

# REGIONAL SOLICITATION FEDERAL FUNDS QUALIFYING REQUIREMENTS

The applicant must show that the project meets all the qualifying requirements to be eligible to be scored and ranked against other projects. All qualifying requirements must be met before completing an application.

## All Projects

1. The project will follow all applicable federal and state design standards, including state statutes such as State Aid Rule 8820 as required.
2. The project is consistent with the [\*goals, objectives, policies, and actions of the 2050 Transportation Policy Plan\*](#) (TPP). Briefly list the applicable 2050 TPP objectives and policies.
3. The project or the specific transportation problem/need that the project addresses must be in a local planning or programming document completed within the last 10 years. Reference the name of the comprehensive plan, regional/statewide plan, capital improvement program, corridor study, Safe Routes to School Plan, Bicycle System Plan, or other approved/adopted plan or program of the applicant agency. The Active Transportation Planning application category (whose projects will be creating the plan itself) is exempt from this requirement.

List the applicable document(s) and pages:

4. The project complies with the Americans with Disabilities Act (ADA).
5. The project must be accessible and open to the general public.
6. The owner/operator of the facility must operate and maintain the project year-round for the useful life of the improvement. This includes assurance of year-round use of bicycle, pedestrian, and transit facilities, per [\*FHWA direction established 8/27/2008 and updated 4/15/2019\*](#). Project sponsors of standalone bicycle and pedestrian projects or bicycle and pedestrian facilities that are part of a roadway project must include information on how the requirement to maintain facilities for year-round use will be met. This information may include:
  - A local ordinance or policy that requires abutting property owners to maintain pedestrian or bicycle facilities, or that directs agency staff to maintain pedestrian and bicycle facilities.
  - A letter or resolution that confirms the proposed local facility will be maintained by agency staff or abutting private property owners.
  - A cross-jurisdictional agreement with another agency to maintain the proposed local pedestrian or bicycle facility.
7. The project must represent a permanent improvement with independent utility. The term "independent utility" means the project provides benefits described in the application by itself and does not depend on any other construction elements to be delivered for the proposed project to be achieved.

8. The infrastructure project must not be a temporary construction project. A temporary construction project is defined as work that must be replaced within five years and is ineligible for funding. Staged construction is eligible for funding as long as future stages build on, rather than replace, previous work.
9. The project applicant has sent written notification regarding the proposed project to all affected units of government prior to submitting the application. Staff-level letters of support are required if another agency owns the roadway, will deliver the transit service, will contribute financially to the project, will be expected to sponsor the applicant, or will be expected to maintain the project. Transit projects proposing a project that crosses into another agency's service area must include a letter of support from all relevant transit agencies.
10. The Metropolitan Council and the Transportation Advisory Board (TAB) get the first opportunity to utilize a share of the greenhouse gas and vehicle miles traveled offsets of any awarded federal or active transportation regional sales tax projects proportionate to the share of the total project cost funded by TAB to fulfill state requirements for the Greenhouse Gas Impact Assessment (473,145) enacted in 2023. Each offset can only be used one time. If the projects are not needed by the Metropolitan Council and TAB as offsets to other awarded Regional Solicitation highway projects, ownership of them will revert, in whole or in part, to the original project sponsor. Based on inputs provided in the application, Met Council staff will calculate the magnitude of the offsets.
11. The applicant agrees to provide Metropolitan Council staff with post-construction data, as requested, in order to perform before-and-after analyses.

## Federally Funded Projects Only

12. Federally funded projects must exclude costs for studies, preliminary engineering, design, or construction engineering. Right-of-way acquisition costs are only eligible as part of transit stations/stops, transit terminals, park-and-ride facilities, or pool-and-ride lots. Noise barriers, drainage projects, fences, landscaping, etc., are not eligible for funding as a standalone project, but can be included as part of the larger submitted project that is otherwise eligible.
13. Applicant is a public entity (e.g., county, city, tribal government, transit provider, etc.), or non-profit organization in the TDM category only. Applicants for federal funds that are not State Aid cities in the seven-county metro area with populations over 5,000 must contact the MnDOT Metro State Aid Office prior to submitting their application to determine if a public agency sponsor is required.
14. The public agency sponsor must either have a current Americans with Disabilities Act (ADA) self-evaluation or transition plan that covers the public right of way/transportation, as required under Title II of the ADA. The transition plan must be completed by the local agency before the Regional Solicitation application deadline.

The applicant is a public agency that employs 50 or more people and has a completed ADA transition plan that covers the public right of way/transportation. Date plan completed by governing body and link to plan: \_\_\_\_\_

The applicant is a public agency that employs fewer than 50 people (and is not required to have an ADA transition plan), but has completed an ADA self-evaluation that covers the public rights of way/transportation. Date self-evaluation completed and link to plan: \_\_\_\_\_

## Qualifying Requirements

- (TDM Applicants Only)* The applicant is not a public agency subject to the self-evaluation requirements in Title II of the ADA.
- 15. All projects that are located within right-of-way occupied by an active railroad must confirm that the railroad has been engaged in project planning.

