



Oregon Community Paths Guidelines (November 2020)

Oregon Department of Transportation, Public Transportation Division

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Part 1: Oregon Community Paths Program Grants Overview and Guidance

Introduction

This document provides guidance and application instructions for Oregon Community Paths program grant solicitations.

Oregon’s Community Paths program is a competitive grant program that supports investment in biking and walking facilities that are “off system,” meaning facilities that are not primarily on or along a roadway. Off System facilities may be routes or segments that traverse a park, between housing developments, along greenways, on old rail lines, or areas that are not otherwise within the public road right-of-way. There are two types of community paths:

- 1) Critical Links - biking and walking connections to schools, downtowns, shopping, employment, and other destinations
- 2) Regional Paths - longer distance paths serving communities; for example, Southern Oregon’s Bear Creek Greenway, or Portland’s [Springwater Corridor](#).

Acronyms and Definitions

Table 1: Acronyms and Definitions

ACT	Area Commission on Transportation
Agency	Entity applying for CP grant. Also known as applicant
ATL	Regional Active Transportation Liaison
IGA	Intergovernmental Agreement
LAL	Local Agency Liaison. Job Title is migrating to Transportation Program Manager
LOI	Letter of Intent
OBPAC	Oregon Bicycle and Pedestrian Advisory Committee
OCP	Oregon Community Paths
ODOT	Oregon Department of Transportation
OTC	Oregon Transportation Commission
OTSC	Oregon Transportation Safety Committee
PL	Project Leader
PM	ODOT Community Paths Program Manager
Project Refinement	A federally funded preliminary planning grant under the Community Paths program
SRTS	Safe Routes to School. For the purposes of this program manual, the term specifically applies to infrastructure projects.
TA	Transportation Alternatives Program
TPM	Transportation Program Manager. May also be referred to as a LAL

Funding for community paths is a compilation of state Multimodal Active Transportation (MAT) funds and federal Transportation Alternatives program (TA) funds.

The MAT is supported by the following three sources of funds:

Bicycle Excise Tax

The Oregon Bicycle excise tax is a \$15 tax on all new bicycles, human powered or electric assist, where the retail price is over \$200. All revenue from the Bicycle Excise Tax goes into the MAT fund.

Vehicle Privilege Tax

The Oregon vehicle privilege tax is a tax for the privilege of selling vehicles in Oregon. The tax is computed at 0.5 percent of the retail sales price of the taxable motor vehicle. Vehicle dealers in Oregon are responsible for paying the vehicle privilege tax on the sale price of each vehicle sold. A portion of the revenue from the fund goes to the Department of Environmental Quality (DEQ) for electric vehicle rebates (through 2023), and the remainder goes into the Connect Oregon fund. Of the money in the Connect Oregon fund, seven percent goes to the MAT program.

Lottery Bonds

Unlike the bicycle excise tax or vehicle privilege tax, which generates ongoing revenue, lottery bonds are provided by the Oregon legislature at their discretion. Lottery bonds have historically been allocated to support the Connect Oregon program for grants to non-highway modes of transportation. The MAT program will receive seven percent of any lottery bonds allocated to the Connect Oregon program. Funds may not be used on projects not normally eligible for funding under the [Oregon Constitution](#), Article IX, Section 3a, and there are other specific requirements that come with lottery-funded projects. At the time of this writing, all lottery bonds have been allocated by the legislature to specific projects, and none are allocated to the OCP.

The MAT fund is governed by administrative rule ([OAR 731.036](#)) which was developed following the legislative creation of the fund ([ORS 367.091](#)). The rule establishes the administrative process for the MAT fund, including the:

- Grant application process,
- Eligibility requirements,
- Project selection criteria guidance,
- Match requirements, and
- Project administration.

The Transportation Alternatives Program funded through the Federal Highway Administration (FHWA) under the State Transportation Block Grant Program and is governed under [23 USC 133](#). Oregon's apportionment is determined through a formula allocation.

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TA and MAT funds each have different program requirements, which affect how projects must be managed and govern overall project requirements. For this reason, ODOT does not intend to blend funds on any one project, but rather to keep a project either state funded or federally funded. All Preliminary Planning (referred to as “Project Refinement”) funds will use federal TA dollars. Construction projects may be funded by TA dollars or MAT dollars. Applicants may opt to apply for state funds only, or indicate if they would be willing to accept federal dollars. However, PTD will make the final decision on which source of funding will be used for each project.

Eligible applicants include cities, counties, state, regional government bodies, Tribal governments, mass transit or transportation districts, school districts, special government bodies, or other units of local government. Eligible non-profits with documented support from one of the above government bodies may also apply. To be eligible, applicants must commit to provide 10.27% matching funds for federally funded Project Refinement efforts, and 30% or 10.27% for state or federal (respectively) funded construction projects. The project must also meet the program requirements for Community Paths, described in this document.

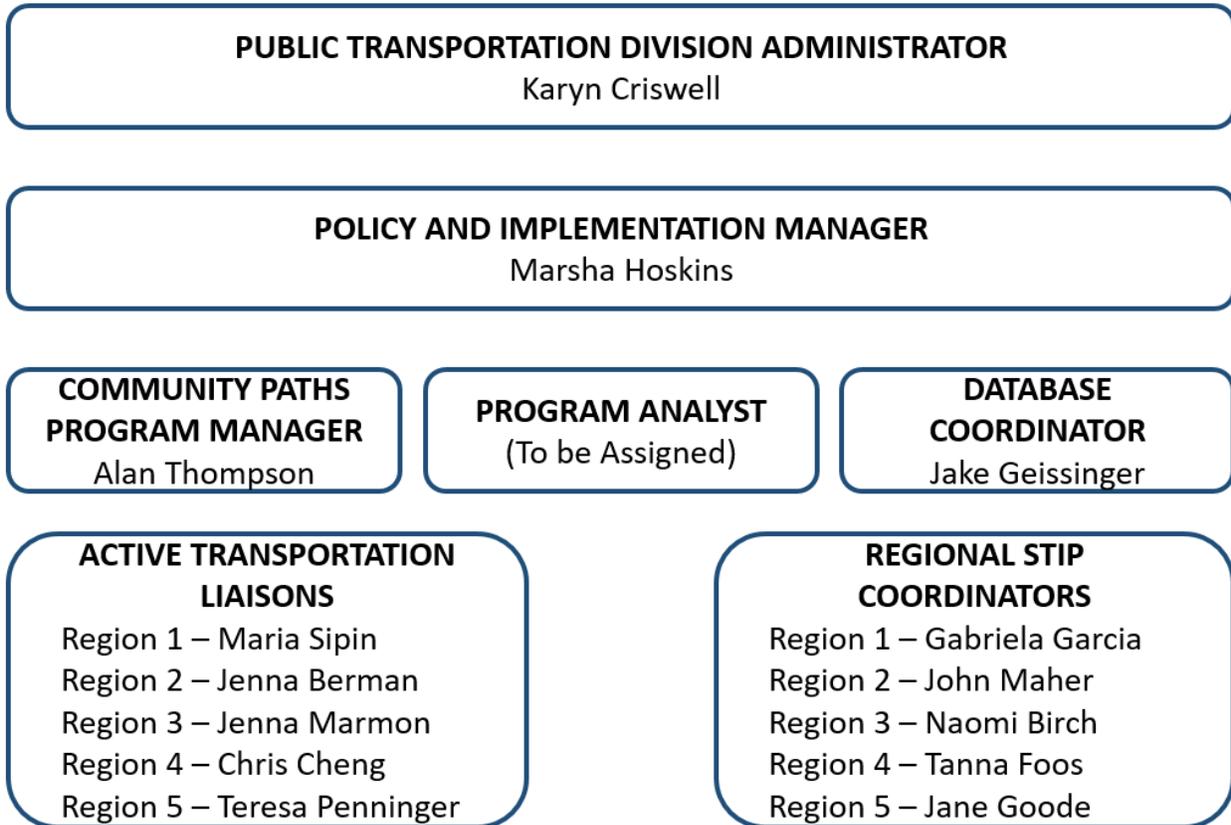
PTD will solicit for Project Refinement and construction projects roughly every two years, starting in October 2020 for the first cycle. An announcement on the amount of funds available and process will be made in the spring of the solicitation year. Applications will be due by January 31 the following year (2021 for the first cycle).

