



POLICY ADVISORY COMMITTEE

MEETING AGENDA

Room 205

700 Main Center

Victoria, Texas

Tuesday, June 12, 2018

2:00 PM

1. Call to Order
2. Approval of Minutes: May 8, 2018
3. Citizen Communication: The MPO Chairperson will recognize any person wishing to address the MPO Policy Committee on items not specifically listed on this agenda.
4. Consider Approval of the 2019-2022 Transportation Improvements Plan (TIP)
 - a. Staff Briefing
 - b. Public Hearing
 - c. Formal Action
5. Consider Approval of the 2018-2019 Unified Planning Work Program (UPWP)
 - a. Staff Briefing
 - b. Public Hearing
 - c. Formal Action
6. Consider the Adoption of a Resolution for GCRPC's Transit Asset Management Safety Performance Measures
 - a. Staff Briefing
 - b. Discussion
 - c. Formal Action
7. Consider approval of the contract between the Victoria MPO and the Texas Department of Transportation (TxDOT), and the City of Victoria
 - a. Staff Briefing
 - b. Discussion
 - c. Formal Action
8. Transportation Program Reports
 - a. Victoria Transit
 - b. Highway Projects

- b. Discussion
- 9. Transportation Program Reports
 - a. Victoria Transit
 - b. Highway Projects
 - c. Victoria Airport
 - d. Port of Victoria

10. Items from MPO members

11. Adjournment

*Regardless of the agenda heading under which any item is listed, any subject mentioned in any word or phrase of any item listed on this agenda may be deliberated by the board, and such words or phrases are hereby added as additional subjects to be considered. Resolutions and other actions concerning any word, phrase, or other subject may be voted, regardless of any language of limitation found in this agenda or any document referring to such action.

**In addition to the items listed as "Public Hearings" every item on this agenda shall be considered a public hearing.



POLICY ADVISORY COMMITTEE

MEETING MINUTES

Room 205

700 Main Center

Victoria, Texas

Tuesday, May 8, 2018

2:00 PM

MEMBERS PRESENT:

Tom Halepaska, Chairman
Danny Garcia, Vice-Chairman
Paul Reitz
Charmelle Garrett
Clint Ives
Jan Scott
Lenny Llerena
Donald Reese

MEMBERS ABSENT:

Skip Kaup
Paul Brzozowski

STAFF PRESENT:

Julie Fulgham, Director of Development Services
Maggie Bergeron, Transportation Planner
Alina Phillips, Planning Manager
John Kaminski, Assistant City Manager
Denyce Beyer, Administrative Assistant

1. Call to Order

The meeting was called to order at 2:00 PM.

2. Approval of Minutes: April 10, 2018

The Committee approved the minutes of the April 10, 2018 meeting.

3. Citizen Communication: None.

4. Review of the 2019-2022 Transportation Improvements Plan (TIP)

a. Staff Briefing

Ms. Bergeron stated the Transportation Improvement Plan is a short-range planning, prioritized list of fiscally constrained projects that cover a four-year window. The MPO works together with TxDOT and

the Golden Crescent Regional Planning Commission to prioritize the listed projects in the TIP. She noted there are two projects listed in the FY 2019-2022 TIP that are scheduled to begin construction in 2020 and 2021. The first, is on highway US 59 where frontage roads will be constructed from US 87 to SH 185. The second, in 2021, is on highway SL 463 from Business 59 to Lone Tree Road where two additional lanes would be added. Ms. Bergeron noted that starting on May 1, 2018, construction began on highway US 59 from FM 1686 to SL 463 where frontage roads are being constructed and US 59 is being upgraded to a rural freeway.

b. Discussion

John Crews asked how would you get to the carpool area from the Port Lavaca Highway. Mr. Reitz stated in the preliminary design there is a short piece that will be two-way and the rest will be one-way.

Julie Fulgham noted as part of the Victoria MPO's Public Participation Plan (PPP), the FY2019-2022 TIP will be open for a 30-day public review. During this time, comments on the Victoria MPO's FY2019-2022 TIP will be accepted and added to the TIP when received during the 30-day period from May 10, 2018 to June 10, 2018.

c. Public Hearing

Mr. Halepaska opened the Public Hearing. No one wished to speak. Mr. Halepaska closed the public hearing.

5. Review of the 2018-2019 Unified Planning Work Program (UPWP)

a. Staff Briefing

Ms. Bergeron stated that each year the MPO Policy Advisory Committee reviews and approves the Unified Planning Work Program, which is the MPO's one-year work program and budget. The program outlines how the MPO intends to utilize its allocation of federal transportation planning dollars. The proposed FY 2019 UPWP covers the 2019 fiscal year, which is between October 1, 2018 and September 30, 2018.

Ms. Bergeron stated since we are expected to begin the process with the MTP, we will be using the carryover of \$212,548.68. The total budget is \$417,548.68.

She noted also in the packet is the FAST Act Appendix. She noted that is what the staff is going to add into the UPWP. She stated this was suggested to us by Bill Frawley, who works with TxDOT. The FAST Act started May 27 of this year and there are additional requirements that the MPO has to meet. She noted with the upcoming MTP update a lot of extra compliances that we have to have require an evaluation that we are in the process of developing.

Ms. Fulgham noted that this will also start the 30 day public participation period for the UPWP. She stated we will also need a public hearing today and also at the June 12, 2018 MPO meeting. Ms. Fulgham stated it is a big budget this time and that is because we are starting the five-year MTP update. She stated that they typically allocate about \$200,000 for that update. She stated they would have the FAST Act compliance to work into the MTP and this appendix shows what we have done so far.

b. Discussion - None

c. Public Hearing

Mr. Halepaska opened the public hearing.

Mr. Reitz stated the only thing he would comment on is that last year or the year before when we selected a consulting firm, we did not follow the federal process. Ms. Fulgham stated she would check on that.

There being no further comments, Mr. Halepaska closed the public hearing.

6. Approval of a Memorandum of Understanding between Victoria MPO, Texas Department of Transportation, and Golden Crescent Regional Planning Commission, as operators of Victoria Transit, pertaining to compliance with Fixing America's Surface Transportation (FAST) Act

a. Staff Briefing

Ms. Bergeron stated that this item is a mutual understanding between the Golden Crescent Regional Planning Commission, Victoria MPO and the Texas Department of Transportation that act within the Victoria MPO region and it is to help us set the performance targets as well as shared data and have a more open and transparent process within our transportation system.

Mr. Garcia asked who sets the performance targets. Ms. Fulgham stated that we have chosen to piggy-back off of TxDOT's targets. She noted that this was adopted at the last MPO meeting.

b. Discussion

Mr. Halepaska asked so the main change is that we be operating with the Golden Crescent Regional Planning Commission with a contract or without an intragovernmental agreement but this would also add additional performance base criteria. Ms. Fulgham stated that this was a FAST Act requirement that basically solidifies what we do as far as the planning process and outlines who the responsible parties are for that. In addition, the FAST Act did hand down those mandates for the different performance measures and this brings that into it. She stated it outlines a lot of what we already do and then also adding those performance measures to the mix.

c. Formal Action

Ms. Scott made a motion to approve the Memorandum of Understanding between Victoria MPO, Texas Department of Transportation, and Golden Crescent Regional Planning Commission, as operators of Victoria Transit, pertaining to compliance with Fixing America's Surface Transportation Act. Danny Garcia seconded the motion. Motion carried.

7. Approval of Golden Crescent Regional Planning Commission's Transit Asset Management Plan

a. Staff Briefing

Ms. Bergeron stated that Transit asset management (TAM) is a program that prioritizes funding based on the condition of transit assets, in order to achieve or maintain transit networks in a state of good repair. Ms. Fulgham stated Golden Crescent Regional Planning commission had this TAM adopted last year as part of the FAST Act. These plans have to come before the MPO for that shared information and making sure that all the different partners in the Transportation Planning Process know what everyone is doing. She noted that was the reason for this agenda item.

b. Discussion

Mr. Halepaska stated so under this agreement if Transit were to add a few buses or add another route, they would have to go through the MPO first. Ms. Fulgham stated not this is just a notification process. Ms. Bergeron stated with the Assent Management Plan, they are keeping track of their assets making sure that they are in good repair and noted it is a loop making sure that we are all working together to achieve a safe and reliable transportation system.

c. Formal Action

Charmellet Garrett made a motion to approve the Golden Crescent Regional Planning Commission Transit Asset Management Plan. Mr. Llerena seconded the motion. Motion carried.

8. Transportation Program Reports

a. Victoria Transit

Lisa Cortinas stated a couple of weeks ago they received four running vehicles. She stated that they have to replace 31 vehicles. She stated that they already have another six on order. She is hoping that by the fall that they have all of the vehicles replaced.

b. Highway Projects

Paul Reitz stated the new Victoria Area Engineer is Michael Brzozowski. The US 77 River Bottom project is complete. The Hanselman Road Overpass and the Nursery Bridge project are about 75% complete. Mr. Reitz stated Loop 463 frontage roads from Mockingbird are about half-way done. He noted they are also doing the US 59 overlay from Telferner to Edna and should be finished this summer. The letting for the median on Navarro is April 2019.

c. Victoria Airport

Mr. Llerena stated on April 24, the proposals with out in the Aviation market. He stated they have several companies that have told us they are interested. The final answers to the proposals are due on June 5, 2018. He estimates that the Department of Transportation will give them the proposals the second week of June. He stated they will form a group of stakeholders to what direction they may need to take with the contract and make a recommendation. The contract with the current airline expires on October 31, 2018. Mr. Llerena stated on November 1, they should have either have the same company or a different company.

d. Port of Victoria- No Report.

9. Items from MPO members

Mr. Llerena asked the staff if there is any way on the agenda, it could be done electronically. Ms. Fulgham stated the staff would look into it. She noted the next meeting would be June 12, 2018 to adopt the TIP and the UPWP.

10. Adjournment

There being no more comments, the meeting was adjourned at 2:45 p.m.

APPROVED: _____
Tom Halepaska, Chair
Victoria Metropolitan Planning Organization

APPROVED: _____
Danny Garcia, Vice-Chair
Victoria Metropolitan Planning Organization

Agenda Item 4: Consider approval of the Final FY 2019-2022 Transportation Improvement Plan (TIP)

STAFF REPORT

Subject

Consider approval of the FY Final 2019- 2022 Transportation Improvement Program (TIP).

Summary and Background

Under 49 U.S.C. 5303(j), each metropolitan planning organization (MPO) is required to develop a Transportation Improvement Program (TIP). The TIP is a short-range planning, prioritized list of fiscally constrained State and Federal funded projects that cover a four-year window. The Victoria MPO, Texas Department of Transportation (TxDOT) and the Golden Crescent Regional Planning Commission (GCRPC) work closely to prioritize the listed projects in the TIP.

In the FY 2019- 2022 TIP, two projects are scheduled to begin construction in 2020 and 2021. In the fiscal year 2020, US 59 from US 87 to SH 185 is scheduled to begin construction of frontage roads. In the fiscal year 2021, SL 463 from Business 59 to Lone Tree Road is scheduled to add two additional lanes to create a continuous four-lane highway along SL 463.

As part of the Victoria MPOs Public Participation Plan, the Public Review and Comment period was held from May 10, 2018 to June 10, 2018. One citizen sent an email asking for the layout for the frontage road construction on US 59 from 1686 to SL 463 project, which began construction on May 1, 2018 and was a part of the Victoria MPOs FY 2017- 2020 TIP. At the last MPO meeting on May 8, 2018, a citizen inquired about access to the carpool area for the US 59 from US 87 to SH 185, scheduled in 2020. District Engineer and Committee member, Paul Reitz informed the citizen that the preliminary design shows that access to the carpool area will be available along this portion of the roadway.

Staff Recommendation

The Victoria MPO staff recommends approving the FY 2019-2022 Transportation Improvement Program (TIP).

Requested Action/Motion

Approval of the FY 2019- 2022 TIP.



TRANSPORTATION IMPROVEMENT PROGRAM

FISCAL YEARS 2019-2022

Draft Reviewed by Policy Advisory Committee: May 8, 2018

Final Approval by Policy Advisory Committee: _____

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INTRODUCTION

The current transportation bill, Fixing America's Surface Transportation (FAST) Act, establishes the metropolitan planning process as a cooperative, continuous, and comprehensive framework for making transportation investment decisions in metropolitan areas. The Transportation Improvement Program (TIP), a fiscal plan of projects for the next four years, is one aspect of the metropolitan planning process.

The TIP is a short-range list of state and federally funded transportation projects within the metropolitan planning area boundary. The document covers a period of four years and is updated every two years. As required by the FAST Act, the TIP was developed in coordination with the Texas Department of Transportation (TxDOT) and local transit providers.

Under the FAST Act, the MPO must consider projects and strategies that will meet the following ten factors, which are considered in TIP project selection:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
2. Increase the safety of the transportation system for motorized and non-motorized users;
3. Increase the security of the transportation system for motorized and non-motorized users;
4. Increase the accessibility and mobility of people and freight;
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
7. Promote efficient system management and operation;
8. Emphasize the preservation of the existing transportation system;
9. Improve the resiliency and reliability of the transportation system by reducing and mitigating storm water impacts of surface transportation; and
10. Enhance travel and tourism.

The projects listed in this FY2019-2022 Transportation Improvement Program (TIP) are anticipated to comply with the listed FAST Act goals and meet the specified Safety Performance Measure Targets set in conjunction with the Texas Department of Transportation (TxDOT) to: 1) reduce the number of fatal or severe collisions; 2) reduce the number or fatal or severe motorized and non-motorized collisions, and 3) limit the rate of fatalities and severe injuries per 100 million vehicle miles traveled (VMT). These performance targets were established by TxDOT and adopted by the Policy Advisory Committee February 13, 2018. The projects listed below in the FY2019-2022 TIP are anticipated to meet and achieve the specific safety and performance targets set by Victoria MPO's Policy Advisory Committee, TxDOT, and Federal FAST Act requirements.

DEFINITION OF AREA

The Victoria MPO's Metropolitan Area Boundary coincides with the Victoria County line; the boundary was amended to include the entire county in 1994. The MPO Urban Area Boundary (UAB) roughly coincides with the city limits of Victoria. The City of Victoria is the only urbanized area and incorporated community within the study area.

PUBLIC INVOLVEMENT PROCESS

The Victoria MPO adopted a new Public Participation Plan (PPP) in compliance with the requirements specified in MAP-21 and continued in the FAST Act. It was adopted by the Policy Advisory Committee on January 9, 2018. A summary of the public participation process used for this plan is below.

Public Review and Comment Period: May 10th, 2018 – June 10th, 2018

This fulfills the requirement to have a public review and comment period that lasts at least 30 days prior to the Policy Advisory Committee’s approval of the TIP.

Notice of Public Review and Comment Period: May 2, 2018

A notice will be posted in the Victoria Advocate, at Victoria City Hall, on the Victoria MPO’s website, and mailed to the MPO’s mailing lists. This fulfills the requirement to provide notice at least 72 hours in advance. Any significant comments received will be summarized in this document and a report will be made at the Policy Advisory Committee meeting prior to the approval of the plan.

Committee Meeting Public Comments: June 12, 2018

This fulfills the requirement to accept public comments prior to the plans approval at the MPO Policy Advisory Committee meeting.

