

HATS RTP Implementation Program

Program Description

The HATS RTP Implementation Program was established by the Harrisburg Area Transportation Study (HATS) Coordinating Committee in 2019. The program helps to achieve the goals of the [Regional Transportation Plan \(RTP\)](#) and [Regional Growth Management Plan \(RGMP\)](#) and the participating counties' commitment to smart growth. The program funds transportation projects and studies that clearly meet the transportation system needs identified in the RTP, with preference given to those projects and studies located in RGMP designated Community Service Areas (CSAs) or otherwise enhance existing communities by providing for safer, more walkable, bikeable, and transit friendly transportation systems. The program funds transportation and land use corridor studies as well as construction projects that meet the program's criteria. Since it is the intent of the program to fund projects that provide tangible benefits in the near future, at least 80% of the funding will be directed in each funding cycle to construction projects and no more than 20% to studies. Projects funded through the program must be open to the general public and ADA accessible.

The goals of the program are:

- (1) Fund transportation studies and construction projects that are consistent with the goals and objectives of the RTP and RGMP, especially those with consistent elements found within multi-municipal and local comprehensive plans of the jurisdictions in which the projects are located.
- (2) Fund transportation projects that link focused transportation needs with growth management to create more livable communities that will improve the quality of life for residents and visitors in the HATS region.
- (3) Fund public projects that have the ability to leverage private dollars and expand the total dollars available for transportation investment.
- (4) Implement transportation solutions that reduce single-occupant vehicle usage and improve safety for pedestrians, bicyclists and transit users.
- (5) Implement transportation solutions that create more "complete streets" that are designed for all roadway users.
- (6) Fund transportation projects that are designed to be context-sensitive and "right-sized" to the needs of the particular situation (financial, land use, environmental needs).
- (7) Fund transportation projects that have been planned in collaboration with the community.
- (8) Support transportation projects that result in a desire to go "to" a place rather than "through" it.

Who Can Apply?

- (1) The applicant must be a HATS region municipality, transportation service provider or organization eligible to receive federal funds located in Cumberland, Dauphin or Perry Counties that serve citizens of the HATS region.
- (2) If the applicant is a municipality, it should have a Comprehensive Plan or be part of a Regional Comprehensive Plan that has been adopted by the governing body within the past ten years, be in the process of updating their plan, or otherwise propose a project that is clearly consistent with the RTP and RGMP.
- (3) Where there is a municipal or regional Comprehensive Plan, it must have a land use component that is generally consistent with the TCRPC RGMP and a transportation element that is generally consistent with the HATS RTP.
- (4) The applicant must be familiar with the concept of integrated transportation and land use planning and be committed to the successful implementation and ongoing maintenance of the project proposed for funding.
- (5) The applicant must have as part of its responsibilities the provision of transportation facilities and/or services.

Eligible Types of Projects

Eligible projects include transportation and land use corridor studies, feasibility studies and construction projects on federal-aid eligible transportation facilities. The local match must constitute at least 20% of the total project cost. Preference will be given to construction projects in which all phases of preconstruction (preliminary engineering, final design, utilities, and right-of-way) will be completed by the project sponsor. The minimum value of construction shall be approximately \$100,000.00. (80% = \$100,000, 20% = \$25,000) and the maximum value of construction should not exceed \$1,000,000.00 (80% = \$1,000,000, 20% = \$250,000). Studies are not held to the minimum requirement. Eligible projects include the following:

TRANSPORTATION STUDIES

- (1) Feasibility or similar type plans/studies that are intended to produce integrated land use and transportation system improvements to address areas of identified transportation need. Plans or studies should have a strong implementation focus, leading to specific improvement concepts that can be feasibly completed.

