experience?
 - d) Describe the proposed tourist and welcome center facility. Will it be a renovated structure or new construction?
 - e) What, if any, construction activities will be required for the tourist and welcome center? Describe, in detail.
 - f) Will portions of the tourist and welcome center be dedicated to private or commercial use?
 - g) How many rooms will the facility have? Describe the function of each room.
 - h) Describe the associated parking and restroom facilities. Will the size of the parking and restrooms be proportionate to the number of users served?
 - i) Will there be any associated user fees? How much will the fees be and for what uses?
 - j) How will the traveling public be informed about the project?

5) Landscaping and other scenic beautification

- a) What types of vegetative materials, lighting, street furniture, etc. is being proposed? Specify the location of all improvements.
- b) Describe how the design and site plans compatible with the natural, historical, or cultural qualities of the area.
- c) What best practices will the project use for vegetation management?
- d) How will the project design improve safety?

- e) Explain how the project will enhance the aesthetics of the project area.
- f) How will the traveling public be informed about the project?

6) Historic preservation

- a) Is the structure or site listed on or eligible for the National or Maryland Register of Historic Places?
- b) What is the historical significance of the structure or facility?
- c) Is there a preservation easement in place? Who holds it?
- d) How did surface transportation affect the location and use of the historic site or structure? How did the historic site or structure affect surface transportation?
- e) What is the condition of the existing facility, if any?
- f) How will the historic qualities of the structure or site be preserved or protected?
- g) Describe in detail, the logical sequence of proposed preservation activities.
- h) Were any engineers, preservation architects, or contractors experienced in historic preservation consulted during project development?
- i) Will the project address or contribute to economic development, tourism, downtown revitalization, neighborhood preservation, housing rehabilitation, and/or recreational area development?
- j) Will the proposed work comply with the *Secretary of Interior's Standards and Guidelines for Archeology and Historic Preservation*? (See Appendix B – Online References to Guidelines, Policies, and Manuals)
- k) What will be the future use of the historic site?
- l) How will the traveling public be informed about the project?

7) Rehabilitation and operation of historic transportation building, structures, or facilities, including historic railroad facilities and canals

- a) Is the structure or site listed on or eligible for the National or Maryland Register of Historic Places?
- b) What type of structure or facility will be rehabilitated?
- c) What is the historical significance of the structure or facility?
- d) What is the current condition of the structure or facility?
- e) Is there a preservation easement in place? Who holds it?
- f) What construction activities will be required for the structure or facility? Describe in detail.
- g) What will be the sequence of all rehabilitation activities?
- h) Will the proposed project comply with the *Secretary of Interior's Standards for Rehabilitation of Historic Properties*? (See Appendix B – Online References to Guidelines, Policies, and Manuals)
- i) What will be the future use of the facility or structure?
- j) Were any engineers, architects, or contractors experienced in historic rehabilitation consulted during the project design?
- k) How will the traveling public be informed about the project?

8) Preservation of abandoned railway corridors, including the conversion and use of the corridors for pedestrian or bicycle trails

- a) Has the rail corridor been authorized for abandonment? Are abandonment proceedings pending?

- b) What easements or deed restrictions are in effect? Do they include reversionary rights? If so, to whom?
- c) Will there be an agreement to ensure the preservation and protection of the corridor?
- d) If a railroad corridor has been rail-banked, will there be an agreement that the corridor is subject to restoration or reconstruction for railroad purposes in the future?
- e) Has an environmental analysis of the corridor been conducted?
- f) Will the facility be used principally for transportation, rather than recreational purposes?
- g) Describe any boardwalk, bridges, or other proposed structures.
- h) What will be the trail connections at either end of the facility? (examples include: rail station, public transportation stop, ferry landing, water taxi landing, schools, businesses, residential areas, and existing pedestrian and bicycle trails that are part of a connecting regional network)
- i) What will be the length and width of the facility? If the project will have varying widths, please specify.
- j) What type of surface is proposed for this facility? If the project will have more than one surface type, please specify.
- k) Describe the proposed route of the trail in detail.
- l) How will the traveling public be informed about the project?

9) Inventory, control, and removal of outdoor advertising

- a) Where are the billboards or other advertising located?
- b) Who owns the billboards or other advertising?
- c) Who owns the property?
- d) How will the removal of the advertising contribute to the viewshed of the traveling public?
- e) Is the project in compliance with 23 Code of Federal Regulations 750 Subpart G – Outdoor Advertising Control? (See Appendix B – Online References to Guidelines, Policies, and Manuals)
- f) Are the billboards or other advertising signs considered illegal and/or conflicts with local ordinances or mandates?
- g) Are controls in place to prohibit new signs from being erected after removal of existing signs?
- h) How will the proposed project add value or effectiveness over and above Maryland's regular programs?

10) Archeological planning and research

- a) What is the archeological integrity of the site? Is there any physical evidence showing significant historic or prehistoric activities?
- b) Is the site listed on or eligible for the Maryland or National Register of Historic Places?
- c) How did surface transportation affect activity at this location during the period of archaeological significance? How did activities at this location affect surface transportation?
- d) What, specifically, will be researched, interpreted, and/or documented?
- e) Will a professional historian or archeologist be involved with the project?

- f) How will the traveling public be informed about the archaeological significance of the site? Who else will be informed
- g) Does the proposed project comply with the *Secretary of Interior's Standards and Guidelines for Archeological and Historic Preservation*? (See Appendix B – Online References to Guidelines, Policies, and Manuals)

11) Environmental mitigation to address water pollution due to highway runoff or to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity

- Will the project involve environmental mitigation?
 - a) Describe the existing environmental mitigation site in detail. What highway or roadway is the site adjacent to?
 - b) What is the source of the water pollution? Is the water pollution caused by highway run-off?
 - c) What pollutants are in the water? Provide an analysis of the types and quantities of the pollutants.
 - d) Is there any planned construction in this highway or roadway corridor?
 - e) What type of mitigation project is being proposed?
 - f) What construction activities will be required for the mitigation project? Describe in detail.
 - g) What vegetation management strategies will be used?
 - h) Define how the water quality will benefit after the project construction is completed.

- Will the project reduce vehicle caused wildlife mortality?
 - a. Is there documentation of wildlife mortality caused by vehicle incidents?
 - b. What kinds of wildlife are at risk in the project area? Is the wildlife listed as a RTE species?
 - c. What type of facility is being proposed to reduce wildlife mortality while maintaining habitat connectivity?
 - d. How will the proposed project reduce vehicle-caused wildlife mortality while maintaining habitat connectivity?

12) Establishment of transportation museum

- a) What construction activities will be required for the transportation museum project? Describe in detail.
- b) What type of services or exhibits will be provided? How will exhibits be acquired, maintained, and displayed or presented?
- c) Address each of the 7 criteria for transportation museums. Will the transportation museum:
 - ✓ Be a legally organized not-for-profit institution or part of a not-for-profit institution or government-entity?
 - ✓ Be essentially educational in nature?
 - ✓ Have a formally stated mission?
 - ✓ Have at least one full-time paid professional staff member who has museum knowledge and experience and is delegated authority and allocated financial resources sufficient to operate the museum?
 - ✓ Present regularly scheduled programs and exhibits that use and interpret objects for the public according to accepted standards?

- ✓ Have a formal and appropriate program of documentation, care, and use of collections and/or tangible objects?
 - ✓ Have a formal and appropriate program of presentations and maintenance of exhibits?
- d) Are the sizes of the parking and restrooms proportionate to the number of users served?
 - e) Are the exhibits predominately surface transportation oriented?
 - f) What is the operational plan?
 - g) How will the project be marketed?

Section 5 – Project Effects

In this section of the application, project sponsors must identify the project benefits, environmental impacts, and impacts to utilities. Each applicant must complete the environmental resource checklist/table and answer the questions that follow. In the table, project sponsors must identify and describe the extent of each potential impact, even if those impacts may be avoided during later stages of the project's development. Impacts to each environmental resource are defined by the agency that regulates the resource in Maryland. The agency that regulates each environmental resource can be found in Table X – Environmental Impacts in the National Environmental Policy Act in the Environmental Requirements section of Chapter V – Transportation Enhancement Program Process.

Section 6 – Project Design Status

In this section of the application, project sponsors must identify the status of all aspects of projects that would involve any construction, rehabilitation, mitigation, research, or publications. If the proposed project involves research or publications, the applicant is only responsible for answering the first question; he or she may skip the rest of the section. For projects that involve rehabilitation, construction, or environmental mitigation, the first question can be skipped, but all other information must be addressed. These projects will require professional engineering design.

The TEP project design process should be guided by the ***Bridge Replacement and Rehabilitation Program Guidelines for Local Governments***. A copy of these guidelines is available at each county's Department of Public Works. Additional policies and publications that provide design guidance include:

- AASHTO's ***Guide for Development of New Bicycle Facilities***,
- The ***Secretary of Interior's Standards and Guidelines for Archeology and Historic Preservation***,

- The *ADA Accessibility Guidelines for Buildings and Facilities (ADAAG)*,
- SHA's *Accessibility Policy & Guidelines for Pedestrian Facilities along State Highways*,
- SHA's *Standards for Highways, Incidental Structures and Traffic Control Applications by and for the Maryland State Highway Administration*,
- MDOT's *Standard Specifications for Construction and Materials*,
- USDOT's *Rails-with-Trails: Lessons Learned Literature Review, Current Practices, Conclusions*,
- The *Maryland Stormwater Design Manual*,
- The *Manual on Uniform Traffic Control Devices*, and
- The International Code Council publications, including the *International Building Code*.

Note: References to these design guidelines can be found in Appendix B – Online References to Guidelines, Policies, and Manuals.

If applicable, the application must include one full set of the most recent design plans with the application package. **Design plans submitted with the application package must be at least 30 percent complete.** Plans should be on a roll that is separate from the application and other attachments.

Design plans vary greatly depending on the scope of the project. The following tables are meant to provide a general idea of the information that SHA will look for when evaluating mitigation (see Table X) and construction (see Table X) design plans that are at least 30 percent completed. It is not intended to be restrictive. Please contact SHA's TEP Community Design Liaison for answers related to specific projects (see Appendix C – Transportation Enhancement Program Contact Information).

Table 2 – 30 Percent Design Plan Guidelines for Mitigation Projects

STREAM PROJECTS	
<ul style="list-style-type: none"> ▪ Title Sheet <ul style="list-style-type: none"> ▫ Location Map ▫ Stream Use and Closure Dates ▫ Legend ▫ Scale ▪ Grading Plan <ul style="list-style-type: none"> ▫ Existing and proposed topography ▫ Construction Access ▫ Preliminary sequence of construction ▫ Baseline of construction ▫ Land cover (treeline, floodplain limit, existing features) ▫ In-stream Structure locations ▫ Bank Stabilization 	<ul style="list-style-type: none"> ▪ Detail Sheet(s) <ul style="list-style-type: none"> ▫ Typical section <ul style="list-style-type: none"> – Typical riffle – Typical pool – Bankful width/depth – Floodprone area – Grading limits ▫ Profile ▪ Planting Plan <ul style="list-style-type: none"> ▫ Planting Zones ▪ Plant List
WETLAND PROJECTS	
<ul style="list-style-type: none"> ▪ Title Sheet <ul style="list-style-type: none"> ▫ Location Map ▫ Legend ▫ Scale ▪ Grading Plan <ul style="list-style-type: none"> ▫ Existing and proposed topography ▫ Wetland limits by type ▫ Groundwater well/piezometer location 	<ul style="list-style-type: none"> ▫ Construction Access ▫ Preliminary sequence of construction ▫ Baseline of construction ▫ Land cover (treeline, floodplain limit, existing features) ▪ Planting Plan <ul style="list-style-type: none"> ▫ Planting Zones ▫ Plant List

Table 3 – 30 Percent Design Plan Guidelines for Construction Projects

TRAIL PROJECTS	
<ul style="list-style-type: none"> ▪ Title Sheet <ul style="list-style-type: none"> ▫ Location map ▫ Legend ▫ Scale ▪ Typical Sections <ul style="list-style-type: none"> ▫ Station limits per section ▫ Grade and cross slope ▫ Type, class, and thickness of pavement and base ▫ Cut and fill slopes ▪ Plan Sheets <ul style="list-style-type: none"> ▫ North arrow ▫ All necessary dimensions and stations Existing features, including topography and underground utilities ▫ Limit of work ▫ Proposed topography 	<ul style="list-style-type: none"> ▫ Size and location of all major improvements, including trail alignments, trailheads, etc. ▫ If known, location of proposed amenities including fences, railing, barriers, lighting, landscaping, sidewalks, entrances, etc. ▫ Proposed edge of pavement ▫ Limit of toe of fill ▫ Limit of top of cut ▫ Existing and proposed right-of-way ▫ Match lines ▪ Existing and Proposed Vertical and Horizontal Alignments ▪ Any needed demolition identified

Table 3 – 30 Percent Design Plan Guidelines for Construction Projects

BUILDING PROJECTS	
<ul style="list-style-type: none"> ▪ Title Sheet <ul style="list-style-type: none"> ▫ Location Map ▫ Legend ▫ Scale ▪ Floor Plans <ul style="list-style-type: none"> ▫ Property lines ▫ All necessary dimensions ▫ Existing and proposed topography ▫ Existing features ▫ Proposed improvements, include the function of each room ▫ If known, location of proposed amenities including landscaping, sidewalks, benches, etc. ▫ Existing and preliminary utility locations including plumbing, HVAC, electrical, and sewer ▫ ADA accommodations ▫ Parking facilities ▫ Edge of pavement ▫ Drainage facilities ▫ Signage locations ▪ Any needed demolition identified 	
BRIDGE PROJECTS	
<ul style="list-style-type: none"> ▪ Title Sheet <ul style="list-style-type: none"> ▫ Location map ▫ Legend ▫ Scale ▪ Typical Sections <ul style="list-style-type: none"> ▫ Station limits ▫ Grade and cross slope ▫ Type, class, and thickness of pavement and base ▫ Abutments ▫ Existing and proposed underclearance 	<ul style="list-style-type: none"> ▪ Plan Sheets <ul style="list-style-type: none"> ▫ North arrow ▫ All necessary dimensions and stations ▫ Existing features, including topography and underground utilities ▫ Type and length of bridge ▫ Bridge thickness ▫ Elevation ▫ Toe of fill and slop of fill ▫ Limit of work ▫ Match lines ▪ Any needed demolition identified

Section 7 – Project Right-of-Way Status

In this section of the application, project sponsors must identify the property owners and the status of any required right-of-way acquisitions. The term right-of-way encompasses not only the property on which the project will be constructed, but also any property needed for temporary use and other property rights required to complete the project. It would include land used for water drainage, land entered upon to adjust terrain slopes, land for stormwater management outfalls, land needed for construction staging, etc.

All project activities must be on publicly-owned right-of-way or on right-of-way encumbered with a **permanent** easement held by a government agency. Applicants must fill out the table by listing the owner(s) and value of each parcel of right-of-way in the entire project

area. For all right-of-way not owned by the sponsoring government agency, the last column entitled “Status of Acquisition/Easement,” must include a discussion of any negotiations to date, including any monetary offers or requests; any commitments; or any problems, hesitations, or requests for exclusions that were encountered.

If the right-of-way is owned by the sponsoring agency, the remainder of the section may be skipped. If not, answers must be provided for the remaining questions involving the proposed project’s right-of-way status. Projects that are categorized within the Acquisition of Scenic Easements or Historic Sites category must have completed a title search.

Any written commitments from government entities that will hold right-of-way easement must be submitted with the application.

The acquisition of right-of-way must follow federal rules and procedures, namely the Federal Uniform Assistance and Real Property Acquisition Policies Act, beginning the day that the TEP application is submitted for funding consideration. Because the TEP does not fund right-of-way acquisitions, except under the Scenic Acquisitions Category, project sponsors may elect to continue right-of-way negotiations without completing the environmental process following application submittal. If this is done, FHWA will not support any legal challenges to the acquisition and the project will never be able to receive any federal funds for the right-of-way acquisition. Project sponsors can also choose to wait for federal approval to negotiate.

For projects that qualify for the Acquisition of Scenic Easements and Scenic or Historic Sites, including Historic Battlefield category, the TEP will fund right-of-way acquisitions. Therefore, all negotiations with property owners for these projects **must** be put on hold after the application is submitted until the project is either accepted or rejected for funding. If accepted, negotiation activities may resume after the project sponsor receives federal approval to negotiate and NEPA clearance.

Section 8 – Project Schedule

In this section of the application, the project sponsor must develop a realistic project schedule that contains the milestones, or major activities or components, of the project. It is essential that the project schedule be reasonable and realistic. The project sponsor will be held accountable for the project schedule as submitted in the application, and major changes or delays in the project schedule may jeopardize funding.

The application shows three tables to be used as project schedule templates – one for construction projects, one for right-of-way projects, and one for other non-construction projects. The tables list the typical milestone for projects using TEP funds. If a project milestone, specific to the proposed project is missing, there are rows at the bottom of each table to accommodate additional milestones. Provide projected start and finish dates for each applicable project milestone listed in the tables using the month-day-year format.

The first table should be used for construction projects. Projects should be advertised for construction within 24 months of being awarded funding. Projects that will take longer should not be submitted until they are more fully developed. The complexity of each individual project will influence the schedule. The second table should be used for right-of-way projects, and the third table should be used for other non-construction projects. Some milestones can be done concurrently, and others must be done in succession. Use the following tables as guides in determining realistic dates for the project schedule.