The successful applicant/recipient will have five years to complete a state funded project from the date of the application. For federally funded projects, the successful applicant/recipient will have three years to complete the project from the date the agreement is executed.

Go to <https://www.oregon.gov/ODOT/Programs/Pages/OCP.aspx> to learn more about Oregon’s Community Paths Program. The (OCP) Program is guided by Oregon Revised Statute (ORS) 367.091 to 367.093 and Oregon Administrative Rule (OAR) 731-036-0030.

Responsible Parties

Figure 1: ODOT Staff Responsible for Community Paths Program Management



Community Paths:

“Community Paths” refers to efforts to make off-street walkways and bikeways that address barriers to connecting communities and complement on-street walkways and bikeways.

Oregon Community Paths Program:

The [Oregon Community Paths Program](#) (OCP) is a statewide program that funds off-road paths that serve utilitarian purposes. The program funds two types of projects:

1. **Construction Grants:** Development, construction, reconstruction, resurfacing, or other capital improvement of multiuse paths, bicycle paths, and footpaths that improve access and safety for people walking and bicycling
2. **Project Refinement Grants:** Preliminary Planning grants to help prepare for a later OCP construction grant request.

Oregon Department of Transportation (ODOT) Public Transportation Division (PTD):

The Program Implementation Unit within the PTD is responsible for overseeing this program. The OCP Program Manager oversees the day-to-day activities, reviewing and ranking applications, managing grants and evaluating the program and compliance.

[Regional Active Transportation Liaisons:](#)

Regional Active Transportation Liaisons (ATLs) are specialists in active transportation. They work with local agencies assisting in the development of projects and applications. They may also assist Transportation Program Managers in reviewing completed projects.

[Regional Transportation Project Managers:](#)

Regional Transportation Project Managers (TPMs) act as project leads with the public agencies. TPMs serve as the region point person for administration of the OCP program. They are responsible for working with awardees to deliver funded projects.

[ODOT Community Paths Program Manager \(PM\):](#)

The OCP Program Manager manages all aspects of the Community Paths program. The PM establishes dates and milestones for the grant cycle, coordinates delivery logistics for the Letters of Intent, conducts local workshops, and responds to comments. The PM develops project selection criteria in collaboration with the Oregon Bicycle and Pedestrian Advisory Committee, and develops the Letter of Intent and application templates.

[Oregon Bicycle and Pedestrian Advisory Committee \(OBPAC\):](#)

The [OBPAC](#) is an eight-member committee appointed by the governor that acts as a liaison between the public and ODOT. The mission of OBPAC is to advise ODOT, the Oregon Transportation Commission, and Oregon legislature on priorities, issues, projects, and funding needs to improve biking and walking in Oregon. The OBPAC will provide consultation on setting priority criteria for OCPP funding cycle. OBPAC will also participate in project selection.

[Oregon Transportation Commission \(OTC\):](#)

The [Oregon Transportation Commission](#) (OTC) is the decision-making body responsible for reviewing recommended projects, making the ultimate decision on which projects to fund, and determining recipients of lower cash match requirement. The OTC approves the OCPP project list for competitive grants.

[Local Public Agencies:](#)

Local public agencies like cities, counties, tribes, transit districts, and other road authorities are responsible for preparing and submitting applications for their projects within the deadline. ODOT cannot apply for federal funds, but can collaborate with grantees to implement projects.

[Program Solicitation](#)

In 2019, the Oregon legislature passed [House Bill 2592](#) to clarify and amend [House Bill 2017](#). The legislation establishes the Multimodal Active Transportation (MAT) Fund for bicycle and pedestrian projects, consisting of 7% of the Connect Oregon Fund plus revenues from Oregon's bicycle excise tax.

The Multimodal Active Transportation Fund Rules Advisory Committee developed [Oregon Administrative Rule 731-036](#). These rules establish the administrative process for the MAT fund, including the grant application process, eligibility requirements, project selection criteria, match requirements, and project administration process for the MAT program consistent with HB 2592.

In response, ODOT allocated the state share of federal [Transportation Alternatives](#) program funds to this program to complement the state funds. As a result, the OCP Program has two types of competitive grants:

3. **Construction Grants:** Capital Improvement grants, utilizing either state Multimodal Active Transportation (MAT) funds or federal Transportation Alternatives (TA) funds. Approximately \$17 Million will be available for the program through 2024, with grant awards from \$200,000 - \$4 Million.
4. **Project Refinement Grants:** Project Refinement grants are only available under the federal TA Program and consist of planning work necessary to apply for a construction grant. Up to \$1.5 Million will be available, with grant awards between \$75,000 and \$750,000.