MULTIMODAL CONSTRUCTION

- (1) Investments that make transit service more viable and convenient to project sites and regionally and/or provide safer connections to access transit (sidewalks, interconnected streets that reduce walking distances, ADA enhancements, etc.).
- (2) Non-motorized transportation facilities that provide a transportation benefit and could also provide a recreational benefit (trails, bike networks). Projects with only recreational value will not be funded under this program. Projects that involve sidewalk installation require the municipality to have an adopted sidewalk ordinance. Preference will be given to those facilities that enhance the "bicycle-pedestrian backbone" as identified in the RTP and those that significantly enhance non-motorized access to parks, transit centers, libraries, schools, or other similar community facilities.
- (3) Plain Sect "horse and buggy" accommodations.
- (4) Improvements to non-motorized travel safety, especially those that incorporate green infrastructure and/or ADA accessibility.
- (5) Transit system improvements or enhancements.

ROADWAY CONSTRUCTION

- (6) Streetscape projects that incorporate traffic calming.
- (7) Improved roadway connections that provide a more interconnected transportation network and reduce travel distances for motorists, transit users, bicyclists and pedestrians.
- (8) Redevelopment of existing streets into neighborhood streets (i.e. road diets, etc.) that enhance a community's quality of life, utilizing traffic calming and other techniques.
- (9) Low-cost investments to improve safety and/or reduce congestion such as retiming and coordination of traffic signals.
- (10) Roundabouts or other intersection improvements that provide crosswalks and/or other components to keep bicyclists and pedestrians safe.
- (11) Investments designed to improve safety at locations identified in the RTP as high priority areas and/or those with identifiable crash histories, especially where crash severity (major injuries or fatalities) is a clear issue.
- (12) Other transportation system enhancements that are consistent with the goals, objectives, and recommendations of the RTP, but may not be easily addressed through traditional transportation funding.

Applicants may submit more than one application for HATS RTP Implementation Program funding in any funding cycle.

How Much Funding is Available?

The program is funded through federal Surface Transportation Urban (STU) funds. Applications are expected to be accepted on an biannual basis, with the goal of distributing \$1 million/year/county in each funding cycle. However, HATS is not obligated to expend all of the funds available in a funding cycle and may redistribute funds initially allocated to a member county if the eligible applications do not account for the available funds for that county. Unexpended funds are returned to the RTP Implementation Program Reserve on the TIP for use in the next round of funding.

There are two possible options for municipalities or transportation service providers to pursue in providing matching funds for the RTP Implementation Program applications, depending on the type of project submitted:

- (1) For Construction Projects: The applicant shall pay at least 20% of total project costs, with preference given to those projects where the match provides for all of the preconstruction costs, with the federal funds used to pay all of the construction costs for the project;
- (2) For Studies/Plans: The applicant shall provide at least a 20% municipal match for the federal funds, which will pay up to 80% of the study cost.

Federal Regulations require that TIP program-funded projects must comply with PennDOT oversight requirements that follow federal guidelines for process and procedures. This involves projects being developed according to PennDOT engineering design standards provided in PennDOT Design Manual 1, Design Manual 2, and Design Manual 3. Projects must follow the project delivery process provided in Publication 740 – Local Project Delivery Manual.

Project sponsors are encouraged to think about how their project might be phased if HATS finds that there isn't sufficient funding available for the entire project at one time and to be prepared to discuss this issue at their pre-application meeting with HATS.

TIP Placement

Projects that are selected for funding under the program will be placed on the HATS Transportation Improvement Program (TIP). The program will be updated every two years in coordination with the TIP update.

Application Procedures

Notice of Intent:

Eligible applicants are encouraged to notify TCRPC staff at planning@tcrpc-pa.org of their intent to apply for funds and provide enough information about the proposed application so that a preliminary determination of funding eligibility can be made. Such determinations can help ensure that any application materials can be effectively ranked by the RTP Implementation Work Group and considered by HATS for funding.

Pre-Application Meetings:

Applicants must schedule a meeting with HATS staff and PennDOT prior to formal submission of an application for funding. To schedule a pre-application meeting, applicants should email planning@tcrpc-pa.org. Applicant presentations should include a visual depiction of the planning area or improvement site (maps and/or images), a description of the project, names of the project sponsors and a discussion of how the project is consistent with the HATS RTP and TCRPC RGMP and any municipal or regional comprehensive plans or other planning documents in the municipality(ies) in which it is located. Applicants may then make revisions to their draft application, as necessary, prior to formal submission.

