

Chapter Eighteen

**TRANSPORTATION
ENHANCEMENTS**

BUREAU OF DESIGN AND ENVIRONMENT MANUAL

Chapter Eighteen
TRANSPORTATION ENHANCEMENTS

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Chapter Eighteen

TRANSPORTATION ENHANCEMENTS

The *Intermodal Surface Transportation Efficiency Act* of 1991 (ISTEA) established a program to set aside 10% of Surface Transportation Program funds for projects that serve to enhance the transportation system. This program was later reaffirmed in the *Transportation Efficiency Act for the 21st Century* (TEA-21) and again in the *Safe, Accountable, Flexible, Efficient Transportation Equity Act — Legacy for Users* (SAFETEA-LU). To allocate these funds to the benefit of the overall transportation system, Illinois created and implemented the Illinois Transportation Enhancement Program (ITEP). The program allows stand-alone ITEP projects that improve the accessibility of the transportation system to a broader range of users and various types of improvements that serve to enhance the aesthetic or functional value of the transportation system help local communities to become more livable and sustainable.

18-1 ELIGIBLE ITEP PROJECTS

Consider the following excerpt from 23 USC §101(a), as amended by TEA-21, when determining the eligibility of a project for ITEP:

“the term ‘transportation enhancement activities’ means, with respect to any project or the area to be served by the project, any of the following activities if such activity relates to surface transportation: 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, scenic or historic highway programs (including the provision of tourist and welcome center 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 thereof for pedestrian or bicycle trails), control and removal of outdoor advertising, archaeological planning and research, environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity, and establishment of transportation museums.”

Enhancement projects are activities that are over and above routine construction or maintenance. For example, on a highway construction project, enhancement funds could only be used on those elements of the project that were considered *beyond* typical highway improvements. IDOT policy requires the safe accommodation of pedestrians and bicyclists be given full consideration on all transportation projects. Thus, for new construction and reconstruction projects, routine provisions for bicyclists and pedestrians (e.g., sidewalks, curb ramps, bike lanes, wide curb lanes and shoulders on rural roads) are not considered to be “enhancements” because IDOT policy (as in Chapter 17) requires their provision as part of addressing the functional and safety needs of the transportation corridor improvement.

Similar improvements to improve bike and pedestrian access or safety may, however, be eligible when they are retrofitted to existing roadway corridors and are independent of new highway construction or rehabilitation projects.

The following are the specific project categories for the Illinois Transportation Enhancement Program. Detailed eligibility criteria are shown in the latest edition of the *Illinois Transportation Enhancement Program Guidelines Manual* and *Application and Instructions Manual*, available from the IDOT Transportation Enhancement Program Coordinator in the Central Office (OPP) or district, or from IDOT's internet site:

1. provision of facilities for pedestrians and bicycles;
2. scenic or historic highway programs (including the provision of tourist and welcome center facilities);
3. landscaping and other scenic beautification;
4. historic preservation;
5. rehabilitation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals);
6. provision of safety and educational activities for pedestrians and bicyclists;
7. acquisition of scenic easements and scenic or historic sites;
8. preservation of abandoned railway corridors for the conversion and use thereof for pedestrian and bicycle trails (acquisition of corridors);
9. control and removal of outdoor advertising;
10. establishment of transportation museums;
11. archeological planning and research; and
12. environmental mitigation to address water pollution due to highway runoff or reduce vehicle caused wildlife mortality while maintaining habitat connectivity.