Additional online resources:

- **ODOT's OCP Programs Site:** <https://www.oregon.gov/ODOT/Programs/Pages/OCP.aspx>
- **Guide to Federal Aid Programs and Projects**
<https://www.fhwa.dot.gov/federalaid/projects.pdf>
- **Federal Aid Guidance – Non Federal Matching Requirements**
https://www.fhwa.dot.gov/legsregs/directives/policy/fedaid_guidance_nfmr.pdf

Program Purpose and Eligibility

Eligible Applicants

The following entities are eligible to apply for the OCP Competitive Grant program, based on the funding source:

- Local governments,
- School districts,
- Tribal governments,
- Mass transit or transportation districts,
- Special government body, or other unit of local government (MPOs and State agencies are ineligible for federal funds under the OCP), and
- A non-profit organization or other private entity with documented support from one of the governmental bodies along the regional path may apply for state funding. Additional restrictions for non-profit organizations apply with federal funding.

Eligible Project Types:

Regional (Off-road) Path;

- Is a continuous path made up of one or more connected segments that is primarily physically separated from the roadway;
- Connects two or more communities, with each community no more than 15 miles apart, or traverses a single large community with a path that is 10 miles or longer;
- Serves as a connection point for people commuting between communities, or is a part of an officially designated walking and bicycling route; and

- Is endorsed by elected bodies along path alignment.

Critical Links

- High need locations or areas where:
 - No connections exist,
 - Options are limited, or
 - Safety concerns exist and will be addressed by improvement.

Project Refinement

- Project must be for initial (pre-NEPA) planning, often referred to as first 30%. The goal is to perform the initial planning to allow for a future successful construction application. Area master or system plans are not eligible.

Funding Availability

Grant cycles will be on an approximately two-year cycle starting in 2020. The table below shows the estimated amount expected to be available for the first two funding cycles, shown by grant type. Because the economic impacts of the COVID-19 pandemic are still unfolding, it is possible that the state funds estimates could decrease as a result in loss of revenue, or reallocation by the state legislature.

Funding Cycle	Transportation Alternatives (federally funded)	Estimated Multimodal Active Transportation (state funded)	TOTAL
2018-2021	\$2,200,000	\$ 2,477,000	\$ 4,677,000
2022-2024	\$6,000,000	\$ 3,600,000	\$ 9,600,000
Totals	\$8,200,000	\$6,077,000	\$14,277,000

The OBPAC will determine all subsequent funding cycles in consultation with the OCP PM.

Match Requirements

Cash match is actual funds provided by the applicant that are reasonable, necessary, and directly related to the project and funded by the applicant. Examples of cash match include engineering, design, utility relocation, right-of-way acquisition, and construction costs. Education and outreach efforts, or in-kind contributions are not cash match.

State Multimodal Active Transportation Funding

Actual cash funds for State MAT funds may be considered expenditures directly related to the project (e.g., land banking) up to 10 years prior to the project application deadline. The OCP guiding statute states a project must have local cash match of 30% for MAT funds.

Federal Transportation Alternatives Funding

Actual cash funds for federal TA will only be considered after the date the Intergovernmental Agreement (IGA) is signed by all parties and executed.

Federal TA funds must have a local cash match of 10.27%. Local or state funds may be used as cash match, but federal funds may not be used to match other federal funds.

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Meeting the local cash match requirement:

- Applicants can consider using the Oregon Transportation Infrastructure Bank to borrow funds at a low interest rate. More information at <http://www.oregon.gov/ODOT/About/Pages/Financial-Information.aspx>.

Part 2: Competitive Grant Requirements

The ODOT OCP Competitive Grant Program runs in two-year cycles. The first round of funds will be awarded in 2021.

Application Process

APPLICATION REQUIREMENTS AND PROCESS

Step	Dates	Description
1	August 2020	PM opens application window.
2	October 1 – October 31, 2020	Applicant submits Letter of Interest to determine eligibility
3	14 days after applicant submits LOI	PM responds to Letter of Interest offering opportunity to apply, if eligible
4	Nov 1, 2020 – Jan 31, 2021	Applicant submits final application.
5	February 2021	PM reviews, scores, and ranks application
6	March 2021	OBPAC recommends project list to OTC
7	May 2021	OTC approves projects for funding.

In August of funding cycle years, PTD will announce the schedules to submit grant applications for grants from the OCPP. PTD will not accept applications outside of the announced application periods. PTD will also announce the opening and closing of application cycles in the weeks prior to the application cycle.

Application materials are on the [OCP program](#) website during the solicitation cycle. An LOI and application must be submitted online through the website. PTD will provide online templates for submissions and may request additional supporting documentation from the applicant.

LETTER OF INTEREST

LOIs will be accepted between October 1 and October 31 of the funding cycle year, and are a requirement for submitting applications.

The purpose of the LOIs to provide basic information and confirm eligibility of the proposed project, as well as allow the OCP PM to gauge how many applicants will apply for the current round of funding to allocate adequate staffing resources for effective application review and scoring.

When submitting an LOI, applicants must supply contact information, confirm eligibility, project location, brief problem statement, brief project description, request estimate, and anticipated source of cash match. The PM will review LOIs and notify applicants if the project is eligible. If eligible, applicants must submit a formal application for further consideration. Eligibility is not a guarantee of funding.

Letter of Intent (SAMPLE)

Description:

The LOI is used to determine eligibility to apply for OCP program grants. The OCP program funds grants for project development, construction, reconstruction, major resurfacing, or other improvements of multiuse paths that improve access and safety for people walking and bicycling.

The LOI is due by 11:59 p.m. on October 31, 2020. The Community Paths PM will respond within two weeks of LOI submission, or before November 15, 2020 (whichever comes first), with an eligibility determination and the invitation to submit an application if deemed eligible. The PM may provide feedback at that time if needed.

You must submit a LOI and be determined eligible by PTD in order to submit an application for the Community Paths Competitive Grant program. Full applications for the program will be available on November 1, 2020 and due by 11:59 p.m. on January 31, 2021.

Organization

Applicant Name (contact person)	Title
<input type="text"/>	<input type="text"/>
Agency	Phone
<input type="text"/>	<input type="text"/>
Email	
<input type="text"/>	

Are you applying for multiple projects? If yes, what is the priority of this project (Example: 1 of 2)?

Project Location Detail

Describe your project. (Include as appropriate: rail line and milepost range, GPS coordinates, bike path or multi-use path locations, or other location detail)*

**Attach map of proposed project, including start and end-points.*

Grant Type

There are two grant types; Project Refinement and Construction.

- 1. Project Refinement is the first 30% of planning (before NEPA would be invoked) which allow you to later apply for a construction grant.*
- 2. Construction includes all elements from preliminary design through construction. If using federal funds, project must be completed within 10 years or funds must be returned.*

Are you requesting funding for?

- Project Refinement
- Construction

Are you requesting funding for improvements that will be part of a larger project?

- Yes
- No

If yes, are any parts of the larger project funded with federal funds?