Application Materials:

Applications should include all the information requested on the Application Form. At a minimum, applications should include:

- (1) Description of the project or study and how it meets the eligibility criteria
- (2) How the project or study is consistent with the RTP, RGMP, and any applicable municipal or regional Comprehensive Plan
- (3) Public involvement in planning of and support for the project or study.
- (4) Implementation strategy: This is important for construction projects as well as corridor studies as the intent of the program is to fund projects that will be successfully implemented.
- (5) Studies funded under the Program must include a NEPA Purpose and Need Statement within the document since the implementation of such documents is expected to lead to a construction project. A link to the federal NEPA Purpose and Need Statement is found under Frequently Asked Questions.
- (6) Local Preconstruction Funds or 20% Study Match: A description of the sources of state and local funding that will be used to match the federal funds.
- (7) Costs for All Project Phases: A reliable estimate, prepared and signed by a licensed

Engineer, of the expected costs for each phase of the project (preliminary engineering, final design, utilities, right-of-way, construction) must be part of the application. In arriving at a reliable estimate, the applicant is encouraged to recognize that compliance with federal requirements generally adds costs beyond the costs of locally-funded projects. The applicant should factor in a 30% ‘contingency’ cost for construction projects. See also, Other Program Information, Budget.

- (8) Projects sponsored by more than one municipality shall include a Resolution of Project Support approved by the governing body (the Board of Supervisors, Board of Commissioners or Borough/City Council) of each municipality participating in the project that affirms the municipality’s support of the project and commitment to its local share of the funding.
- (9) If the application includes construction of sidewalks, all municipalities in which they will be located shall have adopted a sidewalk ordinance that requires the installation and maintenance (including snow removal) of sidewalk at the municipality’s direction.

Further budget preparation information is found under “Other Information” of these Guidelines.

Fillable pdf-format application forms are available through the TCRPC website <https://www.tcrpc-pa.org/rtp-implementation-program>

Applicants are encouraged to submit their completed forms via email to planning@tcrpc-pa.org

Applicants wishing to submit an application by hard copy should send to Ms. Lauren Weaver at:
Tri-County Regional Planning Commission
112 Market Street, 2nd Floor
Harrisburg, PA 17101

For questions, applicants may contact Lauren Weaver at 717-234-2639.

Application Review:

TCRPC staff will review all applications received by the due date to determine if the application materials are complete and the proposed project is eligible for funding through the program. Complete applications will be provided to the RTP Implementation Work Group for their review and consideration.

Applications will be reviewed for current status/readiness and consistency with HATS Regional Transportation Plan and TCRPC Regional Growth Management goals and objectives. Evaluations will combine quantitative analysis based on applicable RTP Project Pipeline criteria and qualitative review of a variety of aspects of the proposed project.

Initial evaluations and recommendations will be made by the RTP Implementation Work Group before being forwarded to HATS Technical Committee. Final selections will be made by the HATS Coordinating Committee based on a recommendation from the HATS Technical Committee.

Transparency and Conflict of Interest:

Any RTP Implementation Work Group or HATS Committee member that has a direct interest in a project application submitted for funding (for example, they work for the municipality or for a major employer that will benefit from the project in the municipality that has submitted the application or have some other financial or other major involvement in the project) will inform the other members of this conflict and recuse himself/herself from any discussions by the Work Group or Committee of that project and will not rank the project in which they have an interest on the project evaluation form. They may, however, participate in the presentation of the project to the Work Group or HATS Committees. Rankings of all Work Group members will be reviewed by all other Work Group members to ensure that there isn't a bias in the ratings for any of the other projects by those who have an interest in one (or more) of them. The summary of the Work Group rankings for all eligible projects that were submitted for funding under the program are provided to the HATS Technical and Coordinating Committees for their review.

MPO Approval of TIP Implementation Work Group Recommendations

After the RTP Implementation Work Group has completed its evaluations and arrived at a recommendation, it will present the recommendation to the HATS Technical and Coordinating Committees. The HATS Coordinating Committee is the decision-making body that will act on the RTP Implementation Program funding recommendation. Once formal action is taken, the projects approved for funding will be added to the applicable Transportation Improvement Program (TIP).

