

Wisconsin Department of Transportation

2011-2014 Local Program Guidelines

STP-Urban, STP-Rural, and Local Bridge

February 26, 2010

Purpose and Description

These guidelines provide direction for project requests for the 2011-2014 Local Program cycle. The Local Program includes the Surface Transportation Program (STP) Urban, STP-Rural and Local Bridge programs.

Local improvement projects on connecting highways are not eligible for STP-Urban, STP-Rural, and Local Bridge funds. Per Wisconsin Statutes, funds provided to local units of government are to be used for eligible projects on routes other than state trunk highway or connecting highway routes (Wis. Stat. 20.395(2)(fx); 20.395(2)(ev); 20.395(2); 84.18(2)(d)). Once a design project is approved and authorized, the sponsor has a maximum of ten years to begin construction. If this requirement is not met, the Federal Highway Administration (FHWA) may require the sponsor to pay back all federal funds expended on the project.

In calendar year 2007, the Wisconsin Department of Transportation (WisDOT) went from a three-year to a four-year Local Program (2009-2012 program cycle). The additional year created a program that provided the ability to add another year's worth of projects and encouraged greater program stability. WisDOT will continue with a four-year Local Program for the 2011-2014 program cycle, monitoring projects in two-year increments (2011-2012 and 2013-2014), and continue to conduct a program cycle every odd year. The next program cycle is scheduled to begin in early calendar year 2011.

The 2011-2014 program solicitation originally began in January 2009. The solicitation was delayed in February 2009 when the American Recovery and Reinvestment Act of 2009 (ARRA) was signed into law. WisDOT immediately refocused its efforts on successfully soliciting and approving over \$200 million of ARRA-funded local road, bridge, and transportation enhancement projects.

A portion of the approved local ARRA projects were already approved in the regular Local Program. For example, WisDOT was able to fund all the overscheduled FY 2009 local bridge projects with Stage 1 ARRA funds. Additional already approved, and newly applied for, bridge, road, and transportation enhancement projects were successfully funded with Stage 2 and Stage 3 ARRA funds. Entitlement balances were not charged for ARRA projects.

The funding of already approved regular Local Program projects with ARRA funds may result in the need to backfill the Local Program with additional projects. The impact ARRA projects will have on the Local Program will not be clear until the April-let ARRA projects are awarded. The need to backfill the Local Program is tempered by the fact that 80/20 Local Program funds are being used to fund

overages on approved ARRA projects. Since ARRA funds are capped, additional impacts to the financial status of the Local Program will also occur as ARRA project contract change orders occur during the construction phase of the projects.

We are currently facing several additional funding challenges that make it difficult to predict funding levels for the 2011-2014 program cycle. These challenges include:

- Large state and federal deficits.
- Volatile state and national economies.
- Potential additional stimulus funding.
- SAFETEA-LU sunset in September 2009, with little progress on reauthorization.
- Highway Trust Fund continuing to be on the verge of insolvency.

We are currently operating under Wisconsin's biennial budget for 2009-2011, and programming projects for SFYs 2011-2014. Estimated funding levels are based on the likelihood of one or more federal continuing resolutions being passed. Despite the above-mentioned funding challenges, it is imperative that we approve enough projects in the 2011-2014 program cycle to use all funding that is ultimately provided by Congress and the State Legislature.

As we restart the 2011-2014 program solicitation, the last two years of the previous program cycle (2011 and 2012) will be "refreshed" and an additional two years of funding (2013 and 2014) will be added to create the new program cycle. Refreshing 2011 and 2012 means examining the level of projects already approved for those years, and adjusting annual schedules to match the amount of actual available funding. WisDOT will provide local project sponsors with reports in early 2010 that summarize all current and denied Local Program projects as well as their current entitlement balance. A new application form, specifically designed for already approved projects, will be required for all projects that have not been authorized for design. A WisDOT representative will review and approve the completed applications.