PROJECT SELECTION PROCESS

Projects are identified and selected from the 2040 Metropolitan Transportation Plan (MTP). The Victoria MPO Policy Advisory Committee works closely with the Texas Department of Transportation (TxDOT) Yoakum District to identify potential projects. The projects are prioritized in the MTP using the following evaluation criteria: safety, resiliency, reliability, and preservation of the transportation system, economic development, efficient operations, congestion, multimodal development storm-water impacts, local priorities and funding efficiencies, and local impact. The list of projects is discussed by the Policy Advisory Committee on an annual basis to ensure it still addresses the community’s needs and desires. Project selection for the TIP is dependent on funding availability and does not always reflect the exact project ranking in the MTP.

PROGRESS FROM PREVIOUS TIP

Project Name	CSJ #	Project Limits	Description	Status	Total Project Cost
Loop 463: Frontage Rds Mockingbird to BU 59	2350-01-054	From Mockingbird Ln to BU 59T	Construct Frontage Road	Under Construction	\$4,597,236
US 59 from 1686 to SL 463	0088-05-085	From FM 1686 to SL 463	Upgrade to rural freeway and construct frontage roads	Under Construction	\$26,000,000

**FEDERAL AND STATE FUNDED
HIGHWAY PROJECTS**

DRAFT

PROJECT LISTINGS

Highway project listings are provided in the following format. The listings are organized by fiscal year. The following graphic further explains the key project information.

The diagram shows a project listing table with several key fields highlighted by red circles and labeled with arrows:

- Project Description:** Points to the 'LIMITS FROM: MOCKINGBIRD LANE' and 'LIMITS TO: BU 59T' fields.
- State Project Identification Number:** Points to the 'CSJ 2350-01-054' field.
- Project Phase:** Points to the 'C' field in the 'PHASE' column.
- Total Project Cost:** Points to the 'TOTAL COST: \$ 3,407,538' field.
- TIP Funding Source:** Points to the '2M' field in the 'CATEGORY' column of the 'AUTHORIZED FUNDING BY CATEGORY/SHARE' table.
- TIP Funding Amounts:** Points to the 'TOTAL' row in the 'AUTHORIZED FUNDING BY CATEGORY/SHARE' table.

DISTRICT	MPO	COUNTY	CSJ	HWY	PHASE	CITY	YOE COST		
YOAKUM	VICTORIA	VICTORIA	2350-01-054	LP 463	C	VICTORIA	\$ 3,027,000		
LIMITS FROM: MOCKINGBIRD LANE							PROJECT SPONSOR: TxDOT YOAKUM DISTRICT		
LIMITS TO: BU 59T							REVISION DATE: 07/2016		
PROJECT: CONSTRUCT FRONTAGE ROAD							MPO PROJ NUM: 2		
DESCR: PROJECT							FUNDING CAT(S): 2M		
REMARKS P7:									
TOTAL PROJECT COST INFORMATION							PROJECT HISTORY:		
PRELIM ENG: \$	155,776								
ROW PURCH: \$	0								
CONST COST: \$	2,927,000	COST OF APPROVED PHASES							
CONST ENG: \$	100,000	\$ 3,027,000							
CONTING: \$	41,010								
INDIRECT: \$	0								
BOND FIN: \$	0								
POT CHG ORD: \$	183,752								
TOTAL COST: \$	3,407,538								
			CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL	LC	TOTAL
			2M	\$ 0	\$ 3,027,000	\$ 0	\$ 0	\$ 0	\$ 3,027,000
			TOTAL	\$ 0	\$ 3,027,000	\$ 0	\$ 0	\$ 0	\$ 3,027,000

Definitions	
Fiscal Year	The fiscal year indicated is the fiscal year in which the project is proposed to be let. Consistent with the State fiscal year, fiscal years in the TIP begin on September 1 and end on August 31 of the following year.
Grouped Projects	Projects that are not determined to be regionally significant and are grouped under one line item.
Project Phases	Construction (C) Engineering (E) Right-of-way (R) Transfer (T)
Total Project Cost	In addition to the funding programmed in the TIP, an estimate of the total project cost is also provided. This estimate reflects all aspects of the project, including preliminary engineering, right-of-way, construction, construction engineering, contingencies, indirect, and bond costs.
TIP Funding Source	Category 1: Preventative Maintenance and Rehabilitation Category 2: Metro & Urban Area Corridor Projects Category 3: Non-Traditionally Funded Transportation Projects Category 4: Statewide Connectivity Corridor Projects Category 5: Congestion Mitigation & Air Quality Improvement Category 6: Structures Replacement & Rehabilitation Category 7: Metropolitan Mobility & Rehabilitation Category 8: Safety Category 9: Transportation Enhancements Category 10: Supplemental Transportation Projects Category 11: District Discretionary Category 12: Strategic Priority

FY 2021

FY 2021

DISTRICT	COUNTY	CSJ	HWY	PHASE	CITY	PROJECT SPONSOR	YOE COST					
13 - YOAKUM	VICTORIA	2350-01-060	SL 463	C,E			\$ 4,943,102					
LIMITS FROM BU 59						REVISION DATE: 07/2018						
LIMITS TO: LONE TREE ROAD						MPO PROJ NUM: 						
PROJECT ADD 2 LANES						FUNDING CAT(S): 2U						
DESCR:						PROJECT HISTORY:						
REMARKS												
P7:												
TOTAL PROJECT COST INFORMATION				AUTHORIZED FUNDING BY CATEGORY/SHARE								
PRELIM ENG:	\$ 220,473	COST OF APPROVED PHASES: \$ 4,943,102	FEDERAL		STATE		LOCAL		LC		TOTAL	
ROW PURCHASE:	\$ 0		2U-URBAN CRDR:	\$ 3,954,482	\$ 988,620	\$ 0	\$ 0	\$ 0	\$ 4,943,102 *			
CONST COST:	\$ 4,499,456		TOTAL:	\$ 3,954,482	\$ 988,620	\$ 0	\$ 0	\$ 4,943,102				
CONST ENG:	\$ 223,173											
CONTING:	\$ 89,539											
IND COSTS:	\$ 0											
BND FINANCING:	\$ 0											
TOTAL PRJ COST:	\$ 5,200,921											



**FEDERAL AND STATE FUNDED GROUPED
HIGHWAY PROJECTS**

FOR INFORMATIONAL PURPOSES ONLY

DRAFT

GROUPED PROJECT CSJs

Definition of Grouped Projects for use in the STIP

Revised April 16, 2018

Table 1

Proposed CSJ	Grouped Project Category	Definition
5000-00-950	PE- Preliminary Engineering	Preliminary Engineering for any project except added capacity projects in a nonattainment area. Includes activities which do not involved or lead directly to construction, such as planning and research activities; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed.
5000-00-951	Right of Way	Right of Way acquisition for any project except added capacity projects in a nonattainment area. Includes relocation assistance, hardship acquisition and protective buying
5000-00-952 5000-00-957 5000-00-958	Preventive Maintenance and Rehabilitation	Projects to include pavement repair to preserve existing pavement so that it may achieve its designed loading. Includes seal coats, overlays, resurfacing, restoration and rehabilitation done with existing ROW. Also includes modernization of a highway be reconstruction, adding shoulders or adding auxiliary lanes (e.g., parking, weaving, turning, climbing, non-added capacity) or drainage improvements associated with rehabilitation.
5000-00-953	Bridge Replacement and Rehabilitation	Projects to replace and/or rehabilitate functionally obsolete or structurally deficient bridges.
5000-00-954	Railroad Grade Separations	Projects to construct or replace existing highway-railroad grade crossings and to rehabilitate and/or replace deficient railroad underpasses, resulting in no added capacity.

GROUPED PROJECT CSJs
Definition of Grouped Projects for use in the STIP
Revised April 16, 2018

Table 1

PROPOSED CSJ	GROUPED PROJECT CATEGORY	DEFINITION
5800-00-950	Safety	Projects to include the construction or replacement/rehabilitation of guard rails, median barriers, crash cushions, pavement markings, skid treatments, medians, lighting improvements, highway signs, curb ramps, railroad/highway crossing warning devices, fencing, intersection improvements (e.g., turn lanes), signalization projects, and interchange modifications. Also includes projects funded via the Federal Hazard Elimination Program, Federal Railroad Signal Safety Program, or Access Managements projects, except those that result in added capacity.
5000-00-956	Landscaping	Project consisting of typical right-of-way landscape development, establishment and aesthetic improvements to include any associated erosion control and environmental mitigation activities.
5800-00-915	Intelligent Transportation System Deployment	Highway traffic operation improvement projects including the installation of ramp metering control devices, variable message signs, traffic monitoring equipment and projects in the Federal ITS/IVHS programs.
5000-00-916	Bicycle and Pedestrian	Construction or rehabilitation of bicycle and pedestrian lanes, paths, and facilities.
5000-00-917	Safety Rest Areas and Truck Weigh Stations	Construction and improvement of rest areas and truck weigh stations.
5000-00-918	Transit Improvements and Programs	Projects include the construction and improvement of small passenger shelters and information kiosks. Also includes the construction and improvement of rail storage/maintenance facilities bus transfer facilities where minor amounts of additional land are required and there is not substantial increase in the number of users. Also includes transit operation assistance, acquisition of third-party transit services, and transit marketing, and mobility management/coordination. Additionally includes the purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet [See Note 3].

Note 1: Projects funded with Transportation Alternatives Program (TAP), Transportation Enhancement, and Congestion Mitigation Air Quality funding require a Federal eligibility determination, and are not approved to be grouped.

Note 2: Projects funded as part of the Recreational Trails Program (RTP) consistent with the revised grouped project category definitions may be grouped. RTP projects that are not consistent with the revised grouped project category definitions must be individually noted in the Transportation Improvement (TIP) and State Transportation Improvement Program (STIP).

Note 3: In PM10 and PM2.5 nonattainment or maintenance areas, such projects may be grouped only if they are in compliance with control measures in the applicable implementation plan.

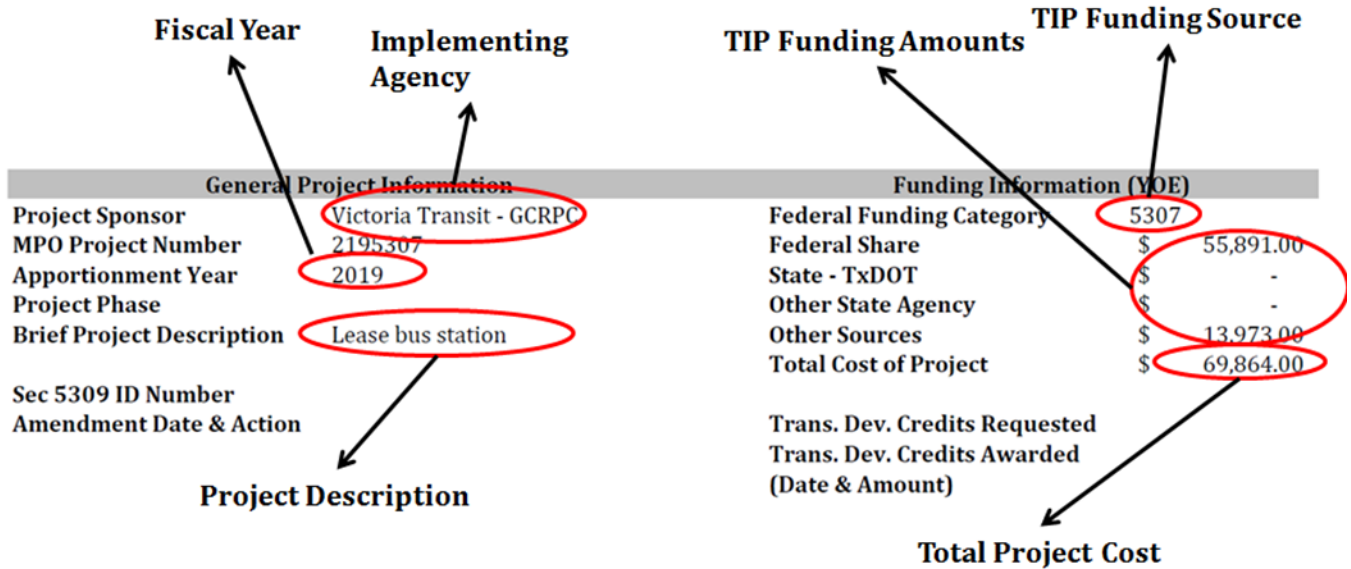
FY	County	Highway	From	To	Description	DISTRICT EST
2019	VICTORIA	FM 616	AT CHOCOLATE BAYOU	STR # 0497-05-008	REPLACE BRIDGE AND APPROACHES	\$756,000
2019	VICTORIA	US 59	.3 MI S OF JACKSON C/L(FRT RD ONLY)	3.819 MI. S. OF JACKSON C/L	SEAL COAT(FRONTAGE ROADS ONLY)	\$180,436
2019	VICTORIA	US 87	FM 616	CALHOUN C/L_(SOUTHBOUND LANES ONLY)	SEAL COAT	\$195,740
2019	VICTORIA	US 77	N. FM 1685	COLLETTVILLE ROAD	SEAL COAT	\$198,627
2019	VICTORIA	US 77	FM 1685_(FRONTAGE ROAD ONLY)	FM 236	SEAL COAT	\$172,480
2019	VICTORIA	US 77	@ BOB WHITE RD	.	INSTALL SAFETY LIGHTING AT INTERSECTION	\$41,810
2019	VICTORIA	BU 59-T	BEN WILSON ST	N LAURENT ST (IN CITY OF VICTORIA)	CONSTRUCT SIDEWALKS, CURBS, DRIVEWAYS AND ACCESSIBILITY RAMP	\$840,876
2019	VICTORIA	BU 59-T	BEN WILSON ST	N LAURENT ST (IN CITY OF VICTORIA)	CONSTRUCT SIDEWALKS, CURBS, DRIVEWAYS AND ACCESSIBILITY RAMP	\$840,876
2019	VICTORIA	BU 77S	E CRESTWOOD DR	E AIRLINE RD	CONSTRUCT SIDEWALKS, CURBS, DRIVEWAYS AND ACCESSIBILITY RAMP	\$795,390
2019	VICTORIA	BU 77S	E CRESTWOOD DR	E AIRLINE RD	CONSTRUCT SIDEWALKS, CURBS, DRIVEWAYS AND ACCESSIBILITY RAMP	\$795,390
2019	VICTORIA	BU 77S	LP 463	AIRLINE ROAD	CONSTRUCT CENTER MEDIAN, ACP OVERLAY, INSTALL LIGHTING &	\$9,500,000
2019	VICTORIA	FM 1686	FM 444	US 87	REHABILITATE EXISTING ROADWAY	\$5,550,000
2020	VICTORIA	BU 59-T	LP 463	GUADALUPE RIVER	ACP OVERLAY	\$5,000,000
2020	VICTORIA	US 59	US 87	SPUR 91	SEAL COAT	\$446,303
2020	VICTORIA	US 87	FM 447	BU 59-T	SEAL COAT	\$804,619
2020	VICTORIA	US 87	US 59	FM 1686	SEAL COAT	\$612,893
2020	VICTORIA	US 87	FM 1686	CALHOUN C/L	SEAL COAT	\$663,967
2020	VICTORIA	SS 91	US 59	US 77	SEAL COAT	\$71,775
2020	VICTORIA	FM 444	US 77	US 59	SEAL COAT	\$507,030
2020	VICTORIA	FM 447	FM 236	US 87	SEAL COAT	\$221,183
2020	VICTORIA	US 77	FM 682	8.758 MI S. OF FM 682 (CSJ BREAK)	PAVEMENT REPIAR AND SURFACING	\$3,000,000
2020	VICTORIA	US 77	8.758 MI S. OF FM 682 (CSJ BREAK)	LP 463	PAVEMENT REPAIR AND SURFACING	\$7,000,000
2020	VICTORIA	FM 236	FM 447	US 77	SAFETY TREAT FIXED OBJECTS	\$266,133
2020	VICTORIA	FM 1685	FM 236	US 77	SAFETY TREAT FIXED OBJECTS	\$348,404
2020	VICTORIA	US 87	DEWITT C/L	US 77	IMPROVE GUARDRAIL TO DESIGN STANDARD	\$106,264
2020	VICTORIA	BU 77-S	0.3 MI S OF BU 59-T	US 77	IMPROVE GUARDRAIL TO DESIGN STANDARDS & SAFETY TREAT FIXED	\$155,886
2020	VICTORIA	SH 185	0.1 MI SOUTH OF US 59	CALHOUN C/L	IMPROVE GUARDRAIL TO DESIGN STANDARD	\$564,705
2020	VICTORIA	US 77	BECK ROAD	OLD GOLIAD ROAD	IMPROVE GUARDRAIL TO DESIGN STANDARD	\$128,436
2021	VICTORIA	CR	AT DRY CREEK CR 134	(OLD GOLIAD RD) STR # AA01-04-001	REPLACE BRIDGE AND APPROACHES	\$960,000
2021	VICTORIA	CR	AT HAINES FLAT CREEK CR 150	(FORDTRAN STORE RD) STR AA01-50-001	REPLACE BRIDGE AND APPROACHES	\$229,000
2021	VICTORIA	CR	AT LONE TREE CREEK CR 117	(HENDERSON RD) STR AA01-80-001	REPLACE BRIDGE AND APPROACHES	\$674,000
2021	VICTORIA	CR	AT DRAW	STR # AA03-05-001 (GUADALUPE RD)	REPLACE BRIDGE AND APPROACHES	\$300,000

**FEDERAL AND STATE FUNDED
TRANSIT PROJECTS**

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PROJECT LISTINGS

Transit project listings are provided in the following format. The listings are organized by fiscal year. The following graphic further explains the key project information.