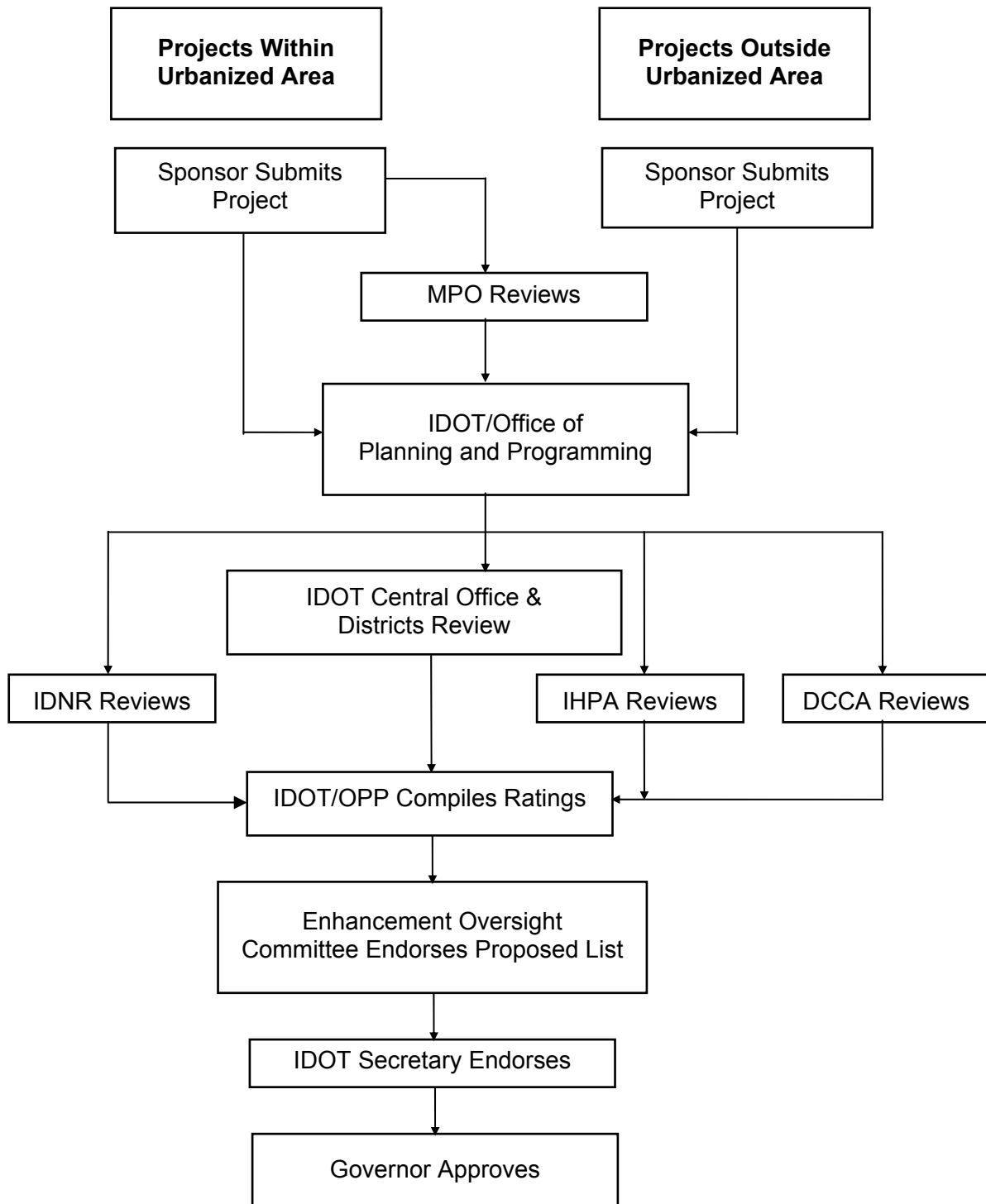
Acquisition of land is funded at 50% ITEP and 50% local match. Other eligible expenses are funded at an 80/20 match, with some possible exceptions.