- Yes
- No

If previous portion was previously funded using federal funds, all portions of project must meet federal requirements

Eligibility Requirements

To be eligible for OCP program funding:

- Project Refinement grants must support planning and design of a “Critical Link” or a “Regional Path” for people walking and bicycling
- Capital improvement grants must construct or improve a “Critical Link” and/or a “Regional Path” for people walking and bicycling.

“Critical Link” means a multiuse path, bicycle trail, or footpath, in an area that meets one or more of the following criteria:

- a) Improves walking and bicycling access to high need locations (e.g., transportation disadvantaged areas, schools, shopping or employment centers, medical services, connections to transit and Regional Paths, and downtowns); or*
- b) Improves walking and bicycling access in areas where no connections exist, transportation options are limited, or significant safety concerns are addressed by the improvement.*

“Regional Path” means a multiuse path or trail, including bicycle trails and footpaths that meets the following criteria for Regional Path designation:

- a) Is a continuous path made up of one or more connected segments that is primarily physically separated from the roadway;*
- b) Connects two or more communities, with each community no more than 15 miles apart, or traverses a single large community with a path that is 10 miles or longer;*
- c) Will serve as a connection point for people commuting between communities, or is a part of an officially designated walking and bicycling route; and*
- d) Is endorsed by elected bodies along path alignment.*

Critical Link:

Will the project contribute to development of a biking and/or walking path to high need locations (e.g., transportation disadvantaged areas, schools, shopping or employment centers, medical services, connections to transit and Regional Paths, and downtowns)?

- Yes
- No

Will the project contribute to development of a biking and/or walking path in areas where no connections exist, transportation options are limited, or significant safety concerns are addressed by the improvement?

- Yes
- No

Regional Path

Will the project contribute to development of a continuous path made up of one or more existing or planned connected segments that meet the following requirements? (Check all that apply)

- Is primarily physically separated from the roadway
- Connects two or more communities, with each community no more than 15 miles apart, or traverses through a single large community with a path that is 10 miles or longer.
Large community is defined as any single community that can accommodate the proposed path 10 miles or longer within its boundaries
- Will serve as a connection point for people commuting between communities, or is a part of an officially designated walking and bicycling route as shown in a local, county or regional plan
- Is endorsed by elected bodies along path alignment, as indicated in a local, county, or regional plan.

Right-of-Way

Is your project located on public property or public right-of-way?

- Yes
- No

If yes, do you have approval from the appropriate public agency or roadway authority to develop this project?

- Yes
- No

Is your project detailed in a project, local, or regional plan?

- Yes
- No

If yes, Describe:

Why is this project needed? What problem are you trying to solve?

Briefly describe your project. What is it? How does it answer the above problem statement? Provide a summary of the project in a concise manner that can be used on a website or publication.

Do you have demonstrated support of the affected community or communities?

- Yes
- No

If yes, please describe support. Include meeting summaries and letters of support:

Financial Information

Total project cost = grant amount (state or federal funds) + local match

Actual cash funds for MAT funds may be considered up to 10 years prior to the project application deadline, including direct expenditures (e.g., right-of-way purchase). Actual cash funds for TA may only be considered after the date the Intergovernmental Agreement is signed by all parties.

	Local match	Allowable match type	Allowable match timeline
Federal grants	10.27% of total project cost	Cash expenditures or in-kind contributions	Only expenditures after grant award and IGA signature
State grants	30% of total project cost	Only cash expenditures	Direct expenditures within previous 10 years

What is the estimated total project cost? (Grant amount + Matching funds = Total project cost)

Describe the estimated amount and source of local matching funds you will provide to meet either federal or state fund requirements (10.27% and 30% of total project cost respectively).

Will you be requesting project be funded with federal or state funds*? Choose one. Project may not combine federal and state funds.

- Federal
- State

**Funding source is dependent upon availability. PTD will make final decision on funding source after review and collaboration with applicants. For non-certified agencies, federally funded projects will be administered by PTD.*

- If yes, is your agency certified to deliver federally funded projects?
 - Yes
 - No

(Answering “No” to either of the above questions does not make you ineligible for OCP grants.)

SUBMISSION	
Signature	Date:
Name and Title of Person Authorized to Apply for Grants	
Submit Completed Application to:	
E-mail: CommunityPaths@odot.state.or.us Subject Line: OCP [Agency Name] Application [Year]	

Upon submitting this form you will receive an email confirming your submission. For efficiency, it is recommended that you save that email as some of the questions are replicated/expanded on the OCP Program Grant Application.

If you have any questions regarding how to complete this form, please contact Alan Thompson at Alan.L.Thompson@ODOT.State.OR.US or 503.986.7202

APPLICATION

Applicants must fully complete the application to be considered in the competitive process. When submitting an application, applicants must have:

- Submitted a Letter of Intent
- Met basic eligibility requirements,
- Provided a problem statement and project description,
- Provided a total project cost including match,
- Provided an itemized budget,
- Provided a project schedule,
- Provided verification on ownership of right-of-way, easements (or path to same)
- Uploaded project area photos, maps, and required signatures.

Oregon Community Paths Application (SAMPLE)

The OCP Program funds project development, construction, reconstruction, major resurfacing, or other capital improvement of multiuse paths, bicycle paths, and footpaths that improve access and safety for people walking and bicycling. Applications are due by 11:59 p.m. on January 31, 2021.

You must have previously submitted a LOI and received a notice of eligibility and offer to apply before submitting an application. Read more about project eligibility and scoring criteria in the Program Guidelines.

PART 1: Application Information

1.1 Project Name

1.2 Applicant Contact Information

Name of Primary Contact

Title

Legal Name of Agency

Phone Number for Primary Contact

Email for Primary Contact

Applicant Mailing Address

Are you partnering with another agency to complete this grant? Please list other agency.

1.3 Are you (the applicant) a (check one):

- City, county, state, regional government body, tribe, transit district, school district, special government body, or other unit of local government
- A non-profit organization or other private entity with documented support from one of the governmental bodies listed above.

Why are we asking this? Non-profits must represent or have documented support from a local governmental body to be eligible for OCP funding. You must provide a letter of support for your application from the governmental body that will adopt any planning documents and/or own and maintain any capital assets developed through this grant. Letters of support should be uploaded in the "Attachments" section at the end of this application.

1.4 Are you located in an area of responsibility with 5,000 people or fewer?

- Yes
- No

Why are we asking this: ODOT is required to distribute a portion of federal funds to communities with populations <5,000.

1.5 Are you applying for more than one grant?

- Yes
- No

If yes, what is your priority of this grant?