DEFINITIONS	
Implementing Agency	Transit agency
TIP Funding Source	5307: Urbanized formula program 5310: Seniors & Individuals with Disabilities Program 5316: Job Access & Reverse Commute 5317: New Freedom 5337: State of Good Repair Program 5339: Bus & Bus Facilities

FY 2019

General Project Information		Funding Information(YOE)		Original Funding
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307	
MPO Project Number:	2195307	Federal Share:	\$ 39,900.00	\$ 39,900.00
Apportionment Year	2019	State - TxDOT:	\$ -	
Project Phase:		Other State Agency	\$ -	
Brief Project Description:	Lease Bus Station	Other Sources	\$ 9,975.00	\$ 9,975.00
		Total Cost of Project	\$ 49,875.00	\$ 49,875.00
Sec.5309 ID Number				
Amendment Date & Action		Trans. Dev. Credits Requested		
		Trans. Dev. Credits Awarded		
		(Date & Amount)		
General Project Information		Funding Information(YOE)		Original Funding
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307	
MPO Project Number:	2195307	Federal Share:	\$ 228,461.00	\$ 228,461.00
Apportionment Year	2019	State - TxDOT:	\$ 16,954.00	\$ 16,954.00
Project Phase:		Other State Agency	\$ -	\$ -
Brief Project Description:	Preventive Maintenance	Other Sources	\$ 116,275.00	\$ 116,275.00
		Total Cost of Project	\$ 361,690.00	\$ 361,690.00
Sec.5309 ID Number				
Amendment Date & Action		Trans. Dev. Credits Requested	0	
		Trans. Dev. Credits Awarded	0	
		(Date & Amount)		
General Project Information		Funding Information(YOE)		Original Funding
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307	
MPO Project Number:	2195307	Federal Share:	\$ 196,240.00	\$ 196,240.00
Apportionment Year	2019	State - TxDOT:	\$ -	\$ -
Project Phase:		Other State Agency	\$ -	\$ -
Brief Project Description:	Non-fixed route ADA paratransit service	Other Sources	\$ 49,060.00	\$ 49,060.00
		Total Cost of Project	\$ 245,300.00	\$ 245,300.00
Sec.5309 ID Number				
Amendment Date & Action		Trans. Dev. Credits Requested		
		Trans. Dev. Credits Awarded		
		(Date & Amount)		
General Project Information		Funding Information(YOE)		Original Funding
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307	
MPO Project Number:	2195307	Federal Share:	\$ 525,000.00	\$ 525,000.00
Apportionment Year	2019	State - TxDOT:	\$ 241,500.00	\$ 241,500.00
Project Phase:		Other State Agency	\$ -	\$ -
Brief Project Description:	Operating Assistance	Other Sources	\$ 574,180.00	\$ 574,180.00
		Total Cost of Project	\$ 1,340,680.00	\$ 1,340,680.00
Sec.5309 ID Number				
Amendment Date & Action		Trans. Dev. Credits Requested		
		Trans. Dev. Credits Awarded		
		(Date & Amount)		
General Project Information		Funding Information(YOE)		Original Funding
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5339	
MPO Project Number:	2195339	Federal Share:	\$ 82,764.00	\$ -
Apportionment Year	2018	State - TxDOT:	\$ -	\$ -
Project Phase:		Other State Agency	\$ -	\$ -
Brief Project Description:	Bus Replacement <30 Ft	Other Sources	\$ -	\$ -
		Total Cost of Project	\$ 82,764.00	\$ -
Sec.5309 ID Number				
Amendment Date & Action		Trans. Dev. Credits Requested	16,553	
		Trans. Dev. Credits Awarded		
		(Date & Amount)		
		FY2018 TOTALS		
		Federal Share	\$ 1,072,365.00	\$ 989,601.00
		State-TXDOT	\$ 258,454.00	\$ 258,454.00
		Other State Agency	\$ -	\$ -
		Other Sources	\$ 749,490.00	\$ 749,490.00
		Total Cost of Project	\$ 2,080,309.00	\$ 1,997,545.00

FY 2020

General Project Information		Funding Information(YOE)		Original Funding
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307	
MPO Project Number:	2205307	Federal Share:	\$ 41,895.00	\$ 41,895.00
Apportionment Year	2020	State - TxDOT:	\$ -	
Project Phase:		Other State Agency	\$ -	
Brief Project Description:	Lease Bus Station	Other Sources	\$ 10,474.00	\$ 10,474.00
		Total Cost of Project	\$ 52,369.00	\$ 52,369.00
Sec 5309 ID Number				
Amendment Date & Action		Trans. Dev. Credits Requested		
		Trans. Dev. Credits Awarded		
		(Date & Amount)		

General Project Information		Funding Information(YOE)		Original Funding
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307	
MPO Project Number:	2205307	Federal Share:	\$ 239,884.00	\$ 239,884.00
Apportionment Year	2020	State - TxDOT:	\$ 17,802.00	\$ 17,802.00
Project Phase:		Other State Agency	\$ -	\$ -
Brief Project Description:	Preventive Maintenance	Other Sources	\$ 122,069.00	\$ 122,069.00
		Total Cost of Project	\$ 379,755.00	\$ 379,755.00
Sec 5309 ID Number				
Amendment Date & Action		Trans. Dev. Credits Requested	0	
		Trans. Dev. Credits Awarded	0	
		(Date & Amount)		

General Project Information		Funding Information(YOE)		Original Funding
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307	
MPO Project Number:	2205307	Federal Share:	\$ 206,052.00	\$ 206,052.00
Apportionment Year	2020	State - TxDOT:	\$ -	\$ -
Project Phase:		Other State Agency	\$ -	\$ -
Brief Project Description:	Non-fixed route ADA paratransit service	Other Sources	\$ 51,513.00	\$ 51,513.00
		Total Cost of Project	\$ 257,565.00	\$ 257,565.00
Sec 5309 ID Number				
Amendment Date & Action		Trans. Dev. Credits Requested		
		Trans. Dev. Credits Awarded		
		(Date & Amount)		

General Project Information		Funding Information(YOE)		Original Funding
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307	
MPO Project Number:	2205307	Federal Share:	\$ 551,250.00	\$ 551,250.00
Apportionment Year	2020	State - TxDOT:	\$ 253,575.00	\$ 253,575.00
Project Phase:		Other State Agency	\$ -	\$ -
Brief Project Description:	Operating Assistance	Other Sources	\$ 602,889.00	\$ 602,889.00
		Total Cost of Project	\$ 1,407,714.00	\$ 1,407,714.00
Sec 5309 ID Number				
Amendment Date & Action		Trans. Dev. Credits Requested		
		Trans. Dev. Credits Awarded		
		(Date & Amount)		

FY2020 TOTALS		
Federal Share	\$ 1,039,081.00	\$ 1,039,081.00
State-TXDOT	\$ 271,377.00	\$ 271,377.00
Other State Agency	\$ -	\$ -
Other Sources	\$ 786,945.00	\$ 786,945.00
Total Cost of Project	\$ 2,097,403.00	\$ 2,097,403.00

FY 2021

General Project Information		Funding Information(YOE)	
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307
MPO Project Number:	2215307	Federal Share:	\$ 43,990.00
Apportionment Year	2021	State - TxDOT:	\$ -
Project Phase:		Other State Agency	\$ -
Brief Project Description:	Lease Bus Station	Other Sources	\$ 10,998.00
		Total Cost of Project	\$ 54,988.00
Sec 5309 ID Number		Trans. Dev. Credits Requested	
Amendment Date & Action		Trans. Dev. Credits Awarded	
		(Date & Amount)	

General Project Information		Funding Information(YOE)	
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307
MPO Project Number:	2215307	Federal Share:	\$ 239,884.00
Apportionment Year	2021	State - TxDOT:	\$ 23,316.00
Project Phase:		Other State Agency	\$ -
Brief Project Description:	Preventive Maintenance	Other Sources	\$ 113,600.00
		Total Cost of Project	\$ 376,800.00
Sec 5309 ID Number		Trans. Dev. Credits Requested	0
Amendment Date & Action		Trans. Dev. Credits Awarded	0
		(Date & Amount)	

General Project Information		Funding Information(YOE)	
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307
MPO Project Number:	2215307	Federal Share:	\$ 210,422.00
Apportionment Year	2021	State - TxDOT:	\$ -
Project Phase:		Other State Agency	\$ -
Brief Project Description:	Non-fixed route ADA paratransit service	Other Sources	\$ 52,606.00
		Total Cost of Project	\$ 263,028.00
Sec 5309 ID Number		Trans. Dev. Credits Requested	
Amendment Date & Action		Trans. Dev. Credits Awarded	
		(Date & Amount)	

General Project Information		Funding Information(YOE)	
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307
MPO Project Number:	2215307	Federal Share:	\$ 551,250.00
Apportionment Year	2021	State - TxDOT:	\$ 255,000.00
Project Phase:		Other State Agency	\$ -
Brief Project Description:	Operating Assistance	Other Sources	\$ 598,000.00
		Total Cost of Project	\$ 1,404,250.00
Sec 5309 ID Number		Trans. Dev. Credits Requested	
Amendment Date & Action		Trans. Dev. Credits Awarded	
		(Date & Amount)	

FY2020 TOTALS	
Federal Share	\$ 1,045,546.00
State-TXDOT	\$ 278,316.00
Other State Agency	\$ -
Other Sources	\$ 775,204.00
Total Cost of Project	\$ 2,099,066.00

FY 2022

General Project Information		Funding Information(YOE)	
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307
MPO Project Number:	2225307	Federal Share:	\$ 46,190.00
Apportionment Year	2022	State - TxDOT:	\$ -
Project Phase:		Other State Agency	\$ -
Brief Project Description:	Lease Bus Station	Other Sources	\$ 11,547.00
		Total Cost of Project	\$ 57,737.00
Sec 5309 ID Number		Trans. Dev. Credits Requested	
Amendment Date & Action		Trans. Dev. Credits Awarded (Date & Amount)	

General Project Information		Funding Information(YOE)	
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307
MPO Project Number:	2225307	Federal Share:	\$ 239,884.00
Apportionment Year	2022	State - TxDOT:	\$ 17,802.00
Project Phase:		Other State Agency	\$ -
Brief Project Description:	Preventive Maintenance	Other Sources	\$ 122,069.00
		Total Cost of Project	\$ 379,755.00
Sec 5309 ID Number		Trans. Dev. Credits Requested	0
Amendment Date & Action		Trans. Dev. Credits Awarded (Date & Amount)	0

General Project Information		Funding Information(YOE)	
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307
MPO Project Number:	2225307	Federal Share:	\$ 208,675.00
Apportionment Year	2022	State - TxDOT:	\$ -
Project Phase:		Other State Agency	\$ -
Brief Project Description:	Non-fixed route ADA paratransit service	Other Sources	\$ 52,169.00
		Total Cost of Project	\$ 260,844.00
Sec 5309 ID Number		Trans. Dev. Credits Requested	
Amendment Date & Action		Trans. Dev. Credits Awarded (Date & Amount)	

General Project Information		Funding Information(YOE)	
Project Sponsor:	Victoria Transit - GCRPC	Federal Funding Category	5307
MPO Project Number:	2225307	Federal Share:	\$ 551,250.00
Apportionment Year	2022	State - TxDOT:	\$ 260,000.00
Project Phase:		Other State Agency	\$ -
Brief Project Description:	Operating Assistance	Other Sources	\$ 602,889.00
		Total Cost of Project	\$ 1,414,139.00
Sec 5309 ID Number		Trans. Dev. Credits Requested	
Amendment Date & Action		Trans. Dev. Credits Awarded (Date & Amount)	

FY2020 TOTALS	
Federal Share	\$ 1,045,999.00
State-TXDOT	\$ 277,802.00
Other State Agency	\$ -
Other Sources	\$ 788,674.00
Total Cost of Project	\$ 2,112,475.00

FINANCIAL SUMMARY

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Victoria MPO - District 13
FY 2019 - 2022 Transportation Improvement Program

Funding by Category

Category	Description	FY 2019		FY 2020		FY 2021		FY 2022		Total FY 2019 - 2022	
		Programmed	Authorized	Programmed	Authorized	Programmed	Authorized	Programmed	Authorized	Programmed	Authorized
1	Preventive Maintenance & Rehabilitation Urban Area (Non-TMA)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2M or 2U	Corridor Projects Non-Traditionally Funded	\$0	\$0	\$4,500,000	\$4,500,000	\$4,000,000	\$4,000,000	\$0	\$0	\$8,500,000	\$8,500,000
3	Statewide Project	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4	Connectivity Corridor Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5	CMAQ	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
6	Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
7	Metro Mobility & Rehab	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
8	Safety	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
9	TAP / TASA	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
10	Supplemental Transportation	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
10 CBI	Corridor Border District	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
11	Discretionary	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
12	Strategic Priority	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SBPE	Strategy Budget PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SB 102	Strategy 102	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total		\$0	\$0	\$4,500,000	\$4,500,000	\$4,000,000	\$4,000,000	\$0	\$0	\$8,500,000	\$8,500,000

Funding Participation Source

Source	FY 2019	FY 2020	FY 2021	FY 2022	Total FY 19-22
Federal	\$0	\$0	\$0	\$0	\$0
State	\$0	\$4,500,000	\$4,000,000	\$0	\$8,500,000
Local Match	\$0	\$0	\$0	\$0	\$0
CAT 3 - Local Contributions (LC)	\$0	\$0	\$0	\$0	\$0
CAT 3 - Prop 1	\$0	\$0	\$0	\$0	\$0
CAT 3 - Prop 12	\$0	\$0	\$0	\$0	\$0
CAT 3 - Prop 14 Bonds	\$0	\$0	\$0	\$0	\$0
CAT 3 - Texas Mobility Fund	\$0	\$0	\$0	\$0	\$0
CAT 3 - Vehicle Registration Fees - VTR	\$0	\$0	\$0	\$0	\$0
CAT 3 - RTR	\$0	\$0	\$0	\$0	\$0
CAT 3 - PTF	\$0	\$0	\$0	\$0	\$0
CAT 3 - TDC	\$0	\$0	\$0	\$0	\$0
Other - Strategy PE Budget	\$0	\$0	\$0	\$0	\$0
Other - Strategy 102 Budget	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$4,500,000	\$4,000,000	\$0	\$8,500,000