18-2 ITEP PROJECT APPLICATION, REVIEW, AND APPROVAL

18-2.01 Application Review and Approval Process

The ITEP is based on a cooperative working arrangement among the Department, the Metropolitan Planning Organizations (MPOs), the Illinois Department of Natural Resources (IDNR), the Department of Commerce and Economic Opportunity (DCEO), and the Illinois Historic Preservation Agency (IHPA). The Department manages all aspects of ITEP and coordinates project evaluation with the appropriate agencies. The flowchart presented in Figure 18-2.A illustrates the ITEP Project Review and Approval Process. The following paragraphs briefly describe the major steps of this process:

1. Projects Within Urbanized Areas. For projects within urbanized areas with populations over 50,000, the MPOs play a primary role in the process, which includes public involvement activities. The MPOs serve as clearinghouses and monitoring agencies for proposed ITEP projects in their respective urbanized areas. The Sponsor (see Section 18-3.01) submits candidate ITEP projects to the Department's Enhancement Program Coordinator in the Office of Planning and Programming (OPP), and the appropriate MPO. Contact these agencies if unsure whether or not a particular project's area is included within an MPO boundary. The MPOs review projects to ensure consistency with regional transportation plans, policies, and programs. The sponsor is ultimately responsible for ensuring that approved projects within an MPO area are included in the most current Transportation Improvement Program.
2. Projects Outside Urbanized Areas. In non-urbanized areas, the local or State agency Sponsor is responsible for nominating and submitting its candidate ITEP projects directly to the Enhancement Program Coordinator. See Section 18-3.01 for additional information on qualified Sponsors.
3. Cooperative Review. Upon receipt of the ITEP Project Application Forms, the Enhancement Program Coordinator in the Central Office compiles the information and coordinates all project review and evaluation. The Central Office and the respective district review all candidate projects including historic preservation projects and the establishment of transportation museums. Bicycle and pedestrian projects are additionally reviewed by IDNR. Historic preservation projects are also reviewed by IHPA. Projects that may have economic development or tourism benefits are reviewed by DCEO. These agencies will submit their recommendations to the Enhancement Program Coordinator.
4. Project Selection. The projects are evaluated and a prioritized list is developed based on available funding and project merit according to the evaluation and ranking criteria summarized in Section 18-2.02. The prioritized list of ITEP projects is then forwarded to the Enhancement Oversight Committee for review and approval.
5. Enhancement Oversight Committee Recommendation. An Enhancement Oversight Committee, consisting of representatives from IDNR, IHPA, DCEO, and IDOT, reviews



ITEP PROJECT APPLICATION REVIEW AND APPROVAL PROCESS

Figure 18-2.A

and forwards a final list of ITEP projects for endorsement by the IDOT Secretary of Transportation.

6. IDOT Secretary of Transportation Endorsement. The Secretary of Transportation reviews the recommended list of ITEP projects and forwards an endorsed list of ITEP projects to the Governor for final approval.
7. Governor Approval. Upon receipt of an endorsement from the Secretary of Transportation, the Governor reviews the final list of ITEP projects for selection and announcement. Final approval rests with the Governor.
8. Project Notification. OPP will notify all applicants if their projects were selected for funding or not. Scoping documents are provided to the districts documenting project scopes, funding amounts and ineligible items for approved projects. Unsuccessful projects may be resubmitted for consideration during the next submittal period.

18-2.02 Evaluation and Ranking Criteria

Projects are evaluated and ranked according to their ability to enhance the existing or historic transportation system. In general, projects are evaluated on a broad range of elements, such as their inclusion in a local or regional plan, public support, project readiness, their environmental and social impacts, improvements to the livability and sustainability of the local community, predicted usage, relationship to active and/or inactive transportation facilities, their historical significance, etc. Guidelines for the current year are available as noted in Section 18-1.

Projects proposed by the Department, IDNR, DCEO, and IHPA, either as part of planned transportation improvements or as independent projects, will be coordinated with the affected State agencies and MPOs and will be included together with locally sponsored projects to arrive at the final ITEP project list.

Proposed ITEP projects should have concurrence by all associated agency officials at the time of nomination. A re-submission will be accepted for consideration in a future evaluation cycle.