The Federal Highway Administration (FHWA) is currently conducting a national review of all state Local Programs. In Wisconsin, the department and FHWA defined the issues that needed to be addressed and the Wisconsin Division of FHWA submitted their initial findings to FHWA Headquarters in October 2009. Some of the improvements for the 2011-2014 program cycle that are being implemented include:

- New WisDOT reports to aid local project sponsors in their evaluation of existing projects and future project applications.
- Updated electronic statewide project application forms.
- A longer solicitation period to provide project sponsors additional time to review existing projects and apply for new projects with more complete initial information.
- Updated State/Municipal Agreement templates and processes.
- Structured training, communication and follow-up with local project sponsors at key points throughout the process.

This cooperative effort impacts project approval and implementation and will result in greater fiscal accountability, better project monitoring, and new policies and procedures that will ensure that WisDOT's Local Program operates in a more effective and efficient manner.

STP-Urban

Estimated Chapter 20 federal funds for the STP-Urban program from 2011-2014 are \$169,527,708 (\$42,381,927 per year). Cost increases from existing projects continue to reduce the actual amount of funds available for new project approvals. STP-Urban projects are funded 80 percent federal and 20 percent local, except within an urbanized area.

Federal law allocates STP-Urban funding using population as a basis for funding distribution. Urbanized and urban area designations are federally determined by population density. State borders are irrelevant in this initial designation. Funding for these multi-state entities is provided to each state based on its share of the urban or urbanized area population.

Urbanized Areas

Within urbanized areas, the Metropolitan Planning Organizations (MPOs) are responsible for the approval of projects at a reasonable participating federal limit, not to exceed 80 percent federal. STP-Urban funds may be spent inside or outside the urban boundaries of urbanized areas.

Wisconsin's 16 urbanized areas receive an annual allocation based on their population. As Transportation Management Areas (over 200,000 population), the Milwaukee, Madison, and Round Lake Beach urbanized areas are federally permitted to carry over funds from one program cycle to another through the life of a transportation act. Annual allocations for the remaining 13 urbanized areas (50,000 to 200,000 population) should ideally be spent within the program cycle they are approved. All urbanized areas select projects in cooperation with their respective MPO.

All 16 urbanized areas must stay within their allocation of funds; allocations cannot be adjusted upward. Project growth will need to be monitored by WisDOT regional staff, the MPO, and communities within the region through cooperative agreements within the urbanized area. Responsible choices based on mutual decision-making and consultation with WisDOT will enhance the ability of the MPOs to manage their allocation and reduce the need for state intervention. Because allocations are a finite amount of funding, all MPO projects must be capped, along with the State/Municipal Agreement. Specific instructions for project changes will be provided at program approval.

All projects in areas above 50,000 in population should be part of the Transportation Improvement Program (TIP) process, and must be contained in their TIP prior to project authorization. If not, an amendment to the TIP will be necessary.

Urban Areas

For urban areas, annual funding for each of the two categories (5,000 to 20,000 and 20,000 to 50,000 in population) continues to be allocated by population (2000 Census). Wisconsin uses a statewide formula ranking process to distribute funds to communities in urban areas based on eligible centerline mileage. **Since FY 2011 is already overscheduled in the 5-20K and 20-50K statewide population categories, new projects will be added to FY's 2012, 2013, and 2014 only.**

STP-Rural

Estimated Chapter 20 federal funds for the STP-Rural program from 2011-2014 are \$99,563,892 (\$24,890,973 per year). Cost increases from existing projects continue to reduce the actual amount of funds available for new project approvals. STP-Rural projects are funded 80 percent federal and 20 percent local. Wisconsin uses a statewide formula ranking process to distribute STP-Rural funding. The formula is based 60% on a county's proportionate share of statewide rural centerline mileage and 40% on its proportionate share of statewide rural registration.

STP-Rural funds may only be spent outside urban boundaries. The current formula generates funding priority based on factors completely outside of urban and urbanized areas. By long standing department policy, in Wisconsin, county highway commissioners set priorities for STP-Rural funding within their county. In Wisconsin it is not appropriate to allow counties to propose the funding of projects within urban boundaries. It is the county highway commissioners' responsibility to ensure no projects are submitted for STP-Rural funding that are located within urban boundaries.