VICTORIA MPO

FY 2019 - 2022 Transportation Improvement Program

All Figures in Year of Expenditure (YOE) Dollars

Transit Program	FY 2019			FY 2020			FY 2021		
	Federal	Match	Total	Federal	Match	Total	Federal	Match	Total
1 Sec. 5307 - Urbanized Formula >200K			\$0			\$0			\$0
2 Sec. 5307 - Urbanized Formula <200K	\$989,601	\$1,007,944	\$1,997,545	\$1,039,081	\$1,058,322	\$2,097,403	\$1,045,546	\$1,053,520	\$2,099,066
3 Sec. 5309 - Fixed Guideway Investment			\$0			\$0			\$0
4 Sec. 5337 - State of Good Repair			\$0			\$0			\$0
5 Sec. 5339 - Bus & Bus Facilities <200k	\$82,764	\$0	\$82,764	\$0	\$0	\$0	\$0	\$0	\$0
6 Sec. 5310- Seniors&People w/Disabilities >200k			\$0			\$0			\$0
7 Sec. 5316 - JARC >200K			\$0			\$0			\$0
8 Sec. 5317 - New Freedom >200K			\$0			\$0			\$0
9 Other FTA			\$0			\$0			\$0
10 Regionally Significant or Other (incl FHWA transfers)			\$0			\$0			\$0
Total Funds	\$1,072,365	\$1,007,944	\$2,080,309	\$1,039,081	\$1,058,322	\$2,097,403	\$1,045,546	\$1,053,520	\$2,099,066
Transportation Development Credits Requested			\$16,553			\$0			\$0
Awarded			\$0			\$0			\$0

All Figures in Year of Expenditure (YOE) Dollars

Transit Programs	FY 2022		Total	FY 2022		Total
	Federal	Match		Federal	Total Match	
1 Sec. 5307 - Urbanized Formula >200K			\$0	\$0	\$0	\$0
2 Sec. 5307 - Urbanized Formula <200K	\$1,045,999	\$1,066,476	\$2,112,475	\$4,120,227	\$4,186,262	\$8,306,489
3 Sec. 5309 - Fixed Guideway Investment			\$0	\$0	\$0	\$0
4 Sec. 5337 - State of Good Repair			\$0	\$0	\$0	\$0
5 Sec. 5339 - Bus & Bus Facilities <200k	\$0	\$0	\$0	\$82,764	\$0	\$82,764
6 Sec. 5310-Seniors&People w/Disabilities >200k			\$0	\$0	\$0	\$0
7 Sec. 5316 - JARC >200K			\$0	\$0	\$0	\$0
8 Sec. 5317 - New Freedom >200K			\$0	\$0	\$0	\$0
9 Other FTA			\$0	\$0	\$0	\$0
10 Regionally Significant or Other (incl FHWA transfers)			\$0	\$0	\$0	\$0
Total Funds	\$1,045,999	\$1,066,476	\$2,112,475	\$4,202,991	\$4,186,262	\$8,389,253
Transportation Development Credits Requested			\$0			\$16,553
Awarded			\$0			\$0


APPENDIX A
SELF CERTIFICATION

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MPO Self-Certification

In accordance with 23 Code of Federal Regulations (CFR) part 450.334, the Texas Department of Transportation and the Victoria Metropolitan Planning Organization for the Victoria urbanized area(s) hereby certify that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:

- 1) 23 United States Code (U.S.C) 134, 49 U.S.C 503, and 23 CFR 450 subpart C – Metropolitan Transportation Planning and Programming;
- 2) In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- 3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- 4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- 5) Section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU (Public Law 109-59)) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- 6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- 7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- 8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- 9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- 10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.



District
Texas Department of Transportation



Metropolitan Planning Organization
Policy Board Chairperson

Paul Reitz, P.E.

District Engineer

Tom Halepaska

Chairperson

May 8, 2018

Date

May 8, 2018

Date

Agenda Item 5: Consider approval of the Final FY 2019 Unified Planning Work Program

STAFF REPORT

Subject

Each year the MPO Policy Advisory Committee reviews and approves the Unified Planning Work Program (UPWP), which is the MPO's one-year work program and budget. The UPWP outlines how the MPO intends to utilize its allocation of federal transportation planning dollars. The FY 2019 UPWP covers a timeframe of October 1, 2018 to September 30, 2019.

Summary and Background

Expected FY2019 Transportation Planning Funds

FY 2019 PL Allocation	\$ 205,000.00
FY 2015-2019 Carryover	\$ 212,548.68
TOTAL	\$ 417,548.68

For planning purposes, the MPO estimates the expected amount of PL (FHWA) funding based on the allocation from the previous fiscal year. The carryover is an estimation for the FY 2019 until actual carryover funds from FY 2018 are made known.

FY 2019 Proposed Budget by Task

Task	FY 2019	FY 2018
Task 1: Administration	\$ 64,000.00	\$ 58,710.00
Task 2: Data Development & Maintenance	\$ 23,700.00	\$ 25,020.00
Task 3: Short Range Planning	\$ 18,800.00	\$ 24,060.00
Task 4: Metropolitan Transportation Plan	\$ 220,000.00	\$ 24,060.00
Task 5: Special Studies	\$ 0	\$ 0
	\$ 326,500.00	\$ 131,850.00

The total amount budgeted is higher than the total Transportation Planning Funds the Victoria MPO is expected to receive for FY 2019 due to budgeting money set aside each year for the upcoming Metropolitan Transportation Plan (MTP), which will begin in early FY 2019 with expected adoption in FY 2020.

The 30-day Public Review and Comment period was held from May 10, 2018 to June 10, 2018. Preliminary review of the 2019 UPWP by TxDOT and FHWA resulted in minor changes to the draft presented to the Policy Committee at the May 8, 2018 meeting. All changes have been highlighted. No citizen contacted the Victoria MPO regarding the FY 2019 UPWP.

Staff Recommendation

Approval of the final FY 2019 Unified Planning Work Program.

Requested Action/Motion

Approve the FY 2019 Final Unified Planning Work Program

Attachment(s)

Final FY 2019 Unified Planning Work Program



Unified Planning Work Program

Fiscal Year 2019

Draft Reviewed by the Policy Advisory Committee: May 8, 2018

Final Approved by the Policy Advisory Committee: _____

DISCLAIMER

This report was prepared in cooperation with the Texas Department of Transportation and was funded, in part, through grant(s) from the Federal Highway Administration, the Federal Transit Administration, and U.S. Department of Transportation. The contents of this report reflect the views of the views and opinions of the authors and or agency and do not expressly reflect or state those of the U.S. Department of Transportation.

INTRODUCTION

Since its designation in February 1982, the City of Victoria has been the fiscal agent for the Victoria Metropolitan Planning Organization (MPO). The original decision-making body of the MPO was the Victoria Urban Transportation Planning Committee, which included state, county, and city officials. It was charged with the task of being:

"...cooperatively responsible for the performance of the planning process including transportation systems plans developed as a part of the planning process; ensure proper coordination of transportation modes and between sub-areas; cooperatively establish transportation needs; and propose projects from all transportation modes for recommendation to those governmental units responsible for program development and project implementation."

[State Department of Highways and Public Transportation Minute Order No. 76787, dated 20 February 1980]

The current transportation bill, Fixing America's Surface Transportation Act (FAST Act), maintains the metropolitan planning process as a cooperative, continuous, and compressive framework for making transportation investment decisions in metropolitan areas.

A. PURPOSE

The Unified Planning Work Program (UPWP) describes the annual activities that will be undertaken by the MPO, allocates resources to pay for each activity, and maintains consistency from year to year in addressing transportation system issues within the MPO's planning jurisdiction.

In 2012, the Moving Ahead for Progress in the 21st Century (MAP- 21) was signed into law requiring MPO's to meet seven new requirements related to performance measures. These goals have been identified as:

1. Safety: to achieve a significant reduction in traffic fatalities and serious injuries on all public roads
2. Infrastructure Condition: to maintain the highway infrastructure asset system in a state of good repair

3. Congestion Reduction: to achieve a significant reduction in congestion on the National Highway System
4. System Reliability: to improve the efficiency of the surface transportation system
5. Freight Movement and Economic Vitality: to improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development
6. Environmental Sustainability: to enhance the performance of the transportation system while protecting and enhancing the natural environment
7. Reduced Project Delivery Delays: to reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

Following the success of MAP-21, in 2015, the Fixing America's Surface Transportation Act (FAST Act) was signed into law which outlined ten broad tasks each MPO's must incorporate into their comprehensive planning process. The ten tasks, listed below, help maintain consistency from year to year in addressing the transportation systems issues within the MPO planning jurisdiction. The following factors allow the Victoria MPO (VMPO) to assist in the comprehensive, cooperative, and continuous evaluation of the transportation system in relation to the needs of the VMPO. The ten tasks are:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
2. Increase the safety of the transportation system for motorized and non-motorized users;
3. Increase the security of the transportation system for motorized and non-motorized users;
4. Increase the accessibility and mobility of people and freight;
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
7. Promote efficient system management and operation;
8. Emphasize the preservation of the existing transportation system;
9. Improve the resiliency and reliability of the transportation system by reducing and mitigating storm water impacts of surface transportation; and
10. Enhance travel and tourism.

By incorporating these performance measures, the MPO can track improvements towards the accomplishment of desired outcomes for the region. The Victoria MPO intends to develop specific performance targets in coordination with the State and its local transit provider, Victoria Transit. The performance targets will be considered throughout the development of all plans completed by the VMPO, including the Metropolitan Transportation Plan (MTP), Transportation Improvement Plan (TIP), and the Unified Planning Work Program (UPWP). The targets identified in this section will also be considered throughout the development and selection process of projects.

Recognizing the importance of public involvement, the Victoria MPO also implements procedures to ensure that the public is fully informed about transportation issues and is given reasonable public access to transportation plans and project documents. The Victoria MPO developed a Public Participation Program (PPP) in compliance with the requirements specified in MAP- 21 in February of 2013. On January 9th, 2018, the Victoria MPO Policy Advisory Committee adopted a new PPP, in compliance with FAST Act requirements. The newly adopted PPP takes into consideration all transportation providers within the Victoria MPO boundaries and involves citizens in its planning process in accordance with MAP- 21 and FAST Act requirements.

B. DEFINITION OF AREA

In 1994, the Victoria MPO boundary line was amended to include the all of Victoria County, since then the Victoria MPO's Metropolitan Area Boundary has coincided with the Victoria County line. The MPO Urban Area Boundary (UAB) roughly coincides with the city limits of Victoria. The City of Victoria is the only urbanized area and incorporated community within the study area; maps displaying the boundaries are provided in Appendix A.

C. ORGANIZATION

The only committee of the Victoria MPO is the Policy Advisory Committee which serves as the executive committee and is responsible for guiding the transportation planning process, ensuring proper coordination between transportation modes and sub-areas, cooperative establishing transportation needs, and approving proposed plans and projects. The committee is comprised of ten voting members representing the City of Victoria, Victoria County, TxDOT, the Victoria Regional Airport, and the Victoria County Navigation District. The roster for the Victoria MPO Policy Advisory Committee is included in Appendix B.

D. PRIVATE SECTOR INVOLVEMENT

In previous years, the Victoria MPO utilized services for traffic counts, intersection studies, a signal timing coordination study, and the Metropolitan Transportation Plans. Private sector services will be used in the fiscal year 2019 to assist in the development of the 2045

Metropolitan Transportation Plan (MTP).

E. PLANNING ISSUES AND EMPHASIS

1. Update the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP) as needed to adapt to current needs and desires.
2. Continue the development of the 2045 Travel Demand Model Update.
3. Develop and incorporate performance-based planning criteria that adhere to FAST Act requirements.
4. Address Planning and Emphasis Areas (PEAs) as defined by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). PEAs are topical areas in planning that FHWA and FTA want to emphasize as MPOs develop work tasks in the UPWP. The 2016 PEAs and how they are addressed in this UPWP are as follows:
 - a. MAP-21 Implementation: Transition to Performance Based Planning and Programming
 - i. Subtask 3.2: Performance Measures
 - ii. Subtask 4.1: Metropolitan Transportation Plan
 - b. Regional Models of Cooperation: Ensure a Regional Approach to Transportation Planning by Promoting Cooperation and Coordination across Transit Agency, MPO, and State Boundaries
 - i. Subtask 3.4: MPO Transit Planning
 - c. Ladders of Opportunity: Access to essential services – as part of the transportation planning process, identify transportation connectivity gaps in access to essential services
 - i. Subtask 1.4: Title VI Civil Rights Evaluation
 - ii. Subtask 3.2: Performance Measures
 - iii. Subtask 3.4: MPO Transit Planning
 - iv. Subtask 4.1: Metropolitan Transportation Plan

TASK 1.0 – ADMINISTRATION AND MANAGEMENT

****REMINDER FOR EQUIPMENT PURCHASES– §200.2 Acquisition cost ... MEANS THE NET INVOICE PRICE OF THE EQUIPMENT, INCLUDING THE COST OF ANY MODIFICATIONS, ATTACHMENTS, ACCESSORIES, OR AUXILIARY APPARATUS NECESSARY TO MAKE IT USABLE FOR THE PURPOSE FOR WHICH IT IS ACQUIRED. IF EQUIPMENT WOULD, IN COMBINATION, FUNCTION AS A UNIT AND TOTAL COSTS WOULD EXCEED \$5000, PRIOR APPROVAL IS NEEDED.**

A. OBJECTIVES

To ensure the transportation planning process is continuing, comprehensive, and cooperative. This is achieved through: providing the administration of work tasks, including compliance with accounting, reporting, and monitoring requirements; coordinating with the Texas Department of Transportation (TxDOT), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), other interested agencies, and citizens of the area; providing and soliciting public participation; and pursuing staff education, travel, and training activities.

B. EXPECTED PRODUCTS

The MPO will perform all administrative and management activities required to maintain the transportation planning process within the designated planning area, including the Unified Planning Work Program (UPWP), Annual Performance and Expenditure Report (APER), and the Annual Listing of Projects (ALP); facilitation of public meetings and the public participation process; staff attendance at training, educational courses, and meetings; the preparation of MPO meeting packets and minutes; and the maintenance of the MPO website.

C. PREVIOUS WORK

During the Fiscal Year 2018 the Victoria MPO completed the following:

1. FY 2018 UPWP
2. FY 2017 Annual Performance and Expenditures Report (APER)
3. FY 2017 Annual Listing of Projects (ALOP).
4. Facilitated the MPO Policy Advisory Committee meetings
5. Participated in transportation meetings, training, and conferences
6. Managed the MPO website with up-to-date links to the current MTP, TIP, UPWP, Public Participation Plan, meeting agendas, Policy Advisory Committee information, and other resource.
7. Managed administrative and fiscal operations.

D. SUBTASKS

Subtask 1.1: Administration- Prepare and submit all documents necessary to ensure compliance and maintain the continuity of the planning process, including: the FY 2018 Annual Performance and Expenditure Report, the FY 2017 Annual Listing of Projects, and the FY 2019 UPWP; prepare for and conduct Policy Advisory Committee and other needed meetings; complete meeting minutes and documentation; facilitate citizen participation; maintain financial records; and purchase office supplies, materials, furniture, computers, and any related equipment needed to administer the MPO. Any equipment purchase exceeding \$5,000 for one unit will require prior approval from TxDOT-TPP.