Part 2: Grant Type

*The OCP Program includes funding from state and federal sources. The local match and project delivery requirements are slightly different for state and federally funded grants. State grants have a higher local match (30%), but more flexible match and project delivery requirements. Federal grants have a lower local match (10.27%), but more stringent match and project delivery requirements. **Your project may receive a state or federally funded grant at ODOT's discretion depending upon a variety of criteria, including fund availability.** The following questions attempt to determine if your project is most appropriate for federal or state funding.*

The OCP Program offers grants for two types of projects:

- **Project Refinement** (planning and/or design without construction) grants are federally funded. ODOT limits work completed with Project Refinement grants to the first 30% of project design before the National Environmental Policy Act (NEPA) is invoked. To learn more about NEPA, visit ODOT's webpage: <https://www.oregon.gov/ODOT/GeoEnvironmental/Pages/NEPA.aspx>
- **Capital Improvement** grants may be state or federally funded. Capital improvement grants may include planning and design phases, but must result in construction of any planned or designed improvements.

2.1 Are you requesting funding for:

- Project Refinement (includes planning and up to 30% project design)
- Capital improvements (must include project construction)

2.2 Are you requesting funding for improvements that will be part of a larger project? For example, will grant funds be used to construct path improvements in conjunction with a roadway improvement project?

- Yes
- No

If yes, were any parts of the larger project funded with federal funds?

- Yes
- No

Why are we asking this? If any portion of the larger project is funded or was funded previously using federal funds, all portions of the project must meet federal requirements. If you answer yes to this question and your application is selected for funding, you will be awarded a federally funded grant.

2.3 Are you willing to accept federal funds for this project?

- Yes
- No

2.3a If yes, is your agency certified to deliver federally funded projects?

- Yes
- No

Why are we asking this? Local agencies must be certified to deliver federal-aid highway projects. If an agency that is not certified to deliver federally funded projects, yet receives a federally funded grant, ODOT will administer the project for the local agency. Learn more about ODOT's Local Agency Certification Program at:

<https://www.oregon.gov/odot/LocalGov/Pages/Certification.aspx>

Answering "No" to any of the questions above does not make you ineligible for OCP grants.

2.4 Provide a high-level description of your project in a concise manner that can be used on a website or publication. *Please refer to LOI. If you are providing a more detailed or revised project description based on new information, please describe. (500 characters)*

Part 3: Eligibility Requirements

Please refer to LOI for this section.

To be eligible for OCP funding:

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- Project Refinement grants must support planning and design of a “Critical Link” and/or a “Regional Path” for people walking and bicycling
- Capital improvement grants must construct or improve a “Critical Link” and/or a “Regional Path” for people walking and bicycling

The following questions help us determine if your project meets the eligibility criteria for an OCP grant.

3.1 Is your project an infrastructure project or Project Refinement project that is for the primary benefit of people bicycling, walking, or using other forms of non-motorized transportation?

- My project is an infrastructure project that is for the primary benefit of people bicycling, walking or other forms of non-motorized transportation.
- My project is a Project Refinement project that is for the for the primary benefit of people bicycling, walking or other forms of non-motorized transportation

Non-motorized transportation refers to walking, biking and variants of human powered transportation such as Small-Wheeled Transport (skates, skateboards, push scooters and hand carts) and Wheelchair (including electric) travel.”

Critical Link:

3.2 Will the Project Refinement or Infrastructure project contribute to development of accessible¹ biking and/or walking path to high need locations (e.g., transportation disadvantaged areas, schools, shopping or employment centers, medical services, connections to transit and Regional Paths, and downtowns)?

- Yes
- No

3.2a If yes, please describe. (500 characters)

¹ Paths funded through OCP must serve a transportation purpose and provide an accessible way for users with disabilities. Soft surface trails that are primarily designed for recreational use by hikers, equestrians, mountain bikers, and others are not eligible for OCP.

Path surfaces must be “firm and stable”, per US Access Board guidelines. Concrete and asphalt (impervious or pervious) are the most common and durable firm/stable construction material for shared use paths. Some natural surfaces can be compacted so that they are firm and stable, but these surfaces can degrade and become inaccessible without regular maintenance. Applicants should demonstrate how their proposed path design meets ADA accessibility requirements.

More information about shared use path accessibility guidelines is available in the Oregon Bicycle and Pedestrian Design Guide and on the Public Right-of-Way Accessibility Guidelines (PROWAG) website: <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths/supplemental-notice/proposed-supplements>)

3.3 Will the Project Refinement or Infrastructure project contribute to development of a biking and/or walking path in areas where no connections exist, transportation options are limited, or significant safety concerns are addressed by the improvement?

- Yes
- No

3.3a If yes, please describe. *Ensure description addresses each component of Question 3.3. (500 characters)*

Regional Path

3.4 Will the project contribute to development of a continuous path made up of one or more connected segments?

- Yes
- No

If yes, check all that apply:

- Is primarily physically separated from the roadway
- Connects two or more communities, with each community no more than 15 miles apart, or traverses a single large community with a path that is 10 miles or longer.

Large community defined as any single community that can accommodate the proposed path 10 miles or longer within its boundaries

- Will serve as a connection point for people commuting between communities, or is a part of an officially designated walking and bicycling route as shown in a local, county, or regional plan or map.
- Is endorsed by elected bodies along path alignment.

An adopted plan that includes the project or policies in support of the project and/or letters of support from elected bodies along path alignment will suffice.

3.4a If project meets all four criteria above, please describe how it meets each of these criteria, and will contribute to the development of Regional Paths. (1,000 characters)

3.5 Is your Regional Path project included or supported in a local or regional plan (e.g., Comprehensive Plan, Transportation System Plan, Safe Routes to School Action Plan, Corridor Plan, Area Master Plan, Active Transportation Plan, or other locally adopted plan)?

- Yes
- No

3.5a If yes, identify plan. Include project description in plan or supporting policies (400 characters) and include link to plan, or scan of relevant pages attached to application.

3.6 Why is this project needed? What problem are you trying to solve? (500 Characters)

3.6a How does the proposed project (including Project Refinement), if constructed, address the above problem statement? Explain why the proposed project is the right solution to the problem. (500 Characters)

Part 4: Project Location Detail

The following questions help us understand where your proposed project is located, risks related to property acquisition, and the different agencies or property owners who will need to be involved in developing the project. Projects that have already acquired or developed a plan to acquire needed property and/or easements will receive a higher “project readiness” score than projects that have not identified property needs and acquisition strategy.

4.1 Provide a brief description of your project location. Describe path locations, or other location details. Attach a map of proposed project, including start and end points. For Project Refinement, provide map showing proposed corridor(s).

4.2 Is any part of your project located on public property or public right-of-way?

- Yes
- No
- We don't know

4.2a If yes, attach documentation (resolution, adopted transportation plan, safe routes to school plan) that shows support from jurisdiction(s) along the proposed path.