### Roadway Projects

- 16. The roadway project is identified as a principal arterial (non-freeway facilities only) or minor arterial as shown on the latest [functional classification map](#). Bridge Connections, Proactive Safety, and Reactive Safety projects have broader eligibility and can be located on a minor collector and above functionally classified roadway in the urban areas or a major collector and above in the rural areas.
- 17. The project is designed to meet 10-ton load limit standards.
- 18. **Roadway projects that involve the construction of a new/expanded interchange or new interchange ramps** must have approval by the Metropolitan Council/MnDOT Interchange Planning Review Committee prior to the application deadline. Please contact David Elvin at MnDOT ([David.Elvin@state.mn.us](mailto:David.Elvin@state.mn.us) or 651-234-7795) to determine whether your project needs to go through this process as described in the 2050 Transportation Policy Plan.
- 19. **Interchange projects in the New Interchanges application category only:** The project is identified as a high priority in the Metropolitan Council and MnDOT's jointly led Intersection Mobility and Safety Study and has completed a planning document/corridor study that suggests a grade-separation is a potential solution. For the 2026 solicitation, there are only four potential locations that meet these requirements (and they are also identified in the 2050 TPP). In the future, there may be additional locations that are eligible after the necessary planning work is completed.
- 20. **Bridge Connections projects only:** The bridge must carry vehicular traffic. Bridges can carry traffic from multiple modes. However, bridges that are exclusively for bicycle or pedestrian traffic must apply under one of the Bicycle and Pedestrian Facilities application categories. Rail-only and transit-only bridges are ineligible for funding.
- 21. **Bridge Connections projects only:** The length of the in-place structure is 20 feet or longer.
- 22. **Bridge Connections projects only:** The bridge must have a Local Planning Index (LPI) of less than 60 OR a National Bridge Inventory (NBI) Rating of 3 or less for either Deck Geometry, Approach Roadway, or Waterway Adequacy as reported on the most recent Minnesota Structure Inventory Report.

### Bicycle and Pedestrian Facilities Projects

- 23. All projects must relate to surface transportation. Surface transportation is defined as serving a commuting purpose and/or that connects two destination points. A facility may serve both a transportation purpose and a recreational purpose; a facility that connects people to recreational destinations may be considered to have a transportation purpose.
- 24. **Regional Bike Facilities:** The proposed project in the Regional Bike Facilities application category must be identified on the Regional Bicycle Transportation Network (RBTN), Regional Bike Barrier Study (RBBS), or council-approved regional trail plan. For projects that implement or improve RBTN facilities, at least 50% of the total project length must follow an existing or planned alignment or extend along and within an RBTN corridor. Projects including less than 50% of total project length

to improving the RBTN (excluding regional trails that are not on the RBTN) should apply in the Local Bicycle Facilities application category.

25. **Local Bike Facilities and Local Pedestrian Facilities:** Projects must exclude right-of-way acquisition costs. Projects within these categories are eligible to include costs for studies, preliminary engineering, design, or construction engineering.
26. **Active Transportation Planning:** In order to apply in the Active Transportation Planning application category, the applicant must not have an existing equivalent plan. If the applicant has an existing plan, it must be more than 10 years old in order to apply for a new study effort. Applicants who do not have a specific active transportation plan other than the information included in their 2040 Comprehensive Plan may apply for assistance even though the comprehensive plan may be less than 10 years old.
27. **Active Transportation Planning:** The proposed plan must address active transportation at a system level. The plan must not be used to advance design for a single corridor or facility. At a minimum, the funded plan must identify recommended projects that may be eligible for future active transportation infrastructure funding. The plan must also address strategies to maintain and operate active transportation facilities on a year-round basis and for the life of any future projects.

## Transit Projects

28. **Transit Expansion projects only:** Per federal rules, a transit expansion project may request up to three years of operating assistance in the federal application for the project. The applicant must have operating funds necessary to commit to continuing to fund the service or facility project beyond the initial three-year funding period if the applicant continues the project.
29. **Transit Expansion and Transit Customer Experience projects only:** The transit project has independent utility, application elements have not been funded in a previous solicitation, and/or the project is new elements on an existing project.
30. **Transit Expansion and Transit Customer Experience projects only:** The applicant is able to implement a Federal Transit Administration (FTA) funded project in accordance with the grant application, Master Agreement, and all applicable laws and regulations, using sound management practices. Furthermore, the applicant certifies that it has the technical capacity to carry out the proposed project and manage FTA grants in accordance with the grant agreement, sub recipient grant agreement (if applicable), and with all applicable laws. The applicant certifies that it has adequate staffing levels, staff training and experience, documented procedures, ability to submit required reports correctly and on time, ability to maintain project equipment, and ability to comply with FTA and grantee requirements.

## Travel Demand Management Projects

31. The applicant is categorized as a subrecipient in accordance with 2CFR200.330.
32. The applicant will adhere to Subpart E Cost Principles of 2CFR200 under the proposed subaward.
33. The project does not duplicate a service already provided, such as carpooling or vanpooling programs. The applicant may propose an enhancement or expansion of these services.
34. The project does not include infrastructure that is eligible for funding in other categories, such as bike paths, sidewalks, or transit stop infrastructure.

## Qualifying Requirements

35. The project is eligible for Congestion Mitigation and Air Quality Improvement (CMAQ) funding, which is the federal funding source used on this application category. For competitive application projects, the project may fund up to three years of program administration and operations for expanded TDM programs, but cannot fund ongoing program administration and operations for existing services.