TABLE 4 – TEP CONSTRUCTION PROJECTS MILESTONES

Milestone	Anticipated Time Frame	Concurrent Activities	Prerequisite Activities
TEP funding award letter	4 months after application submittal	<ul style="list-style-type: none"> ▪ Design 	<ul style="list-style-type: none"> ▪ Application submittal
Project kickoff meeting	2 months after TEP funding award letter	<ul style="list-style-type: none"> ▪ Design 	<ul style="list-style-type: none"> ▪ TEP funding award letter
Design	Varies by project, should be on-going after application submission	<ul style="list-style-type: none"> ▪ TEP funding award letter ▪ Project initiation meeting ▪ MOU process ▪ Right-of-way acquisition ▪ Environmental documentation ▪ Bridge/structure review 	n/a
MOU process	4 months after kickoff meeting to execute MOU	<ul style="list-style-type: none"> ▪ Design ▪ Environmental documentation 	<ul style="list-style-type: none"> ▪ Project kickoff meeting
Environmental or NEPA documentation	4 months to obtain environmental clearance	<ul style="list-style-type: none"> ▪ Design ▪ MOU process 	<ul style="list-style-type: none"> ▪ TEP funding award letter
Right-of-way acquisition	Varies by project	<ul style="list-style-type: none"> ▪ Design ▪ MOU process 	n/a
Right-of-way certification	2-3 weeks after right-of-way acquisition	<ul style="list-style-type: none"> ▪ Design 	<ul style="list-style-type: none"> ▪ Right-of-way acquisition
Scour Analysis (required for structures within the 100-yr	4-5 weeks for SHA review	<ul style="list-style-type: none"> ▪ Design ▪ MOU process 	<ul style="list-style-type: none"> ▪ Project kickoff meeting

TABLE 4 – TEP CONSTRUCTION PROJECTS MILESTONES

Milestone	Anticipated Time Frame	Concurrent Activities	Prerequisite Activities
floodplain)			
TS&L & Foundation Design review	4-5 weeks for SHA review	<ul style="list-style-type: none"> ▪ Design ▪ MOU process 	<ul style="list-style-type: none"> ▪ Scour analysis
Structural Plans review	4-5 weeks for SHA review	<ul style="list-style-type: none"> ▪ Design ▪ MOU process 	<ul style="list-style-type: none"> ▪ Foundation Design review
Final Review (95% plans, specifications, & estimates)	4 weeks for SHA review	<ul style="list-style-type: none"> ▪ Design ▪ Structural Plans review 	<ul style="list-style-type: none"> ▪ Environmental clearance
Final Review meeting	Anytime following SHA Final Review	n/a	<ul style="list-style-type: none"> ▪ Final Review
Obtaining permits	Varies by project	<ul style="list-style-type: none"> ▪ Design 	n/a
Request to Advertise & 100% Plans, Specifications, and Estimates (PS&E) submittal to SHA	5 weeks for SHA review; additional time may be required for incomplete submittals	n/a	<ul style="list-style-type: none"> ▪ Executed MOU ▪ Right-of-way acquisition ▪ Design ▪ Permits ▪ Structural Plans review ▪ Final Review meeting
Advertisement for construction	21 days minimum; within 24 months of TEP funding award letter	n/a	<ul style="list-style-type: none"> ▪ SHA approval to advertise
Bid opening	3-4 weeks after 1 st day of advertisement	n/a	<ul style="list-style-type: none"> ▪ Advertisement for construction
Concurrence in Award (CIA) package submission to SHA	1 month after bid opening; 4-5 weeks for SHA review	n/a	<ul style="list-style-type: none"> ▪ Bid opening
Notice to Proceed (NTP) for construction	Varies by project, but a reasonable estimate is required	n/a	<ul style="list-style-type: none"> ▪ CIA
Expected duration of construction	Varies by project, but a reasonable estimate is required	n/a	<ul style="list-style-type: none"> ▪ NTP for construction
Project closeout	Varies by project, but a reasonable estimate is required	n/a	<ul style="list-style-type: none"> ▪ Construction
Ribbon cutting	Varies by project, but must provide SHA notice 30 days in advance	n/a	<ul style="list-style-type: none"> ▪ Project closeout

TABLE 5 – TEP RIGHT-OF-WAY PROJECTS MILESTONES

Milestone	Anticipated Time Frame	Concurrent Activities	Prerequisite Activities
TEP funding award letter	4 months after application submittal	n/a	<ul style="list-style-type: none"> ▪ Title search ▪ Application submittal
Project kickoff meeting	2 months after TEP funding award letter	n/a	<ul style="list-style-type: none"> ▪ TEP funding award letter

TABLE 5 – TEP RIGHT-OF-WAY PROJECTS MILESTONES

Milestone	Anticipated Time Frame	Concurrent Activities	Prerequisite Activities
MOU process	4 months after kickoff meeting to execute MOU	<ul style="list-style-type: none"> ▪ Environmental documentation 	<ul style="list-style-type: none"> ▪ Project kickoff Meeting
Environmental or NEPA documentation	4 months to obtain environmental clearance	<ul style="list-style-type: none"> ▪ MOU process 	<ul style="list-style-type: none"> ▪ TEP funding award letter
Request obligation of federal funds	Varies by project, but a reasonable estimate is required	<ul style="list-style-type: none"> ▪ Environmental documentation 	<ul style="list-style-type: none"> ▪ Project kickoff Meeting ▪ Executed MOU
Appraisal	Up to 4 months, varies by project	<ul style="list-style-type: none"> ▪ Environmental documentation 	<ul style="list-style-type: none"> ▪ TEP funding award letter ▪ Obligation of federal funds
Appraisal review	Up to 2 months, varies by project	<ul style="list-style-type: none"> ▪ Environmental documentation 	<ul style="list-style-type: none"> ▪ Appraisal
Negotiations	Varies by project, but a reasonable estimate is required	n/a	<ul style="list-style-type: none"> ▪ Environmental clearance ▪ Obligation of federal funds ▪ Appraisal review
Maryland Board of Public Works (BPW) approval if other state agency	Varies by project, but a reasonable estimate is required	n/a	<ul style="list-style-type: none"> ▪ Negotiations
Settlement	Varies by project, but a reasonable estimate is required	n/a	<ul style="list-style-type: none"> ▪ Negotiations
SHA review of paperwork	1 week for SHA review	n/a	<ul style="list-style-type: none"> ▪ Settlement
Project closeout	Varies by project, but a reasonable estimate is required	n/a	<ul style="list-style-type: none"> ▪ SHA review

TABLE 6 – TEP NON-CONSTRUCTION PROJECTS MILESTONES

Milestone	Anticipated Time Frame	Concurrent Activities	Prerequisite Activities
TEP funding award letter	4 months after application submittal	<ul style="list-style-type: none"> ▪ Development 	<ul style="list-style-type: none"> ▪ Application submittal
Project kickoff meeting	2 months after TEP funding award letter	<ul style="list-style-type: none"> ▪ Development 	<ul style="list-style-type: none"> ▪ TEP funding award letter
MOU process	4 months after kickoff meeting to execute MOU	<ul style="list-style-type: none"> ▪ Development ▪ Environmental documentation 	<ul style="list-style-type: none"> ▪ Project kickoff meeting
Request obligation of federal funds	Varies by project, but a reasonable estimate is required	<ul style="list-style-type: none"> ▪ Environmental documentation ▪ MOU process 	<ul style="list-style-type: none"> ▪ Project kickoff Meeting
Environmental or NEPA documentation	4 months to obtain environmental clearance	<ul style="list-style-type: none"> ▪ MOU process 	<ul style="list-style-type: none"> ▪ TEP funding award letter
Development of training or publication	Varies by project, but a reasonable estimate is required	<ul style="list-style-type: none"> ▪ MOU process ▪ Environmental documentation 	n/a
Research, publication, or	Varies by project, but a	<ul style="list-style-type: none"> ▪ MOU process 	<ul style="list-style-type: none"> ▪ Development

TABLE 6 – TEP NON-CONSTRUCTION PROJECTS MILESTONES

Milestone	Anticipated Time Frame	Concurrent Activities	Prerequisite Activities
training	reasonable estimate is required	<ul style="list-style-type: none"> ▪ Environmental documentation 	
Project closeout	Varies by project, but a reasonable estimate is required	n/a	<ul style="list-style-type: none"> ▪ Publication or training ▪ Executed MOU ▪ Environmental Clearance

Project Sponsors must develop local funding commitments before submitting the application

Many of these milestones are discussed in more detail in Chapter V – Transportation Enhancement Program Process of this manual.

Section 9 – Project Costs

In this section of the application, project sponsors must identify the amount of TEP funding requested and the sources of the match for the proposed project. Project sponsors must provide a total match of at least 50% of a project’s total estimated costs, which must include a cash match of at least 20% of the construction or other TEP-eligible costs. See Chapter III – Funding Fundamentals for a more detailed explanation of funding requirements. After a project is awarded funding, major changes in the project costs may affect funding reimbursement. Ideally, estimated costs should reflect future value. Therefore, project sponsors should ensure that all costs provided in the application are as realistic, comprehensive, and accurate as possible.

At the beginning of this section, applicants must provide a summary of the proposed project’s total project expenses. Then, they must identify the sources of the match with the corresponding funding amounts. Funding from any agency that is a part of the USDOT or MDOT may not be included in the match. Letters of financial commitment are required, and they should be attached to the application in an appendix.

Tips for an Accurate Cost Estimate:

- adjust cost estimates for inflation
- include the costs of certified professionals
- develop realistic project completion dates to avoid paying contractors for unscheduled labor
- account for contingencies, such as the rise in the cost of raw materials

The tables provided are to assist applicants in itemizing project activities and their associated costs using the tables provided. The first table should be used for all projects involving construction. Applicants must classify the costs of each category of construction by indicating what portion of the costs would be funded by TEP, which portion would be considered soft match, and which portion will be considered cash match. Please note that **for all construction projects**, only the costs of construction activities may be considered cash match. The table separates non-construction costs from construction costs. Construction related activities should be divided into construction categories. Sub-categories may be added, if necessary. Examples of categories include:

- Soil disturbances (clearing, grubbing, excavation, etc.)
- Foundations
- Construction stakeout
- Maintenance of traffic and traffic management
- Utilities relocation
- Erosion and sediment control
- Structures
- Fencing
- Landscaping
- Paving
- Plumbing
- Electrical
- HVAC
- Flooring
- Hardware
- Painting
- Traffic control
- Street furniture

The table needs to include any applicable contingency, inspection, materials testing, and/or construction management costs. Contingencies should be included for unforeseen costs because additional funding may not be available to cover inadequate cost estimates.

Project sponsors should calculate the subtotals for each section of the table, and then calculate the total project costs by adding the three sections together. When possible, project sponsors should include more details for each category of construction by indicating the type of materials being used. **Professional engineering estimates will provide a more accurate budget and should be attached in an appendix.**

NOTE: The costs of doing business can NOT be included in the project costs. This includes office space, heating, paper, mailings, telephone, internet, etc.

The second table should be used for all proposed projects that would not involve construction. Applicants must classify the costs of each activity by indicating what portion of each activity's costs would be funded by TEP and which portion will be considered match. Please see Chapter II – Transportation Enhancement Program Eligibility to help determine the activities that can be funded by the TEP.

Section 10 – Project Support

In this section of the application, project sponsors must identify community, local, state, regional, private, and non-profit agencies that support the project. Before submitting the application, project sponsors should acquire community input and support from local/state agencies, elected officials, and the MPO representative, if applicable.

All questions in this section of the application must be answered for every project.

Letters of support from elected officials and the MPO transportation representatives are required. Support letters from local government officials, community groups, regional organizations, and/or state agencies are encouraged and will be accepted as part of the application package. Evidence of public involvement, such as informational brochures, public meeting minutes, or newspaper articles are not required, but support the application.

Please include support letters with the application. Do not have them sent directly to SHA or MDOT. All senders of support letters will be copied on letters notifying the project sponsor if a project is approved for funding or not.

Section 11 – Attachments/Appendices

In this section of the application, project sponsors may include any supplemental information that supports the project's scope and development. The required attachments were identified in the previous sections. Additional attachments that would supplement and enhance the project description, design, schedule, budget, or support are encouraged. Acceptable attachments are not limited to those listed in the application. Each type of attachment, with the exception of the plan sheets, should be placed in separate appendices and should fit on 8 1/2" x 11" paper.

Plan sheets should be separate from the application; only one copy is required.

APPLICATION CHECKLIST

The following checklist is provided to assist in ensuring that the application package is complete.

- ✓ The project is sponsored or co-sponsored by a public agency
- ✓ The project is eligible for TEP funding (review Chapter II – Transportation Enhancement Program Eligibility for detailed eligibility guidelines of each TEP category)
- ✓ There is a clear relationship to surface transportation
- ✓ All historic sites are listed on or eligible for the National Register of Historic Places
- ✓ The SHPO was informed of all projects involving historical sites
- ✓ Project location mapping, project boundary mapping, and/or photographs are included

- ✓ Effects on environmental resources and utilities were identified
- ✓ All project elements are represented in the project cost list
- ✓ Cost estimates are complete and accurate for all project elements
- ✓ The dates for each project milestone are realistic as outlined in schedule format provided
- ✓ The advertisement date that the project sponsor is committed to is no longer than 24 months after the TEP award date
- ✓ At least 30% design plans, for construction projects, are included
- ✓ All amounts and sources for matching funds are listed
- ✓ Ownership of all right-of-way and, if it needs to be acquired, the value of the property is identified
- ✓ Letters of support for the project are included
- ✓ Documentation of public/community involvement is included
- ✓ Long-term maintenance plan is established and included
- ✓ Project conforms to the ADA
- ✓ Potential significant project issues were taken into account i.e., asbestos abatement, hazardous wastes, right-of-way acquisition issues.

**COMMON TEP
APPLICATION
MISTAKES**

- unrealistic schedules
- inadequate cost estimates
- insufficient design
- insufficient project description

Note: A similar checklist is included in Appendix A – Transportation Enhancement Program Application and Checklist that can be used by the project sponsor to ensure that the application is complete.

In preparing the TEP application, keep the following ideas/tips in mind:

- The application is the primary source of information used in the consideration for funding the project.
- The application will be used as the source document for managing the project.
- The Maryland Transportation Enhancement Program Application form must be used to submit your project. The form is available at <http://www.sha.state.md.us/ImprovingOurCommunity/OPPE/tep.asp>.
- Applications must be complete and accurate.
- Applications must provide enough detail in the project description, budget, and schedule for all reviewers or readers to clearly understand the project.
- The Applicant Submission Date with the month and year of submittal must be on the application.
- Attachments should be on 8 1/2" x 11" paper, with the exception of design plans.
- Applications will become exhibits in the MOU.

SUBMITTING AN APPLICATION

The project sponsor must submit the completed, original TEP application and any attachments, unbound, to SHA by March 1 of each calendar year, as well as 15 bound copies of the package.

Please submit project applications to**:

Mr. Dennis Yoder
Transportation Enhancement Program Manager
Regional and Intermodal Planning Division
Maryland State Highway Administration
707 N. Calvert Street
Mail Stop C-502
Baltimore, MD 21202

Please address any question regarding the TEP and its application process to:

Ms. Mary Keller
Transportation Enhancement Program Liaison
Regional and Intermodal Planning Division
Maryland State Highway Administration
707 N. Calvert Street
Mail Stop C-502
Baltimore, MD 21202
410.545.5675 (phone)
410.209.5025 (fax)
mkeller@sha.state.md.us (e-mail)

**All potential projects in Baltimore City must be submitted to the Baltimore City Department of Planning, according to its procedures and requirements. Baltimore City will forward selected projects to SHA. For contact information, see Appendix C – Transportation Enhancement Program Contact Information.

V. Transportation Enhancement Program Project Process

This section serves as a reference to assist project sponsors in understanding and meeting the requirements of each phase of a TEP project. The majority of projects will require some type of construction. Other projects will develop publications; implement pedestrian and bicycle safety programs; or acquire scenic easements or historic properties. Each type of project has a different general procedure, which are outlined in the following three flowcharts and explained throughout the chapter.