Subtask 1.2: Website Maintenance- Maintain the Victoria MPO website to provide up-to-date information on plans, meetings, and activities.

Subtask 1.3: Travel & Education – Participate in conferences, seminars, meetings, and training opportunities to remain familiar with current regulations and practices related to the transportation planning field as provided by Federal Highway Administration, Federal Transit Administration, Texas Department of Transportation, American Planning Association, Association of Metropolitan Planning Organizations, and other related agencies. Prior approval from TxDOT- TPP will be requested for any out of state travel.

Subtask 1.4: Title VI Civil Rights Evaluation- Ensure minority and low-income populations have the opportunity to participate in the transportation planning process; continue to implement procedures that will analyze minority and low-income areas; evaluate the Public Participation Plan on a regular basis to monitor its effectiveness and revise as needed; and hold public meetings in accordance with the public participation plan.

E. FUNDING SUMMARY - Include the following table to illustrate source(s) of funding for the Task/Subtasks.

Task 1.0 - FY 2019

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Sect. 5307	Local	Total
1.1	MPO	\$48,000.00	\$0	\$0	\$48,000.00
1.2	MPO	\$2,000.00	\$0	\$0	\$2,000.00
1.3	MPO	\$10,000.00	\$0	\$0	\$10,000.00
1.4	MPO	\$4,000.00	\$0	\$0	\$4,000.00
TOTAL		\$64,000.00			\$64,000.00

¹ TPF - This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

TASK 2.0 - DATA & GIS DEVELOPMENT & MAINTENANCE

A. OBJECTIVE

Create, update, and maintain spatial information, demographic data, and analyses to support planning efforts.

B. EXPECTED PRODUCTS

The continued development and maintenance of U.S. Census data, the roadway network, alternative transportation facilities, and travel demand model demographic data. The MPO will utilize data collection, geographic information systems (GIS), and TransCad systems to evaluate existing and new plans, develop needed maps, and completed needed analyses.

C. PREVIOUS WORK

Maintenance of data and related maps in GIS for the TIP, MTP, Title VI population analyses, thoroughfare master plan, and bicycle and pedestrian plan; development of maps for needed meetings and presentations; and maintenance of demographic data, the network, and traffic analysis zones for the travel demand model.

D. SUBTASKS

Subtask 2.1- Data- Collect and maintain data for the Travel Demand Model and 2045 MTP update. The data collected includes: updated census demographic data and any other on-going databases and maps for the thoroughfare master plan, bicycle and pedestrian plan, and Title VI population analyses.

Subtask 2.2- GIS- Continue partnership with the City of Victoria to develop and maintain the City's GIS capabilities and databases used for planning purposes for both the City and MPO. The City of Victoria's GIS Team performs all MPO work associated with GIS and, thereby, the City is reimbursed by the MPO for their assistances, as seen in the Funding Summary of Task 2.

E. FUNDING SUMMARY

Task 2.0 - FY 2019

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Sect. 5307	Local	Total
2.1	MPO	\$6,300.00	\$0	\$0	\$6,300.00
2.2	City of Victoria	\$17,400.00			\$17,400.00
TOTAL		\$17,400.00	\$0	\$0	\$23,700.00

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

Task 3.0 - SHORT RANGE PLANNING

A. OBJECTIVE

To perform the required short-range transportation planning activities which will assist in the development of long-range problems and on-going projects; maintain coordination between the MPO and Victoria Transit to plan and address transit route needs.

B. EXPECTED PRODUCTS

The development of the 2019-2022 TIP, performance measures, and UTP. In addition, the Victoria MPO will assist Victoria Transit with future expansion and route needs.

C. PREVIOUS WORK

Previously, the Victoria MPO developed and amended the 2017-2020 TIP, as well as, coordinated with Victoria Transit and TxDOT's Yoakum District.

D. SUBTASKS

Subtask 3.1: TIP Development and Amendments- The Victoria MPO will develop the 2019-2022 TIP and process any needed amendments for the 2017-2020 TIP.

Subtask 3.2: Performance Measures- The MPO will coordinate with TxDOT and Victoria Transit to develop appropriate performance measures, as established in MAP-21 and continued in the FAST Act. These performance measures will be developed following action and direction from the U.S. Department of Transportation (US DOT) and TxDOT.

Subtask 3.3: MPO Transit Planning- The MPO will evaluate the existing transit system relative to local need and in context of the entire transportation system and continue to work with Victoria Transit on their planning activities.

Subtask 3.4: Victoria Transit Planning- The Golden Crescent Regional Planning Commission (GCRPC) conducts planning activities related to operational, financial, and reporting activities, including route planning, public participation, and grant administration

E. FUNDING SUMMARY

Task 3.0 - FY 2019

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	Local	Total
3.1	MPO	\$2,800.00	\$0	\$2,800.00
3.2	MPO	\$8,500.00	\$0	\$8,500.00
3.3	MPO	\$7,500.00	\$0	\$7,500.00
TOTAL		\$18,800	\$0	\$18,800.00

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Sect. 5307	Local	Total
3.4	Victoria Transit-GCRPC		\$83,125.00	\$0	\$83,125.00
TOTAL			\$83,125.00	\$0	\$83,125.00

TASK 4.0 - METROPOLITAN TRANSPORTATION PLAN

A. OBJECTIVE

The Victoria MPO plans to develop, document, and adopt the Metropolitan Transportation Plan (MTP), a model-based plan, to meet the transportation needs of the metropolitan area for a 25-year horizon, in accordance with federal, state, and local regulations.

B. EXPECTED PRODUCTS

Any needed amendments to the 2040 MTP and the development of the 2045 MTP and corresponding travel demand model.

C. PREVIOUS WORK

The 2040 MTP was developed during the fiscal years 2013 and 2014 and adopted by the Policy Advisory Committee in April 2015. Since the adoption of the Victoria MPO's 2040 MTP there have been two amendments to the original document; the first amendment was adopted in FY 2016 and the second adopted in FY 2017.

- D. Subtask 4.1: Metropolitan Transportation Plan- MPO staff will process any needed amendments to the 2040 MTP and begin preparations for the 2045 MTP. The MTP update will utilize GIS data and modeling to aid in the development and prioritization of the 2045 MTP projects. Victoria MPO's 2045 MTP will require consultants to be hired to assist the MPO staff with the 2045 MTP update.

Subtask 4.2: Travel Demand Model- The Victoria MPO staff will begin developing the 2045 travel demand model to use in the 2045 MTP. The model will be developed in conjunction with TxDOT staff using the base year 2012 to forecast for the expected travel demands and needs of Victoria MPO's network. The travel demand model will analyze network structure, transportation zones, demographic and employment data, and corresponding future projections.

E. FUNDING SUMMARY

Task 4.0 - FY 2019

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Sect. 5307	Local	Total
4.1	MPO	\$200,000.00	\$0	\$0	\$200,000.00
4.2	MPO	\$26,300.00	\$0	\$0	\$26,300.00
TOTAL		\$226,300.00	\$0	\$0	\$226,300.00

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

TASK 5.0 - SPECIAL STUDIES

A. OBJECTIVE

To conduct special studies that will support existing and projected local and regional needs.

B. EXPECTED PRODUCTS

The Victoria MPO does not have any special studies scheduled at this time.

C. PREVIOUS WORK

In 2016, the MPO contracted with a consultant to conduct traffic counts, which concluded in October 2016.

D. SUBTASKS

Subtask 5.1: At this time, there are no special studies scheduled for the Victoria MPO.

E. FUNDING SUMMARY

Task 5.0 - FY 2019

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Sect. 5307	Local	Total
5.1	MPO	\$0	\$0	\$0	\$0
TOTAL		\$0	\$0	\$0	\$0

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

BUDGETSUMMARY

TABLE 1 - URBAN TRANSPORTATION STUDY – FY 2019

UPWP Task	Description	TPF ¹ Funds	FTA Sect. 5307	Local Funds	Total Funds
1.0	Administration-Management	\$ 64,000	\$0	\$0	\$64,000
2.0	Data Development and Maintenance	\$23,700	\$0	\$0	\$23,700
3.0	Short Range Planning	\$18,800	\$83,125	\$0	\$18,800
4.0	Metropolitan Transportation Plan	\$220,000	\$0	\$0	\$220,000
5.0	Special Studies	\$0	\$0	\$0	\$0
TOTAL		\$326,500	\$83,125	\$0	\$326,500

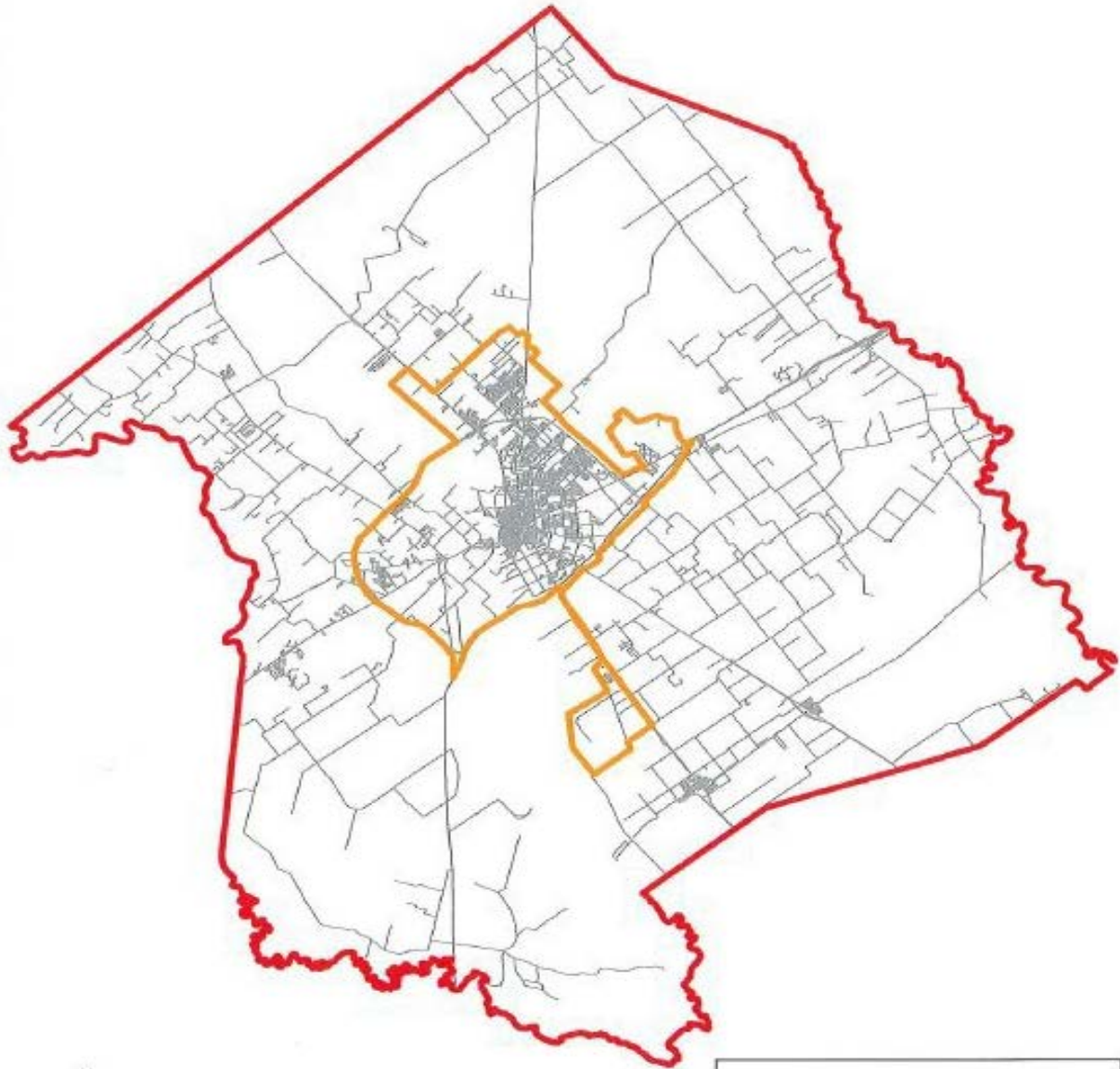
¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

Combined Transportation Planning Funds ²	\$205,000
Estimated Unexpended Carryover	\$212, 548.68
TOTAL TPF	<u>\$417,548.68</u>



² Estimate based on prior years' authorizations

APPENDIX A
METROPOLITAN AREA BOUNDARY MAPS
(GOVERNOR OR GOVERNOR'S DESIGNEE APPROVED)

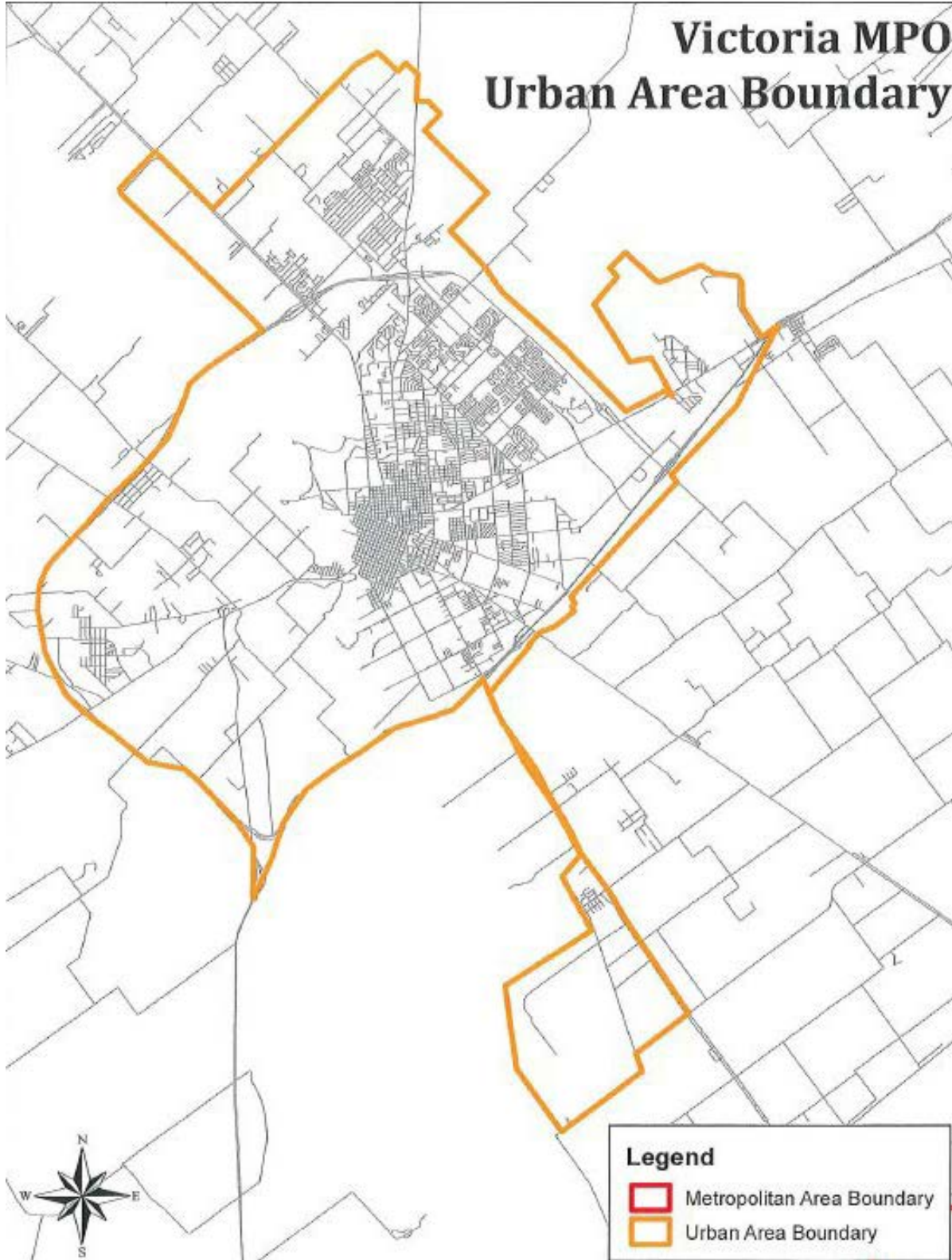
**Victoria MPO
Metropolitan Area Boundary**





Legend

	Metropolitan Area Boundary
	Urban Area Boundary

Victoria MPO Urban Area Boundary



Legend

-  Metropolitan Area Boundary
-  Urban Area Boundary

APPENDIX B

POLICY COMMITTEE MEMBERSHIP

Tom Halepaska, Chairman	City Council Member	City of Victoria
Danny Garcia, Vice-Chairman	County Commissioner	Victoria County
Charmelle Garrett	City Manager	City of Victoria
Clint Ives	County Commissioner	Victoria County
Skip Kaup	Executive Director	Victoria Navigation District
Janis Scott	City Council Member	City of Victoria
Donald Reese	Director of Public Works	City of Victoria
Michael Brzozowski	Area Engineer	TxDOT Victoria Area
Paul Reitz	District Engineer	TxDOT Yoakum District
Vinicio Llerena	Airport Manager	Victoria Regional Airport

APPENDIX C

DEBARMENT CERTIFICATION
(Negotiated Contracts)

- (1) The **VICTORIA MPO** as **CONTRACTOR** certifies to the best of its knowledge and belief that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public* transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity* with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions* terminated for cause or default.
- (2) Where the **CONTRACTOR** is unable to certify to any of the statements in this certification, such **CONTRACTOR** shall attach an explanation to this certification.