4.3 Does your project include ODOT right-of-way?

- Yes
- No
- Don't Know

4.4 Does your project include railroad right-of-way or crossings?

- Yes
- No
- Don't Know

4.4a yes, provide location of railroad. *Please refer to Letter of Intent.*

4.5 Are any bridges, tunnels, retaining walls, or other structures required?

- Yes
- No
- Don't Know

4.5a If yes, please describe structures and proposed locations. (500 characters)

Part 5: Benefit/Equity

The following questions help us understand the benefits the project provides, such as improving social equity and safety outcomes. Projects that serve transportation-disadvantaged areas and address safety barriers will receive a higher score than projects that do not.

5.1 "Transportation Disadvantaged Areas" are areas with a high proportion of residents/workers who are youth, seniors, low income, non-white, Hispanic, and/or have a disability. These areas generally have a higher reliance on walking, biking, and transit for transportation and have often experienced historic underinvestment in transportation facilities that serve community needs.

Does the project improve walking/biking connections within a transportation disadvantaged area(s)?

- Yes
- No

5.1a If Yes, please describe. (200 Characters)

5.2 What is your transportation-disadvantaged index score? (ODOT will annotate score from index) *Transportation Disadvantaged Index (non-white/Hispanic, youth/senior, low income, ESL, 0 vehicle, disability population)* (Up to 100 Points)

5.3 Describe how the project addresses the needs of transportation-disadvantaged residents. (500 Characters)

5.4 Does the project address/mitigate a safety barrier to walking, biking, or other forms of non-motorized transportation? (25 Points)

- Yes
- No

5.4a If yes, please describe. *Note: you may include information about a parallel road if the project is intended address a barrier on that road.* (500 Characters)

5.5 Is the project intended to be an alternative to bicycling/walking on a specific road?

- Yes
- No

5.5a If yes, please describe the roadway attributes such as roadway width, number of lanes, posted speed limit, average annual daily traffic, and/or number of collisions in last five years.

5.5b If yes, is the posted speed or 85th percentile speed of traffic 40 miles per hour or greater?

- Yes
- No

OR do any two of the following apply?

Check all that apply

- Posted speed limit 30 miles per hour or greater;
- More than two lanes or a crossing distance greater than 30 feet;

- 12,000 vehicles or more annual average daily traffic;
- Has one or more bicyclist or pedestrian involved crashes in the last five years.
(Up to 25 Points)

Part 6: Community Outreach and Support

Early and meaningful engagement of community stakeholders and neighboring property owners is an essential element of developing a successful path project. The following questions help us understand the level of community outreach related to your project and the level of community support that exists for the project. Projects that have conducted outreach and have community support or have developed a plan to address community concerns will receive a higher score than projects that have not yet begun outreach.

6.1 What community outreach have you conducted? (Up to 20 Points)

- No previous community outreach work
- Community outreach is in process
- Significant community outreach with good support
- Community outreach conducted in support of Project Refinement grant application development

6.2a Provide summary of any completed or in-work public outreach on this project (500 Characters)

6.2b Identify any concerns that were raised in the public outreach process or that you anticipate being raised and how you anticipate addressing these issues. *Identifying public concerns will not make your project ineligible for funding.* (500 Characters)

6.2c Will there be public outreach as part of the grant, if awarded? (20 Points)

- Yes
- No

Provide summary of the public outreach plan as proposed for this project, if awarded. (500 Characters)

Attach any letters of support from impacted property owners or other stakeholders. (e.g., Area Commission on Transportation (ACT), Metropolitan Planning Organization, local Bicycle and Pedestrian Advisory Committee.)

Part 7: Project Readiness

Projects that receive federally funded OCP grants must be completed within three years of grant award. Projects that receive state funded OCP grants must be completed within five years of grant award. The following questions help us understand the stage of development the project is in and any coordination needs that may impact the project delivery timeline. Projects that are well-developed or “shovel-ready” will receive a higher score than projects that have not yet begun development.

7.1 Specify what stage the project is in. (Up to 20 Points)

- This is a Project Refinement grant
- Project development has not started
- Project is in preliminary planning and design phases
- Project is ready to start design/engineering
- Project is ready to start construction

7.2 Are there any known environmental hazards within or adjacent to the project area? (10 Points)

- Yes, and we have a plan for mitigation
- Yes, and we are developing a plan for mitigation
- No
- Don't know

Examples include but are not limited to: Hazardous waste sites/materials, and geologically unstable slopes.

If yes, describe your plan for mitigation, or your process for developing a plan for mitigation (500 characters)

7.3 Please describe your design approach to project. Is it consistent with Oregon Bicycle and Pedestrian Design Guide, PROWAG, AASHTO, and/or other path design guidelines (e.g., anticipated facility width, surface type, separation from roadway)? (20 Points)

- [Oregon Bicycle and Pedestrian Design Guide](#)
- [AASHTO Guide for Development of Bicycle Facilities](#)
- [NACTO Shared Use Accessibility Guidelines](#)
- [Public Right of Way Access Guidelines](#)
- Other (Describe)*

*If "other" please describe.

NOTE: OCP funds are for transportation infrastructure projects. Public art, trailheads, and other amenities that enhance user experience are encouraged through partnerships and leveraging other funding sources, but may not be eligible for OCP funding. (1,000 characters)

Right-of-Way

7.4 Do you currently own the property for the proposed project (including Project Refinement) or have an easement for the proposed project? (20 Points)

- Yes, we own property or easement for entire length
- No, we own property or easement for some, but not all of the entire length
- No, we do not own property or easement

If you do not own property or easement for some or all of the project length, do you have support from impacted property owners?

- Yes
- No

7.4a If no, how do you propose to acquire the property and/or easements needed for your project within two years of grant award? Note if you have, or do not have, support of the property owners.

7.5 Will this path go through restricted areas (farmland, agricultural reserves), that would require special-use permit(s)? (20 Points)

- Yes, we have special-use permit(s) for entire length
- Yes and we have special-use permit(s) for some, but not all of the entire length
- Yes, but we don't have any special-use permits
- No, this project will not go through restricted areas.

Part 7a: Project Cost and Schedule (30 Points)

The minimum and maximum grant amounts that can be awarded through OCP are:

Project Refinement (planning up to 30% design): \$75,000-\$750,000

Capital (must include construction) grants: \$200,000-\$4 Million

Total Project cost = grant amount (state or federal funds) + local match

The local match amount and type required for an OCP grant depend upon whether you are awarded a state or federally funded grant. The table below summarizes the different match requirements for state and federal grants:

	Local Match	Allowable match type	Allowable match Timeline
Federal Grants	10.27% of total project cost	Cash expenditures or in-kind contributions	Only expenditures after grant award and IGA signature
State Grants	30% of total project cost	Only cash expenditures	Direct project expenditures within previous 10 years

Note: Funding will follow federal procedures unless the project is assigned state funds at the time of programming. You should describe match that can meet either federal or state fund requirements (10.27% and 30% of total project cost respectively).