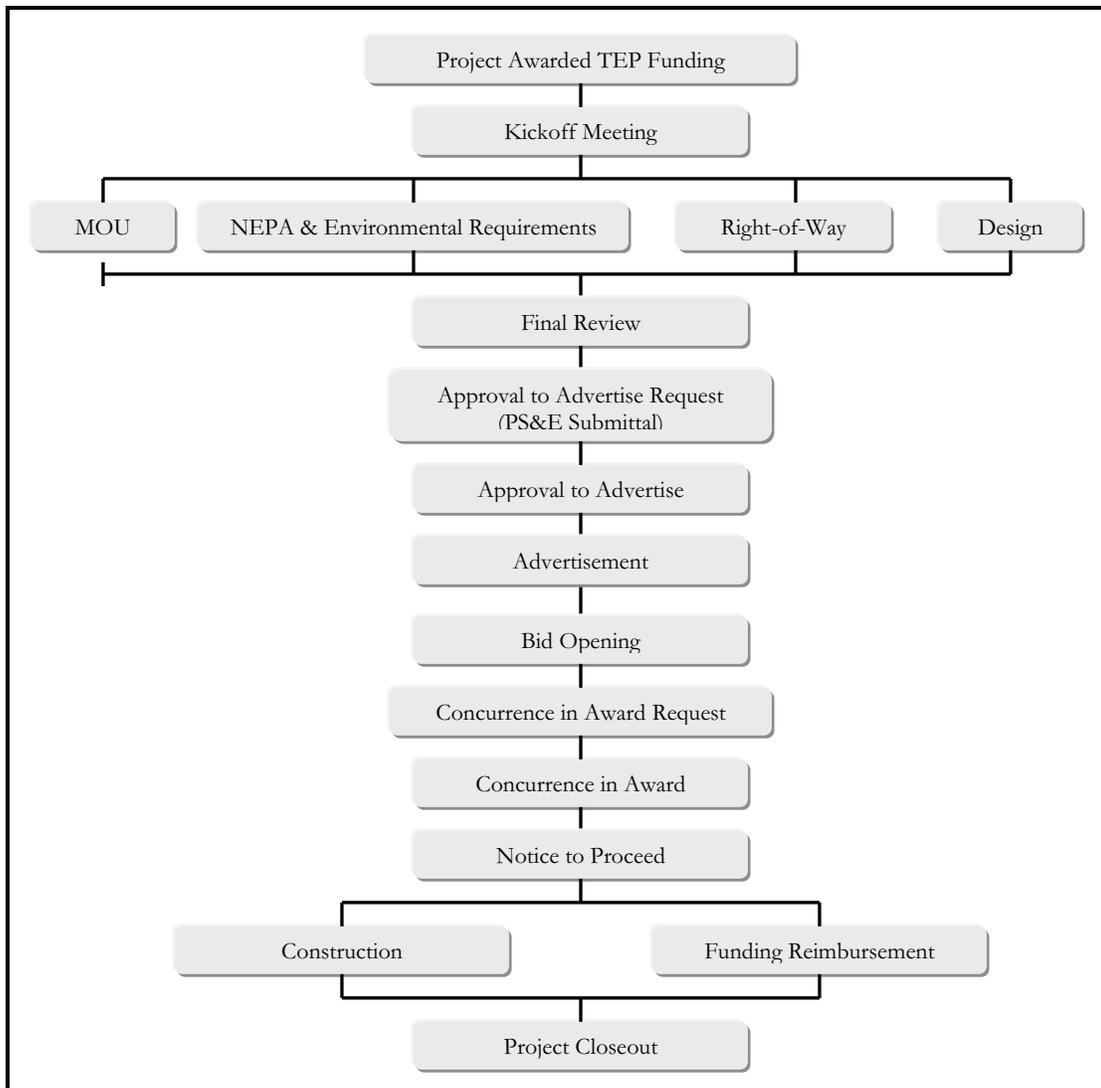


FIGURE V-1 – GENERAL TEP PROCEDURE FOR CONSTRUCTION PROJECTS

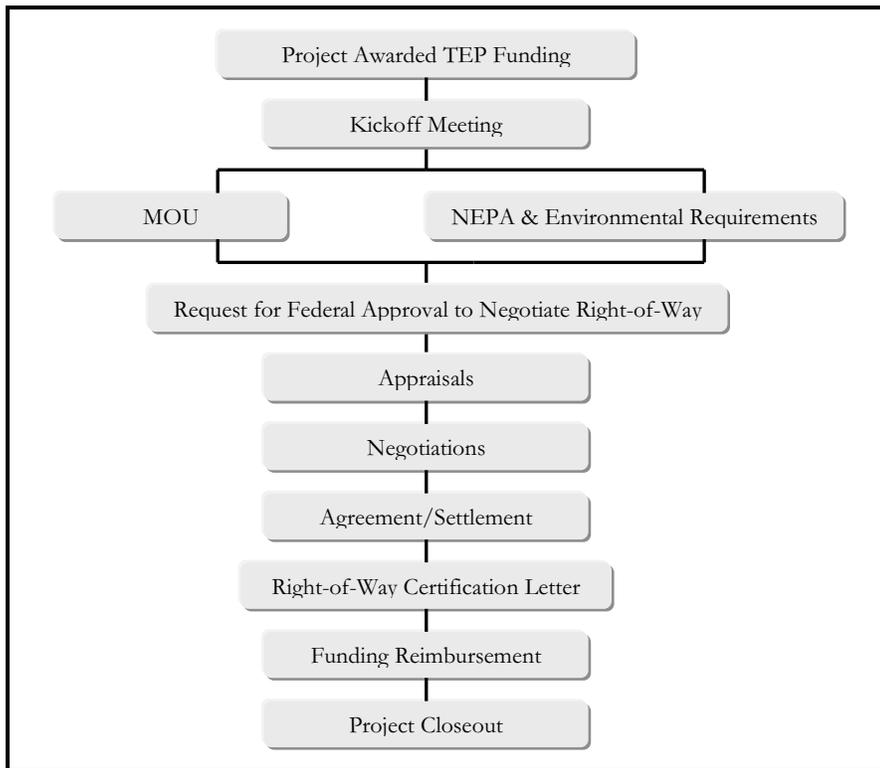


FIGURE V-2 – GENERAL TEP PROCEDURE FOR RIGHT-OF-WAY PROJECTS

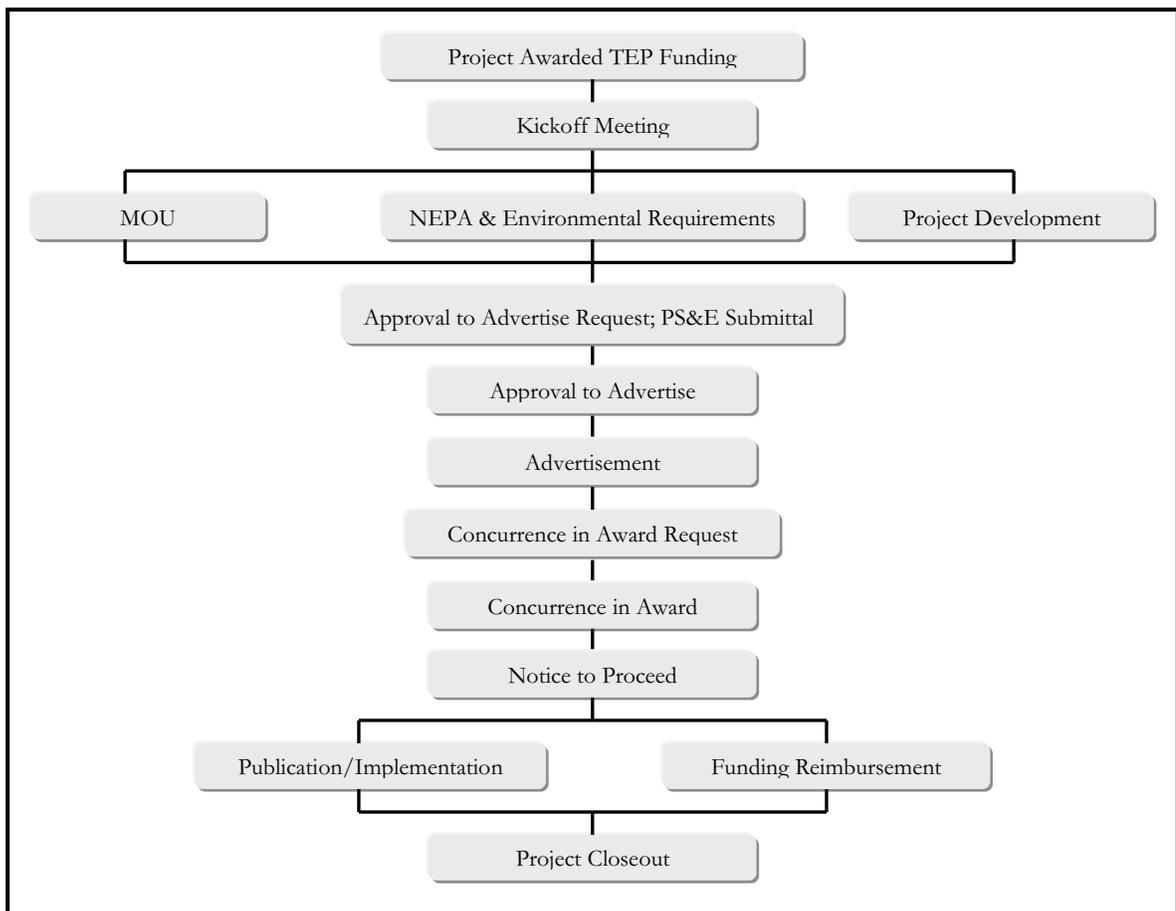


FIGURE V-3 – GENERAL TEP PROCESS FOR GENERAL NON-CONSTRUCTION PROJECTS

SHA will advise and assist project sponsors during each phase of the project; SHA assistance includes:

- Informing project sponsors of general requirements specific to their project;
- Preparing an MOU for project sponsor review;
- Reviewing letters to environmental agencies;
- Requesting environmental or NEPA clearance from FHWA;
- Reviewing design plans;
- Approving requests to advertise;
- Providing Concurrence in Award;
- Processing requests for reimbursement;
- Reviewing close-out information; and
- Responding to issues and concerns throughout the project.

Step 1 – Project Selection

Please Note: SHA acceptance or a favorable TEP Executive Committee recommendation of a project is NOT a commitment of funding.

In the application, project sponsors are responsible for clearly defining the project's scope and proving a reasonable and feasible schedule and budget, as well as all other necessary information. Upon receipt of the applications, SHA staff will screen all TEP applications for eligibility, completeness, and adherence to program criteria. Upon SHA's request and if time permits, project sponsors may be given the opportunity to revise their applications. Following SHA screening, eligible projects will compete for available funding.

Eligible applications, with complete information, will be forwarded to the TEP Technical Committee for review. The Technical Committee will make recommendations to the TEP Executive Committee. **The TEP Executive Committee will make funding decisions based on a summary of all project applications, availability of uncommitted program funds, categorical and statewide distribution of projects, and the Technical Committee's recommendations.** The TEP Executive Committee consists of the following:

- Secretary of MDOT,
- Secretary or Assistant Secretary of the Maryland Department of Natural Resources (DNR),
- SHA Administrator,
- Maryland Transit Administration (MTA) Administrator, and
- State Historic Preservation Officer.

Projects that are awarded TEP funding will receive notification from the Governor.

Once projects awarded TEP funding, SHA recommends that the project sponsor not proceed with design, development, and/or right-of-way acquisitions until after receiving SHA guidance at the project kickoff meeting. Any action performed that is not in accordance with federal requirements may make the project ineligible for TEP funding. The cost of project activities performed prior to the kickoff meeting cannot be reimbursed, although eligible activities may be used as match.

Step 2 – Kickoff Meeting

IMPORTANT:

After TEP funding is awarded and prior to the kickoff meeting, project sponsors should contact SHA before proceeding with any project activities.

SHA will schedule a kickoff meeting with the project sponsor after the project is awarded TEP funding. Kickoff meetings are technical discussions that are important to the implementation of the project. Generally, the project sponsor will discuss the project's scope in detail and update SHA staff on any developments since the application was submitted. SHA staff will familiarize the project sponsor with the major state and federal requirements for the specific TEP project. In addition to the project sponsor, the project manager and others that may play a major role in the project should attend the kickoff meeting, i.e., the project engineer. Elected officials typically do not attend. Topics of discussion include:

- Project scope and activities;
- MOU process;
- Environmental approvals determination;
- Project schedule;
- Cost estimate or budget;
- FHWA right-of-way acquisition process, if right-of-way is needed;
- Engineering design or project development update;
- SHA review process;
- PS&E and Advertisement processes; and
- Reimbursement process.

Following the kickoff meeting, **the project sponsor must begin submitting a Monthly Progress Report (MPR) to the TEP Assistant Liaison.** Due at the beginning of each month, the MPR can be submitted electronically or by mail. This form can be found in Appendix E – Transportation Enhancement Program Forms.

Step 3 – Preparation for Advertisement

This section is important for all project sponsors whose projects require advertisement to solicit bids for supplies, construction, or other services, which include archeology, photography, printing, publishing,

NOTE:

If the project is not advertised within two years of the award date, all or any part of the award may be withdrawn, and all expenses incurred will be the responsibility of the project sponsor.

or right-of-way acquisition. Project sponsors are responsible for meeting certain requirements prior to requesting permission to advertise from SHA, and each of the processes described in this section must be completed before advertisement. Many of the following processes will apply to most projects, depending on the individual scope of work. **All TEP projects must have an executed MOU and obtain NEPA clearance**, both of which can be done concurrently with project design or development.

MEMORANDUM OF UNDERSTANDING (MOU) PROCESS

SHA will prepare an MOU for each awarded TEP project. The MOU is a formal agreement between SHA (on the behalf of MDOT), and the governmental agency that is either sponsoring or co-sponsoring the project. The MOU will list the mutual commitments of SHA and the project sponsor. SHA will begin to prepare an MOU for a project following its kickoff meeting, and the MOU will reflect the topics discussed in the meeting and the corresponding TEP application. The MOU will include the following:

- Project description;
- Activities eligible for reimbursement;
- Responsibilities of both SHA and the project sponsor;
- The TEP award and matching requirements;
- Change order requirements;
- Project close-out;
- Reimbursement process; and
- General program provisions.

It is the project sponsor’s responsibility to ensure that the scope and costs outlined in the MOU are accurate. **Failure to adhere to the requirements set forth or referenced in the MOU can make all or a part of the project ineligible for reimbursement.**

The project sponsor will be provided the opportunity to comment on the draft MOU. Once the MOU is signed by SHA, the originals will be sent to the project sponsor for signature, at which point the MOU will be executed. The project sponsor keeps one (or more, if required) executed copy, and must return the second executed original to the TEP Program Manager (Contact Information can be found in Appendix C – Transportation Enhancement Program Contact Information). The executed MOU must either be delivered to SHA in person or via a delivery service for tracking purposes.

NOTE:

SHA will hold the sponsoring agency accountable for all aspects of the project. The sponsoring agency may have separate MOUs or legal agreements with its non-governmental co-sponsors or other project stakeholders.

The MOU must be executed before federal funds can be set aside by FHWA for the project. An executed MOU is also a prerequisite for permission to advertise.

Project sponsors should not wait for the MOU to be executed to continue project activities that occur prior to advertisement.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) AND ENVIRONMENTAL REQUIREMENTS

All projects that receive federal funding need to conform to the requirements of NEPA, as well as the National Historic Preservation Act – Section 106, Section 7 of the Endangered Species Act, the United States Department of Transportation Act – Section 4(f), the Clean Water Act – Section 404, and the Chesapeake Bay Critical Area Act, as discussed below. Depending on the specific project activities, other federal and state laws and regulations may be pertinent. It is the project sponsor’s responsibility to ensure that all applicable environmental regulations and processes are adhered to for their project.

NOTE: All TEP projects must obtain NEPA clearance, including projects that do not require construction. Waivers will not be granted.

If not already underway, TEP project sponsors should begin the NEPA coordination and documentation process immediately following the kickoff meeting. The NEPA documentation and approval process generally takes four to six months to complete. **NEPA approval is required before a TEP project can be given approval to advertise.** The project sponsor’s responsibilities for the major federal environmental laws and regulations are outlined below.

The National Environmental Policy Act (NEPA) – requires sponsors of projects receiving federal funds to consider natural and socio-economic factors using a systematic, interdisciplinary approach, which requires coordination with various environmental agencies to obtain information on cultural, socio-economic, and natural resources within the project area, documentation of any impacts upon those resources, and consideration of ways to avoid or minimize impacts, as appropriate. To satisfy the requirements of NEPA, the project sponsor also needs to adhere to the following laws and regulations.

- *The National Historic Preservation Act – Section 106* (Section 106) – requires that the effect of federally assisted actions on significant historic sites or structures and archeological resources is considered.

For all projects involving construction, project sponsors should provide MHT and associated local organizations a letter that

includes a detailed scope of work; a historical and archeological inventory; and a determination of project effects on any historic resources eligible for or listed on the National Register of Historic Places. Project sponsors have to define the Area of Potential Effects (APE) for cultural resources, taking into account direct impacts, including visual intrusions, noise, and property acquisition. It must be determined if any significant historic structures, sites, or districts are present in the APE. Project sponsors need to provide SHA with copies of the letter to and the response or concurrence from the MHT, as part of the environmental documentation.

- *Section 7 of the Endangered Species Act – Section 7* (Section 7) – requires that federally assisted actions do not jeopardize the continued existence of any rare, threatened, or endangered (RTE) or anadromous fish species or adversely modify the critical habitat of such species.

Project sponsors are responsible for preparing letters to request information regarding the presence of any RTE or anadromous fish species in the project area for all TEP projects involving construction outside paved areas. The letters should be sent to the following agencies:

- US Fish and Wildlife Service (USFWS)
- DNR-Wildlife and Heritage Service
- DNR-Environmental Review Unit

NOTE: Drafts of all correspondences must be reviewed by SHA before being sent to the appropriate environmental agencies.

If there are documented species present within the immediate vicinity of the project area that are RTE or of special concern, or there is a RTE species cultural habitat that may be affected by the project, the project sponsor may be required to conduct a habitat assessment or species survey. Avoidance or mitigation may also be required. Project sponsors need to provide SHA with copies of the letters to and responses from the USFWS and DNR, as well as any survey reports, as part of the environmental documentation.

- *United States Department of Transportation Act – Section 4(f)* (Section 4(f)) – provides special protection for publicly-owned public parks, recreation areas, wildlife and waterfowl refuges, and significant historic sites.

Project sponsors are responsible for determining if any Section 4(f) resources are located in the project area, and if they will be permanently or temporarily affected. If Section 4(f) impacts are anticipated, the project sponsor will need to coordinate with the agency that has jurisdiction over the resource and undertake avoidance and minimization strategies. Project sponsors need to

provide all correspondence in regards to Section 4(f) coordination, as part of the environmental documentation.

- *Clean Water Act – Section 404* (Section 404) – regulates the discharge of dredged or fill material into wetlands and waterways by requiring a permit for all development projects. Appropriate steps to avoid and minimize impacts are required. Unavoidable impacts should be mitigated through activities provided to restore or create wetlands or waterways.

Project sponsors are responsible for determining if any wetlands, waterways, or floodplains are present, and if they will be impacted. If impacts are anticipated, the project sponsor has to coordinate with the United States Army Corps of Engineers (USACE) and the Maryland Department of the Environment (MDE). Project sponsors would then be responsible for a wetland delineation of the affected area, efforts to avoid or minimize impacts, preparation of permits, submission of permits, and preparation of mitigation plans, if required. USACE and MDE would confirm field delineations and assist with the determination of the appropriate type of permit. A copy of the permit application and/or the issued permit needs to be provided to SHA, as part of the environmental documentation.

- *Critical Area Commission (CAC) for the Chesapeake and Atlantic Coastal Bays* (Chesapeake Bay Critical Area Act) – establishes land use policies for development in the Critical Area to accommodate growth, minimize adverse impacts on water quality, and conserve fish, wildlife and plant habitat. The Critical Area is defined as any area within 1,000 feet of tidal influence.

If the project is located within the Critical Area, the project sponsor will need to coordinate with the Critical Area Commission (CAC) or the local planning and zoning agency to obtain necessary development approvals. The CAC will review project design plans. Project sponsors need to provide copies of letters to and approvals from the CAC and/or local planning and zoning agency, as part of the environmental documentation.

To comply with NEPA, project sponsors should also conduct some form of public involvement. The following table relates the environmental resources with the environmental regulation and agency that regulates the type of resource. NEPA requires that project sponsors comply with each of the environmental resources listed in the table, as they apply to the project.

TABLE 7 – ENVIRONMENTAL IMPACTS

Environmental Resource	Environmental Regulation	Regulatory Agency
Agricultural lands	NEPA	Maryland Department of Agriculture
Recreational, Parklands, or Wildlife and Waterfowl Refuges	Section 4(f); NEPA	Local Governments or National Park Service (NPS)
Historic sites - archeological resources or standing structures	Section 106; NEPA	MHT
Wetlands or Waters of the US	Section 404; NEPA	MDE; USACE
Floodplains	Section 404; NEPA	MDE; USACE
Forests	NEPA	Local Governments or NPS
Critical Areas/Coastal Zones	Chesapeake Bay Critical Area Act; NEPA	CAC
RTE species	Section 7; NEPA	DNR; USFWS
Hazardous Waste Sites/ Hazardous Materials	NEPA	EPA
Consistency with Local Development Plans	NEPA	Local Agencies
Community Cohesion/ Quality of life/Displacements	NEPA	Local Agencies
Air quality	NEPA	EPA; MDE
Noise	NEPA	EPA
Economic	NEPA	Local Agencies

NOTE: other state and/or local regulations may apply.