Applicants whose projects are selected will be provided with additional guidance from the HATS staff and can then proceed with work on their projects. PennDOT will assign a Project Manager to each project, as appropriate.

Project Management and Timeframes

Project Lead:

If more than one sponsor is contributing to the project, lead sponsor of a project shall be the highest contributor to the project and will be designated the lead sponsor on the project. Consultant selection must be done in compliance with PennDOT requirements for all projects.

Engineering work completed under the local match (20% portion) of the project may be completed by a qualified Professional Engineer familiar with PennDOT's Project Delivery process and registered as a PennDOT Business Partner.

Engineering work completed utilizing the RTP Grant (80% portion) is federally required to have been procured utilizing a Qualifications Based Selection process. This applies to both pre-construction and construction engineering services which may utilize RTP Grant funding. Publication 740 provides guidance for QBS Advertisement and may not involve cost competitive selection criteria. Project Sponsors may be required to advertise for engineering services or construction inspection services to utilize the RTP Grant funds. This can be a complicated process and therefore HATS has agreed to provide significant assistance to project sponsors from Consultant Project Managers.

HATS will provide a Consultant Project Manager assigned to each awarded project to assist with oversight and project delivery through the PennDOT Local Project Delivery Process. The Consultant PM will provide guidance to the project sponsor regarding the requirements of following the PennDOT Project Delivery Process including but not limited to Coordination of all Phases of the project, QBS Selection Criteria, PennDOT ECMS support, Reimbursement Agreement coordination, and coordination with PennDOT Staff and technical reviews. This support and project management will be provided by HATS cooperatively with PennDOT District 8-0 ultimate oversight and will not be billed to the project sponsor.

Project Timeframes:

The following timeframes are expected to be attainable by applicants for funding under the RTP Implementation Program:

- (1) Transportation and land use corridor studies and feasibility studies: completion within 24 (twenty-four) months.
- (2) Construction work: Project letting shall be completed within 4 years of funding award.

Reporting Requirement:

All projects that are funded under the program are expected to demonstrate that they are making “continuous progress.” The lead sponsor of each project will submit regular progress reports to the Consultant Project Manager and/or Tri-County Regional Planning Commission (TCRPC) (as the HATS planning staff) to demonstrate the progress is being made and confirm that the project is adhering to the schedule submitted in the approved application. If the project is not adhering to the schedule in the application, the applicant will furnish an explanation of the reasons for the delay and actions being taken to address the situation.

Other Program Information

Reimbursement Agreement:

Prior to incurring costs intended to be paid by the RTP Grant (80% Portion), the project sponsor must execute a standard legal “Reimbursement Agreement” with PennDOT to declare the amounts and usage of the awarded funds and amounts and usage of the local match (20%). Any project costs incurred prior to the execution of a reimbursement agreement for which federal dollars are requested will not be eligible for reimbursement. Interest payments made by municipalities or other project sponsors to finance any portion of the project costs are not reimbursable.

Project Budget:

It must be demonstrated that there is an acceptable implementation strategy for the project including a plan for funding all phases of the project. The project budget shall contain itemized phases with estimated costs of each. The budget should be divided into project development phases and identify all sources of funding and how each itemized activity will be funded. Funds previously spent on the proposed project may be accounted for in the 20% Local Match.

Include the following phases in the project budget:

PHASE	FEDERAL MATCH (80%)	LOCAL MATCH (20% minimum)
Study & Conceptual Plans		
Environmental Scoping		
Preliminary Engineering		
Final Design		
ROW Impacts/Clearance	N/A	
Utility Impacts/Clearance	N/A	
Construction Inspection		
Construction		
Total Project Cost		
	RTP Grant Amount (100,000 Minimum)	Local Match Amount (\$25,000 Minimum)

The construction cost estimate must be prepared and signed by a licensed engineer and demonstrate reasonable estimated costs representing the scope of construction that is being requested by project sponsor. Construction cost estimates should include a 30% “contingency” factor for unknown elements of the project.