18-3 SPONSORING AN ITEM PROJECT

18-3.01 Qualified Sponsors

All ITEP projects must be sponsored by a State, Federal or local government agency (i.e., a unit of government with the authority to levy taxes). Districts or other Department divisions may submit projects for consideration. Not-for-profit agencies may co-sponsor projects with governmental entities.

18-3.02 Sponsor Responsibilities

The Sponsor of an ITEP project is responsible for the following:

1. Project Application, Preparation and Submittal. The Sponsor must complete the application form provided in the latest edition of the *ITEP Application and Instructions Manual* referenced in Section 18-1. Projects must be submitted to the appropriate MPO or Central Office as defined in Section 18-2.01 or the latest *Application and Instructions Manual* referenced above.
2. Funding Obligations and Costs. If the project is approved for ITEP funding, the Sponsor is responsible for providing the non-Federal matching funds (generally 20%, or 50% for right-of-way acquisition) plus any ineligible items the sponsor wishes to include with their project. The Sponsor also is responsible for providing the appropriate backup data and documentation on the project to satisfy the Department's and Federal audit procedures. Section 18-3.03 provides additional information on project funding. Consult the *ITEP Guidelines Manual* for information on ineligible items.
3. Agreement for Federal Participation. Upon approval of State agency (other than Department) projects, BDE will execute an interagency agreement with the Sponsor to delineate respective financial and implementation responsibilities. Upon approval of a local government sponsored project, the Bureau of Local Roads and Streets (BLRS) in the respective IDOT district will execute a local agency agreement with the local Sponsor. Project Sponsors should contact IDOT to initiate the agreement process.
4. Right-of-Way. Illinois statutes restrict ITEP construction projects to publicly owned property, permanent easements or, in limited cases, 20-year leases. Agreements with sponsoring agencies that provide for reimbursement of ITEP funds may be required where sufficient ownership interest is not feasible or possible.
5. Project Schedule. The Sponsor is responsible for developing a schedule that identifies the anticipated completion dates for preliminary engineering, land acquisition, environmental clearances, utility adjustments, and construction to meet requirements of the ITEP Sunset Clause.
6. Environmental Responsibilities. Environmental assessments, clearances, and mitigation activities that are related to projects intended for an IDOT letting shall be accomplished in accordance with established IDOT procedures during Phase I of the project. All

projects, including those intended for a Capital Development Board (CDB) letting, must address any necessary environmental studies, ensuring that all necessary intergovernmental agreements are executed, acquiring environmental sign-offs by appropriate Federal, State, and local agency(ies), and obtaining all required permits (e.g., EPA, 404). All State agency sponsored projects must be presented by the project Sponsor at an FHWA coordination meeting early in Phase I engineering to determine appropriate environmental category processing. All sign-offs must be accomplished prior to FHWA authorization of construction funds (prior to advertising for construction). The Sponsor should be aware that some enhancement projects have been allowed categorical exclusions or programmatic agreements in order to streamline the environmental process. Current guidance on categorical exclusions is available in Chapter 23. Guidance on programmatic Section 4(f) evaluations is provided in Section 26-2.

7. Engineering and Design. The Sponsor will contract for or provide the necessary services for engineering and design of the project, which will be subject to Department approval. All projects must be designed in accordance with appropriate Federal, State, and local criteria. Engineering for bicycle and pedestrian projects sponsored by a State agency will be according to established procedures for an IDOT letting. Selection of consultants for this work will be through an IDOT Professional Transportation Bulletin. BDE coordinates the implementation of engineering and construction phases, with assistance from the district as required with contract negotiation, Phase I review, Phase II plan and specification review, or other phases of work as appropriate or requested. The Bureau Chief of BDE will give Design Approval.

Historic preservation projects will be designed according to the criteria and guidelines presented in the publication *Secretary of the Interior's Standards for Historic Preservation Projects*. Engineering for historic preservation projects will be done in accordance with CDB procedures, with selection of consultants for this work also in accordance with CDB's selection process. District involvement with these projects is generally limited to coordination with FHWA for environmental determination or other appropriate coordination.