Examples of letters that project sponsors prepare for the various environmental agencies and other related reference information are located in Appendix G – National Environmental Policy Act Documents and Sample Letters. The project sponsor may request SHA review draft coordination letters prior to submission to the environmental agencies. **Final copies of all environmental documentation submitted to and received from environmental agencies must be submitted to the TEP NEPA Liaison**, who will be the project sponsor’s point of contact for questions and guidance concerning the environmental coordination, regulations, and documentation. Contact information is located in Appendix C – Transportation Enhancement Program Contact Information. Typically, it takes 30-60 days to receive responses from the agencies. SHA prefers that project sponsors send environmental documentation to SHA as soon as it is received. It is not necessary to submit everything at one time. Project sponsors should also submit evidence of public involvement to the TEP NEPA Liaison.

NOTE: Information provided in the original application will be used by SHA in completing the CE letter. Therefore, project sponsors must report any changes to the project description, scope of work, and public involvement to prevent delays in NEPA compliance

Using the environmental documentation and the project information from the submitted TEP application, SHA will summarize all NEPA

coordination efforts and environmental impacts in a Categorical Exclusion (CE) letter to FHWA or a Programmatic Categorical Exclusion (PCE) on behalf of the project sponsor. **Approval of a CE from FHWA serves as NEPA or environmental compliance. SHA approval of a PCE serves as NEPA or environmental compliance.**

For the vast majority of TEP projects, a CE letter or PCE will satisfy NEPA requirements because they do not result in significant environmental impacts, but usually provide significant social and environmental benefits. A project qualifies for a CE or PCE only if the proposed actions do not:

- Induce significant impacts to planned growth or land use for the area;
- Require the relocation of a significant number of people;
- Have significant impact on any natural, cultural, recreational, historic or other resource;
- Involve significant air, noise or water quality impacts;
- Have significant impacts on travel patterns; or
- Either individually or cumulatively, have any significant environmental impacts.

RIGHT-OF-WAY ACQUISITION PROCESS

NOTE: There should be no pre-existing encumbrances against any right-of-way to be acquired.

All TEP project activities must be on publicly-owned right-of-way or right-of-way encumbered with a **permanent** easement held by a public agency. Any right-of-way not meeting those criteria must be acquired by fee-simple ownership or permanent easement by the public agency sponsoring or co-sponsoring the project. The term right-of-way encompasses not only the property on which the project will be constructed, but also any property needed for temporary use and other property rights required to complete the project. It would include land used for water drainage, land entered upon to adjust terrain slopes, land for stormwater management outfalls, land needed for construction staging, etc.

Although many types of construction-related TEP projects may require right-of-way acquisitions, only projects that qualify for the Acquisition of Scenic Easements and Scenic or Historic Sites, including Historic Battlefields category can receive federal TEP funds for right-of-way activities. Right-of-way information as it relates to both construction-related projects and scenic easement projects are described below.

NOTE: Generally, construction projects that have completed right-of-way acquisitions prior to submitting an application proceed to advertisement faster.

Right-of-Way Process for Construction Projects

For construction-related projects, the sponsoring agency is allowed to negotiate for or acquire right-of-way prior to submitting an

application. Once a project application is submitted for TEP funding, the local agency **must** follow the Federal Uniform Assistance and Real Property Acquisition Policies Act, as amended, and other applicable FHWA reimbursement regulations and requirements (See Appendix B – Online References to Guidelines, Policies, and Manuals). Because construction-related projects cannot receive TEP funds for right-of-way acquisitions, project sponsors can elect to continue right-of-way negotiations without interruption after the TEP application is submitted, or they can put all negotiation activities on hold until the project receives NEPA clearance. If the project sponsor chooses to wait for NEPA clearance, they may have continued contact with property owners; however, no offer to acquire the property or any other form of negotiation can be made between the time of application submittal and NEPA clearance. If the project sponsor chooses to continue with right-of-way negotiations after the application submission, they can forego obtaining federal approval and proceed with right-of-way acquisition at their own risk. If the latter is followed:

All construction projects require a Right-of-Way Certification Letter, even if all the right-of-way is publicly owned prior to requesting TEP funding.

- FHWA will not support the right-of-way acquisition process if project activities come under question legally, and
- Project sponsors will not be able to receive any type of federal funding for right-of-way acquisitions for the project at any time.

SHA’s TEP Right-of-Way Liaison will be available for guidance throughout the right-of-way process (see Appendix C – Transportation Enhancement Program Contact Information). The project sponsor has the option to take primary responsibility for completing the right-of-way process, or they may hire a private contractor to take primary responsibility. SHA’s Office of Real Estate (ORE) may be available to act as a private contractor for this purpose. Either way, an official, detailed negotiating record must be kept, and the general process is the same. In accordance with the Uniform Act, the general process to acquire right-of-way for construction-related projects is outlined below.

- ✓ **The property must be appraised by a SHA certified appraiser.**
 - Project sponsors must offer the property owners the option to accompany the appraiser when inspecting the property.
- ✓ **The property appraisal must be reviewed and accepted by a second certified appraiser.**
- ✓ **Following the appraisal review, the negotiator may begin making offers to property owners in order to acquire necessary right-of-way.**
 - A written Letter of Offer that details the components of each offer must be given to the property owner, along with a plan or

drawing of the property to be acquired and the deed or agreement needed to transfer the property rights.

- The offer must be based on fair market value.
 - The offer can be made in person or by mail.
 - After the first offer, the negotiator should keep in communication with the property owner, attempting to resolve any concerns or issues the property owner may have in order to make efforts to reach an amicable settlement with the property owner.
 - The sponsoring agency can request that the property owners donate the right-of-way required for construction-related projects. However, the property owner **must** be informed that they **have the right to be compensated at fair market value for any use of their property**, and by donating their property they are waiving their right to compensation.
- ✓ **Upon completion of successful negotiations, both parties will sign a deed, option contract, or easement agreement to transfer the property rights. The final settlement or closing may occur later when payment is made to the property owner.**
- A deed is a legal document which transfers certain property or property rights to the sponsoring agency. Upon execution, it must be recorded in the land records of the local jurisdiction.
 - An option contract is a legally binding contract that generally stipulates that the public agency has the option to acquire the right-of-way for an agreed upon amount within a specified duration of time, as well as any other agreed upon provisions.
 - An easement agreement is a legal document which conveys the legal right for the public agency to use the right-of-way for a specific purpose.
 - The negotiator must sign a negotiator's certificate.
- ✓ **Upon completion of the right-of-way acquisition, The TEP Right-of-Way Liaison will review the sponsoring agency's acquisition activities and records to ensure compliance with the federal procedures.**
- Records should include appraisal information, the negotiation certificate, and a comprehensive summary of negotiations that includes evidence of when and how the acquired right-of-way or easement was obtained.
- ✓ **If the right-of-way acquisition process complies with all federal regulations, ORE staff will prepare a Right-of-Way Certification letter and send it to the project sponsor and FHWA. At this point, the right-of-way acquisition is cleared.**
- The certification letter must be signed by ORE.

Generally, all right-of-way acquisitions should be completed before the project sponsor requests approval to advertise for construction bids. It is possible to advertise a project before all right-of-way is acquired

provided that the sponsoring agency has made offers to acquire all properties, and ORE has reviewed the acquisition process up to that point. ORE will issue a Limited Certification Letter, allowing the project sponsor to advertise for bids. Before the winning bid can be awarded, the sponsoring agency must complete the right-of-way process. The TEP Right-of-Way Liaison will review the completed right-of-way acquisition process records and issue a Letter of Certification stating that the right-of-way is cleared. This process is considered an exception and is allowed in emergency cases only.

If the required right-of-way is publicly-owned by an agency other than the agency sponsoring the TEP project, the property owner is usually supportive of the project and will willingly give permission to the sponsoring agency to use the property. In these cases, a Letter of Permission may be sufficient documentation of right-of-way requirements. In other cases, a more detailed acquisition process may be required, and the procedure would vary by incident.

NOTE: The TEP Right-of-Way Liaison in SHA's Office of Real Estate (ORE) serves as the point of contact for project sponsors with questions or guidance on acquiring right-of-way

Right-of-Way Process for Acquisition of Scenic Easements and Scenic or Historic Sites, including Historic Battlefields Projects

For Acquisition of Scenic Easements and Scenic or Historic Sites, including Historic Battlefields' projects, the sponsoring agency **must** comply with the Federal Uniform Assistance and Real Property Acquisition Policies Act, as amended, and other applicable FHWA reimbursement regulations and requirements (See Appendix B – Online References to Guidelines, Policies, and Manuals). Prior to submitting an application, the sponsoring agency is allowed to discuss the general terms and conditions of the intended acquisition and the acquisition process. There can be no formal offer made to acquire the property and no discussion of any compensation. Similar contact can continue throughout the TEP project selection process. Federal approval to negotiate and NEPA clearance **are required** before acquisition activities can begin or resume. Negotiations that occur after application submittal and before approval to negotiate is issued may make the project ineligible for federal funding.

Sponsors of these projects should obtain the following information for all necessary right-of-way. This information has to be provided to SHA upon request.

- Name/address of current property owner
- County
- Tax map and parcel number
- Acreage to be acquired; if only a partial acquisition, location within the property to be acquired (provide survey if available)
- Acquisition type preference (fee simple or easement)

- Proposed title holder and/or easement holder
- Description of any structures on the property, including historic information, if applicable
- Descriptions of any significant environmental resources, if applicable
- Occupants on the property, if any

Projects that will acquire a historic battlefield **must** develop, adopt, and utilize a Management Plan. The Management Plan will require review and approval from FHWA, DNR, and MHT. A general outline for Management Plans can be found in Appendix I – Historic Battlefield Management Plan Outline.

The project sponsor has the option to take primary responsibility for completing the right-of-way process, or they may hire a private contractor to take primary responsibility. SHA’s ORE may be available for hire to act as a private contractor for this purpose depending on its workload. Property rights must be transferred to the sponsoring agency as fee simple or by a permanent scenic easement, and an official, detailed project record must be kept. The general process to acquire right-of-way for construction-related projects is outlined below.

- ✓ **The project sponsor must supply a cost estimate to the TEP Right-of-Way Liaison**
 - ORE will use the information to prepare documents to request FHWA approval.
 - Right-of-way negotiations cannot begin until FHWA and NEPA approval is received.
- ✓ **The property must be appraised by a SHA certified appraiser.**
 - Project sponsors must offer the property owners the option to accompany the appraiser when inspecting the property.
- ✓ **The property appraisal must be reviewed and accepted by a second certified appraiser.**
- ✓ **Following the appraisal review and NEPA clearance, the negotiator may begin making offers to property owners in order to acquire a scenic easement or a scenic or historic property.**
 - A written Letter of Offer that details the components of each offer and a copy of the deed of property transfer must be presented to the property owner.
 - The offer can be made in person or by mail.
 - After the first offer, the negotiator must keep in communication with the property owner, attempting to resolve any concerns or issues that the property owner may have in order to make efforts to reach an amicable settlement.
- ✓ **Upon completion of successful negotiations, both parties will sign an option contract, easement agreement, or deed.**

- The negotiator must sign a negotiator’s certificate.
- An easement agreement is a legal document which conveys the legal right for the public agency to use the right-of-way for a specific purpose.
- A scenic easement should define the limits of use imposed on the current property owner and any future owners on the area acquired under the easement.
- A deed is a legal document which transfers certain property or property rights to the sponsoring agency. Upon execution, it must be recorded in the land records of the local jurisdiction.
- An option contract is a legally binding contract that generally stipulates that the public agency has the option to acquire the right-of-way for an agreed upon amount within a specified duration of time, as well as any other agreed upon provisions.
- ✓ **Upon completion of the right-of-way acquisition, The TEP Right-of-Way Liaison must review the sponsoring agency’s records to ensure compliance with the federal procedures.**
 - Records should include appraisal information, the negotiation certificate, and a comprehensive summary of negotiations that includes evidence of when and how the easement or property was obtained.
- ✓ **If the right-of-way acquisition process complies with all federal regulations, ORE staff will prepare a Right-of-Way Certification letter and send it to the project sponsor and FHWA. At this point, the right-of-way acquisition is cleared.**
 - The certification letter must be signed by ORE.
 - The certification letter is a requirement for TEP funding reimbursement.

DESIGN REQUIREMENTS

Professional engineering design is required for all TEP projects involving any type of construction, rehabilitation, or mitigation. Generally, the design for a project should be about 30 percent completed at the time of application submittal, and design activities can continue without interruption after submission. Project sponsors are expected to proceed from the 30 percent plans, and not restart design until after funding has been approved. Major scope changes are discouraged. If the project, as proposed, cannot be accomplished, the project should be withdrawn. A new, revised project can be developed, and a new application can be submitted in a subsequent year. This will allow projects that are better developed to be funded and constructed, as the funding will not be tied up.

NOTE: Design should be done concurrently with the right-of-way, NEPA, and MOU processes.

If the project design changes notably after the application submission, the project sponsor is required to submit a letter to the TEP Program Manager requesting approval to change the scope before proceeding. The letter must clearly identify the proposed changes; the reason for the changes; and any associated schedule and/or budget modifications. Scope change requests should be sent as changes occur. Once the MOU has been executed or NEPA clearance has been obtained, only minor scope changes should be needed. The project should still be advertised in 24 months or less from the TEP award date.

All TEP projects are required to comply with the Americans with Disabilities Act of 1990 (ADA), which is a legislation that prohibits discrimination on the basis of disability. Some TEP project sponsors can use the *ADA Accessibility Guidelines for Buildings and Facilities* (ADAAG) as the basis for complying with ADA. If the project links to or includes a transportation facility, such as a trail, walkway, driveway, or access path, or it is located along or intersects with a state roadway, SHA's *Accessibility Policy & Guidelines for Pedestrian Facilities along State Highways* must be followed. In some cases, this policy is more restrictive than the ADA.

The ADAAG recognizes that some requirements cannot always be fully achieved for all elements of all facilities because of conditions like terrain and historic integrity. Professional design judgment and good faith effort must be exercised to assure that all new and rehabilitated facilities are made ADA accessible. **All** parking, restrooms, access paths, displays, water fountains, and telephones built as a part of a TEP project comply with ADA. Project sponsors must discuss any potential requests for design exceptions with the TEP Community Design Liaison for review and approval (see Appendix C – Transportation Enhancement Program Contact Information). Approval cannot be guaranteed.

The TEP design process for ALL construction projects should be guided by the latest version of the ***Bridge Replacement and Rehabilitation Program Guidelines for Local Governments***. A copy of these guidelines is available at each county's Department of Public Works. Additional policies and publications that provide design guidance include:

- AASHTO's ***Guide for Development of New Bicycle Facilities***;
- The ***Secretary of Interior's Standards and Guidelines for Archeology and Historic Preservation***;
- The ***ADA Accessibility Guidelines for Buildings and Facilities (ADAAG)***;
- SHA's ***Accessibility Policy & Guidelines for Pedestrian Facilities along State Highways***;

- SHA’s *Standards for Highways, Incidental Structures and Traffic Control Applications by and for the Maryland State Highway Administration*;
- MDOT’s *Standard Specifications for Construction and Materials*;
- USDOT’s *Rails-with-Trails: Lessons Learned Literature Review, Current Practices, Conclusions*;
- The *Maryland Stormwater Design Manual*;
- The *Manual on Uniform Traffic Control Devices*; and
- The International Code Council publications, including the *International Building Code*.

Note: For online references to the design guidelines, see Appendix B – Online References to Guidelines, Policies, and Manuals

Maryland’s stormwater management and erosion and sediment control regulations apply to each project. The project sponsor is responsible for determining and meeting the requirements of any additional regulations relating to the design of approved TEP projects, including local zoning ordinances.

Project sponsors are responsible for obtaining all permits required by federal, state, or local authorities, including but not limited to Erosion and Sediment Control; Stormwater Management, Critical Areas, Joint Permit Application, Tree Permit, Building Permits, Utility Permits, Airport Permit, and Access Permit. An Access Permit from SHA is required for any project that will modify or create new access points to or across any SHA right-of-way.

Failure to meet ADA and other required design standards may jeopardize TEP funding. Project sponsors should contact the TEP Community Design Liaison for general questions regarding design.

NOTE: OBD review is concurrent with the design process and requires a minimum of 5 weeks per submittal.

Bridge or Structure Review

A project that includes the construction of new or the alteration of any existing bridges, retaining walls, boardwalks, large culverts, or foundations to structures or that propose an improvement that may impact an existing SHA structure will require review and concurrence by SHA’s Office of Bridge Development (OBD). The project sponsor should submit a complete set of design plans, specifications, and estimates to OBD when they are approximately 50 percent and 95 percent complete. OBD will review the first submittal (50 percent) for Type, Size, and Location (TSL) of structures, soil boring reports, and foundation design. After the project sponsor addresses OBD’s comments, they must receive OBD’s concurrence before the second submittal at 95 percent. OBD will review the Final and Structural

designs during the second submittal. If the project's complexity warrants, OBD may request separate, independent submittals of necessary design components. For OBD's contact information, see Appendix C – Transportation Enhancement Program Contact Information.

For projects with structures located within the 100-year floodplain, a Scour Analysis Report must be submitted with the TS&L plans. The project sponsor is required to follow SHA's scour studies protocol. A HEC-RAS model should be used for the hydraulics analysis, and that data should be used to complete the scour analysis program – ABSCOUR. The scour report needs to contain the hydrology computations, the hydraulics model, the field survey info, floodplain maps, scour computation, and the scour cross section plot. The process is described in Chapter 11 of the OBD *Hydrology and Hydraulics Design Manual* (See Appendix B – Online References to Guidelines, Policies, and Manuals).

NOTE: The scour analysis requirement cannot be waived.

OBD's review and concurrence of the structural design will be needed prior to requesting SHA approval to advertise.

State Historic Preservation Office (SHPO) Review

Projects that involve any historic site or structure will require a design review by the SHPO, which is MHT in Maryland. This review is in addition to any NEPA requirements.

The project sponsor should submit the design plans to MHT when they are approximately 30 percent complete. Design plans should be developed to a stage where, at a minimum, the location and size of all proposed improvements are shown. However, they should be submitted early enough in the process to allow for requested design changes, if any. Also, MHT must be invited to the Final Review meeting with SHA. For contact information, see Appendix C – Transportation Enhancement Program Contact Information.

Design Build

TEP project sponsors can use a Design Build approach to construct their project. The Design Build method is different from the more typical Design-Bid-Build method in that it shifts the responsibility of completing the final design and construction to a Design Build Team. The advertised design plans for a Design Build project are completed to about the 30 percent stage to establish bidding, product, and construction requirements. For more information on an approach to Design Build projects, please contact SHA's Design Build Coordinator,

see Appendix C – Transportation Enhancement Program Contact Information.