Estimated funding for the project that may be from other sources should be identified as other federal funds (not from the USDOT), state, local, donated services, in-kind services, volunteer and Youth Service and Conservation Corps. Even though the preliminary engineering and right-of-way costs may not be funded by RTP Implementation Program funds, a complete budget is needed to ensure that the applicant has the money to fund these phases, or document what was already spent as the local contribution.

Environmental Clearance:

All projects will require an environmental clearance document as part of the preliminary engineering phase of work. The level of effort varies by the type of project, the amount of impacts and the degree of public controversy. Except in unusual circumstances, a project should be processed as a Categorical Exclusion (CE) under the NEPA process.

Project Engineering and Inspection:

Projects must follow standard federal/state procedures for all phases of work. Project sponsors should acquire the services of a qualified project manager to oversee the development and implementation of the project (including project inspection) and ensure compliance with all state and federal requirements. This professional may be an architect, landscape architect, or engineer depending upon the nature and scope of the project. The designer and/or their sub-consultants must have the necessary qualifications for completing each phase of the project. In the case of municipally sponsored projects, municipalities may choose to use their municipal engineers with PennDOT approval, or follow an approved consultant selection process. It is

important to recognize that the project sponsor, not PennDOT, employs the design and/or construction professionals.

Right-of-Way Clearance:

All right-of-way acquisition must follow federal regulations, including the Uniform Act (Uniform Relocation Assistance and Real Property Acquisition Policies of 1970). Right-of-way certification will be required for all projects prior to advertising for construction bids.

Utility Clearance:

All projects must have a utility clearance form processed prior to the advertisement for bids. This procedure requires that the sponsor certify that all necessary arrangements have been completed for the relocation of any affected utility.

Permits:

It will be the responsibility of the project sponsor to secure all necessary permits to design or implement the project. These may involve permits from the PA Department of Environmental Protection or the U.S. Army Corps of Engineers, as well as local municipal permits, PennDOT highway occupancy agreements (HOA), highway occupancy permits (HOP) etc.

Public Utility Commission (PUC) Involvement:

Certain projects may require the involvement of the Public Utility Commission. It will be the responsibility of the project sponsor to contact the Public Utility Commission to secure the necessary actions by that agency.

Construction:

Project sponsors may proceed with the construction phase of the project only upon receipt of PennDOT's written authorization (notice to proceed). This will ensure that all necessary approvals have been secured. An approved contractor must perform construction. All material used in conjunction with the project must meet project specifications and special provisions included in the Plans, Specifications, and Estimate package. **15% of the estimated construction cost is used for project inspection and must be included in the total construction costs.**

Cost Increases/Changes in Scope of Work:

Each programmed project has been approved for a specific scope of work and funding level based on the information submitted by the project sponsor. Only cost increases relating to scope of work adjustments arising through the project development process will be considered for additional funding through the RTP Implementation Grant program. All other cost increases will be the responsibility of the applicant. The Engineer's cost estimate and conceptual plan will be utilized as a basis for determination of the scope. HATS reserves the right to verify if the scope of proposed work is reasonable for the requested grant funding.

Maintenance:

The project sponsor will be responsible for the maintenance of the project after completion of construction. The project sponsor should develop a plan for maintenance, upkeep and operation of a project constructed with federal funding. For projects that involve sidewalk construction, an adopted municipal sidewalk ordinance is required. Program funds are not to be used for the operation and/or maintenance of projects.

Project Cancellation:

A project sponsor may, at any time in the project development process, decide to cancel the project and drop out of the Program. The project sponsor will be responsible for the reimbursement of all federal funds received as of that date. The sponsor will also be responsible for payment of all outstanding invoices to all project contractors.

Frequently Asked Questions

- (1) How much funding is available during this RTP Implementation Program solicitation round?

HATS has allocated \$3M in each of the years contained in the FFY 2023-2026 TIP. HATS has the discretion as to how much funding to award in each application cycle.

- (2) Design for my project is nearly complete. May I include these costs in my application total?