**federal, state or local*



Signature – Chairman, MPO Policy Committee

Chairman

Title

May 8, 2018

Date

APPENDIX D

LOBBYING CERTIFICATION

CERTIFICATION FOR CONTRACTS, GRANTS,
LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies to the best of his or her knowledge and belief, that:

- (1) No federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclosure accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



Signature - Chairman, MPO Policy Committee

Chairman

Title

Victoria MPO

Agency

May 8, 2018

Date

APPENDIX E
CERTIFICATION OF COMPLIANCE

I, Tom Halepaska, Chairman
(Name and Position, Typed or Printed)

a duly authorized officer/representative of Victoria MPO

(MPO)

do hereby certify that the contract and procurement procedures that are in effect and used by the forenamed MPO are in compliance with 2 CFR 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," as it may be revised or superseded.

May 8, 2018
Date

Tom Halepaska
Signature - Chairman, MPO Policy Committee

Attest:

Maggie Buns
Name

MPO Coordinator
Title

FAST ACT COMPLIANCE APPENDIX

INTRODUCTION & PURPOSE

The passing of Fixing America's Surface Transportation (FAST) Act in 2015 mandated that State and Regional planning agencies incorporate performance-based planning measures and targets into their long and short-range planning framework. These planning targets help to ensure a comprehensive, cooperative, and continuous evaluation of the Victoria MPO's transportation system. This appendix serves to evaluate the Victoria MPO's planning task areas and highlight potential gaps in the framework that need to be updated to maintain State and Federal compliance.

Per State and Federal regulations the planning tasks listed below need to be incorporated into the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP) on or after May 27, 2018. This aligns with the Victoria MPO's Long-Range Transportation Plan outlook for 2045 which is scheduled to begin in the fiscal year 2019. Each task listed below requires that an evaluation of the current system in order to develop a framework that corresponds with State and Federal regulations.

CONSIDERATION OF ALTERNATIVE TRANSPORTATION OPTIONS

The Victoria MPO adopted its current Public Participation Plan (PPP) on January 9, 2018. The update to the PPP considered private providers of transportation that operate within the Victoria MPO boundary, including private taxi companies and The Port of Victoria, local and regional public transportation services, and transportation options for elderly citizens within the MPO boundaries. Currently, there is no parking cash-out program within the Victoria MPO.

In order to maintain compliance and to ensure greater mobility within Victoria's MPA, the Victoria MPO's 2045 Metropolitan Transportation Plan (MTP) will include the consideration of intercity buses and plans to meet with and coordinate this effort are currently being developed. The 2045 MTP update is scheduled to be in fiscal year 2019; because of this the Victoria MPO reasonably anticipates the consideration of intercity buses to be a part of its MTP update.

Access to the Victoria MPO's Public Participation Plan can be found [here](#).

TOURISM & TRAVEL

The Victoria MPO webpage includes links to private and public tourism and travel pages. These pages can be visited by going onto the Victoria MPO webpage and clicking under the heading "Visiting Victoria."

The Victoria MPO's Public Participation Plan (PPP) includes the consideration of travel and tourism through its outreach to private transportation companies that provide alternative transportation options to members of the community. Connectivity between modes is considered an integral part of the transportation system; because of this, the Victoria MPO is currently developing possible plans, to be included in our 2045 MTP update that would integrate intercity buses with the GCRPC bus routes in Victoria. The MPO will continue to develop and work with private and local public transportation providers to enhance accessibility and tourism in the Victoria MPA.

The Victoria MPO is scheduled to begin updating its Metropolitan Transportation Plan (MTP) in the fiscal year 2019. The requirements not yet addressed by the Victoria MPO will be completed in this update to maintain State Federal compliance.

NATURAL RISK REDUCTION AND ENVIRONMENTAL IMPACTS OF SURFACE TRANSPORTATION

The Victoria MPO provides direct links on its webpage to real time traffic updates from www.drivetexas.org. Additionally, links to the National Weather Service and the City of Victoria's GIS. This is provided to the community so that every member can be well informed and prepared in the event of a natural disaster. Access to information on natural hazards and floodplain maps can be found online through the Victoria MPO [webpage](#).

The FAST Act mandates that environmental considerations towards reducing storm water impacts on surface transportation be considered and a part of the MPO's short and long-range evaluation framework. Additionally, the 2040 MTP for the Victoria MPO includes a broad discussion and evaluation of the existing infrastructure within the Victoria metropolitan planning area. The 2040 MTP prioritizes the maintenance and preservation of existing infrastructure, but has not developed a clear framework for evaluating the impacts of storm water on surface transportation.

The Victoria MPO plans to develop the frameworks discussed above and will be implemented in the 2045 MTP; the development for the 2045 MTP is set to begin in the fiscal year 2019.

MEMORANDUM OF UNDERSTANDING BETWEEN THE VICTORIA MPO, THE TEXAS DEPARTMENT OF TRANSPORTATION, AND THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION

The Victoria MPO, the Texas Department of Transportation's (TxDOT), and the Golden Crescent Regional Planning Commission (GCRPC) have agreed upon a Memorandum of Understanding (MOU), where performance-based planning targets and programs have been set and agreed upon by all parties, per FAST Act requirements. Per the MOU between the Victoria MPO, TxDOT, and GCRPC, each party shall jointly agree upon performance-based planning measures, the dissemination of data related to transportation planning projects and performance measures, and work in accordance with State and Federal laws.

Additional requirements within the MOU exist for the Victoria MPO and GCRPC, such as; the Victoria MPO will establish necessary transportation performance targets and update the MTP and TIP, in consultation with GCRPC, to maintain compliance with State and Federal laws. And, per the MOU, GCRPC shall provide the Victoria MPO with the transit asset management performance targets. Upon approval from the Victoria MPO's Policy Advisory Committee, the MOU will be adopted and incorporated into the developing performance-based planning measures required by the FAST Act.

The Victoria 2040 MTP has a performance-based evaluation that evaluates the quality of proposed projects. This framework is broad in scope and does not demonstrate how specific performance and safety measures agreed upon in the MPO's MOU between TxDOT, GCRPC, and the MPO will be achieved; because of this, the Victoria MPO is in the process of developing a more stringent performance-based planning framework so that safety and Transit Asset Management (TAM) performance targets can be evaluated using consistent evaluation criteria that will assist agencies in attaining the performance targets determined by the MPO, TxDOT, and GCRPC to maintain compliance with State and Federal laws.

ANTICIPATED EFFECTS TOWARDS ACHIEVING SPECIFIED PERFORMANCE-BASED PLANNING MEASURES & TARGETS

The 2040 Metropolitan Transportation Plan (MTP) for the Victoria MPO provides a broad framework for evaluating the condition and performance of its current and planned transportation system. The FAST Act requires a more stringent evaluation of the transportation system, one that includes environmental impacts, natural hazards reduction, and safety performance targets.

The Victoria MPO has not yet established a clear framework for evaluating these crucial criteria, but is currently working on the development of this framework and anticipates its implementation in the 2045 Long-Range Transportation Plan, which will be developed beginning in the fiscal year 2019.

The Transportation Improvement Program (TIP) is a short-range, list of fiscally constrained transportation projects that cover a four-year window for the designated metropolitan planning area boundary. As demonstrated in the Victoria MPO's Memorandum of Understanding (MOU), MPO staff work closely with the Texas Department of Transportation's (TxDOT) Yoakum district office to select and prioritize transportation projects within Victoria's MPA that meet the following evaluation criteria: safety, resiliency, reliability, preservation of the transportation system, economic development, efficient operations, congestion, multimodal development storm-water impacts, local priorities and funding efficiencies, and local impact.

The projects selected by the Victoria MPO are discussed annually by the Policy Advisory Committee to ensure that the needs and desires of the community are addressed accordingly. This collaborative process between TxDOT, the Victoria MPO, and the Policy Advisory Committee to determine, prioritize, and implement transportation projects for the local community is consistent with the MOU between Victoria MPO, TxDOT, and Golden Crescent Regional Planning Commission (GCRPC). The MOU mandates that the three agencies work together to determine performance-based planning measures, consult with each other regarding relevant data, and maintain compliance with State and Federal laws. The MOU is an agreement between the Victoria MPO, TxDOT, and GCRPC to work together to meet the needs of the community. The Victoria MPO reasonably anticipates that this continuous and cooperative performance-based planning process will facilitate a comprehensive planning process which will achieve the set performance targets established by TxDOT and adopted by the Victoria MPO.

The Victoria MPO used the eight criteria outlined in the 2040 Metropolitan Transportation Plan (MTP) for the Fiscal Years 2019- 2022 Transportation Improvement Program. The eight criteria are: traffic safety, system preservation, economic development, efficient operations, congestion, multimodal development, local priorities and funding efficiencies, and local impact. The FY 2019- 2022 TIP evaluates the two projects listed in the TIP using this framework; which the Victoria MPO reasonably anticipates will help to mitigate collisions and enhance safety along the US 59 corridor.

The Victoria MPO is currently working on a new framework that will evaluate short and long- range transportation projects with clearly defined safety performance-based planning measures required under the FAST Act to enhance the safety and health of the Victoria MPO's community. The update of this framework is set to begin in the fiscal year 2019 in preparation for the 2045 MTP update.

Agenda Item 6: Consider Approval of A Resolution to adopt Golden Crescent Regional Planning Commission’s (GCRPC) Transit Asset Management Safety Performance Measures

STAFF REPORT

Subject

Approval of a resolution adopting the Golden Crescent Regional Planning Commission’s Transit Asset Management (TAM) Safety Performance Measures in order to meet the requirements of the 2015 Fixing America’s Surface Transportation (FAST) Act.

Summary and Background

Transit asset management (TAM) is program that prioritizes funding based on the condition of transit assets, in order to achieve or maintain transit networks in a state of good repair. The FTA’s Transit Asset Management Program (TAM) requires:

- Grant recipients to develop state of good repair performance targets.
- Grantees to develop their own Transit Asset Management Plan
- Grantees to establish performance measures
- And, that grantees report annually to the National Transit Database

In July 2016, FTA issued a final rule requiring transit agencies to maintain and document minimum TAM standards, which help transit operators to smoothly operate the transit systems. The Planning Rules requires each Metropolitan Planning Organization to adopt the targets set forth by GCRPC after the provider establishes their performance targets.

Asset Class	Performance Measure	Target
Equipment	Age	72.5% of equipment should be scored between 2.5- 5.0 maintaining a State of Good Repair
Rolling Stock	Mileage	72.5% of vehicles should be scored between 2.5- 5.0 maintaining a State of Good Repair
Facilities	Condition	72.5% of facilities should be scored between 2.5- 5.0 maintaining a State of Good Repair

Table 1 Performance Measures and Targets from GCRPC’s TAM

Staff Recommendation

MPO staff recommends that the Committee adopt the Resolution that establishes the targets found in the Transit Asset Management Performance Measures for GCRPC and found in Table 1 above.

Requested Action/Motion

Adopt the Resolution of GCRPC’s Transit Asset Management Safety Performance Target Measures

Attachment(s)

GCRPC’s Transit Asset Management Safety Performance Measures

Transit Asset Management Performance Measures for Golden Crescent Regional Planning Commission

Lisa Cortinas, Director of Transportation Services

Introduction

The Golden Crescent Regional Planning Commission (GCRPC) provide bus services to residents of Gonzales, DeWitt, Goliad, Jackson, Calhoun, Matagorda, Lavaca and Victoria, Texas. This agency receives financial assistance through the Texas Department of Transportation (TxDOT) and the Federal Transit Administration (FTA) to serve the residents of the seven surrounding counties, the citizens of Victoria, Texas, and the Victoria Metropolitan Planning Organization (MPO).

The GCRPC provide bus services primarily to the general public, elderly, and persons with disabilities, providing citizens with fixed route, flex route, and paratransit services to the main centers of business in Victoria, Texas like: HEB Grocer, Walmart, and the Victoria Mall. In addition to providing access to local shopping centers and entertainment, access to DeTar Hospital, the Citizens Healthplex, the University of Houston at Victoria, Victoria College, and other beneficial facilities in the Victoria Metropolitan Boundary Area. The GCRPC's main assets are its rolling stock and passenger amenities; however, our transit services also have responsibility for managing facilities which enhance the work provided by GCRPC to allow for the best service to the community of Victoria.