This approach should be carefully evaluated as it may not meet the needs of the project and will require extensive project sponsor participation as the design and construction progress.

Utility Relocations

Project sponsors are responsible for coordinating all necessary utility relocations with the appropriate public or private agency, business, or owner. Utilities relocation should be addressed early in the design phase, as it could affect costs and schedules. A utilities statement should be prepared to document the utilities relocation process. Concurrence of the utilities statement from the SHA District Office that corresponds with the project’s location is needed before project sponsors can request permission to advertise. For more information, contact the Utility Engineer in the appropriate SHA District Office (see Appendix C - Transportation Enhancement Program Contacts).

NOTE: Coordinating utilities relocations is especially important for projects involving an active railroad, as it can be a lengthy process.

If the project would impact utilities within SHA right-of-way, the project sponsor must determine the date that the right-of-way was acquired by the utility company or its installation date, and the date that SHA acquired the right-of-way. If the utility company’s right-of-way ownership or installation preceded SHA’s ownership, the project sponsor is solely responsible for the design and relocation of the utilities. If SHA’s ownership preceded the utility company’s right-of-way ownership or installation, SHA may consider exercising its prior rights and may request the utility company move the utility at the sole expense of the utility company. The latter will be evaluated on a case-by-case basis. For more information on utilities relocation within SHA right-of-way, see SHA’s *Utility Policy* (see Appendix B - Online References to Guidelines, Policies, and Manuals)

Traffic Control Plan

Project sponsors are responsible for preparing a traffic control plan for all projects that will affect vehicular or pedestrian movement during construction. SHA District Office concurrence to the traffic control plan is needed before project sponsors can request permission to advertise.

Additional Approvals and Concurrences

Other SHA approvals and concurrences may be necessary, depending upon the scope of the project. Project sponsors may need:

- The SHA District Office’s approval to construct within or to cross SHA right-of-way, or
- Design exception from SHA if established design guidelines or regulation cannot be met after due diligence.

Consult the TEP Community Design Liaison for more information on design exceptions (See Appendix C – Transportation Enhancement Program Contact Information).

All required SHA reviews and concurrences of all TEP projects must be completed prior to requesting SHA’s approval to advertise.

Specifications Book

NOTE: The state contract and federal identification numbers must be included on the design plans and specifications book.

Project sponsors are responsible for preparing the project’s specifications book, invitation for bids, or project manual. It must include all required permits, approval letters, and specifications required for the construction of the project. The specifications book should contain general provisions; terms and conditions; technical requirements for construction and materials; a bid proposal form; and any other associated project information that may be needed to comply with COMAR, SHA, FHWA, state and other applicable regulations. Specification books are considered a legal document, and it is recommended that project sponsors use the general SHA format – *Standard Specifications for Construction and Materials* – in preparing the specifications book (see Appendix B – Online References to Guidelines, Policies, and Manuals). The specifications book will be used in conjunction with the design plans as the primary source for potential contractors to determine bids for construction. These documents, together with the design plans, comprise the advertisement documents, or contract, that potential bidders will use to develop bids for construction.

PUBLICATION REQUIREMENTS

Project sponsors of projects that will result in any type of publication or program material **must contact the TEP Liaison prior to proceeding with advertising for any service.** All publications are required to comply with the ADA, which prohibits discrimination on the basis of disability.

NOTE: The SHA logo must be included in any publication

All publications or program materials must be reviewed by SHA when they are approximately 30 percent complete. Subsequent SHA reviews and reviews by other agency may be necessary and will vary depending on the type of project.

Step 4 – Final Review Meeting

NOTE: Allow a minimum of 4-5 weeks review time for Final Review participants to review documents. Coordinate SHA invitations with the TEP Community Liaison.

All TEP construction projects are required to have a Final Review meeting. Participants should include key persons on the project sponsor's team, SHA staff with insight on any of the project design, and all other project stakeholders or interested parties, whose participation would not affect the contractor's bidding process. The meeting can be described as a peer review of the proposed design and will provide the last opportunity for SHA and other stakeholders to make comments or edits prior to the submission of a request for approval to advertise. Each page of each document will be reviewed during the meeting. To prepare for this meeting, the project sponsor must submit 15 copies of design plans, specifications book, and engineer's estimate to SHA that represents the proposed advertised document. The documents should be about 90-95 percent complete. Project sponsors are responsible for soliciting reviews of the Final Review package from all non-SHA project stakeholders. All stakeholders should be prepared to discuss project details and offer comments in the Final Review meeting. General topics of discussion include design, the engineer's estimate, constructability, project goals and/or restrictions, contract, advertisement, construction, and future maintenance of the project.

After the Final Review meeting has been held, it is the project sponsor's responsibility to develop and provide a Final Review Report. The report must reflect a summary of all comments, recommendations, and edits presented at the final review meeting, and indicate how each was addressed and resolved by the project sponsor following the meeting.

Step 5 – Advertisement

APPROVAL TO ADVERTISE AND BID PACKET

Project sponsors are required to submit a written request to obtain SHA's approval to advertise. In advertising for bids, project sponsors are soliciting vendors for bids to provide materials or services needed for a project. For projects involving construction, a ready to advertise Plans, Specifications & Estimates (PS&E), or Bid packet, must accompany the request for approval to advertise. It should be completed before it is delivered to SHA. The PS&E Checklist is provided to ensure that the packet is complete and should accompany the packet (see Appendix G – Plans, Specifications, and Estimates Packet Checklist). **Two identical** packets should be sent to the TEP

Community Design Liaison (see Appendix C – Transportation Enhancement Program Contact Information). It takes approximately 4-6 weeks for SHA and FHWA to review completed packets and provide approval to advertise. The PS&E packet must include all of the following information:

NOTE: Incomplete PS&E packets will result in a delay in processing the approval to advertise.

- ✓ **100% Complete Design Plans and Specifications Book**
 - Design plans and specifications book must provide all details necessary to bid on and construct the proposed project.
- ✓ **Engineer’s Estimate itemizing all construction items, anticipated bid cost, and associated funding source**
 - The estimate should be presented in a spreadsheet that lists all construction elements, their quantities, predicted bid unit price, and the total project cost.
 - The estimate should identify what elements will and will not use TEP funding and the amount of funding for each element.
- ✓ **Environmental Permit Form**
 - The form should indicate the status of all required permits on this project.
 - See Appendix E – Transportation Enhancement Program Forms for an example.
- ✓ **Public Awareness letter/documentation**
 - The documents should describe how the public was informed of the proposed construction and the majority position on the project.
 - Letters of support from elected representatives are recommended.
- ✓ **Final Review Report**
 - Report should reflect edits and comments presented at the final review meeting.
- ✓ **Traffic Control Plan concurrence, if applicable**
- ✓ **Utilities Statement concurrence, if applicable**
- ✓ **Design Exception approval, if applicable**
- ✓ **OBD concurrence of structural design, if applicable**
- ✓ **Executed MOU**
- ✓ **FHWA approved PCE, CE, EA, or EIS, which serves as environmental clearance**
- ✓ **Right-of-Way Certification Letter, if applicable**
 - All construction projects require a right-of-way certification letter.
- ✓ **Other SHA approvals and concurrences, if applicable**

NOTE: Any proposed PS&E requirement modification will be made on a case by case basis.

Written approval to advertise will be issued by SHA after all requirements are met and FHWA has obligated federal funds for the individual project. It is very important to note that if a project is advertised prior to this approval, the project sponsor will have to cancel the advertisement, or reject bids and re-advertise in order to

maintain eligibility for reimbursement of federal funds. After the project has received SHA and FHWA approval to advertise, any modifications to the contract must obtain SHA approval prior to issuing the modification or addendum. If approved, addendums have to be provided to all purchasers of bid documents and made a part of the contract document.

If a non-construction project requires advertisement for supplies and services, then the project sponsor must coordinate with the TEP Community Design Liaison before submitting a written request for SHA's approval to advertise. This includes advertisement for services like archeology, publishing, printing, document production, graphic design, etc.

ADVERTISEMENT

SHA must sign-off on the completed advertisement packet before the project is advertised. Afterwards, the project sponsor has to notify the TEP Community Design Liaison of the advertisement date prior to that date. Advertisements for construction bids must be in accordance with state and federal regulations.

All TEP construction projects are required to be advertised for a minimum of 21 calendar days. The advertisement must include project title, SHA and FHWA project numbers, and the project sponsor's contact information. It is required to appear on Maryland's Department of General Services website, www.emarylandmarketplace.com. Additional advertising is encouraged, and options include:

- A newspaper with the primary circulation in a major metropolitan area;
- A newspaper with a local circulation relative to the project's geographic location;
- A newspaper that is certified by MDOT as a MBE; and
- Direct and indirect notices.

NOTE: An award based on a weighted system is not allowed, such as, preference to geographic location of contractor.

Project sponsors are encouraged, but not required, to conduct pre-bid meeting(s) with potential contractors. Attendance at any pre-bid meeting cannot be mandatory, but should be strongly recommended. Records of all pre-bid meetings have to be shared with all plan purchasers and included in the project document.

Project sponsors may also request qualifications from contractors to qualify a bidder prior to opening their price bid. This is usually done when highly specialized work is required. If qualifications are

requested, a two stage sealed bid opening – qualification and price – will be conducted. Qualifications of the contractor must be in a separate envelope, which will be opened prior to the bids.

BID OPENING GUIDELINES

Once the advertisement period is over and bid proposals are received, the project sponsor must conduct a public opening of the sealed bid proposals, which an SHA representative will attend. After all bids are open, the apparent bidder with the lowest responsible, responsive bid must be awarded the contract to construct the project unless the project sponsor must reject all of the bids. It is the project sponsor's responsibility to review and evaluate all bid documents to determine the lowest responsive, responsible bidder, which is the lowest bid submitted in response to an advertisement that conforms to the requirements contained in the specifications book and design plans.

If the project sponsor systematically rejects all bids, the project must be re-advertised. Prior to re-advertisement, project sponsors must submit a written request for SHA's approval. An updated PS&E packet must accompany the written request, as well as copies of rejection letters for the previous bids and justification for those rejections. The updated PS&E packet should:

- Be modified to address the reasons for the rejection of all bids,
- Be modified to improve competitive bidding, and
- Include an outline of all PS&E modifications.

Project sponsors should review **the entire PS&E packet** before resubmitting, because some changes may affect multiple documents. If any modifications significantly affect the approved scope or limit of work, as outlined in the MOU, a scope change must be requested and approved prior to receiving approval to re-advertise.

CONCURRENCE IN AWARD (CIA)

CIA is SHA's written concurrence that the project sponsor followed appropriate state and federal regulation in selecting the contractor and the corresponding bid proposal. Project sponsors must request SHA's CIA after bids have been opened and evaluated, and prior to awarding the contract and issuing the contractor NTP. The project sponsor's written request for CIA should include a package of documents and information for SHA review, which should be sent to the TEP Community Design Liaison (see Appendix C – Transportation

NOTE: SHA requires a minimum of 4 weeks to review the CIA package.

Enhancement Program Contact Information). The CIA request should include the following:

- ✓ **MBE forms 00C44 and 00C45, that document plans to meet or surpass the contract MBE percentage goal**
 - The MBE goals are determined by SHA Office of Construction (OOC) prior to advertisement.
 - Original signatures are required on all MBE forms.
 - If the MBE goal is not met, the contractor is required to demonstrate and document their Good Faith Effort to obtain MBE participation, which must be sent to SHA along with MBE Form 00C45. The project sponsor must then review, verify, and support the contractor's request for a reduction of the MBE goal, the documentation of Good Faith Effort, and the project's affirmative action plan.
- ✓ **Copy of advertisement, as posted**
- ✓ **Copy of contractor-signed bid proposal**
- ✓ **Certified bid tabulation**
 - It should show the bids, by unit price, of all bidders, and information announced or inventoried at the bid opening, such as bid bond.
 - The project sponsor must certify that the document is true and correct.
- ✓ **Certified bid analysis**
 - It should compare and calculate line item cost and the percent difference between the lowest responsive, responsible and the approved engineer's estimate for each bid.
 - The project sponsor must certify that the document is true and correct.
- ✓ **Non-collusion affidavit from bid proposal**
- ✓ **Experience and Equipment Form**
 - Project sponsors should use SHA's standard form.
 - The contractor must get the form notarized.
- ✓ **Bid justification, if applicable**
 - A bid justification letter is required if the contractor's bid is 10% or more greater, or more than 15% less than the approved engineer's estimate.
- ✓ **Request for an exception to contract requirements, if applicable**

NOTE: Failure to comply with any design, advertisement, or concurrence in award requirements could jeopardize federal funding.

Examples of the MBE forms, bid tabulation, bid analysis, experience and equipment form, and bid justification can be found in Appendix H – Concurrence in Award Documents.

NOTICE TO PROCEED (NTP)

Project sponsors may issue NTP to the contractor only after receiving SHA's written CIA. The SHA District Office that corresponds with the project's location should be invited to the pre-construction meeting with the contractor and given a proposed construction schedule. To determine the SHA district that corresponds to each Maryland county, as well as contact information, see Appendix C – Transportation Enhancement Program Contact Information.

Step 6 – Construction

NOTE: If a public event is scheduled for the Project, SHA's Office of Communications must be notified at least thirty (30) days prior to the event.

Project sponsors of projects that require construction, have to contact the SHA District Office prior to commencing construction (see Appendix C – Transportation Enhancement Program Contact Information). The District Office will assign a project engineer to provide general oversight for SHA during construction to assure that the project is adhering to its scope and responsibilities, and ensure that SHA's interests are being addressed. The frequency and depth of the District Office's oversight will vary depending on the scope of the project. The project sponsor may contact the project engineer for questions regarding the type of work that requires a certified inspection, the materials that have to be sampled or tested, and the types of changes that would require a change order.

During construction, project sponsors are encouraged to use the *SHA Office of Construction; Construction Manual*, which reflects the SHA Standards Specifications and current construction practices and techniques. See Appendix B – Online References to Guidelines, Policies, and Manuals.

PRECONSTRUCTION AND CONSTRUCTION MEETINGS

The preconstruction meeting is the responsibility of the project sponsor. Every person or agency with a stake in the project should be invited to the meeting, including the District Office project engineer. The details of construction, including the schedule, are discussed in the meeting.

It is recommended that the project sponsor hold biweekly meetings with the contractor to discuss construction progress. The minutes of all construction progress meetings should be sent to the District Office.

CONSTRUCTION MANAGEMENT, INSPECTION AND MATERIALS TESTING

Project sponsors are responsible for the management, construction inspection, and materials testing of their projects. The construction manager should oversee the project construction, and have the capacity to approve minor modifications to the original design in order to facilitate construction. The project sponsor is responsible for ensuring that the construction inspectors are SHA certified with experience in the type of inspection that they are required to oversee. The materials testing must be done in a SHA certified lab or in the field by an inspector that has been certified by SHA. The SHA District Office may be available for hire to perform inspection services depending on its workload. If this is desired, it is highly recommended that contact with the SHA District Office be made at the Final Review meeting. For contact information, see Appendix C – Transportation Enhancement Program Contact Information.

CHANGE ORDERS

NOTE: Failure to receive SHA approval for change orders could jeopardize TEP reimbursement.

Change orders are required for moderate to significant deviations from the contract. All change orders or extra work orders during construction must be approved by SHA prior to issuance. Change orders should be sent to the District Office for approval. SHA will notify the project sponsor of approval or rejection of change orders in writing. The District Office project engineer may approve emergency change orders by telephone; however, a written change order must be submitted within 14 days.

Change orders may be approved for amounts that exceed the original amount of the contract awarded to the contractor; however, approval of the change order does not imply that the additional construction costs will be reimbursed. The TEP Award cannot be increased after the contractor is awarded NTP.

VI.

Funding Reimbursement and Project Closeout

SHA will reimburse project sponsors for the costs of reimbursable activities up to the award amount specified in the MOU. All additional costs are the responsibility of the project sponsor. For projects involving construction, all approved construction-related activities qualify for reimbursement. For other types of projects, activities that go out to bid, or other activities specified in the MOU, may qualify for reimbursement. SHA will make the final determination of activities eligible for reimbursement. Generally, activities not eligible for reimbursement include

- Activities that are not covered in the MOU,
- Activities not directly related to the execution of the project, and
- Unapproved project changes.

The project sponsor must ensure that at least 20% of the construction costs are paid in cash, in order to meet their cash match requirement. Payment of the contractor is the responsibility of the project sponsor, and project sponsors will be reimbursed for eligible work completed and materials installed. If the construction includes in-kind services, it will be considered soft match. The project sponsor has to confirm in writing that the in-kind services have been provided or performed, and certify the reasonable monetary value.

In the event the District Office provides construction-related services for the project (e.g., construction inspection, materials testing, etc.), either the TEP funding award amount will be reduced by the amount incurred by the District Office equal to the monetary value of the construction-related services or the costs will be billed to the project sponsor depending on the terms of the MOU and/or a separate letter of agreement for services with the SHA District Office.

Project sponsors can be reimbursed for up to 50 percent of the total project costs or 80% of the total construction-related or eligible costs, provided the amount does NOT exceed the approved TEP award. Project sponsors must provide all remaining funds. Their total match must be at least 50 percent of the project costs, and the cash match must be at least 20 percent of the construction-related or other eligible costs.

Project sponsors may begin requesting funding reimbursement from SHA after making the initial payment to the contractor. Unless it is a small project, project sponsors should not wait until the end of the project to request a reimbursement. At a minimum, SHA prefers that

project sponsors request reimbursement on a quarterly basis. Reimbursement requests should be submitted on the official SHA invoice entitled Transportation Enhancement Program Reimbursement Request Invoice, which can be found in Appendix E – Transportation Enhancement Program Forms. Project sponsors should submit invoices to the appropriate SHA District Office project engineer. Each invoice must include documentation of all work completed and proof of payment to all contractors. Copies of the contractor’s bill to the project sponsor and the project sponsor’s cancelled checks or official accounting records that show payment amounts and recipients are preferred. The invoices must include documentation of all project costs that will be used as match. Invoices should contain sufficient documentation of actual expenses of items and tasks.

Unless other arrangements are approved in advance, each invoice should reflect 50 percent of the cumulative project costs, which will ensure that the project sponsors are going to meet their total match requirements. Twenty percent of the total documented match must be cash towards eligible activities. If ALL match requirements have been satisfied, **project sponsors may request up to the match amount, as long as the award amount is not exceeded.** SHA will retain five percent of the TEP award until SHA receives and approves the closeout package. Therefore, project sponsors may not be able to submit a final invoice to request reimbursement for the full award amount until the closeout package is approved.