Federal SAFETEA-LU legislation did not continue the special rule under Section 1108(f) of TEA-21 that permitted federal funding for rural minor collectors at state discretion. The special rule applied only to the STP funds made available under TEA-21 and the subsequent extensions of TEA-21. The passage of the SAFETEA-LU Technical Corrections Act (H.R.1195) in 2008 provided WisDOT with a finite amount of funding which allowed the department to fund the remaining approved rural minor collector projects.

With the sunseting of SAFETEA-LU on September 30, 2009, minor collectors not being eligible under ARRA, and no information available on the next federal transportation act, WisDOT has determined that minor collectors are not eligible for federal funding in the 2011-2014 program cycle. Thus, a roadway must be functionally classified as a major collector or higher to be eligible for STP-Rural funding.

Local Bridge

Estimated Chapter 20 funds for the Local Bridge program from 2011-2014 are \$97,724,400 federal and \$33,836,800 state (\$24,431,100 per year federal and \$8,459,200 per year state). Cost increases from existing projects continue to reduce the actual amount of funds available for new project approvals. Local bridge projects are funded 80 percent federal or state, and 20 percent local.

Wisconsin uses a statewide formula ranking process to distribute Local Bridge funding. The formula uses Statewide Bridge Replacement Cost as a basis for distribution of funds. Each county gets a proportional share of the total allocation based on the cost of replacing those bridges with a National Bridge Inventory (NBI) List sufficiency rating (SR) of less than 50. While the cost analysis is based on replacement, the SR determines whether the bridge is eligible for replacement or rehabilitation funds.

County highway commissioners establish bridge priorities within their county per TRANS 213. To be eligible for federal aid, structures must be located on a locally owned public roadway (not on a connecting highway) and the structure must have a clear span of greater than 20 feet, a NBI SR of 80 or less for rehabilitation or a NBI SR of less than 50 for replacement, and be either "functionally

obsolete" or "structurally deficient." In addition, the bridge must not have been constructed or reconstructed in the last 10 years regardless of the funding source. This requirement excludes routine maintenance work. These definitions are part of the federal requirements. In general, "functionally obsolete" (NBI rating of 3 or less) means that the width, vertical clearance, or load rating of the bridge does not meet modern standards. "Structurally deficient" (NBI rating of 4 or less) means that a major element of the bridge (deck, abutments, or girders) is seriously deteriorated or damaged.

TRANS 213 also allows rehabilitation projects to occur on bridges with sufficiency ratings of 80 or less if certain conditions are met. An engineering study must be undertaken independently by the local agency (i.e., using local dollars) prior to application. The consulting firm that completes the independent engineering study is not eligible to complete the design project. The study needs to show the rehabilitation would:

- Be cost effective.
- Extend the life of the bridge by at least 10 years.
- Correct the deficiencies that caused the sufficiency rating to be less than 80.

Projects cannot be submitted for rehabilitation with a NBI SR greater than 80. The federal requirements of functionally obsolete and structurally deficient will determine an eligible project, not its ability to return the NBI SR back over 80.

Local Bridge Policy/Process Issues

1. National Bridge Inventory List (NBI)

Bridges must be on the 2010 National Bridge Inventory (NBI) List, and have both the SR and the necessary deficient components that make up the SR, to be eligible to apply for federal Bridge Rehabilitation and Replacement (BRR) funding. The 2010 NBI List will be published in May 2010 and distributed to all county highway commissioners. Contact your county highway commissioner to determine if a bridge is on the NBI List. Bridge applications will not be reviewed by WisDOT until after the 2010 NBI List is published. An exception to the above-mentioned eligibility requirements may be made for emergency bridge rehabilitation and/or replacement projects. This exception will only be approved upon review of the latest inspection reports and acceptance by a WisDOT bridge engineer that determines the structure has both the SR and necessary deficient components to make it eligible for BRR funding.

2. Bridge Approaches

WisDOT is currently working with FHWA to identify all issues associated with bridge approaches and draft appropriate policies/procedures to address those issues. The policies/procedures will be completed and put on the WisDOT Local Bridge Web page (<http://www.dot.wisconsin.gov/localgov/highways/bridgeprogram.htm>) prior to project sponsors submitting their 2011-2014 program cycle projects to region staff for review.