Yes - Design costs incurred in advance of project approval can be used to meet the local share for funding (if the value of these expenses is determined to be reasonable). Federal funds may not, however, be provided to retroactively reimburse a sponsor for design costs incurred.

- (3) Can the members of our organization, staff or equipment be used to construct the project, and use the value of our labor as our share of the project?

Yes - Credit for donations of funds, materials, land or services can be used/given, but no match is required for the construction phase, provided the required project match has been met during the pre-construction phase. Projects that are not located in the highway right-of-way and are not directly related to a highway have been given more flexibility, so project sponsors may keep costs to a minimum.

- (4) Can I use a grant from another federal program as part of the local share (preconstruction phase) or to blend with the federal funds I receive under the RTP Implementation Program?

Yes - Funds from other federal agencies (not other U.S. Department of Transportation funds) may be used for the non-federal or local share (pre-construction phase) for the project or be blended with the federal RTP Implementation Program funds for the construction phase.

- (5) My project will obviously have positive benefits to the environment. Why do I have to obtain environmental clearance?

All federally funded projects must have an environmental document, which quantifies the

impacts of the project (both positive and negative) on the environment. There are three levels of an environmental document: Categorical Exclusion (CE), Environmental Assessment (EA), and Environmental Impact Statement (EIS) Most RTP Implementation Program projects will fall under the Categorical Exclusion.

(6) Where do I find information about the NEPA Purpose and Need Statement?

Information about the NEPA Purpose and Need Statement is found on the following federal and state websites:

<http://environment.fhwa.dot.gov/projdev/tdmelements.asp>

<http://www.dot.state.pa.us/public/PubsForms/Publications/PUB%20319.pdf>

(7) Why do I need a construction inspector for my project?

Federal and state regulations require that an individual who is familiar with federal and state construction requirements review the project during the construction phase to assure that it is constructed in accordance with those regulations.

(8) Do the project design and construction inspection have to be conducted by separate consulting firms?

It depends on the project. For projects approved at \$1 million or less in construction costs, the final design consultant may be considered for construction inspection if they were procured utilizing an approved Qualifications Based Selection process. Sponsors will want to check with the PennDOT District 8-0 office for the specific provisions and selection processes to follow in allowing the same consultant to be used for both design and construction inspection services.

(9) Can construction inspection be paid for out of the construction funding award?

Yes - Sponsors should assume that 15% of their construction cost estimate will be the amount needed for inspection services. Sponsors are able to use funds to pay for inspection costs, and should fill out their application accordingly.

(10) Can program funds be matched with (use for the pre-construction phase) Community Development Block Grant (CDBG) funding?

Yes - If CDBG funds are used to pay for the sponsor's pre-construction costs, there is no issue. However, sponsors will want to closely coordinate with their PennDOT District 8-0 office contact on the process and forms necessary to enable blending RTP Implementation Program funds with CDBG funds for construction contract activities. An exception needs to be sought when jointly funding construction with RTP Implementation Program and CDBG funds due to different bidding guidelines used for these funding sources.

(11) Will local letting be allowed for projects?

No - All projects of all types will be advertised and let through PennDOT's ECMS (Engineering and Construction Management System). This will require the project sponsors for all project types to become registered as business partners in ECMS to administer payments, and for the

sponsor's engineer to prepare the materials for the ECMS letting.

(12) If the sponsor has a completed environmental clearance for another agency, will that expedite the clearance required for the program?

Maybe - It may help the review move forward, but the clearances completed under FHWA procedures by PennDOT may consider separate or additional factors that take considerable time to complete.

(13) Can I use my Municipal Engineer to do this project?

Yes, if the Municipal Engineer has a strong knowledge and recent experience delivering projects through the PennDOT process, they can provide engineering design services utilizing the Local Match portion of the project. When the RTP Grant is being utilized, the federal requirements are then in effect which requires a Qualifications Based Selection of the engineer. This applies to any portion of the RTP Grant being used for the design phase and/or for construction inspection. In most cases a QBS engineering advertisement will be required for work completed utilizing the RTP Grant.