Reimbursement Example

In the following example, the estimated project cost is \$1,500,000, and the TEP funding award is \$750,000. The table shows the costs documented in each invoice and amount requested for reimbursement per invoice.

TABLE 8 - Funding Reimbursement Example

Project Name: Example Project							Totals
Enhancement Award :							\$750,000
Sponsor Matching Requirement:							\$750,000
Sponsor Cash Match Requirement:							\$187,500
Invoice	Date	Total Invoice Amount	Reimbursement Request	Cash Match	Soft Match	Total Match	
1	01/01/2006	440,000.00	220,000.00	70,000.00	150,000.00	220,000.00	
2	03/01/2006	540,000.00	270,000.00	240,000.00	30,000.00	270,000.00	
3	05/01/2006	420,000.00	210,000.00	120,000.00	90,000.00	210,000.00	
Final	07/01/2006	62,500.00	12,500.00	48,000.00	2,000.00	50,000.00	
After Closeout	09/1/2006	37,500.00	37,500.00	0.00	0.00	0.00	
Totals		\$1,500,000	\$750,000	\$487,000	\$272,000	\$750,000	
5% Retainage (to be reimbursed pending Close-out)							\$37,500
Remaining Award							\$0.00
Remaining Match							\$0.00

Project sponsors should keep in mind the following items that were covered earlier:

- Reimbursement cannot exceed 80% of the total construction costs.
- The award amount does not automatically increase, even if the actual project costs exceed the estimated project costs.
- Reimbursement will not exceed the match.
- The award amount will be reduced proportionally if the actual project costs are lower than the estimated project costs. The project sponsor will be provided an opportunity to discuss any award reductions.

SHA should send payment to the project sponsor within 30 days following receipt of each invoice, provided:

- The invoice contains all necessary information for processing,
- No charges are disputed by SHA,
- The payment of the invoice does not cause the award to be exceeded, and
- The invoice does not cause the award amount to exceed the required actual match amount. **Note:** In the event the match is decreased, resulting in the match being less than the award, the award will be reduced to equal the match.

NOTE: Prior to the final payment of the award by SHA, the project sponsor must certify the actual amount of the match and that the match has been satisfied.

Project sponsors are expected to complete the project as delineated in the application, the MOU, and approved scope changes, or they could risk jeopardizing TEP funds for the current and future projects.

Project Closeout

In order to receive the last 5 percent of the reimbursable TEP funds, project sponsors will need to provide documentation to SHA that the project has been completed in accordance with the contract documents, the MOU, any approved change orders, and applicable state and federal regulations. This documentation must be included in a final closeout package along with the project sponsors final reimbursement request for approved project expenses.

Project sponsors must contact the appropriate District Office to find out what documentation will be required for the closeout package, which is likely to include at least the following:

- Summary of project costs and reimbursements to date;
- Invoice requesting reimbursement of any remaining TEP funding, including the 5 percent retainage;
- Any necessary back-up documentation of work completed and/or proof of payment to contractors;
- Any remaining documentation of match;
- Inspection and materials testing reports
- The final, signed American Institute of Architects Documents G702 and Document G703; and
- A certification signed and stamped by the contractor and the project sponsor as follows:

I/We certify that the subject project was completed in reasonable conformance to the advertised plans and specifications, using materials of equal or greater quality than specified in the advertised documents. I/we also certify to the workmanship of the project and that all advertised activities have been accomplished, unless written approval for modifications have been requested of and received from SHA. As of the date of this certification, any additional work and or maintenance on this project will be the sole responsibility of the project sponsor, or other entity as specified in the Memorandum of Understanding.

Project sponsors must forward the completed closeout package to the District Office. The District Office will forward the approved package to SHA headquarters for reimbursement.

Upon receipt and approval of the closeout package, SHA will reimburse any remaining funds to the project sponsor within 30 days. SHA will incur no additional responsibility for reimbursement of TEP

funds after the project closeout package has been accepted and processed.

GLOSSARY

Abandoned Railway Corridor	A railroad corridor that has been given abandonment authorization by the federal government and has been physically abandoned by state law
Actual Project Costs	The cost to develop and complete the project, which is determined after the project has been completed based on payments for goods and services
Acquisition (of right-of-way)	Obtaining right-of-way by transferring ownership through fee simple purchase or a permanent easement
Advertisement	The public announcement inviting bids for work to be performed and/or materials to be furnished
Americans with Disability Act (ADA)	The Americans with Disabilities Act gives civil rights protections and guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications.
Appraisal	An unbiased estimate of the nature, quality, value, or utility of an interest in or aspect of identified real estate
Archeology	The scientific study of material remains (as fossil relics, artifacts, and monuments) of past human life and activities
Award	For Transportation Enhancement Program projects, the amount of TEP funds allocated for a project. The award cannot exceed fifty percent of the actual project costs.
Bid	A statement of price, terms of sale, and description of the supplies, services, construction, or construction-related services offered by a contractor or company in response to an advertisement and invitation for bids
Bid Bond	
Bid Package	Also referred to as a PS&E Package; A collection of information that project sponsors must submit to SHA in order to obtain approval to advertise
Calendar Day	Every day shown on the calendar including Saturdays, Sundays, and holidays
Cash Match	The portion of the project sponsor's match that is cash and can only fund construction or other eligible activities. The cash match cannot include any in-kind services or funding from FHWA or MDOT.
Change Order	A written order to identify changes in the design of a project that are beyond the scope of the contract, which must also establish the costs and time adjustments for the work affected by the changes; change orders may result in cost increases or decreases
Concurrence in Award	SHA's written notice to the project sponsor indicating that SHA agrees with the project sponsor's intent to award the contract to the lowest responsive, responsible bidder based on the information supplied

Construction	The process of building, altering, repairing, or improving any structure or building, or other improvement to real property
Contract	(1) The written agreement between the project sponsor and a contractor setting forth the obligations of the parties, including, but not limited to, the performance of the work, the furnishing of labor and materials, and the basis of payment. (2) For construction projects, the contract includes the specifications manual, or invitation for bids, and detailed plans that are required to complete the construction of the work in an acceptable manner
Contractor	The individual, firm or corporation that is awarded a contract for the performance of the work or provision of services
Critical Area	All lands and waters defined in Section 8-1807 of the Natural Resources Article, Annotated Code of Maryland, including (1) all waters of, and lands under the Chesapeake Bay and its tributaries to the head of tide as indicated on the state wetlands maps, and all state and private wetlands and (2) all land and water areas within 1000 feet beyond the landward boundaries of state and private wetlands and the heads of tides
Deed	Written instrument by which the ownership of interests in land is transferred from one entity to another
Design Build	A project method in which the agency or owner holds a single contract with a contractor for both the design and construction of a project based on well-developed conceptual design and parameters.
Design Exception	A project design elements that fails to satisfy criteria as set forth in as policy and applicable design standards.
Design Plans	The plan view, profiles, typical cross sections, standard construction drawings, working drawings and supplemental drawings, which show the location, character, dimensions, and details of the work to be constructed
District Office	SHA has designated seven engineering districts in Maryland. The mission of the district office is to provide the traveling public with a safe highway system, and district engineers are responsible for overseeing all areas of district operations, which include traffic, construction, maintenance, engineering systems, right-of-way, and utilities. The district offices are located in Salisbury, Chestertown, Greenbelt, Brooklandville, Annapolis, LaVale, and Frederick
Easement	A property right held by one person to make specific, limited use of land owned by another person. An easement is granted by the owner of the property for the convenience, or ease, of the person using the property
Fee Simple	Full ownership of real estate in which the owner has the right to control, use, and transfer the property at will
Hard Match	See cash match

Historic Building, Site, or Property	A district, site, building, structure or object significant in American history, architecture, engineering, archeology or culture at the national, State, or local level that is on or eligible for the National Register of Historic Places
Historic Highways	A highway or highway bridge on or eligible for the National Register of Historic Places
Historic Preservation	The theory and practice of creatively maintaining the historic built environment applying measures necessary to sustain the existing form, integrity, and materials of the historic property
In-Kind Service	A donation of a service or an item
Intermodal Transportation System	A network of various modes of transportation
Invitation for Bids	See Specifications Book
Maintenance	Necessary care and management of equipment and operations to retain proper conditions; upkeep
Match	The project sponsor's contribution (cash and in-kind donations) toward activities directly related to the project costs; the match must be at least 50% of the funding for those project activities that qualify for funding, and must include a cash component of at least 20% of the construction costs
Memorandum of Understanding	A legal document outlining the terms and details of an agreement between parties, including each parties requirements and responsibilities
Metropolitan Planning Organization (MPO)	A transportation policy-making organization for urbanized areaa with a population greater than 50,000 made up of representatives from local government and transportation authorities. Maryland has six MPOs.
Mitigation	The reduction, or compensation for, the negative impact an action may have on a rare, threatened, and endangered species or a sensitive habitat
National Environmental Policy Act (NEPA)	An act that establishes a national policy for the environment, provides for the establishment of a Council on Environmental Quality, and for other environmental purposes; NEPA requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions
National Register of Historic Places	Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our historic and archeological resources; listed properties include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture
Notice to Proceed	A written notice to the contractor of the date on or before which he shall begin the work to be done under the contract

Option Contract	Legal agreement that stipulates that a party has the option to acquire right-of-way for an agreed upon amount within a specified period of time, as well as any other agreed upon provisions
Permits	Document, issued by a governmental regulatory authority, that allows some specific actions
Pre-bid Meeting	A meeting that provides contractors with pertinent information regarding the project sponsor's expectations, as well as the contractor's, in order to allow everyone involved a better understanding of what is expected
Project Manual	See Specifications Book
Project Sponsor	The agency or individual that assumes the responsibility to fund, execute, and maintain a TEP project, as well as assumes the legal liability for the project for the duration of its useful life
Plans, Specifications & Estimate (PS&E) Package	Also referred to as a Bid Package A collection of information that project sponsors must submit to SHA in order to obtain approval to advertise
Rare, Threatened, and Endangered Species	Animal or plant populations that are threatened by changing environmental or predation parameters and are so few in number that they are at risk of becoming extinct
Rehabilitation	The act of restoring to good condition and/or operation
Responsive, Responsible Bid	A lowest bid submitted in response to an advertisement that conforms to the requirements contained in the Invitation for Bids and design plans
Right-of-Way	(1) Land, property, or interest therein usually in a strip, acquired for or devoted to transportation purposes, (2) The right to pass across the lands of another
Scenic Byway, National	A road recognized by the USDOT for its archeological, cultural, historic, natural, recreational, and/or scenic qualities.
Scenic Byway, State	A byway designated by the MDOT as scenic with historical, cultural, natural, archaeological, and/or recreational qualities that promote Maryland's unique heritage.
Scenic Highways	See Scenic Byway
Scour Analysis	An analysis of erosive action of flowing water, excavating and carrying away material from bed and banks of streams and other waterways, which must be done in accordance with Chapter 11 Maryland State Highway Administration Office of Bridge Design Hydrology and Hydraulics Design Manual and Software
Soft Match	A portion of the project sponsor's match that consists of all costs prior to the construction or development of the project, as well as any in kind services or donations contributed to the project and other federal funding

Specifications Book	Also referred to as the Invitation for Bids or Project Manual; A compilation of all required permits, approval letters, specifications, and technical requirements for construction and materials required for the construction of the project
State Historic Preservation Office (SHPO)	Established by the National Historic Preservation Act of 1966 as an agency within each state government charged with enforcing the provisions of the Act
Streetscape	The view along a street, especially of the natural and man-made elements in or near the street right-of-way, including street trees, lawns, landscape buffers, signs, street lights, above-ground utilities, drainage structures, sidewalks, bus stop shelters and street furniture
Surface Transportation	All elements of the intermodal transportation system including water and water-related features, while excluding airports or anything airport-related
Trailhead	The beginning point of a trail usually intended for walking and/or bicycling. Major trailheads often contain rest rooms, trash receptacles, bicycle racks, signposts and distribution centers for informational brochures about the trail and its features, and parking areas for vehicles and trailers.
Transportation Enhancement Program (TEP)	A federal-aid surface transportation program that provides reimbursable funding in support of transportation-related, community projects designed to strengthen the intermodal transportation system.
Useful Life	An estimation of the period of time over which a project will be of value or use, or provide its intended service
Viewshed	The landscape or topography visible from a geographic point, especially that having aesthetic value
Visitor Center	Also referred to as a Welcome Center; A place where travelers and visitors can get information on roads, transit area attractions, lodging, maps, and other items relevant to tourism
Welcome Center	See Visitor Center

APPENDIX A

Transportation Enhancement Program Application and Checklist

**MARYLAND DEPARTMENT OF TRANSPORTATION (MDOT)
TRANSPORTATION ENHANCEMENT PROGRAM (TEP) APPLICATION**

GENERAL INSTRUCTIONS: Projects sponsors seeking Transportation Enhancement Program funding for eligible projects must complete this application for consideration. While completing this application, refer to **Chapter IV – Transportation Enhancement Application Instructions in the MDOT *Transportation Enhancement Program Manual*** for explanations and other supplementary information that will assist in completing the application.

TECHNICAL INSTRUCTIONS: As information is inserted into each text field, the size and format of the text field will automatically adjust to the length of the new information. To check a checkbox, click the box using the mouse.

Applicant Submission Date: _____

Section 1 APPLICANT INFORMATION

Applicant: _____
Address: _____
City: _____ **State:** _____ **Zip:** _____
Contact Person: _____ **Title:** _____
Phone: _____ **E-mail:** _____

Project Sponsor (if different from Applicant): _____
Address: _____
City: _____ **State:** _____ **Zip:** _____
Contact Person: _____ **Title:** _____
Phone: _____ **E-mail:** _____

Section 2 GENERAL PROJECT INFORMATION

Project Title: _____
Project Location:
County: _____ **City:** _____
MD Legislative Districts: _____ **Project Length/Area:** _____
Project Limits: _____
Metropolitan Planning Organization (MPO):
 National Capitol Region Transportation Planning Board
 Baltimore Regional Transportation Board
 Cumberland Metropolitan Planning Organization
 Hagerstown/Eastern Panhandle Metropolitan Planning Organization
 Salisbury Metropolitan Planning Organization
 Wilmington Metropolitan Area Planning Coordinating Council

Section 3 TRANSPORTATION ENHANCEMENT ELIGIBILITY

Each project must meet the criteria of one of the following qualifying categories and relate to surface transportation. Check the category that best addresses the proposed project. For detailed requirements for each qualifying category, see the MDOT *Transportation Enhancement Program Manual*, Chapter II – Transportation Enhancement Program Eligibility.

- Provision of facilities for pedestrians and bicycles
- Provision of safety and educational activities for pedestrians and bicyclists
- Acquisition of scenic easements and scenic or historic sites, including historic battlefields
- Scenic or historic highway programs, including the provision of tourist and welcome centers facilities
- Landscaping and other scenic beautification
- Historic preservation
- Rehabilitation and operation of historic transportation buildings, structures, or facilities, including historic railroad facilities and canals
- Preservation of abandoned railway corridors, including the conversion and use of the corridors for pedestrian or bicycle trails
- Inventory, control, and removal of outdoor advertising
- Archeological planning and research
- Environmental mitigation to address water pollution due to highway runoff or to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity
- Establishment of transportation museums

What is the project’s relationship to Maryland’s Intermodal Transportation System? Briefly explain:

- the function, or service, the project would provide for pedestrians and travelers;
- the proximity of the project to the existing intermodal transportation system; and/or
- the impact of the project on the existing intermodal transportation system or its users.

Section 4 DETAILED PROJECT DESCRIPTION

Describe all work necessary for the project by filling in the requested information. The information presented here will be used to determine the project’s eligibility or readiness for Transportation Enhancement Program funding, to evaluate its consistency with the program rules, and to make ranking decisions. These items pertain to most proposed projects, regardless of the eligibility category.

- a) Purpose and goals of the project – _____

- b) Background information of the project – _____

- c) Detailed description of the project scope – _____

- d) Identification of customers – _____
- e) Past, Current, and Intended uses of the project site – _____

- f) Project enhancements to the regional transportation system – _____

- g) Benefits that the project would provide to the community, including economic, tourism, recreational, historic, environmental, scenic, and/or cultural – _____

- h) Project activities already underway or completed (project design, right-of-way, and/or related construction) – _____

- i) Proposed project activities eligible for TEP funding – _____

j) Specific activities proposed for TEP funding, if applicable – _____

k) Description of how Americans with Disabilities Act requirements will be met – _____

l) Related programs, studies, or construction projects in the vicinity, planned or on-going – _____

m) Possible negative consequences if the right-of-way needs are not met – _____

n) Other necessary project information – _____

Please Note: Additional category-specific questions and/or information **must** be addressed below. See the Chapter IV – TEP Application Process in the *Transportation Enhancement Program Manual* for the questions that apply to projects in each qualifying category.

a) _____

b) _____

c) _____

d) _____

e) _____

f) _____

g) _____

h) _____

i) _____

j) _____

k) _____

l) _____

m) _____

n) _____

Does this project require professional consultant or contractor services? Yes No.

If so, list the type of services required and the corresponding activities. _____

What will be the useful life of the project? _____

What is the maintenance plan for the completed project? Include the agency responsible for the continued maintenance of the project and the anticipated maintenance and staffing needs over the economic or useful life of the project. _____

ATTACH or INSERT PROJECT LOCATION MAP

If appropriate, please provide an 8 ½ x 11 map of the project area showing as many details of the project as possible. The map must have a north arrow, scale, and title of the project. It should clearly show the project location, property lines, public facilities, state roads, and any other relevant information. **Map must clearly identify the proposed project site with beginning and ending points.**

Section 5 PROJECT EFFECTS

Identify the environmental impacts of the proposed project by completing the environmental review checklist below. Describe how the proposed project would impact any applicable environmental resources.