3. State Municipal Agreements-Local Bridge Program

Local Bridge projects must have only one sponsor identified in the State Municipal Agreement (SMA). Applicable local resolutions must be attached to the back of the SMA.

General Policy/Process Issues

1. Statewide Consistency

WisDOT continues to strive for statewide consistency within the Local Program in order to streamline processes for internal and external stakeholders. Statewide consistency improvements that will be implemented for the 2011-2014 program cycle include:

- Updated electronic statewide project application forms.
- Updated statewide State/Municipal Agreement templates and processes.
- New WisDOT reports that will provide information on existing and new projects on an on-going basis.

2. Project Application Review and Estimate Verification

WisDOT staff in each Transportation Region will provide application assistance to local units of government for the 2011-2014 program cycle. This includes required WisDOT review and verification of applications' project scope, accurate improvement type, estimated costs, and a realistic project schedule. Local officials should contact their WisDOT Region Local Program Manager with application process questions. The final project scope, improvement type, cost and delivery schedule continues to be the responsibility of the local sponsor, and these local applications will serve as the concept definition report (CDR) for all approved projects. Additional information on application tools can be found at the following WisDOT Web page:

<http://www.dot.wisconsin.gov/localgov/highways/tools.htm>

3. Evaluation of Rail Issues

To ensure compliance with both state and federal law and policy, all projects with any of the following conditions must be evaluated for rail issues:

- A railroad crossing located within the project limits or within 1,000 feet of the project location and/or on the designated detour route.
- Grade separations between a highway and a railroad.
- Projects that parallel a railroad on adjacent right of way.
- Projects that use railroad properties.
- Projects that involve adjustments to railroad facilities.
- Projects that will impact a corridor reserved under the Rails to Trails law.

Evaluation may require coordination with the railroad company at an early stage (sometimes even prior to submitting the project application). WisDOT Railroad and Harbors Section and the Region Railroad Coordinator are available to assist with this coordination. Project limits should not be adjusted to "gap" the railroad crossing to avoid coordination.

Approved projects that meet any of the above conditions will require railroad coordination and will likely require the development and execution of a railroad agreement. It is not uncommon for this step to take a substantial amount of time. Project development schedules should provide for sufficient time for these activities.

4. Use of Federal Funds for Compensable Utility Relocation

The use of federal funds for compensable utility relocation on local projects is strongly discouraged to maximize the funds available for construction, and because of the additional time needed to complete federal requirements for review of the relocation order. Utility relocation costs are an eligible cost for federal funding if the costs are compensable under state law. In Wisconsin, utility facility relocations are only compensable when the utility holds a valid land interest. That interest may be an easement, a prescriptive right under State Statute 893.28, or a Conveyance of Rights from a previous project. In order to reduce administrative costs, only large compensable utility relocation costs (over \$50,000 per utility) are eligible for federal funding. Smaller compensable utility relocations will continue to be funded entirely by local units of government. Projects that are initially estimated to have compensable utility relocation costs over \$50,000 that do not meet the \$50,000 funding threshold at project completion will also be funded entirely by the local unit of government. Refer to the following link to reference the WisDOT Utility Policy:

<http://roadwaystandards.dot.wi.gov/standards/util/chapter17.pdf>

5. Use of Federal Funds for Intersection Improvements (Roundabouts)

If an intersection warrants a signal or a four-way stop within the design life of the proposed project, the modern roundabout shall be evaluated as an equal alternative. Where there is an existing four-way stop or signal and there are operational problems with the current control, the roundabout shall be considered as a viable alternative. The roundabout may be a viable alternative for a two-way stop control in certain circumstances where safety issues have been identified. In either case, roundabouts are a potential intersection control strategy until such time that the evaluation indicates that the roundabout alternative is not appropriate.

To receive federal funding, all roundabouts require the involvement of a WisDOT-qualified roundabout designer. In addition to STP-Urban and STP-Rural funding, Highway Safety Improvement Program (HSIP) funds have an emphasis on the use of a roundabout as an intersection control alternative as described in the Facilities Development Manual (FDM) 11-25-3 (<http://roadwaystandards.dot.wi.gov/standards/fdm/11-25-003.pdf>).