The following questions help us understand the total estimated cost of your project, amount of grant funding requested, and your ability to provide the required match.

- a) Use the table below to provide a detailed cost estimate for your project. Two columns are provided to estimate your total project cost, grant award request, and required local match if you are awarded a state or federal funded grant. You may attached a more detailed cost estimate in the Attachments section at the end of this application, if desired.

DETAILED COST ESTIMATE / SCHEDULE			
[Provide total project cost estimate, including match, for eligible components. Use additional sheets for detailed estimate].			
Phase	Estimated Timeline	Federally Funded Project Estimate	State Funded Project Estimate
	Beginning Year		
Project Refinement			
Environmental			
Design/ Engineering			
Right-of-Way			
Construction			
Other			
Contingency (30% Requested)			
Grant Request Amount			
Local Match (Minimum 10.27% for Federally funded, 30% for State Funded)			
Total Project Cost			
Duration of Project Funding (Years)_____ Expected first year of billing _____			

Please describe the source and amount of match. (200 characters)

Funding source is dependent upon availability. PTD will make final decision on funding source after review and collaboration with applicants. For non-certified agencies, ODOT will administer federally funded projects.

Licensed Engineer Review Confirmation

Confirm that a licensed engineer has reviewed your cost estimates and scope by providing engineer contact information.

Licensed Engineer Name	Agency/Employer
<input type="text"/>	<input type="text"/>
Email	Phone
<input type="text"/>	<input type="text"/>
Signature of Licensed Engineer	
<input type="text"/>	

SUBMISSION	
<input type="text"/>	<input type="text"/>
Signature	Date:
Name and Title of Person Authorized to Sign Application	
Submit Completed Application to:	
E-mail: CommunityPaths@odot.state.or.us Subject Line: OCP [Agency Name] Application [Year]	

Note: PTD anticipates scoring all applications, OBPAC ranking, and OTC approving awards within four months after application deadline. IGAs will be awarded in summer of 2021.

Attachments:

Attach any letters of support, concept of preliminary designs, or other material that supports your applications.

Additional Information and Tips

Submitting an application:

- Applicants for projects not awarded during an application period may reapply during a subsequent application period.
- Local agencies are encouraged to deliver the projects for which they apply.
- Applicants are encouraged to solicit letters of support from local transportation committees like ACTs and local community-based organizations.
- If a portion of the project was previously funded with federal dollars, the entire project is considered federalized, and must meet all federal requirements.

Project Selection

Prioritization Criteria: The OBPAC selects the prioritization criteria used by staff in the scoring of the project.

Structure for selecting criteria to prioritize projects starting in 2020:

Step	Role	Description	Opportunity for Public Input
1	PTD OCP PM	<u>PTD PM will hold workshops, webinars, email blasts, or post information on website</u>	Public input is accepted at any time.
2	Oregon Bicycle and Pedestrian Advisory Committee (OBPAC)	<u>Criteria review:</u> OBPAC will be consulted on focus areas and set priority criteria and priority rankings prior to each selection cycle.	OBPAC meetings have an opportunity for public comment
3	Oregon Transportation Commission (OTC)	<u>Project Award:</u> The OTC reviews 100% list and approves projects for funding.	OTC meetings have an opportunity for public comment

For the 2019-2020 cycle, the OBPAC determined the below criteria for project selection. Project ranking will be determined by points and scoring criteria developed by ODOT.

Criteria	Description
Equity/Safety	<ul style="list-style-type: none"> • Will the project contribute to development of a biking and/or walking path to high need locations (e.g., transportation-disadvantaged areas, schools, shopping or employment centers, medical services, connections to transit and Regional Paths, and downtowns)? • Will the project contribute to development of a biking and/or walking path in areas where no connections exist, transportation options are limited, or significant safety concerns are addressed by the improvement?

	<ul style="list-style-type: none"> Does the project connect to transportation-disadvantaged areas?
Technical Merit	<ul style="list-style-type: none"> Letters of support from impacted property owners or other stakeholders Summary of any completed or in-work public outreach on this project Summary of the public outreach plan as proposed for this project, if awarded
Project Characteristics	<ul style="list-style-type: none"> Improves a Critical Link or Regional Path Proximity to high need locations (e.g., transportation disadvantaged areas, surrounding schools, shopping, employment centers, medical services, connections to transit, and downtowns) as defined in the Oregon Bicycle Pedestrian Plan
Project Readiness	<ul style="list-style-type: none"> Stage project is in (Planning/Engineering, Right-of-Way, Construction) No known environmental, historical or cultural resources within or adjacent to the project area There are known environmental, historical, or cultural resources within or adjacent to the project area, and applicant has completed mitigation plans Compliance with Oregon Bicycle and Pedestrian Design Guide or equivalent.

DECISION MAKING STRUCTURE AND ROLES:

Step	Role	Description	Opportunity for Public Input
1	Cities, Counties, Tribes, Transit Districts, other Road Authorities, and Oregon Department of Transportation (ODOT) Area Managers	<u>LOI and application process:</u> Eligible entities submit PTD prescribed application materials before the prescribed deadlines.	Project development public outreach meetings.
2	PTD Staff	<u>Initial technical and priority criteria score:</u> PTD staff provides eligibility review and if program is oversubscribed scores the projects using technical and priority criteria, developing a 150% list. Staff scoring of projects will include application review and possible virtual or in-person site visits.	N/A
3	Oregon Bicycle and Pedestrian Advisory Committee (OBPAC)	OBPAC reviews staff scoring of applications to determine which projects to recommend to the OTC for funding (100% list)	OBPAC meetings have an opportunity for public comment.

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4	Oregon Transportation Commission (OTC)	<u>Final approval:</u> OTC reviews and vote on OBPAC recommendations.	OTC meetings have an opportunity for public comment.
5	OCP PM	<u>Notification and contract signed:</u> PM notifies project applicants of awards and works with grant recipients to sign the	N/A

Part 3: Project Delivery and Agreements

Processes for Project Delivery

The OCP PM monitors funding and helps resolve issues. Grant recipients are responsible for tracking their OCP projects and submitting monthly progress reports and invoices. The project delivery steps for grant recipient are outlined below. PTD grant recipients will refer to [ODOT's Project Delivery Guide](#) and follow steps 2-9 below.