IMPACT		ENVIRONMENTAL RESOURCE	DESCRIPTION OF IMPACT
Yes	No		
<input type="checkbox"/>	<input type="checkbox"/>	Agricultural lands	
<input type="checkbox"/>	<input type="checkbox"/>	Recreational or Parklands	
<input type="checkbox"/>	<input type="checkbox"/>	Historic sites - archeological areas or standing structures	
<input type="checkbox"/>	<input type="checkbox"/>	Wetlands or Waters of the US	
<input type="checkbox"/>	<input type="checkbox"/>	Floodplains	
<input type="checkbox"/>	<input type="checkbox"/>	Forests	
<input type="checkbox"/>	<input type="checkbox"/>	Critical Areas/Coastal Zones	
<input type="checkbox"/>	<input type="checkbox"/>	Endangered Species	
<input type="checkbox"/>	<input type="checkbox"/>	Hazardous Waste Sites/ Hazardous Materials	
<input type="checkbox"/>	<input type="checkbox"/>	Inconsistency with Local Development Plans	
<input type="checkbox"/>	<input type="checkbox"/>	Community Cohesion/ Quality of Life/Displacements	
<input type="checkbox"/>	<input type="checkbox"/>	Air quality	
<input type="checkbox"/>	<input type="checkbox"/>	Noise	
<input type="checkbox"/>	<input type="checkbox"/>	Economic	
<input type="checkbox"/>	<input type="checkbox"/>	Other	

Would the proposed project have any environmental, historic, scenic, and/or economic benefits? If so, please explain. _____

Would the proposed project impact any utilities? If so, please list the owners and describe the impacts. _____

Would drainage patterns be altered as a result of this project? If so, please describe. _____

How would the project benefits be measured? _____

Section 6 PROJECT DESIGN STATUS

All proposed projects that require construction activities, research, or publications must complete this section. Projects that would not require design like the Acquisition of Scenic Easements or the Inventory, Control, and Removal of Outdoor Advertising, may skip this section.

If the project will result in a publication, what activities have begun and what is the status?

If the project involves environmental mitigation or the construction, rehabilitation, or preservation of a structure, approximately what percentage of the design plans is complete? See the Tables 2 and Table 3 in Chapter IV – TEP Application Process of the Transportation Enhancement Program Manual to help determine the status of the construction plans.

- | | |
|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> 0 percent | <input type="checkbox"/> 60 percent |
| <input type="checkbox"/> 15 percent | <input type="checkbox"/> 90 percent |
| <input type="checkbox"/> 30 percent | <input type="checkbox"/> 100 percent |

What agency is responsible for designing the project? _____

Was the design consultant obtained using the federal process?

- No Yes Unknown

Fill in the table to indicate the status of each type of design required for the project.

Yes	No	N/A	Design Type	Status of Design
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project development/ Preliminary design	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pedestrian trail design	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Structural design	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Foundation design	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Landscape design	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mitigation design	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stormwater Mgmt design	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Maintenance of traffic	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other	

Include one full scale set of the most recent design plans.

Section 8 PROJECT SCHEDULE

The following tables are provided as guides to developing a realistic project schedule. Use the first table as a guide for projects that would require construction, use the second table for right-of-way projects, and use the third table for other kinds of non-construction projects. Insert realistic dates for each proposed project milestone in month-day-year format. Do not use seasons or number of months from a start date. SHA monitors projects based on these activities and dates.

For construction projects, insert estimated start and complete dates for each applicable milestone. If the proposed project would require a milestone not listed on the table, it may be inserted at the end of the table. See Chapter IV – Transportation Enhancement Application Instruction in the *Transportation Enhancement Program Manual* for more information regarding milestones.

TABLE 1 – Construction Projects

Milestone	Anticipated Time Frame	Expected Start Date	Expected Completion Date
TEP funding award letter	4 months after Application Submittal		
Project kickoff meeting	2 months after TEP funding award letter		
Design	Varies by project, maybe on-going after application submission		
Memorandum of Understanding Process	4 months after kickoff meeting		
Environmental or NEPA Documentation	4 months to obtain environmental clearance		
Right-of-way acquisition	Varies by project		
Right-of-Way Certification	2-4 weeks after right-of-way acquisition		
Scour Analysis	4-5 weeks for SHA review		
TS&L & Foundation Design review	4-5 weeks for SHA review		
Structural plans and Final Design review	4-5 weeks for SHA review		
Final review (95% plans, specifications, & estimates)	4 weeks for SHA review		
Final review meeting	Anytime following SHA final review		
Obtaining permits	Varies by permit		
Request to Advertise & 100% Plans, Specifications, and Estimates (PS&E) submittal to SHA	5 weeks for review; additional time may be required if the submittal is incomplete		
Advertisement for construction	21 calendar days minimum; within 24 months of TEP funding award letter		
Bid Opening	3-4 weeks after advertisement date		

TABLE 1 – Construction Projects

Milestone	Anticipated Time Frame	Expected Start Date	Expected Completion Date
Concurrence in Award package submission to SHA	1 month after Bid Opening; 4-5 weeks for SHA review		
Notice to Proceed for construction	Varies by project, but a reasonable estimate is required		
Expected duration of construction	Varies by project, but a reasonable estimate is required		
Project Closeout	Varies by project, but a reasonable estimate is required		

TABLE 2 – Right-of-Way Projects

Milestone	Anticipated Time Frame	Date Started	Date Completed
TEP funding award letter	4 months after Application Submittal		
Project kickoff meeting	2 months after TEP funding award letter		
Memorandum of Understanding Process	4 months after kickoff meeting		
Environmental or NEPA Documentation	4 months to obtain environmental clearance		
Request obligation of federal funds	Varies by project, but a reasonable estimate is required		
Appraisal	Up to 4 months, varies by project		
Appraisal review	Up to 2 months, varies by project		
Negotiations	May begin after Environmental Clearance; time frame varies by project, but a reasonable estimate is required		
Maryland Board of Public Works approval (if state agency other than SHA)	Varies by project, but a reasonable estimate is required		
Agreement/Settlement	Varies by project, but a reasonable estimate is required		
SHA review of paperwork	1 week for SHA review		
Project Closeout	Varies by project, but a reasonable estimate is required		

TABLE 3 – Other Non-Construction Projects

Milestone	Anticipated Time Frame	Date Started	Date Completed
TEP funding award letter	4 months after Application Submittal		
Project kickoff meeting	2 months after TEP funding award letter		
Memorandum of Understanding Process	4 months after project kickoff meeting		
Environmental or NEPA Documentation	4 months to obtain environmental clearance		
Right-of-Way Acquisition	Varies by project		
Development of training, publication, or promotional materials	Varies by project, but a reasonable estimate is required		
Research publication or training	Varies by project, but a reasonable estimate is required		
Project Closeout	Varies by project, but a reasonable estimate is required		

Section 9 PROJECT COSTS

See the Transportation Enhancement Program Manual, Chapter IV – Application Instructions for Transportation Enhancement Program funding requirements.

Funding Summary:

- A. Proposed project’s Total Costs? \$ _____
- B. TEP Funding request? \$ _____
- C. Total Project Sponsor Cash Match? \$ _____
- D. Total Project Sponsor Match? \$ _____

List all sources and amounts of the Local Match.

SOURCE	AMOUNT
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$

Attach any financial commitment letter to the application and all engineering or other professional estimates. Engineering Estimates should be included as an attachment.

Use the first table for all projects involving construction, and the second table for all other projects. Itemize ALL project activities and costs as they count towards the total project costs. The types of activities on the following schedule will vary and can be modified for specific projects, but the general format should be followed. Be sure to have as complete and accurate a cost estimate as possible for all phases of the work.

NOTE: More advanced projects with very detailed cost estimates should only list the major activities on this table, but should include the details in the Engineer’s Estimate appendix.

TABLE 1 – CONSTRUCTION PROJECTS

ACTIVITIES/ITEMS	TOTAL COSTS	TEP FUNDING	CASH MATCH	SOFT MATCH
NON-CONSTRUCTION ACTIVITIES				
Project Development Activities		---	---	
Right-of-Way Acquisitions		---	---	
Design Activities		---	---	
Environmental Studies		---	---	
Advertising & Contracts		---	---	
Equipment/Other Soft Costs		---	---	
Permits		---	---	
Subtotal Non-Construction Items		---	---	
CONSTRUCTION RELATED ACTIVITIES				
Mobilization				
Project Management				
Construction Activities (see the TEP Application Instructions for examples of construction related activities)				
Total Construction Related Costs				
Contingencies				
Project Inspections				
Materials Testing				
Construction Management				
Total Contingency, Inspection, Materials Testing, & Management				
TOTALS (PROJECT COSTS, TEP FUNDING AND MATCH)				

TABLE 2 – NON-CONSTRUCTION PROJECTS			
ACTIVITIES/ITEMS	TOTAL COSTS	TEP FUNDING	MATCH
Project Development Activities			
Research			
Product Development/ Publication			
Equipment			
Training			
Right-of-Way Acquisitions (for Acquisition of Scenic Easements and Scenic or Historic Sites Category)			
Other Costs			
Subtotal Project Costs			
Contingencies			
Project Management			
Subtotal Contingency & Management			
TOTALS (PROJECT COSTS, TEP FUNDING AND MATCH)			

Section 10 PROJECT SUPPORT

Describe all public participation to date on and what has been done to obtain public and community/organizational support. _____

Describe local government support and commitments for the proposed project.

Describe how the project fits within local adopted master plans and specific goals of other organizations and local government agencies. Also, note if the project listed is in any official planning documents. _____

Are all appropriate MPO representatives and local, state, and federal elected officials aware of the proposed project? Do they support the project? _____

Is the proposed project in the MPO's Transportation Improvement Program? _____

Is there any known opposition to the proposed project? _____

Will the project help support or is it supported by other community projects? _____

Attach letters of support from elected officials and the MPO transportation representatives or any support or commitment letters from financial partners, local government officials, community groups, regional organizations, and/or state agencies. A letter from the Chief Elected Official prioritizing potential TEP projects in their jurisdiction is required.

Attach evidence of public involvement, such as informational brochures, public meeting minutes, or newspaper articles.

Section 11 ATTACHMENTS/APPENDICES

Please provide any necessary supplemental information in separate appendices. The following attachments are required for all proposed projects:

- Project location maps and/or photographs
- Financial commitments
- Letters of support, including letter from the Chief Elected Official of the jurisdiction
- Evidence of public/community involvement
- Drainage area mapping (mitigation projects only)
- Management Plan (historic battlefield projects only; draft form is acceptable)

Other acceptable appendices include:

- Project plan sheets (on a separate roll)
- Engineer's estimate
- Property ownership information
- Structural evaluations and/or reports
- Environmental evaluations and/or reports
- Historical documentation, evaluations, and/or reports
- Project renderings

Section 12 APPLICATION SUBMISSION

Transportation Enhancement Program application packages should be submitted between January 1 and March 1 of each calendar year. Please refer to the following checklist to help ensure that your application package is complete.

Submit an unbound copy of the completed application package, as well as 15 bound copies to:

Mr. Dennis Yoder
Enhancement Program Manager
Regional and Intermodal Planning Division
Maryland State Highway Administration
Mail Stop C-502
Baltimore, MD 21202

Please address any questions regarding the application submittal process to:

Ms. Mary Keller
410.545.5653 (phone)
410.209.5025 (fax)
mkeller@sha.state.md.us

APPLICATION CHECKLIST

The following checklist should be used to ensure that your application package is complete.

YES	NO	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project is sponsored or co-sponsored by a public agency
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project is eligible for TEP funding (review the TEP Manual or the TEP Application Instructions for detailed eligibility guidelines of each TEP category)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is a clear relationship to surface transportation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected historic sites are listed on or eligible for the National Register of Historic Places
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The SHPO was informed of all projects involving historical sites
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project location mapping, project boundary mapping, and/or photographs are included
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Effects on environmental resources and utilities were identified
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All project elements are represented in the project cost list
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cost estimates are complete and accurate for all project elements
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The dates for each project milestone are realistic
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The advertisement date is no more than 24 months after the TEP award date
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	At least 30% design plans, for construction projects, are included
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All sources for matching funds and amounts are listed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ownership of all right-of-way and, if property is to be acquired, the value of the property is identified
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Letter of support for the project are included
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Documentation of public/community involvement is included
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Long-term maintenance plan is established and included
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project conforms to the ADA
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Potential project problems were taken into account i.e., asbestos abatement, hazardous wastes, right-of-way acquisition issues.

APPENDIX B

Online References to Guidelines, Policies, and Manuals

- AASHTO Guide for Development of New Bicycle Facilities
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
- Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation
- Outdoor Advertising Control (23 CFR 750 Subpart G)
- Rails with Trails Lessons Learned: Literature Review, Current Practices, Conclusions
- Maryland Stormwater Design Manual
- Manual on Uniform Traffic Control Devices
- International Building Code
- National Environmental Policy Act
- National Historic Preservation Act – Section 106
- Section 7 of the Endangered Species Act
- United States Department of Transportation Act – Section 4(f)
- Clean Water Act – Section 404
- Chesapeake Bay Critical Area Act
- Americans with Disabilities Act
- Americans with Disabilities Act Accessibility Guidelines
- Accessibility Policy & Guidelines for Pedestrian Facilities Along State Highways
- Hydrology and Hydraulics Design Manual
- Standard Specifications for Construction and Materials
- SHA Office of Construction; Construction Manual

GUIDANCE, POLICY, or MANUAL	ONLINE REFERENCE
Accessibility Policy & Guidelines for Pedestrian Facilities Along State Highways	http://www.sha.state.md.us/businessWithSHA/bizStdsSpecs/ohd/ada/adafinal.pdf
American Association of State Highway and Transportation Officials' Guide for Development of New Bicycle Facilities	https://bookstore.transportation.org/item_detail.s.aspx?ID=104 – available for a fee
Americans with Disabilities Act	http://www.usdoj.gov/crt/ada/
Americans with Disabilities Act Accessibility Guidelines	http://www.access-board.gov/adaag/html/adaag.htm
Chesapeake Bay Critical Area Act	http://www.dnr.state.md.us/criticalarea/
Clean Water Act – Section 404	http://www.epa.gov/owow/wetlands/regs/sec404.html http://www.wetlands.com/regs/sec404fc.htm
Hydrology and Hydraulics Design Manual	http://www.gishydro.umd.edu/sha_soft.htm
International Building Code	http://www.iccsafe.org/e/category.html - available for a fee
Manual on Uniform Traffic Control Devices	http://mutcd.fhwa.dot.gov/index.htm
Maryland Stormwater Design Manual	http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/stormwater_design/index.asp
National Environmental Policy Act	http://environment.fhwa.dot.gov/projdev/pd2implement.asp
National Historic Preservation Act – Section 106	http://www.achp.gov/work106.html
Outdoor Advertising Control (23 CFR 750 Subpart G)	http://www.fhwa.dot.gov/legregs/directives/cfr23toc.htm
Rails with Trails Lessons Learned: Literature Review, Current Practices, Conclusions	http://www.fhwa.dot.gov/environment/retrails/rwt/toc.htm
Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation	http://www.cr.nps.gov/hps/tps/tax/rhb/stand.htm

GUIDANCE, POLICY, or MANUAL	ONLINE REFERENCE
Section 7 of the Endangered Species Act	http://www.fws.gov/endangered/consultations/s7hndbk/s7hndbk.htm
SHA Office of Construction; Construction Manual	http://www.sha.state.md.us/businessWithSHA/bizStdsSpecs/ooc/CONMANFNL.PDF
SHA Utility Policy	http://www.sha.state.md.us/businesswithsha/bizStdsSpecs/desManualStdPub/hardcopyPubInfoOrdering/ooc/UtilityPolicy.pdf
Standard Specifications for Construction and Materials	http://www.sha.state.md.us/businesswithsha/bizStdsSpecs/desManualStdPub/publicationsonline/ohd/specifications.asp
Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970	http://www.fhwa.dot.gov/realestate/act.htm
United States Department of Transportation Act – Section 4(f)	http://environment.fhwa.dot.gov/projdev/pd5sec4f.asp

APPENDIX C

Transportation Enhancement Program Contact Information

- Transportation Enhancement Program Manager
- Transportation Enhancement Program Liaison
- Transportation Enhancement Program Community Design Liaison
- Transportation Enhancement Program NEPA Liaison
- Transportation Enhancement Program Right-of-Way Liaison
- State Historic Preservation Office
- Maryland Department of Transportation Bicycle Coordinator
- State Highway Administration Office of Communication
- State Highway Administration Office of Construction
- State Highway Administration Office of Traffic and Safety
- State Highway Administration Design Build Coordinator
- Baltimore City Department of Planning
- United States Fish and Wildlife Service
- Maryland Department of Natural Resources – Wildlife and Heritage Division
- Maryland Department of Natural Resources – Environmental Review Unit
- United States Army Corps of Engineers
- Chesapeake Bay Commission
- Metropolitan Planning Organizations
- State Highway Administration District Offices

Transportation Enhancement Program Manager

Mr. Dennis Yoder
Regional and Intermodal Planning Division
Maryland State Highway Administration
707 N. Calvert Street
Mail Stop C-502
Baltimore, MD 21202
410.545.5674 (phone) 410.209.5025 (fax)
dyoder@sha.state.md.us

Transportation Enhancement Program Liaison

Ms. Mary Keller
Regional and Intermodal Planning Division
Maryland State Highway Administration
707 N. Calvert Street
Mail Stop C-502
Baltimore, MD 21202
410.545.5674 (phone) 410.209.5025 (fax)
mkeller@sha.state.md.us

Transportation Enhancement Program Community Design Liaison

Mr. Victor Barreira
Office of Highway Development
Community Design
Maryland State Highway Administration
707 N. Calvert Street
Mail Stop C-102
Baltimore, MD 21202
410.545.8799 (phone) 410.209.5001 (fax)
vbarreira@sha.state.md.us

Transportation Enhancement Program NEPA Liaison

Ms. Meghan Powell
Regional and Intermodal Planning Division
Maryland State Highway Administration
707 N. Calvert Street
Mail Stop C-502
Baltimore, MD 21202
410.545.8042 (phone) 410.209.5025 (fax)
mpowell1@sha.state.md.us

Transportation Enhancement Program Right-of-Way Liaison

Mr. Geoff Graff
Office of Real Estate
Property Review and Compliance
Maryland State Highway Administration
211 E. Madison Street
Baltimore, MD 21202
Mail Stop M-302
410.545.0353 (phone) 410.209.5050 (fax)
ggraff@sha.state.md.us

State Historic Preservation Office

Mr. Rodney Little, State Historic Preservation Officer
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032-2023
410.514.7600 (phone)
little@dhch.state.md.us

State Highway Administration Bicycle Pedestrian Coordinator

Mr. Harvey Muller
Regional and Intermodal Planning
Maryland State Highway Administration
707 N. Calvert Street
Mail Stop C-502
Baltimore, MD 21202
410.545.5656 (phone) 410.209.5025 (fax)
hmuller@sha.state.md.us

Maryland Department of Transportation Bicycle Coordinator

Mr. Michael Jackson
Bicycle and Pedestrian Access
Maryland Department of Transportation
410.865.1237 (phone) or 888.713.1414 (toll free)
mjackson3@mdot.state.md.us