On local projects being designed by the local unit of government with in-house staff, the local is required to contract with a qualified roundabout designer. On local projects being designed by a consultant, the consultant is required to have a design team member that is a qualified roundabout designer.

6. Bicycle and Pedestrian Accommodations

When developing proposed road or bridge projects, the needs of pedestrians and bicyclists must be considered. This is in keeping with a federal policy for accommodating bicycle and pedestrian travel and a 2009 state law [s.84.01 (35)] on establishing bikeways and pedestrian ways. For projects in rural areas it is understood that it is very likely that there will be no formal pedestrian facilities since pedestrian travel is of a low volume along many roadways. However, on urban and suburban reconstruction and new construction projects the expectation is that there will be sidewalks unless there are exceptional reasons why they cannot be added consistent with state

law and administrative codes. The incorporation of bicycle accommodations (bike lanes, paved shoulders, wide curb lanes) will be expected not only on urban and suburban projects, but also on rural roadways with moderate to higher volumes that are identified within the state and/or local bicycle plans, run through population centers, and/or serve as feeder routes into population centers (see FDM 11-45-10). Again, not including these facilities must be consistent with the exceptions cited in state law and administrative codes. In general, bicycle and pedestrian accommodations can be funded through the program if they are constructed at the same time the travel lanes are replaced or rehabilitated.

7. State/Municipal Agreements

WisDOT, with input from FHWA, is currently updating State/Municipal Agreement requirements, templates and processes. These efforts will be completed prior to the approval of the 2011-2014 Local Program, and specific details will be included at program approval.

8. Prohibition on Charging Local Oversight Costs to Federal Aid Projects

Local project sponsors cannot charge local staff oversight or administrative costs to any federal aid project.

9. Timely Use of Funds

Projects are expected to utilize federal funds within a reasonable timeframe. Failure to do so unnecessarily reserves spending authority that could be used by other eligible local governments. A policy on this issue will be published on the WisDOT Programs for Local Government Web site by April 12, 2010.

10. Project Substitutions

Project sponsors are limited to one substitution per project. Moving the same federal funds more than once is not allowed.

11. Additional Federal Funding Source - Highway Safety Improvement Program (HSIP)

The Highway Safety Improvement Program (HSIP) funds highway safety projects at sites that have experienced a high crash history. The overall objective of HSIP is to develop and implement, on a continuing basis, stand-alone safety projects designed to reduce the number and severity of crashes on all streets and highways (state and local). The federal funding ratio for HSIP funds is usually 90%, requiring a 10% match of state and/or local funds. Emphasis is on low-cost options that can be implemented quickly. Refer to the following link to reference the WisDOT HSIP Web page: <http://www.dot.wisconsin.gov/localgov/highways/hsip.htm>.

General Instructions

1. Regions should not allow local communities to request design and construction for the same project in the same fiscal year. Exceptions will exist. Consider, for example, resurfacing projects, which can typically be successfully designed and built within a two- to three-year period.

2. Because a new program is being developed, project substitutions will not be accepted between July 5, 2010, and November 15, 2010.
3. All projects must have a signed, accepted State/Municipal Agreement in place before any funds can be obligated.

Schedule for Program Approvals

As the schedule below indicates, the STP-Urban program is developed and approved first. This will provide the MPOs as much time as possible to prepare their TIPs.

WisDOT Schedule 2011-2014 Local Highway Improvement Program

Program	Project Applications Due to Regions	Approved Programs Sent to Regions	Approved Program Published
STP-Urban	Friday, July 30	Monday, October 4	Monday, October 18
STP-Rural	Friday, July 30	Monday, October 11	Monday, October 25
Local Bridge	Friday, July 30	Monday, October 18	Monday, November 1

Because the STP-Urban, STP-Rural, and Local Bridge programs involve close cooperation with local units of government, guidelines for the cyclical development of these programs, along with subsequent information updates, will continue to be published on WisDOT's [Programs for Local Government](#) Web site.

The Approved Project List for each program will be available for consultants and the general public on WisDOT's Web site 10 business days following the publication of the Approved Projects List, using the above "Approved Programs Sent to Regions" dates.

WisDOT Region Contact List

WisDOT Region	Contact	Phone	Email
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