8. Contract Plans/Letting Process. For contract plans and letting process for IDOT let projects, see Chapter 63. For CDB let projects, refer to CDB procedures.
9. Construction and Maintenance. During the construction phase, the Sponsor is responsible for construction supervision and oversight. The Department, IDNR, or IHPA also may periodically inspect the project for contract compliance. Projects channeled through CDB follow CDB's established procedures for construction oversight. Change orders during construction, for all projects coordinated through the Department as well as CDB, require prior Department approval coordinated through BDE. The Sponsor also is responsible for proper maintenance for the life of the project, which should be a minimum of 20 years unless otherwise specified.

18-3.03 Funding Considerations

ITEP follows rules established for Federal and State highway programs, such as the following:

1. Reimbursement of Costs. All approved costs of construction for State agency projects are eligible for up to 80% reimbursement, including preliminary engineering and construction supervision, provided these costs are incurred after the date of Federal authorization. The Sponsor cannot incur reimbursable project costs until after the project is approved for funding by IDOT, a construction agreement has been executed, and funds authorized by FHWA.
2. Use of Federal Funds for Matching Purposes. Federal highway program rules do not allow the use of other Federal transportation funds to match Federal transportation funds, including Transportation Enhancement Funds. The rules do allow other non-transportation Federal funds (e.g., National Park Service, Corps of Engineers funds) to be used as match.
3. Co-Mingling. Established activities of existing programs may be supplemented by ITEP funds. Different elements of a proposed project could be funded through ITEP as well as other programs (i.e., co-mingling).
4. Right-of-Way Costs. Since 1998, the cost of purchasing property or rights-of-way is an eligible project cost and is eligible for 50% reimbursement. Donation of property may be eligible towards local match. Any right-of-way purchased in conjunction with project development must follow established Federal-Aid procedures. See the *Land Acquisition Manual*.
5. Contract Administration Options. Federal highway program rules dictate that project costs are paid as work is incurred and then reimbursed at the established percentage (up to 80%) by FHWA. If the project is advertised on an IDOT or a CDB letting, IDOT pays the Federal share of the contractor's interim bills and IDNR or IHPA pays their share directly to the contractor. If an agency's project funds are transferred to IDOT by agreement, IDOT can pay the contractor 100% and charge the agency's appropriation for the local share.
6. Cost Changes. For State agency projects, any requests for additional funding beyond that approved must be coordinated through BDE and approved by OPP. Any increases in project cost should be approved by BDE and OPP prior to Design Approval and again prior to FHWA authorization. For local agency projects, requests for additional funding should be coordinated through the Bureau of Local Roads and Streets in the respective districts. Project sponsors should consider other options to cost increases (e.g., reducing project scope, seeking alternative funding sources, additional local funds). Cost increases will rarely be permitted as there are no funds held back for increases and ITEP funds are capped at the originally approved amount. Funding changes, such as moving funds from PE to construction are generally allowed and must be coordinated through BDE or district BLRS and approved by OPP. An ITEP Change Request Form is available for these requests.

7. Federal-Aid Day Labor. IDOT may allow a project to be constructed with agency forces using Federal-aid Day Labor procedures on a case-by-case basis.
8. Progress Monitoring. Throughout the process, IDOT will monitor obligation and expenditure of ITEP funds to ensure timely progress. Failure to complete the project in a timely manner could result in loss of ITEP funds; see ITEP Sunset Clause.
9. Contract Completion. IDOT will certify completion of the project.
10. Changes in Scope. Changes in scope and locations, subsequent to the original Application Approval for State-sponsored projects, will need to receive concurrence from BDE and OPP. For local agency projects, a change in scope must be coordinated through BLRS at each district and approved by OPP.
11. Construction Change Orders. For State agency projects, any change orders during construction must be coordinated through BDE. For local projects, coordinate change orders through BLRS at each district. Because funding for all ITEP projects is capped, OPP should be notified of these changes.