State Highway Administration Office of Communication

Ms. Sandra Dobson
Maryland State Highway Administration
707 N. Calvert Street
Mail Stop C-410
Baltimore, MD 21202
410.545.0307 (phone) 410.209.5012 (fax)
sdobson1@sha.state.md.us

Ms. Valerie Burnette-Edgar
Maryland State Highway Administration
707 N. Calvert Street
Mail Stop C-410
Baltimore, MD 21202
410.545.5658 (phone) 410.209.5013 (fax)
vburnetteedgar@sha.state.md.us

State Highway Administration Office of Construction

Mr. Gary M. Counts, MBE Liaison
Office of Construction Contract Awards
211 E. Madison Street
Baltimore, MD 21202
Mail Stop M-LL1
410.545.0392 (phone) 410.209.5021 (fax)
gcounts@sha.state.md.us

State Highway Administration Office of Traffic and Safety

Mr. Tom Hicks, Director
Office of Traffic and Safety
Maryland State Highway Administration
7491 Connelly Drive, Building #1
Hanover, MD 21076
410.787.5815 (phone)
thicks@sha.state.md.us

State Highway Administration Design Build Coordinator

Ms. Lisa Choplin
Office of Highway Development
Maryland State Highway Administration
707 N. Calvert Street
Baltimore, MD 21202
Mail Stop C-102
410.545.8824 (phone) 410.209.5001 (fax)
lchopin@sha.state.md.us

Baltimore City Office of Planning

Mr. Robert Quilter
410.396.4107 (phone)
Robert.Quilter@baltimorecity.gov

United States Fish and Wildlife Service

Mr. Devin Ray
U.S. Fish and Wildlife Service
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

Maryland Department of Natural Resources – Wildlife and Heritage Division

Ms. Lori Byrne, Environmental Review Specialist
MD Department of Natural Resources
Tawes State Office Building, E-1
580 Taylor Avenue
Annapolis, MD 21401

Maryland Department of Natural Resources – Environmental Review Unit

Mr. Ray Dintaman, Jr., Director
Environmental Review Unit
Department of Natural Resources
Tawes State Office Building, B-3
580 Taylor Avenue
Annapolis, MD 21401

United States Army Corps of Engineers

Baltimore District
P.O. Box 1715
Baltimore, MD 21203

Maryland Department of the Environment

For permitting due to impacts to non-tidal wetlands:

Ms. Amanda Sigillito
Water Management Administration
Non-Tidal Wetlands and Waterways Division
1800 Washington Boulevard, Suite 430
Baltimore, Maryland 21230-1708
410.537.3766 (phone)

For permitting due to impacts to tidal wetlands:

Mr. Richard J. Ayella
Water Management Administration
Tidal Wetlands Division
1800 Washington Boulevard, Suite 430
Baltimore, Maryland 21230-1708
410.537.3837 (phone)

Chesapeake Bay Commission

For general project questions, site plans, subdivisions, variances, violation, etc.:

Ms. Regina Esslinger
Chief, Project Evaluation Division
1804 West Street, Suite 100
Annapolis, MD 21401
410.260.3479 (phone)
resslinger@dnr.state.md.us

For general questions on the critical area law and criteria, and questions regarding administrative functions of the Commission and procedural issues:

Mr. Ren Serey, Executive Director
410.260.3462
rserey@dnr.state.md.us

For Queen Anne's County, Centreville, Church Hill, Queen Anne, Queenstown, Worcester County, Snow Hill, Ocean City:

Ms. LeeAnne Chandler, Science Advisor
410.260.3477 (phone)
lchandler@dnr.state.md.us

For Calvert County, Charles County, Indian Head, Somerset County, Crisfield, Salisbury, Fruitland, Mardela Springs, Sharptown:

Ms. Kerri Gallo, Natural Resources Planner
410.260.3482 (phone)
kgallo@dnr.state.md.us

For Chesapeake Beach, North Beach, Cecil Count, Charlestown, Chesapeake City, Elkton, North East, Perryville, Port Deposit, MNCPPC:

Ms. Julie LaBranche, Natural Resources Planner
410.260.3475 (phone)
jlabranche@dnr.state.md.us

For Dorchester County, Cambridge, Secretary, St. Mary's County, Leonardtown, St. Mary's City, St. Mary's College, Greenwell St. Park:

Ms. Mary Owens
Chief, Program Implementation Division
410.260.3480 (phone)
mowens@dnr.state.md.us

For General Critical Area Commission Questions

410.260.3460 (phone)

Metropolitan Planning Organizations (MPO)

For Frederick County, Montgomery County, Prince George's County, City of College Park, City of Greenbelt, City of Rockville, and City of Tokoma Park:

Metropolitan Washington Council of Governments

777 North Capitol Street, NE, Suite 300
Washington, DC 20002
202.962.3200 (phone); 202.962.3201 (fax)
www.mwcog.org

For Anne Arundel County, Baltimore City, Baltimore County, Carroll County, Harford County, Howard County, and City and Annapolis:

Baltimore Metropolitan Council

2700 Lighthouse Point East, Suite 310
Baltimore, Maryland 21224-4774
410.732.0500 (phone); 410.732.8248 (fax)
www.baltometro.org

For Allegany County, City of Cumberland, City of Frostburg

Cumberland Metropolitan Planning Organization

301.777.5911

For Washington County and City of Hagerstown:

Hagerstown/Eastern Panhandle Metropolitan Planning Organization

Jill Baker
Washington County Dept. of Planning & Community Development
80 West Baltimore Street
Hagerstown, MD 21740
240.313.2430 (phone)
jbaker@washco-md.net
www.hepmpo.org

For Cecil County:

Wilmington Area Planning Council

850 Library Avenue, Suite 100
Newark, Delaware 19711
302.737.6205 (phone); 888.808.7088 (toll free); 302.737.9584 (fax)
www.wilmapco.org

State Highway Administration District Offices

District	Counties	Address	Phone
1	Dorchester Somerset Wicomico Worcester	P.O. Box 2679 660 West Road Salisbury, MD 21802	410-677-4000
2	Caroline Cecil Kent Queen Anne's Talbot	P.O. Box 299 615 Morgnec Road Chestertown, MD 21620	410-778-3061
3	Montgomery Prince George's	9300 Kenilworth Avenue Greenbelt, MD 20770	301-513-7300
4	Baltimore Harford	2323 W. Joppa Road Lutherville, MD 21093	410-321-2800
5	Anne Arundel Calvert Charles St. Mary's	138 Defense Highway Annapolis, MD 21401	410-841-1000
6	Allegany Garrett Washington	1251 Vocke Road LaVale, MD 21502	301-729-8400
7	Carroll Frederick Howard	5111 Buckeysville Pike Frederick, MD 21704	301-624-8100
--	Baltimore City	SHA Office of Construction 211 East Madison Street Baltimore, MD 21202	410-545-0072

APPENDIX D

Maryland's Transportation Enhancement Program Polices

- Trailhead Funding Policy
- Visitor's Center Funding Policy
- Gateway Funding Policy

TRANSPORTATION ENHANCEMENT PROGRAM TRAILHEAD FUNDING POLICY

Requests to improve existing, or construct new, trailhead facilities must meet the following qualifications to be considered for Transportation Enhancement Program (TEP) funding.

Location

- Trailhead facilities must be on or adjacent to an established trail system of regional significance or should be constructed at the same time as a new trail system of regional significance.
- The trailhead should be located where potential trail users can safely and conveniently enter the trail system to be served.
- A trailhead must be primarily for the benefit of bicycle and pedestrian users.

Facilities/Services Provided

Basic Services:

- At a minimum, a trailhead should provide a place for all trail users to enter a trail system. This could include space to park and unload bicycles or other trail equipment.
- Sufficient space should be provided to accommodate predicted demand.

Large Trailheads must provide basic services and may add the following:

- Restrooms and water for washing hands.
- Larger facilities could consider adding potable drinking water, sinks, and places to tent camp over night.
- If provided, the number of rest rooms should be in proportion to the size of the facility and the number of users to be served.
- The size and cost of the trailhead should be reasonable for the number of trail users to be served.
- Parking should be in proportion to the size of the trailhead and the number of users it will accommodate.
- User information may be made available through literature, maps, interpretive displays, or photographs.

Larger trailheads may add the following:

- A small building to house additional services.
- A portion of the building may be leased for a fee to activities/business, such as a café, a gift shop, leased office space, or non-profit organization offices/use, that generates income, but construction or interior fixtures for any business will not be reimbursable.
- A portion of fees or money earned by any commercial enterprise must be used for operating and /or maintenance expenses of the facility. The intent, and the amount, to charge fees for displays must be included in the application.
- The manner and amount of staffing, if any, should be specified in the application.
- Planned operating hours must be reasonable and included in the application.

General Information

- Use of trailheads and their facilities must be free of charge.
- The trailhead must be entirely ADA compliant.
- The site and any structures must be owned by a governmental entity, or have a permanent easement held by a public agency.
- A maintenance plan must be included in the application.

Activities not TEP eligible

- Portions of a building intended for commercial operation
- Operation costs and staffing
- Operation equipment
- Maintenance
- Commercial activities and equipment (These activities may not be used as match.)
- Displays for promoting a business will not be reimbursed.

TRANSPORTATION ENHANCEMENT PROGRAM VISITOR CENTER FUNDING POLICY

Potential Visitor/Welcome Centers must meet the following qualifications to be considered for Transportation Enhancement Program (TEP) funding in Maryland. This applies to existing and new structures or facilities.

Location

- Visitor or Welcome Centers must be easily accessed from to Maryland, US, or Interstate routes.
- Visitor or Welcome Centers must be primarily for the benefit of the traveling public.
- Visitor/welcome centers at designated historic or scenic sites may be considered, but must be in close proximity to Maryland, US, or Interstate routes. The link to surface transportation must be clearly demonstrated. Determination of whether, or not, a site is historic is subject to verification by the State Historic Preservation Officer.

Facilities/Services Provided

- Services provided may include direction to scenic or historic sites, or information that enhances the travelers' safety and visit to the specific area or Maryland.
- Visitor/welcome centers must provide free information to the traveling public.
- Information may be presented through literature, maps, interpretive displays, videos, dioramas, photographs, or live interpretation. These exhibits can be permanent or rotating. The types of displays planned should be included in the application.
- The facility must be entirely ADA compliant.
- The size of the facility should not be larger or smaller than reasonable for the traveling public to be served.
- Fifty percent or more of the floor space must be for free visitor use, the remainder may be used for offices and building services.
- Visitor/welcome centers must provide telephones and rest rooms, for public use, in proportion to the size of the facility.
- Parking must be in proportion to the size of the building. In the case of buildings without parking spaces or facilities, arrangements for free visitor parking must be made and the details included in the application.

Fees

- Entry should be free of charge.
- Visitor/welcome centers that have historical, artistic, ecological, geological, or sociological displays may charge for entry to the display area, but the fees must be used for operating and /or maintenance expenses associated with the facility. (This intent must be detailed in the application.)

General Information

- Buildings must be owned by a governmental entity, or have a permanent easement held by a public agency. Funding of non-governmentally owned buildings will be subject to FHWA review for eligibility.
- If a privately owned building is considered, it must be free of financial encumbrances.
- Planned operating hours must be reasonable and included in the application.
- A portion of the building may be leased for a fee to activities/business, such as a café, a gift shop, leased office space, or non-profit organization offices/use, that generates income, but construction or interior fixtures for any business enterprise will not be reimbursable with TEP funds.
- A portion of fees or money earned by any commercial enterprise must be used for operating and /or maintenance expenses of the facility. The intent, and the amount, to charge fees for displays must be included in the application.
- Facilities associated with a historic site, or scenic route, may use funds raised to protect and enhance that historic site, or scenic route.
- The manner and amount of staffing should be specified in the application.
- Visitor centers may also provide space for civic groups to meet, or for community special events.
- The use of energy efficient design, materials, and construction is encouraged, as is the use of native landscaping.
- Building design in keeping with the site and an historic emphasis are encouraged.

Potential Visitor Center Emphasis

- History and interpretation of a historic highway or site
- Starting point for tour groups to a historic area
- Display of artifacts that will enhance the traveling public's appreciation and understanding of the location or area, such as the Coal Heritage Tour or the development of the National Road.

Activities not TEP eligible

- Portions of a building intended for commercial operation
- Operation costs and staffing
- Operation equipment
- Maintenance
- Commercial activities and equipment (These activities may not be used as match.)
- Displays for business will not be reimbursed.

Transportation Enhancement Program Gateway Funding Policy

Gateway signing funded by the TEP may be:

- Wood, concrete, brick or other long lasting materials that conform to SHA standards.
- Monumental
- Landscaped
- Lighted

Gateway signing funded by the TEP must:

- Be located on a State road at the entrance to Maryland.
- Signs may be approved on state-classified primary routes between Maryland counties (i.e. Welcome to Allegany County, Maryland). These signs must be for Welcome to Maryland, or welcome to a county only.
- Be located on public property
- Include the word “Maryland” on the sign.
- Be reviewed and approved by SHA’s Office of Traffic and Safety for sign face details, supports, electrical details for lighting or retro-reflectivity, sign bases, landscaping, irrigation, and other pertinent design elements.

General provisions

- Gateway project requests must be for individual locations and must have an estimated total project cost of \$100,000 to be considered. This minimum was established to preclude numerous smaller projects may cost the sponsor and the state significant resources to administer, and take much longer to complete than anticipated as a result of having to follow federal and state procedures.
- Requests must include a maintenance plan from the project sponsor. SHA will not maintain Gateway signing.
- Locations must be approved by SHA’s Office of Traffic and Safety prior to requesting funding.
- Signs for municipalities, neighborhood identification, directional, way finding, commercial, promotion of historical or cultural sites or areas, and other non-transportation related uses will not be considered for TEP funding.
- Selection of signs related to roadway dedications are covered under The Maryland Department of Transportation policy *Name Dedication of Transportation Facilities (Revised August 2005)*.
- Please do not request signs for municipalities, neighborhood identification, directional, way finding, commercial, promotion of historical or cultural sites or areas, and other non-transportation related uses

APPENDIX E

Transportation Enhancement Program Forms

- Monthly Progress Reports
- Environmental Permit Form
- Reimbursement Request Form

**MONTHLY PROGRESS REPORT
AWARDED PROJECT**

Date:

Project Name

Project Contact Information: Name: _____

Phone: _____ **Fax** _____ **Email:** _____

SCHEDULE INFORMATION

Final Review Date: _____

AD Date: _____

Bid Open Date: _____

Notice to Proceed Date: _____

Estimated Completion Date: _____

Status of Project: Give a brief status update (Include status of R/W, design, PS&E, MOU and final review as necessary.)

Please list any project issues that have resulted or will result in a scope change or schedule delay.

Are there any issues that need SHA involvement?

**MONTHLY PROGRESS REPORT
PROJECTS UNDERWAY**

Date: _____

Project Name _____

Project Contact Information: Name: _____

Phone: _____ **Fax** _____ **Email:** _____

SCHEDULE INFORMATION

Estimated Completion Date: _____

Percent Complete _____

Is project on schedule? _____, if not explain.

Status of Project: (Please update last month's status report, look for dates that were mentioned did these things happen and if appropriate, what were the results?)

Please list/describe any project issues that have developed since last month.

Are there any issues that need SHA intervention?

MARYLAND STATE HIGHWAY ADMINISTRATION
 PS&E CERTIFICATION OF ENVIRONMENTAL PERMITS
 FOR TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS

FAP No. _____ State No. _____ Local No. _____
 Project Name: _____

<u>PERMIT</u>	<u>Required Yes/No</u>	<u>Date Applied</u>	<u>Date Expected</u>	<u>Date Approved</u>
Erosion & Sediment Control	_____	_____	_____	_____
Stormwater Management	_____	_____	_____	_____
404 or Nationwide Permit	_____	_____	_____	_____
US Coast Guard Permit	_____	_____	_____	_____
MDE Wetlands License	_____	_____	_____	_____
Waterway Construction Permits	_____	_____	_____	_____
Tree Permit	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____

PROPOSED SCHEDULE

Ad Date: _____ Bid Open: _____ Award: _____ NTP: _____

- Environmental permits are not required.
- All environmental permits have been received as noted above and have been incorporated into the Invitation for Bids.
- All environmental permits are expected to be received prior to the scheduled bid opening. A statement has been inserted into the Invitation for Bids indicating that any missing permits will be incorporated into the Invitation for Bids by an approved addendum.

Certified by: _____
 <Title and Organization>
 Phone: _____

APPENDIX F

National Environmental Policy Act Documents and Sample Letters

- Section F-1: Section 106 Guidance, Contacts, and Example Letters
- Section F-2: Rare, Threatened, and Endangered Species Guidance, Contacts, and Example Letters
- Section F-3: Maryland Department of the Environment and the U.S. Army Corps of Engineers Contacts
- Section F-4: Section 4(f) Guidance, Contacts, and Example Letters
- Section F-5: Critical Bay Critical Area Guidance, Contacts, and Example Letters
- Section F-6: Categorical Exclusion Letters Examples
- Section F-7: Environmental Re-evaluation Example

APPENDIX G

Plans, Specifications, and Estimates Packet Checklist

**Maryland Department of Transportation
Transportation Enhancement Program**

PLANS, SPECIFICATION, AND ESTIMATES (PS&E) CHECKLIST

Project sponsor are responsible for providing SHA a complete PS&E packet. This checklist should help to ensure that the PS&E packet is complete, and it must be included in the packet. Incomplete PS&E packet will not be processed, and can delay advertisement.

PROJECT INFORMATION

Project Name –

Project Sponsor –

State Contract Number –

Federal Contract Number –

<u>PS&E SUBMISSION</u>	Included	Not Included	Not Applicable
100% Design Plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Specifications Book, Contract, or Project Manual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engineer’s Estimate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Permit Form	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Awareness Letter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Final Review Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Executed Memorandum of Understanding			
Traffic Control Plan & SHA District Office Concurrence of Traffic Control Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utilities Statement or Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Federal Highway Administration Approved NEPA Documentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Right-of-Way Certification Letter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design Exception Approvals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Project Specific Approvals, such as Office of Bridge Development concurrence, Maryland Historical Trust concurrence, Office of Traffic and Safety, etc.			
▪	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
▪	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Submitted by:

Project Manager

Date

APPENDIX H

Concurrence in Award Documents

- MBE Form 00C44
- MBE Form 00C45
- Bid Tabulation Example
- Bid Analysis Example
- Bid Justification Example
- Experience and Equipment Form

APPENDIX I

Historic Battlefield Management Plan Outline