Performance Targets & Measures- State of Good Repair

Asset Class	Performance Measure	Target
Equipment	Age	72.5% of equipment should be scored between 2.5- 5.0 maintaining a State of Good Repair
Rolling Stock	Mileage	72.5% of vehicles should be scored between 2.5- 5.0 maintaining a State of Good Repair
Facilities	Condition	72.5% of facilities should be scored between 2.5- 5.0 maintaining a State of Good Repair

Table 1: Performance Measures and Targets for Golden Crescent Regional Planning Commission

**Resolution to Adopt the Golden Crescent Regional Planning Commission
Transit Asset Management Safety Performance Measures
By the Victoria Metropolitan Planning Organization Policy Committee**

WHEREAS, the Victoria Metropolitan Planning Organization (MPO), is the designated MPO for the Victoria Urbanized Boundary; and,

WHEREAS, in 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) mandated, and in 2015 the Fixing America’s Surface Transportation Act (FAST Act) reauthorized the Federal Transit Administration (FTA) to develop a rule to establish a strategic and systematic process of operating, maintaining, and improving public transportation capital assets effectively throughout their entire life cycle; and,

WHEREAS, FTA’s national Transit Asset Management (TAM) System Final Rule, became effective on October 1, 2016, which defined the “State of Good Repair” (SGR), which requires grantees to develop a TAM plan, establish performance measures, establish annual reporting requirements to the National Transit Database, and that the FTA provide technical assistance; and,

WHEREAS, the TAM Final Rule requires transit providers to set performance targets for the State of Good Repair by January 1, 2017; and,

WHEREAS, the Planning Rule requires each MPO to establish targets no later than June 30, 2017 or 180 days after the date on which the relevant State or public transportation provider establishes its performance targets; and,

WHEREAS, the Transit Asset Management (TAM) is a strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage the performance, safety, and costs over their life cycles; and,

WHEREAS, these performance targets aid in a safe, cost-effective, and reliable public transportation network; and,

WHEREAS, TAM provides decision makers with a guide in which to manage capital assets and prioritize funding to improve or maintain a “State of Good Repair;”

NOW THEREFORE BE IT RESOLVED that the Victoria Metropolitan Planning Organization, as the designated MPO for the Victoria Urbanized Boundary, adopts the transit performance measures and targets for State of Good Repair as identified in Table 1, are as follows:

Asset Class	Performance Measure	Target
Equipment	Age	72.5% of equipment should be scored between 2.5-5.0 to maintain the SGR
Rolling Stock	Mileage	72.5% vehicles should be scored between 2.5-5.0 to maintain the SGR
Facilities	Condition	72.5% facilities should be scored between 2.5-5.0 to maintain the SGR

(SIGNATURE PAGE TO FOLLOW)

We certify that the above resolution was adopted on June 12, 2018, as a public meeting of the Policy Committee of the Victoria Metropolitan Planning Organization.

Tom Halepaska
Chairperson of the MPO Policy Board

Date

Paul Reitz
TxDOT District Engineer

Date

Maggie Bergeron
MPO Coordinator

Date

Agenda Item 7: Consider approval of the contract between the Texas Department of Transportation, the City of Victoria, and the Victoria Metropolitan Planning Organization

STAFF REPORT

Summary and Background

Approval of the contract between the Texas Department of Transportation (TxDOT), the Victoria Metropolitan Planning Organization (MPO), and the City of Victoria, as the Victoria MPO's fiscal agent.

Summary and Background

The contract between TxDOT and the Victoria MPO is a required Planning Contract that lasts six years. The contract outlines the responsibilities of the Victoria MPO, TxDOT, the City of Victoria, as the Fiscal Agent of the Victoria MPO, its Policy Advisory Committee, and the Transportation Planning Coordinator.

Staff Recommendation

The Victoria MPO staff recommends approving the contract between TxDOT, the Victoria MPO, the City of Victoria, as the Fiscal Agent of the Victoria MPO, its Policy Advisory Committee, and the Transportation Planning Coordinator.

Requested Action/Motion

Motion to approve the contract between the Victoria MPO, TxDOT, the City of Victoria, as the Fiscal Agent of the Victoria MPO, its Policy Advisory Committee, and the Transportation Planning Coordinator.

Attachment(s)

Contract between the Victoria MPO, TxDOT, the City of Victoria, as the Fiscal Agent of the Victoria MPO, its Policy Advisory Committee, and the Transportation Planning Coordinator.

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STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT WITH METROPOLITAN PLANNING ORGANIZATION

THIS AGREEMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the “Department,” the Victoria Metropolitan Planning Organization (MPO) Policy Committee, called the “MPO”, which has been designated by the Governor of the State of Texas as the MPO of the Victoria urbanized area, and the City of Victoria, which serves as the Fiscal Agent for the MPO.

W I T N E S S E T H

WHEREAS, 23 United States Code (USC) §134 and 49 USC §5303 require that MPOs, in cooperation with the Department and transit agencies, develop transportation plans and programs for urbanized areas of the State; and

WHEREAS, 23 Code of Federal Regulations (CFR) 450.314 requires the MPO, State, and public transportation operators within each metropolitan planning area to enter into a written agreement to clearly identify the responsibilities of the parties in carrying out the metropolitan planning process; and

WHEREAS, 23 USC §104(d) authorizes Metropolitan Planning funds and 49 USC §5305 authorizes funds to be made available to MPOs designated by the Governor to support the urban transportation planning process; and

WHEREAS, the Department participates in the Consolidated Planning Grant program in which federal transit planning funds authorized under 49 USC §5305 are transferred to the Federal Highway Administration, combined with additional federal funds, and distributed to the state as a single distribution; and

WHEREAS, the federal share payable for authorized activities using the Consolidated Planning Grant funds is eighty percent (80%) of allowable costs; and

WHEREAS, Texas Transportation Code §221.003 authorizes the Department to expend federal and state funds for improvements to the state highway system; and

WHEREAS, Texas Transportation Code §201.703 authorizes the Department to expend federal funds and to provide state matching funds for allowable costs necessary for the improvement of roads not in the state highway system; and

WHEREAS, this agreement outlines the requirements and responsibilities of the parties for federal reimbursement using Consolidated Planning Grant funds and other federal transportation funds that may be used for planning (e.g., Surface Transportation Program, National Highway System, Congestion Mitigation and Air Quality, etc.); and

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WHEREAS, the Governor of the State of Texas and the City of Victoria have executed an agreement pursuant to the MPO designation; and

WHEREAS, an area equal to or larger than the above-mentioned urbanized area has been delineated in accordance with federal and state guidelines where required metropolitan transportation planning activities may take place; and

WHEREAS, 23 Code of Federal Regulations (CFR) §420.117(a) requires that in accordance with 49 CFR §18.40, the Department shall monitor all activities performed by its staff or by sub-recipients with Federal Highway Administration (FHWA) planning and research funds to assure that the work is being managed and performed satisfactorily and that time schedules are being met; and

NOW THEREFORE, it is agreed as follows:

A G R E E M E N T

Article 1. Agreement Period

- A. This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed. The Department shall not continue its obligation to the MPO under this agreement if the Governor's designation of the MPO is withdrawn; if federal funds cease to become available; or if the agreement is terminated as provided below.
- B. This agreement expires on September 30, 2024. No fewer than one hundred and twenty (120) days before the expiration date, the Department may, at its sole discretion, exercise in writing an option to extend the agreement by a period of no more than two years. The Department may exercise this option no more than two times. If all terms and conditions of this agreement remain viable and no amendment to the existing agreement or new agreement is required, a letter from the Department to the MPO shall constitute renewal of this agreement subject to all terms and conditions specified in this agreement. However, an amendment or a new agreement may be executed, if necessary.

Article 2. Responsibilities of the Department

The responsibilities of the Department are as follows:

- A. Assist in the development of the Unified Planning Work Program (UPWP), approve the format of work programs submitted by the MPO, and, where required by federal law or regulation, monitor the MPO's performance of activities and expenditure of funds under a UPWP. Where monitoring is not required, the Department is responsible for reviewing the MPO's activities and expenditure of funds, and will comment on and make suggestions relating to those activities and expenditures.
- B. Develop a time line for development of the UPWP by the MPO; and in consultation with the MPOs, shall develop a standard UPWP format to be used by all MPOs.
- C. Make available to the MPO its share of all federal metropolitan planning funds and provide the required non-federal match as authorized by the Texas Transportation Commission. The Department will distribute federal transportation planning funds to the MPO based on a formula developed by the Department, in consultation with the MPOs, and approved by FHWA, the Federal Transit Administration (FTA), and other applicable federal agencies.
- D. Provide to the MPO, as appropriate, technical assistance and guidance for the collection, processing, and forecasting of socio-economic data needed for the development of traffic

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forecasts, plans, programs, and planning proposals within the metropolitan area, including collecting, processing, and forecasting vehicular travel volume data in cooperation with the MPO, as appropriate.

- E. Jointly promote the development of the intermodal transportation system within the metropolitan area by identifying points in the system where access, connectivity, and coordination between the modes and inter-urban facilities would benefit the entire system.
- F. Share with the MPO information and information sources concerning transportation planning issues that relate to this agreement.
- G. Cooperatively develop and share information with the MPO related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State asset management plan for the National Highway System (NHS).

Article 3. Responsibilities of the MPO

The MPO is an organization created to ensure that existing and future expenditures on transportation projects and programs are based on a continuing, cooperative, and comprehensive planning process. The responsibilities of the MPO are as follows:

- A. Document planning activities in a UPWP to indicate who will perform the work, the schedule for completing it, and all products that will be produced. In cooperation with the Department and public transportation operators as defined by 23 CFR Part 450, the MPO must annually or bi-annually develop a UPWP that meets federal requirements.
- B. Prepare and submit to the Department an annual performance and expenditure report of progress no later than December 31 of each year. A uniform format for the annual report will be established by the Department, in consultation with the MPOs.
- C. Use funds provided in accordance with 43 Texas Administrative Code (TAC) §16.52 and Article 2 (Responsibilities of the Department) of this agreement to develop and maintain a comprehensive regional transportation planning program in conformity with the requirements of 23 USC §134, 49 USC §5303, and the Texas Comptroller of Public Accounts Uniform Grant Management Standards (UGMS).
- D. Develop a Metropolitan Transportation Plan (MTP), a Transportation Improvement Program (TIP), and a UPWP for the Metropolitan Planning Area (MPA), all of which are consistent with the Statewide Long-Range Transportation Plan (SLRTP), as required by the state and federal law. At a minimum, the MPO shall consider in their planning process the applicable factors outlined in 23 USC §134.
- E. Assemble and maintain an adequate, competent staff with the knowledge and experience that will enable them to perform all appropriate MPO activities required by law.
- F. Forecast, collect, and maintain appropriate socio-economic, roadway, and travel data on a timely basis, in cooperation with the Department.
- G. Prepare all required plans, programs, reports, data, and obtain required certifications in a timely manner.
- H. Share information with the Department and information sources concerning transportation planning issues.

Article 4. Responsibilities of the MPO Policy Committee

The MPO Policy Committee is the policy body that is the forum designated under 23 USC §134 with the responsibility for establishing overall transportation policy for the MPO and for making required approvals. The MPO Policy Committee is comprised of those governmental agencies

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identified in the original designation agreement and those agencies or organizations subsequently added to the membership of the committee. The responsibilities of the MPO, acting through its Policy Committee, are as follows:

- A. Ensure that requirements of 23 USC §§134 and 135 and 49 USC, Chapter 53, are carried out.
- B. Use funds provided in accordance with Article 2 (Responsibilities of the Department) of this agreement to develop and maintain a comprehensive regional transportation planning program in accordance with requirements of 23 USC §134 and 49 USC §5303.
- C. Develop and adopt an MTP for the MPA that is consistent with the SLRTP required by state and federal laws; a TIP and a UPWP; and other planning documents and reports that may be required by state or federal laws or regulations.
- D. Provide planning policy direction to the MPO Transportation Planning Coordinator.

Article 5. Responsibilities of the Fiscal Agent

The Fiscal Agent for the MPO is the entity responsible for providing fiscal, human resource, and staff support services to the MPO. The responsibilities of the Fiscal Agent are as follows:

- A. Maintain required accounting records for state and federal funds consistent with current federal and state requirements.
- B. Provide all appropriate funding, as identified by fiscal year in the UPWP, to allow the MPO staff to effectively and efficiently operate the program.
- C. Provide human resource services to the MPO.
- D. Provide benefits for the MPO staff that shall be the same as the Fiscal Agent normally provides its own employees; or as determined through an agreement between the MPO and the Fiscal Agent. Costs incurred by the Fiscal Agent for these benefits may be reimbursed by the MPO.
- E. Establish procedures and policies for procurement and purchasing, when necessary, in cooperation with the MPO.
- F. Exercise sole responsibility to hire, supervise, evaluate, and terminate the MPO Transportation Planning Coordinator.

Article 6. Responsibilities of the MPO Transportation Planning Coordinator

The responsibilities of the MPO Transportation Planning Coordinator are as follows:

- A. Administer the MPO’s UPWP. The Coordinator shall serve in a full-time capacity and shall take planning policy direction from and be responsible to the designated MPO Policy Committee.
- B. Act as a liaison to the Department, relevant to the Department’s transportation planning activities.
- C. Oversee and direct all MPO transportation planning staff work performed using MPO funds.
- D. Prepare and submit all required plans, programs, reports, data, and certifications in a timely manner.
- E. Develop and present to the MPO Policy Committee an MTP for the MPA that is consistent with the SLRTP required by state and federal laws; a TIP and a UPWP; and other planning documents and reports that may be required by state or federal laws or regulations.
- F. Share with the Department information and information resources concerning transportation planning issues.

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Article 7. Unified Planning Work Program

- A. Each year the MPO shall submit to the Department a program of work that includes goals, objectives, and tasks required by each of the several agencies involved in the metropolitan transportation planning process. This program of work is to be called the Unified Planning Work Program (UPWP), or any successor name. The UPWP shall be approved by the MPO Policy Committee, in accordance with 23 CFR §450.314.
- B. The UPWP will be prepared for a period of one (1) year or two (2) years unless otherwise agreed to by the Department and the MPO. The UPWP shall reflect only that work that can be accomplished during the time period of the UPWP, in accordance with TAC §16.52.
- C. The UPWP shall reflect transportation planning work tasks to be funded by federal, state, or local transportation, or transportation related (e.g. air quality) planning funds. The budget and statement of work will be included in the UPWP. The MPO may not incur costs until final approval of the UPWP is granted. The maximum amount payable will not exceed the budget included in the UPWP.
- D. The effective date of each UPWP will be October 1st of each year or the date of approval from the appropriate oversight agency, whichever occurs later. On that date, the UPWP shall constitute a new federal project and shall supersede the previous UPWP.
- E. The UPWP shall comply with all applicable federal and state requirements and will describe metropolitan transportation and transportation-related planning activities anticipated in the area.
- F. The use of federal metropolitan transportation planning funds shall be limited to transportation planning activities affecting the transportation system within the boundaries of a designated metropolitan planning area. If an MPO determines that data collection and analysis activities relating to land use, demographics, or traffic or travel information, conducted outside its boundaries, affects the transportation system within its boundaries, then those activities may be undertaken using federal planning funds, if the activities are specifically identified in an approved UPWP. Any other costs incurred for transportation planning activities outside the boundaries of a designated metropolitan planning area are not eligible for reimbursement.
- G. Travel outside the State of Texas by MPO staff and other agencies participating in the MPO planning process must be approved by the Department if funded with federal transportation planning funds. The MPO must receive approval prior to incurring any costs associated with the actual travel (e.g., registration fee). This provision will not apply if the travel is at the request of the Department. Travel to the State of Arkansas by the Texarkana MPO staff and travel to the State of New Mexico by the El Paso MPO staff shall be considered in-state travel.
- H. The cost of travel incurred by elected officials serving on the MPO Policy Committee is eligible for reimbursement with federal transportation planning funds in accordance with 43 TAC §16.52.
- I. The use of federal transportation planning funds is limited to corridor/subarea level planning or multimodal or system-wide transit planning studies. Major investment studies and environmental studies are considered corridor level planning. Unless otherwise authorized by federal law or regulation, the use of such funds beyond environmental document preparation or for specific project level planning and engineering (efforts directly related to a specific project instead of a corridor) is not allowed.
- J. Failure to adhere to the time line developed by the Department may result in a delay in the authorization to the MPOs to proceed in incurring costs.