Step	Delivery and Oversight Process for State Funded Projects
1	Grantee signs IGA as soon as possible and no later than 180 days after OTC selects projects.
2	Grant recipient begins to expend funds as soon as possible and no later than three years from the date the IGA is signed for federal projects (five years for state projects); seeks reimbursement by invoice from OCP PM, grant recipient includes local cash match information.
3	OCP PM reviews invoice; coordinates payment.
4	Grant recipient sends quarterly progress report to CommunityPaths@odot.state.or.us
5	OCP PM reviews quarterly progress reports and monitors issues with the timely meeting the project goals listed in the IGA.
5	Grant recipient monitors funds against financial plan and cash match requirement.
6	Grant recipient sends final invoice for payment, closeout documentation, and final report.
7	OCP PM or similar ODOT representative conducts final walk through of project.
8	OCP PM may administer a project audit to determine if application materials provided were correct in regards to the amount of cash match the grant recipient contributed.
9	OCP PM approves and initiates project closeout.

If the OCP project uses federal funds, PTD requires project delivery through one of two approved delivery methods: Local Public Agency (LPA) Certification Program or ODOT Delivery and Operations delivery. Applicants should review approved delivery options in the [AOC-LOC-ODOT Working Agreement](#) for eligibility and requirements.

In the event that project scope, schedule, or budget changes require an amendment to the project IGA or ODOT Delivery and Operations Agreement, recipients will follow the process below.

Step	Intergovernmental Agreements/ ODOT Delivery and Operations Region Contract Amendments
1	Grant Recipient notifies CommunityPaths@odot.state.or.us about the need for an amendment.
2	OCP PM determines eligibility; approves amendment.
3	OCP PM notifies recipient and coordinates agreement and scope update.

Additional Expectations for Grant Recipients

Grant recipients are responsible for any cost overruns for the project, and must complete the project within three years from signed agreement for federally funded projects, or five years for state funded projects. The OCP Manager will monitor progress by reviewing quarterly progress reports submitted by recipients. Agreements where zero funds are expended for the project within two years of signed agreement triggers an evaluation of recipient's ability to deliver the completed project within the required period. In addition, agreements that are unsigned within one year of funds awarded triggers an

evaluation of the recipient's ability to deliver the completed project within the required period. If recipient is unable to deliver the project within the required period, PTD will cancel the grant, reclaim and redistribute funds prior to the grant funds expiration.

Recipients shall comply with state and local design and construction guidelines such as the National Environmental Protection Act (NEPA) <https://ceq.doe.gov/>. Information on Oregon NEPA requirements are at ODOT's Geo-environmental Section website <https://www.oregon.gov/ODOT/GeoEnvironmental/Pages/NEPA.aspx>.

Note: The NEPA process applies to all ODOT projects that use federal funding, or that are conducted, regulated, or approved by one or more federal agencies. Projects funded with state funds must comply with all local and state environmental laws and regulations.

Recipients shall comply with required guidelines and rules such as [Americans with Disabilities Act](#). More information is available at <https://www.oregon.gov/ODOT/Engineering/Pages/Accessibility.aspx>.

Grant Performance Measures and Evaluation

The goal of the OCP Program is to build off-road transportation projects that address barriers and hazards for pedestrians and bicyclists.

Transparency: ODOT PTD is committed to transparency in decision-making and evaluation for the OCP Program. PTD will provide web-based information on funded projects and maintain this information for the public. PTD will provide final recommendations documentation to detail what types of projects were the most and least competitive.

Performance Measures: The OCP program goals will incorporate performance measures for safety and equity.

Safety: PTD uses a standard application questionnaire regarding roadway characteristics to estimate potential safety benefits of projects.

Equity: PTD developed a Transportation-Disadvantaged Community Index as a standard equity measure.

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References

Title	Link
AASHTO Guide for Development of Bicycle Facilities	https://tooledesign.com/project/update-to-the-aashto-guide-for-the-design-of-bicycle-facilities-2019/
Americans with Disabilities Act	https://www.ada.gov/
AOC -LOC - ODOT Working Agreement (Delivery Options)	https://www.oregon.gov/odot/LocalGov/Documents/ODOT-AOC-LOC-Agreement-32588.pdf
Community Paths Program Manager Email	CommunityPaths@odot.state.or.us
Federal Aid Guidance - Guide to Federal Aid Programs and Projects	https://www.fhwa.dot.gov/federalaid/projects.pdf
Federal Aid Guidance – Non-Federal Matching Requirements	https://www.fhwa.dot.gov/legsregs/directives/policy/fedaid_guidance_nfmr.pdf
Federal Highway Administration - Transportation Alternatives	https://www.fhwa.dot.gov/environment/transportation_alternatives/guidance/guidance_2016.cfm
Multimodal Active Transportation Fund - Oregon Administrative Rule 731-036	https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=5681
Multimodal Active Transportation Fund Establishment - Oregon Revised Statute 367.091	https://www.oregonlaws.org/ors/367.091
NACTO Shared-Use Accessibility Guidelines	https://nacto.org/docs/usdg/designing_sidewalks_and_trails_access_kirschbaum.pdf
National Environmental Policy Act	https://ceq.doe.gov/
ODOT Project Delivery Guide	https://www.oregon.gov/odot/ProjectDel/Pages/Project-Delivery-Guide.aspx
Oregon Bicycle Pedestrian Advisory Committee	https://www.oregon.gov/odot/Get-Involved/Pages/OBPAC.aspx
Oregon Bicycle Pedestrian Design Guidelines	https://www.oregon.gov/ODOT/Engineering/Documents_RoadwayEng/HDM_L-Bike-Ped-Guide.pdf
Oregon Bicycle Pedestrian Plan	https://www.oregon.gov/odot/Planning/Documents/OBPP.pdf
Oregon Bicycle and Pedestrian Design Guide and on the Public Right-of-Way Accessibility Guidelines (PROWAG)	https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths/supplemental-notice/proposed-supplements
Oregon Community Paths Website	https://www.oregon.gov/odot/Programs/Pages/OCP.aspx
Oregon Engineering for Accessibility	https://www.oregon.gov/ODOT/Engineering/Pages/Accessibility.aspx

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Oregon Guidance on National Environmental Policy Act	https://www.oregon.gov/ODOT/GeoEnvironmental/Pages/NEPA.aspx
Oregon Infrastructure Bank	https://www.oregon.gov/ODOT/About/Pages/Financial-Information.aspx
Oregon Local Agency Certification Program	https://www.oregon.gov/odot/LocalGov/Pages/Certification.aspx
Oregon Transportation Commission	https://www.oregon.gov/odot/get-involved/pages/otc_main.aspx
Designing Sidewalks and Trails for Access – Part II of II: Best Practices Design Guide	https://nacto.org/docs/usdg/designing_sidewalks_and_trails_access_kirschbaum.pdf
United State Code, Title 23, Section 133	United States Code Title 23, Subpart 133

<https://www.>