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- K. A UPWP will not be approved if it is submitted in a format other than the standard format developed by the Department. The UPWP and subsequent amendments may be submitted electronically.
- L. The MPO shall not incur any costs for work outlined in the UPWP or any subsequent amendments (i.e., adding new work tasks or changing the scope of existing work tasks) prior to receiving approval from the Department. Any costs incurred prior to receiving Department approval are not eligible for reimbursement from federal transportation planning funds.
- M. Costs incurred by the MPO shall not exceed the total budgeted amount of the UPWP without prior approval of the MPO Policy Committee and the Department. Costs incurred on individual work tasks shall not exceed that task budget by 25 percent without prior approval of the MPO Policy Committee and the Department. If the costs exceed 25 percent of the task budget, the UPWP shall be revised, approved by the MPO Policy Committee, and submitted to the Department for approval.
- N. The MPO Policy Committee must approve the UPWP and any subsequent revisions, and shall not delegate the approval authority, except for corrective actions. Corrective actions do not change the scope of work, result in an increase or decrease in the amount of task funding, or affect the overall budget. Examples include typographical, grammatical, or syntax corrections.
- O. Should any conflict be discovered between the terms of this agreement and the UPWP, the terms of this agreement shall prevail.
- P. The MPO is not authorized to request payment for any work it may perform that is not included in the current UPWP.

Article 8. Compensation

The Department’s payment of any cost incurred under this agreement is contingent upon all of the following:

- A. Federal funds are available to the Department in a sufficient amount for making payments.
- B. The incurred cost is authorized in the UPWP. The maximum amount payable under this agreement shall not exceed the total budgeted amount outlined in the UPWP in accordance with 43 TAC §16.52.
- C. The cost has actually been incurred by the MPO and meets the following criteria:
 - 1. Is verifiable from MPO records;
 - 2. Is not included as match funds for any other federally-assisted program;
 - 3. Is necessary and reasonable for the proper and efficient accomplishment of program objectives;
 - 4. Is the type of charge that would be allowable under 2 CFR 200 Revised, “Cost Principles for State, Local, and Indian Tribal Governments” and the state’s UGMS; and
 - 5. Is not paid by the Department or federal government under another assistance program unless authorized to be used as match under the other federal or state agreement and the laws and regulations to which it is subject.
- D. After October 1st of each year, the Department will issue a work order to the MPO establishing the effective date of work and the total funds authorized. If the UPWP is subsequently revised, necessitating a revision to the original work order, or the Department deems a revision necessary, a revised work order may be issued at any time throughout the fiscal year. If the amount in the UPWP differs from the amount in the work order, the amount in the work order prevails.
- E. The MPO is authorized to submit requests for payment of authorized costs incurred under this agreement on a semi-monthly basis, but no more than twenty four (24) times a year and

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no less than monthly as expenses occur. Each request for payment shall be submitted in a manner acceptable to the Department, which includes, at a minimum, the following information:

1. UPWP budget category or line item;
 2. Description of the cost;
 3. Quantity;
 4. Price;
 5. Cost extension; and
 6. Total costs
- F. The MPO shall submit the final bill from the previous fiscal year to the Department no later than December 31st of the calendar year in which that fiscal year ended. Any bills submitted after December 31 for a fiscal year in which the funds have been de-obligated will be processed against the current year's UPWP.
- G. Payment of costs is contingent upon compliance with the terms of Article 3 (Responsibilities of the MPO) of this agreement. Noncompliance may result in cancellation of authorized work and suspension of payments after a thirty (30) day notification by the Department to the MPO.

Article 9. Reporting

To permit program monitoring and reporting, the MPO shall submit reports as required in Article 3 (Responsibilities of the MPO) of this agreement. If task expenditures overrun or underrun a budgeted task amount by twenty-five percent (25%) or more, the annual performance and expenditure report must include an explanation for the overrun or underrun.

Article 10. Indemnification

- A. The MPO shall save harmless the Department and its officers and employees from all claims and liability that are due to activities of the MPO, its agents, or its employees performed under this agreement and that are caused by or result from error, omission, or negligent act of the MPO or of any person employed by the MPO.
- B. To the extent possible under state law, the MPO shall also save harmless the Department from any and all expense, including but not limited to, attorney fees that may be incurred by the Department in litigation or otherwise resisting claims or liabilities that may be imposed on the Department as a result of the activities of the MPO, its agents, or its employees.

Article 11. Inspection of Work and Retention of Documents

- A. The Department and, when federal funds are involved, the U. S. Department of Transportation (USDOT), and their authorized representatives shall have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this agreement and the premises on which it is being performed.
- B. If any inspection or evaluation is made on the premises of the MPO or a subcontractor, the MPO shall provide or require its subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.
- C. The MPO agrees to maintain all books, documents, papers, computer generated files, accounting records, and other evidence pertaining to costs incurred and work performed under this agreement, and shall make those materials available at its office during the time period covered and for seven (7) years from the date of final payment under the UPWP.

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Those materials shall be made available during the specified period for inspection by the Department, the USDOT, and the Office of the Inspector General of the USDOT and any of their authorized representatives for the purpose of making audits, examinations, excerpts, and transcriptions.

- D. The state auditor may conduct an audit or investigation of any entity receiving funds from the Department directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit under the state’s UGMS.

Article 12. Work Performance

All work performed under this agreement shall be carried out in a professional and orderly manner, and the products authorized in the UPWP shall be accurate and exhibit high standards of workmanship.

Article 13. Disputes

The MPO shall be responsible for the settlement of all contractual and administrative issues arising out of procurement entered into in support of work under this agreement. In the event of a dispute between the Department and the MPO concerning the work performed under this agreement in support of the urban transportation planning process, the dispute shall be resolved through binding arbitration. Furthermore, the arbiter shall be mutually acceptable to the Department and the MPO.

Article 14. Non-Collusion

The MPO shall warrant that it has not employed or retained any company or person, other than a bona fide employee working for the MPO, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this agreement. If the MPO breaches or violates this warranty, the Department shall have the right to annul this agreement without liability or, in its discretion, to deduct from the agreement price or consideration, or otherwise recover the full amount of the fee, commission, brokerage fee, gift, or contingent fee.

Article 15. Subcontracts

- A. Any subcontract for services rendered by individuals or organizations not a part of the MPO’s organization shall not be executed without prior authorization and approval of the subcontract by the Department and, when federal funds are involved, the USDOT. All work in the subcontract is subject to the state’s UGMS. If the work for the subcontract is authorized in the current approved UPWP, and if the MPO’s procurement procedures for negotiated contracts have been approved by the Department either directly or through self-certification by the MPO, the subcontract shall be deemed to be authorized and approved, provided that the subcontract includes all provisions required by the Department and the USDOT.
- B. Subcontracts in excess of \$25,000 shall contain all required provisions of this agreement.
- C. No subcontract will relieve the MPO of its responsibility under this agreement.

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Article 16. Termination

- A. The Department may terminate this agreement at any time before the date of completion if the Governor withdraws his designation of the MPO. The Department or the MPO may seek termination of this agreement pursuant to Article 13 (Disputes) if either party fails to comply with the conditions of the agreement. The Department or the MPO shall give written notice to all parties at least ninety (90) days prior to the effective date of termination and specify the effective date of termination.
- B. The Department may terminate this agreement for reasons of its own, subject to agreement by the MPO.
- C. The parties to this agreement may terminate this agreement when its continuation would not produce beneficial results commensurate with the further expenditure of funds. In this event, the parties shall agree upon the termination conditions.
- D. Upon termination of this agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc., prepared by the MPO shall, at the option of the Department, be delivered to the Department.
- E. The Department shall reimburse the MPO for those eligible expenses incurred during the agreement period that are directly attributable to the completed portion of the work covered by this agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The MPO shall not incur new obligations for the terminated portion after the effective date of termination.

Article 17. Force Majeure

Except with respect to defaults of subcontractors, the MPO shall not be in default by reason of failure in performance of this agreement in accordance with its terms (including any failure by the MPO to progress in the performance of the work) if that failure arises out of causes beyond the control and without the default or negligence of the MPO. Those causes may include but are not limited to acts of God or of the public enemy, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather. In every case, however, the failure to perform must be beyond the control and without the fault or negligence of the MPO.

Article 18. Remedies

- A. Violation or breach of agreement terms by the MPO shall be grounds for termination of the agreement. Any costs incurred by the Department arising from the termination of this agreement shall be paid by the MPO.
- B. This agreement shall not be considered as specifying the exclusive remedy for any dispute, but all remedies existing at law and in equity may be availed of by either party and shall be cumulative.

Article 19. Gratuities

- A. Employees of the Department or the MPO shall not accept any benefits, gifts, or favors from any person doing business with, or who may do business with the Department or the MPO under this agreement.
- B. Any person doing business with, or who may do business with the Department or the MPO under this agreement, may not make any offer of benefits, gifts, or favors to Department or

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the MPO employees. Failure on the part of the Department or the MPO to adhere to this policy may result in termination of this agreement.

Article 20. Compliance with Laws

The parties to this agreement shall comply with all federal and state laws, statutes, rules, and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of this agreement, including without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and licensing laws and regulations. When required, the MPO shall furnish the Department with satisfactory proof of its compliance.

Article 21. Successors and Assigns

No party shall assign or transfer its interest in this agreement without written consent of the other parties.

Article 22. Debarment Certifications

The MPO is prohibited from making any award or permitting any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549, Debarment and Suspension. By executing this agreement, the MPO certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The MPO shall require any party to a subcontract or purchase order awarded under this agreement as specified in 49 CFR Part 29 (Debarment and Suspension) to certify its eligibility to receive federal funds and, when requested by the Department, to furnish a copy of the certification.

Article 23. Equal Employment Opportunity

The parties to this agreement agree to comply with Executive Order 11246 entitled "Equal Employment Opportunity" as amended by Executive Order 11375 and as supplemented in Department of Labor Regulations (41 CFR §60).

Article 24. Pertinent Non-Discrimination Authorities

During the performance of this Agreement, each party, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects).
- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).

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- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.
- I. The Federal Aviation Administration’s Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

Article 25. Nondiscrimination on the Basis of Disability

The MPO agrees that no otherwise qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under this agreement. The MPO shall ensure that all fixed facility construction or alteration and all new equipment included in the project comply with applicable regulations regarding Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance, set forth in 49 CFR Part 27, and any amendments to it.

Article 26. Disadvantaged Business Enterprise (DBE) Program Requirements

If federal funds are used:

- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The MPO shall adopt, in its totality, the State’s federally approved DBE program.
- C. The MPO shall incorporate into its contracts with subproviders an appropriate DBE goal consistent with the State’s DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The MPO shall submit its proposed scope of services and quantity estimates to the State to allow the State to establish a DBE goal for each MPO contract with a subprovider. The MPO shall be responsible for documenting its actions.

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- D. The MPO shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.
- E. The MPO shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The MPO shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the MPO of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- F. Each contract the MPO signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the recipient deems appropriate.*

Article 27. Procurement and Property Management Standards

- A. The parties to this Agreement shall adhere to the procurement standards established in Title 49 CFR §18.36, to the property management standards established in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. The State must pre-approve the MPO's procurement procedures for purchases to be eligible for state or federal funds.
- B. The MPO agrees to comply with applicable Buy America requirements set forth in the Surface Transportation Assistance Act of 1978 (Pub. L. 95-599) §401 and the FTA's Buy America regulations in 49 CFR Part 661.
- C. The MPO agrees to comply with the cargo preference requirements set forth in 46 USC §55305 and Maritime Administration regulations set forth in 46 CFR Part 381.

Article 28. Environmental Protection and Energy Efficiency

- A. The MPO agrees to comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act, 42 USC §7602; Section 508 of the Clean Water Act 33 USC §1368; Executive Order 11738 and Title 40 CFR, "Protection of Environment." The MPO further agrees to report violations to the Department.
- B. The MPO agrees to recognize standards and policies relating to energy efficiency that are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163).

Article 29. Federal Reimbursement

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The MPO shall be responsible for any funds determined to be ineligible for federal reimbursement, and shall reimburse the Department the amount of those funds previously provided to it by the Department.

Article 30. Control of Drug Use

The MPO agrees to comply with the terms of the FTA regulation, "Prevention of Alcohol Misuse and Prohibited Drug Use in Mass Transit Operations," set forth in 49 CFR Part 655.

Article 31. Lobbying Certification

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the MPO shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Article 32. Amendments

Any change to one or more of the terms and conditions of this agreement shall not be valid unless made in writing and agreed to by the parties before the change is implemented.

Article 33. Distribution of Products

- A. The MPO shall provide a number of copies to be specified by the Department of all information, reports, proposals, brochures, summaries, written conclusions, graphic presentations, and similar materials developed by the MPO and financed, in whole or in part, as provided in this agreement. All reports published by the MPO shall contain the following prominent credit reference to the Department, USDOT, FHWA, and FTA:
Prepared in cooperation with the Texas Department of Transportation and the U.S. Department of Transportation, Federal Highway Administration, and Federal Transit Administration.
- B. Upon termination of this agreement, all documents prepared by the MPO or furnished to the MPO by the Department, shall be delivered to the Department. All documents,

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photographs, calculations, programs, and other data prepared or used under this agreement may be used by the Department without restriction or limitation of further use.

Article 34. Legal Construction

In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provisions and this agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

Article 35. Sole Agreement

This agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this agreement.

Article 36. Copyrights

The Department and the USDOT shall, with regard to any reports or other products produced under this agreement, reserve a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use the work for government purposes.

Article 37. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>
- B. The MPO agrees that it shall:
 - 1. Obtain and provide to the Department a Central Contracting Registry (CCR) number (Federal Acquisition Regulation, Part 4, Sub-part 4.1100) if this award provides for more than \$25,000 in Federal funding. The CCR number may be obtained by visiting the CCR web-site at <https://www.sam.gov/portal/public/SAM/>;
 - 2. Obtain and provide to the Department a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet on-line registration website at <http://fedgov.dnb.com/webform>; and
 - 3. Report the total compensation and names of its top five (5) executives to the Department if:
 - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

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Article 38. Single Audit Report

If federal funds are used:

- A. The parties shall comply with the single audit report requirements stipulated in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- B. If threshold expenditures of \$750,000 or more are met during the fiscal year, the MPO must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division by email at singleaudits@txdot.gov.
- C. If expenditures are less than the threshold during the MPO's fiscal year, the MPO must submit a statement to TxDOT's Compliance Division as follows: "We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the Project remains open for federal funding expenditures, the MPO will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the Agreement, unless otherwise amended or the Project has been formally closed out and no charges have been incurred within the current fiscal year.

Article 39. Notices

All notices to any party by the other parties required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to the party at the following addresses:

MPO:	MPO Coordinator Victoria Metropolitan Planning Organization 702 N Main Victoria, Texas 77901
Fiscal Agent:	City Manager Victoria Metropolitan Planning Organization 105 W Juan Linn Victoria, Texas 77901
Department:	Director, Transportation Planning & Programming Division Texas Department of Transportation 125 E. 11 th Street Austin, Texas 78701

All notices shall be deemed given on the date delivered or deposited in the mail, unless otherwise provided in this agreement. Any party may change the above address by sending written notice of the change to the other parties. Any party may request in writing that notices shall be delivered personally or by certified U.S. mail and that request shall be honored and carried out by the other parties.

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Article 40. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the Department, the MPO, and the Fiscal Agent in triplicate.

THE MPO

THE FISCAL AGENT

Signature

Maggie Beregon
Typed or Printed Name

Victoria MPO Coordinator
Title

Date

Signature

Charmelle Garrett
Typed or Printed Name

City Manager, City of Victoria
Title

Date

THE DEPARTMENT

Signature

Typed or Printed Name

Director, Transportation Planning and
Programming Division, Texas Department of
Transportation
Title

Date